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Professionalizing Special Operations Forces

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ABSTRACT: The special operations community could best address the perceived ethical crisis it faces by professionalizing as an institution. While earlier assessments have attributed special operations forces' ethical issues to a focus on mission accomplishment that led to a broken force generation process and a high operations tempo, such diagnoses obscure a more comprehensive solution. Using sociologist Andrew Abbott's work on professions as a framework, this article explores the benefits of building the kinds of institutions that can claim a jurisdiction, develop and certify expert knowledge, and establish and apply a code of ethics that addresses special operations unique concerns so that it builds trust and better serves the American people.

Keywords: special operations, military ethics, professional studies, professional expertise, professional jurisdictions, civil-military relations

Special operations forces (SOF) appear to be experiencing an ethical crisis. According to a report last year in *Rolling Stone*, special operators routinely abused and even smuggled drugs while conducting operations. More concerning are the times special operators were involved in, and occasionally got away with, murder.¹ Another report described special operators engaging in extremist, radicalized, and racist discussions, sometimes advocating violence against elected US officials in secret Facebook groups.² Additionally, multiple high-profile war-crime cases have recently occurred, including those of Eddie Gallagher (who was accused of one count of murder and two counts of attempted murder but convicted for posing for a photo with the corpse of a detainee) and US Army Special Forces Major Matthew Golestyn, who was accused of murdering an Afghan man his unit had detained.³

This ethical crisis is not limited to US special operations forces. According to the 2020 Brereton Report by the Australian Department of Defence, Australian special forces have also been involved in killing civilians and other abuses in

1. Seth Harp, "The Fort Bragg Murders," *Rolling Stone* (website), April 18, 2021, <https://www.rollingstone.com/culture/culture-features/fort-bragg-murders-1153405/>.

2. Carol E. Lee, "In Secret Facebook Groups, America's Best Warriors Share Racist Jabs, Lies about 2020, Even QAnon Theories," *NBC News* (website), April 16, 2021, <https://www.nbcnews.com/news/military/secret-facebook-groups-america-s-best-warriors-share-racist-jabs-n1263985>.

3. Stephen Losey, "Eddie Gallagher vs. the World: After War Crimes Trial, Notorious SEAL Is Out to Settle Scores," *Military.com* (website), June 26, 2021, <https://www.military.com/daily-news/2021/06/26/eddie-gallagher-vs-world-after-war-crimes-trial-notorious-seal-out-settle-scores.html>; and Dave Phillips, "Army Denies Request by Soldier Pardoned by Trump, Setting Up Showdown," *New York Times* (website), January 9, 2020, <https://www.nytimes.com/2020/01/09/us/mathew-golestyn-army-war-crime.html>.

Afghanistan.⁴ The report cites credible evidence Australian special operators wrongfully killed 39 Afghan civilians—news that has generated much of the same kind of soul-searching currently happening in the United States.⁵

Crises like these are as attributable to the institution as they are to the individual. Indeed, United States Special Operations Command issued the *Comprehensive Review* in January 2020 to address this point. The report attributed these ethical failures, in part, to a focus on force employment and mission accomplishment, leading to a broken force generation (FORGEN) process and a high operations tempo (OPTEMPO) that impeded the recruitment, assessment, and deployment of fully trained operators and leaders.⁶

This diagnosis obscures the solution. Fixing these problems may result in a highly skilled force, but that is not the same as a highly professional one. Whereas a highly skilled force is proficient at performing tasks, a professional force understands how these tasks collectively serve a greater social good. The point here is not to assess whether the SOF community has a crisis but to emphasize the opportunity the current situation provides to professionalize more fully by addressing institutional shortcomings that diminish the ability to construct an effective professional identity.

Special operators may be professionals of a sort. However, until special operations designates a jurisdiction over which it has the autonomy to exercise judgment, the organization is better characterized as a bureaucracy that manages a highly skilled force. Sociologist Andrew Abbott describes professional expertise as necessary to diagnose, treat, and make inferences about the problems professionals are called upon to solve.⁷ Employing Abbott's framework, I suggest a better way to address these issues and enable the SOF community to examine its ethical and operational challenges.

Diagnoses

Whether reported cases of ethical failure in special operations forces rise to the level of crisis is difficult to say given the anecdotal nature of the evidence. In 2018 and 2019, however, the severity of these failures motivated Congress

4. Ben Doherty, "How the 'Good War' Went Bad: Elite Soldiers from Australia, UK, and US Face a Reckoning," *Guardian* (website), June 1, 2021, <https://www.theguardian.com/australia-news/2021/jun/02/how-the-good-war-went-bad-elite-soldiers-from-australia-uk-and-us-face-a-reckoning>.

5. Christopher Knaus, "Key Findings of the Brereton Report into Allegations of Australian War Crimes in Afghanistan," *Guardian* (website), November 18, 2021, <https://www.theguardian.com/australia-news/2021/nov/19/key-findings-of-the-brereton-report-into-allegations-of-australian-war-crimes-in-afghanistan>.

6. United States Special Operations Command (USSOCOM), *Comprehensive Review* (MacDill Air Force Base, FL: USSOCOM, January 23, 2020), 5–7.

7. Andrew Abbott, *The System of Professions: An Essay on the Division of Expert Labor* (Chicago: University of Chicago Press, 1988), 52.

to direct a review of special operations accountability, misconduct, ethics, and professionalism.⁸ In response, United States Special Operations Command issued a report in January 2020 that found no “systemic” ethical failures. The report acknowledged a high operational tempo and certain aspects of special operations culture had set conditions for ethical failures. Specifically, the high operational tempo disrupted the normal FORGEN process and caused a “cascading effect” impacting leader development and unit integrity.⁹

Additionally, the review found some services overemphasized physical training at the expense of professional development. Thus, special operators were highly skilled when they joined special operations organizations, but they lacked a fully developed professional identity and ethos. The report also found the lack of exposure to originating service cultures, and the specialized attention and amenities operators received further risked creating a sense of entitlement. Moreover, the level of quality control over assessment, selection, and training varied among services and special operations components, causing acculturation to be inconsistent.¹⁰

The report’s findings were met with a mixed response. Writing in the *Washington Post*, David Ignatius described the report as an “important step,” though the report may have been “careful . . . perhaps to a fault” in its language.¹¹ Less receptive, *Rolling Stone* described the report as “mostly a whitewash, full of vague language about improving leadership and accountability.”¹² Both responses likely hold truth. The report helpfully describes how ethical failures are attributable to the institution as much as the individual. By understating the role the institution (as a system) plays in setting the conditions for these failures, the report obscures the institutional remedies available to address the conditions for ethical failure.

As an institution, special operations has been hampered in its ability to control the recruitment, assessment, and professional development of its personnel because of its dependency on external organizations to manage those processes. Although the establishment of US Special Operations Command as a unified command solved many operational concerns at the time, the most important elements of what it means to be in a profession were left to the other services,

8. Meghann Myers, “The Pentagon Is Reviewing the Special Operations Community after a Series of High-Profile Scandals,” *ArmyTimes* (website), December 5, 2018, <https://www.armytimes.com/news/your-army/2018/12/05/the-pentagon-is-reviewing-the-special-operations-community-after-a-series-of-high-profile-scandals/>.

9. USSOCOM, *Comprehensive Review*, 25–32.

10. USSOCOM, *Comprehensive Review*, 42.

11. David Ignatius, “Special Operations Forces Are Stretched to the Danger Point,” *Washington Post* (website), January 28, 2020, https://www.washingtonpost.com/opinions/special-operations-forces-are-stretched-to-the-danger-point/2020/01/28/c6c3898a-421a-11ea-aa6a-083d01b3ed18_story.html.

12. Harp, “Fort Bragg Murders.”

which are effectively other professions.¹³ At this point, no single institution oversees the professional development and certification of special operators over one jurisdiction.

Compounding these institutional difficulties, the complexity of the operating environment also contributes to the current crisis. Writing on the *Small Wars Journal* website, one special operations officer argued the community's ethical issues primarily arise from special operations soldiers being "selected for a willingness and aptitude to conduct traditionally immoral acts, trained to be proficient at the conduct of those acts, but then expected to refrain from those acts outside of approved operational circumstances." In response, the author recommends a "bifurcated ethics system" that differentiates operational and nonoperational environments.¹⁴ Echoing this sentiment, another special operator serving a federal prison sentence told *Rolling Stone* special operators act in the "grey zone" where morality and ethics are "in the eye of the beholder," "everything goes" as long as the mission is accomplished, and any indiscretions remain outside the public eye.¹⁵

Although anecdotal, both views reflect a misunderstanding of the roles professionals play in society. Where professions serve a social good (such as health, justice, or security), professionals have a *prima facie* ethical obligation to provide that service. For example, emergency rooms are required to ensure patients are stabilized and treated, regardless of their ability to pay.¹⁶ Thus, professionals are not asked to do unethical things; rather, professionals are asked to do things that would be unethical for nonprofessionals to do. Professional knowledge is highly specialized, and those without it will be unable to provide the profession's service and, in some cases, could harm the client.¹⁷

Notably, Abbott rejects the idea professions must somehow serve society. Yet, Abbott acknowledges some professions, like the military, could qualify as a "special calling" because of the nature of the work and a sense of corporateness in members' individual roles. Writing in 1988, Abbott observed such professionalism was generally in decline in the United States.¹⁸ This point is important because an occupation can count as a profession without needing to reconcile its professional ethics with personal ones. But where the provision of a

13. Bryan D. Brown, *United States Special Operations Command History: 1987–2007* (Tampa, FL: USSOCOM History and Research Office, 2007), 12.

14. Dan Pace, "A House Divided: A Look at SOF Values," *Small Wars Journal* (website), February 25, 2021, <https://smallwarsjournal.com/jrn/art/house-divided-look-sof-values>.

15. Harp, "Fort Bragg Murders."

16. "Emergency Medical Treatment and Labor Act (EMTALA) Fact Sheet," American College of Emergency Physicians (website), accessed on May 10, 2022, <https://www.acep.org/life-as-a-physician/ethics--legal/emtala/emtala-fact-sheet/>.

17. Eliot Freidson, *Professionalism, The Third Logic: On the Practice of Knowledge* (Chicago: University of Chicago Press, 2001), 17.

18. Andrew Abbott, "The Army and the Theory of Professions," in *The Future of the Army Profession*, ed. Don M. Snider and Gayle L. Watkins (Boston: McGraw-Hill Publishing, 2002), 528–30.

good or service risks harm—whether to the client or others—professions must ensure they have effective institutions able to educate, train, certify, and, perhaps most importantly, govern professionals to ensure their acts serve the greater good and can stand up to ethical scrutiny.

This obligation points to another challenge for special operations forces. Although a subjective approach to ethics like the ones expressed above is wrong in any environment, the norms for operations below the threshold of war are not well established, well understood, or even normative. In this environment, weaker adversaries “punch above their weight” by employing technology, proxies, and other means to bypass stronger actors’ military forces and inflict substantial harm, often while avoiding accountability. Where actors evade accountability, their targets have little choice but to engage in reprisals to discourage and deter future aggressions. Reprisals, of course, set conditions for escalation, which risks a wider conflict for otherwise limited ends.¹⁹ These conditions, however, do not mean unethical acts are permitted or ethics does not apply. Rather, the under-governed environment in which special operators work requires professionals who can conduct themselves ethically within a profession that can tell them how.

Treatment

To remedy the situation, the *Comprehensive Review* recommends US Special Operations Command improve its validating requirements to ensure the FORGEN process can generate fully manned and trained organizations. The review also recommends better development of leaders who can provide increased accountability and oversight.²⁰ These recommendations are good, but they miss the gap the review identifies in special operations recruitment, assessment, and professional development. As the review notes, individuals enter special operations before they have been fully acculturated into their service profession, and, after joining, their development focuses on skills rather than the profession.²¹ Consequently, a gap between professional identity and practice emerges that is unlikely to be remedied by more professional or ethics training or education. Rather, this gap suggests special operations as an enterprise must fully professionalize before it can expect its members to act as professionals.

Before examining what fully professionalizing special operations means, it is worth clarifying how a professional perspective can improve ethical reasoning and create conditions for more ethical behavior. Take for instance the approach articulated in *A Special Operations Force Ethics Field Guide: 13 Ethical Battle Drills*

19. C. Anthony Pfaff, “Military Ethics below the Threshold of War,” *Parameters* 50, no. 2 (Summer 2020): 69–70, <https://press.armywarcollege.edu/parameters/vol50/iss2/10/>.

20. USSOCOM, *Comprehensive Review*, 69.

21. USSOCOM, *Comprehensive Review*, 41–43.

for *SOF Leaders*. Produced by the US Special Operations Command chaplain's office, the field guide is based on a business ethics text developed by two Brigham Young University business professors.²² The guide characterizes moral dilemmas as a finite set of choices between "right versus right," where actors understand their options as two "highly prized values," such as keeping a promise to honor confidentiality versus loyalty to a friend.²³

The problem with this "right versus right" framing is it oversimplifies the complexities of practical moral reasoning and downplays the importance of professional judgment and experience. For example, one "battle drill" poses a dilemma in which one special operator observes another stealing thermal scopes. The dilemma arises because the thief saved the life of the special operator, and turning the thief in would ruin his career, if not land him in prison. The situation appears to pit loyalty to a friend to whom one has a special obligation against the organization, which would suffer from the loss of thermal scopes.

Framing the situation in this way creates a false dilemma from a professional, ethical perspective. Loyalty alone is insufficient to generate ethical obligation; to whom or what one is loyal matters in the context of ethics. As legal scholar George Fletcher stated, "Blind adherence to any object of loyalty—whether friend, lover, or nation—converts loyalty into idolatry."²⁴ More to the point, constructing the dilemma in this way obscures the professional obligation special operators have as stewards of their profession to conserve and employ appropriately the resources the American people have provided. Upon more careful analysis, seeing the two rights here is difficult. The special operator should have turned in his friend, and his friend, if he had any professionalism left, should understand why the special operator had to do it.

Another more tragic dilemma illustrated in the battle drills is an operator's choice whether to shoot an armed nine-year-old child who is about to shoot other soldiers maneuvering in a firefight.²⁵ This case could easily be framed as a choice between two wrongs, which would better reflect its tragic nature. Under the laws of armed conflict, shooting the child may be permissible because the laws allow one to attack persons participating in

22. Dan Rascon, "BYU Professors Create Ethics Field Guide to Help US Special Forces," KSL TV (website), February 23, 2021, <https://ksltv.com/456124/byu-professors-create-ethics-field-guide-to-help-us-special-forces/>.

23. George T. Youstra, *A Special Operations Force Ethics Field Guide: 13 Ethical Battle Drills for SOF Leaders* (MacDill Air Force Base, FL: USSOCOM, 2021), 7.

24. George P. Fletcher, *Loyalty: An Essay on the Morality of Relationships* (New York: Oxford University Press, 1993), 6.

25. Youstra, *Ethics Field Guide*, 30.

hostilities. Seeing shooting the child as right, however, is difficult.²⁶ A more professional frame would account for professionals incurring an additional burden of risk, requiring them to consider alternative responses such as finding ways to disrupt the child's aim or warn the soldiers the child is about to engage.²⁷

In tragic dilemmas, regardless of the choice made, moral residue and reasons for regret and remorse will always exist; that is what makes the situation tragic.²⁸ Seeing either choice as "right," in any sense of the word, downplays the complex emotional response a special operator might have. If these emotional responses are left unaddressed, they can contribute to psychological stresses that potentially create the conditions for future unethical behavior. A code of professional ethics can help individuals mediate these stresses by providing a framework for evaluating practical choices, even in the heat of the moment. Moreover, institutions are obligated to provide the tools for better ethical outcomes, resulting in better alternatives and preparing professionals practically, ethically, and psychologically to reduce the chance for and degree of stress.

US Special Operations Command has engaged in efforts, such as those associated with the Preservation of the Force and Family initiative, that address physical, psychological, cognitive, social, and spiritual conditions that can enable ethical violations.²⁹ Such initiatives are an important part of any comprehensive solution, but they do not address the fundamental professional and ethical concerns necessary for effective reform.

The field guide is not a governing document for special operations; therefore, one must be careful about drawing too broad a conclusion about special operations ethics. Also, in fairness to the guide, the battle-drill examples are real-world cases, and the special operators may have perceived their situations as "right versus right" dilemmas. Well-trained and well-educated professionals should not see such situations in this way. While ethical dilemmas may be difficult and tragic, a well-conceived professional ethic resolves the tension by reconciling personal values to professional ones.

Inference

Based on the above analysis, special operations forces may not be having an ethical crisis so much as a professional one. Exacerbating the problem is special

26. John Cherry and Michael Rizzotti, "Understanding Self-Defense and the Law of Armed Conflict," Lieber Institute (website), March 9, 2021, <https://lieber.westpoint.edu/understanding-self-defense-law-armed-conflict/>.

27. Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 4th ed. (New York: Basic Books, 2006), 155.

28. Rosalind Hursthouse, *On Virtue Ethics* (Oxford, UK: Oxford University Press, 1999), 71–75.

29. "About USSOCOM Preservation of the Force and Family (POTFF)," USSOCOM (website), April 20, 2021, <https://www.socom.mil/POTFF/Pages/About-POTFF.aspx>.

operations is not really a profession. A profession entails specialized knowledge in service to society, allowing professionals to exercise autonomy over a specific jurisdiction.³⁰ The medical profession, for instance, involves specialized knowledge about human health applied to sustain or improve the health of patients. Because these professionals have autonomy over a specific jurisdiction, they can act in ways nonprofessionals cannot.³¹ For example, only medical professionals are certified and permitted to conduct surgery or prescribe drugs.

Moreover, membership in a profession is contingent upon completing a certification process created and assessed by other members of the profession. Doctors, nurses, and other medical professionals are certified by attending medical school. As they progress within their chosen specialties, the professionals undergo additional education and training. Professions also have a code of ethics to ensure their members continue to serve a greater good.³² Again, the medical example is instructive because the codes obligate members to practice competency, compassion, and the provision of care, among other qualities necessary for the medical profession to fulfill its role.³³

Professional codes require an understanding of professional purpose and the knowledge required to fulfill this purpose. Samuel Huntington famously argued the essential function of the military is successful armed combat, and he characterized military expertise as the “management of violence.”³⁴ Managing violence requires more than tactical skill; it also involves organizing, training, and equipping the force and planning and directing its operations and activities in and outside combat.³⁵ Within the military, services carve out jurisdictions and build expert knowledge around them. For instance, the Army claims Landpower as its jurisdiction and “the ethical design, generation, support, and application of landpower, primarily in unified land operations, and all supporting capabilities essential to accomplish the mission in defense of the American people” as its expert knowledge.³⁶ Other services have similar statements specifying their jurisdictions, roughly corresponding to the five domains of warfighting: land, air, maritime, space, and information (including cyberspace).³⁷ Regardless of the jurisdiction

30. Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Belknap Press, 1957), 8–10.

31. Abbott, *System of Professions*, 60.

32. Huntington, *Soldier and the State*, 9–10.

33. “Code of Medical Ethics Overview,” American Medical Association (website), accessed on July 8, 2021, <https://www.ama-assn.org/delivering-care/ethics/code-medical-ethics-overview>.

34. Huntington, *Soldier and the State*, 11.

35. Huntington, *Soldier and the State*, 11.

36. Headquarters, Department of the Army (HQDA), *The Army Profession*, Army Doctrine Reference Publication 1 (Washington, DC: HQDA, 2015), 5-1.

37. Joint Chiefs of Staff (JCS), *Joint Operations*, Joint Publication 3-0 (Washington, DC: JCS, October 22, 2018), IV-1.

a service claims, the burden is on the service to determine the knowledge the members need to claim the jurisdiction.

Military expert knowledge comprises four fields: military-technical, moral-ethical, political-cultural, and human development.

- Technical expertise ensures the profession is effective.
- Ethical expertise determines the norms governing the service the profession provides and ensures the trust of the client.
- Political expertise includes cultural knowledge and covers how the profession interacts with external actors—which, in the case of the military, includes the US government, the American people, allies and partners, and civilian populations where the military operates.
- Human development involves inspiring people to serve and then providing them with the professional development necessary to become effective certified leaders.³⁸

These different elements of professional expertise are necessary so professionals can fulfill client needs, maintain client trust, develop the talent necessary for sustaining and growing the profession, and manage relations with external actors who have a stake in the profession's activities.

The trust of the client is critical to the health of a profession. Professionals must put the needs of their clients first.³⁹ Without this trust, clients will look elsewhere for service, undermining the profession's jurisdiction, or impose external regulation and oversight, thus eroding the profession's autonomy. Unlike the professions of law and medicine (the clients of which are members of society, the military's client is the state to whom it must provide expert advice on the application of force in defense of the society the state represents.⁴⁰

No occupation is ever fully professionalized because humans are frequently neither fully competent nor fully ethical. This limitation is also built into the design of professional practice. Professions usually require extensive bureaucracies to sustain their practices and manage scarce resources, so they are used to maximum effect. Bureaucratic demands, however, are often at odds with professional ones. Where professionals create expert knowledge and apply it to new situations,

38. Richard A. Lacquement Jr., "Mapping Army Professional Expertise and Clarifying Jurisdictions of Practice," in *The Future of the Army Profession*, ed. Don M. Snider and Gayle L. Watkins (Boston: McGraw-Hill Publishing, 2002), 217.

39. Anne C. Ozar, "The Plausibility of Client Trust of Professionals," *Business and Professional Ethics Journal* 33, no. 1 (2014): 90.

40. Huntington, *Soldier and the State*, 11–18.

bureaucrats emphasize efficiency and maintaining the status quo.⁴¹ The resulting tension is evident in the medical field where, for example, a doctor may wish to prescribe an expensive treatment, but the hospital administrator will not approve it because the treatment will result in fewer resources for other patients.

Favoring the professional ideal over the bureaucratic may encourage an innovative service, but one that is likely incapable of delivering on a large scale. If the bureaucratic is favored over the professional, service provision can get overwhelmed by process and regulation.⁴² For this reason, a profession's status as a profession should never be taken for granted. Resolving the tension in either direction undermines the service provided, which, in turn, undermines the trust of the client. Such an effect occurred in the post-Vietnam War Army, wherein stifled innovation and diminished training and discipline were not overcome until the Army renewed its emphasis on defeating the Soviets and developed education, training, and capabilities to match.⁴³ The Army's professional status was questioned again in the 1990s, when the emphasis on large-scale combat operations displaced other security concerns related to failed states in the Balkans and elsewhere.⁴⁴

The point here is not that clients set a profession's jurisdiction. When confronted with a problem that falls outside the profession's capabilities but within its jurisdiction, professionals are obligated to generate new capabilities—especially if no other profession would be a better fit for the problem. For instance, when the coronavirus pandemic broke out in early 2020, it was the role and obligation of medical professionals to develop a vaccine. The pandemic also required the medical profession to expand capacity—a feat it was not always able to accomplish. Because capacity was limited, the profession recommended restriction on movement and social contact to lower demand. Some of these restrictions drew objections from the public and brought into question—rational or not—how much the public trusted the medical profession. Therefore, in pursuit of the social good, the execution of professional responsibilities can require constant negotiation between the needs of the client and the particular social good the profession was created to provide.

This tension between the profession and the bureaucracy is enduring. Professional services are a finite resource rarely sufficient to meet demand. Bureaucratic hierarchy, process, and other requirements often displace notions of

41. Don M. Snider, "The US Army as a Profession," in *The Future of the Army Profession*, ed. Don M. Snider and Gayle L. Watkins (Boston: McGraw-Hill Publishing, 2002), 15.

42. Snider, "Army as a Profession," 15–16.

43. Leonard Wong and Douglas V. Johnson II, "Serving the American People: A Historical View of the Army Profession," in *The Future of the Army Profession*, ed. Don M. Snider and Gayle L. Watkins (Boston: McGraw-Hill Publishing, 2002), 102; and Suzanne C. Nielsen, *An Army Transformed: The US Army's Post-Vietnam Recovery and the Dynamics of Change in Military Organizations* (Carlisle, PA: Strategic Studies Institute, US Army War College Press, 2010), 36–39, <https://press.armywarcollege.edu/monographs/343/>.

44. Snider, "Army as a Profession," 14–20; and Wong and Johnson, "Serving the American People," 103–4.

personal and social responsibility, especially when they conflict with bureaucratic efficiency. The choice for the professional is not “either/or”; the choice is “both/and.” Bureaucratic requirements are necessary for the large-scale provision of a professional service and critical for accountability and transparency. Professionals must “do the heavy lifting” to balance bureaucratic requirements in ways that maintain a level of efficiency that preserves clients’ trust and bolsters the jurisdiction and autonomy necessary to ensure professional effectiveness.

Thinking a particular professional practice consisted of one group of expert professionals and another group of skilled bureaucrats would be wrong. A healthy profession’s members must play both roles. They can, however, rely on nonprofessionals or professionals from other fields to improve operations. While human resource professionals working in a law firm are not members of the legal profession, this status does not make their contributions any less important. Professionals must know how to use nonprofessional contributions to apply expert knowledge successfully.

Bureaucracies are not the only things able to undermine a profession. Often, specific policies that seem effective can set conditions for ethical failure in practice. As Peter Olsthoorn observes, the military encourages social cohesion and physical courage by instilling a sense of shame should soldiers fail their comrades in combat.⁴⁵ High social cohesion, however, can crowd out the conditions necessary for moral courage—understood here as overcoming the fear of humiliation, shame, or loss of status when confronting wrongdoing.⁴⁶ When overcoming these fears and confronting wrongdoing negatively affects membership, members of highly cohesive groups often perceive the cost of confrontation to be too high.

Thus, the *Rolling Stone* article describing the special operations ethos as focusing almost exclusively on mission accomplishment and avoiding embarrassment is not surprising. However, a better-developed professional identity can address the negative conditions high social cohesion can create and preserve the positive conditions necessary for an effective fighting force. Professional obligations require the individual’s reputational cost to be subordinated to the reputational cost of the profession.

Professionalizing Special Operations Forces

Absent a professional framework, things can go wrong because they are also going right. The professional framework demands the professional maintain the

45. Peter Olsthoorn, *Military Ethics and Virtues: An Interdisciplinary Approach for the 21st Century* (New York: Routledge, 2011), 54–55.

46. Olsthoorn, *Military Ethics*, 49–50.

client's trust and get the job done in ways that reflect the client's values. As the foregoing analysis suggests, creating and integrating a professional framework requires establishing a jurisdiction, creating expert knowledge, certifying members in the knowledge, and developing a code of ethics governing the application of expert knowledge.

Establish a Jurisdiction

For Abbott, professions establish themselves by competing over jurisdictions.⁴⁷ Without its own jurisdiction, the special operations community is not fully professionalized. James Burk describes a professional jurisdiction as the domain within which expert knowledge is applied. This domain is physical, such as a hospital, courtroom, or battlefield. The domain, however, is equally conceptual—for example, health, justice, or defense.⁴⁸ Both physical and conceptual domains can be further divided, creating additional professional spaces. Given the four physical domains of warfighting have been claimed by other services, special operations will have to look below the threshold of war to find its place.⁴⁹

Competition below the threshold of war is a natural fit for special operations. In the 1960s, US President John F. Kennedy reoriented US Army Special Forces to focus on unconventional warfare and counterinsurgency to combat the spread of communism while avoiding escalation with the Soviet Union.⁵⁰ More recently, General Richard Clarke, commander of US Special Operations Command, stated the future of special operations entails working with critical allies and partners to ensure access, placement, and influence. The future of special operations also involves ensuring the success of relevant information operations intended to deny adversaries the ability to spread disinformation.⁵¹ These activities are critical to how the Department of Defense supports international competition.

To claim a jurisdiction is not to say other services do not play a role. Rather, in doing so a profession takes responsibility for success within that jurisdiction, allowing other contributions to have maximal positive impact. Currently, no single service or other entity owns the competitive space below the threshold

47. Abbott, "Theory of Professions," 534.

48. James Burk, "Expertise, Jurisdiction, and Legitimacy of the Military Profession," in *The Future of the Army Profession*, ed. Don M. Snider and Gail L. Watkins (Boston: McGraw-Hill Publishing, 2002), 49–50.

49. JCS, *Joint Operations*, IV-1.

50. Allan R. Millet, Peter Maslowski, and William B. Feis, *For the Common Defense: A Military History of the United States from 1607 to 2012* (New York: Free Press, 2012), 624–25.

51. Howard Altman, "The Future of SOF: Exclusive Interview with SOCOM Commander Richard Clarke," *Military Times* (website), May 20, 2021, <https://www.militarytimes.com/news/your-military/2021/05/20/the-future-of-sof-exclusive-interview-with-socom-commander-richard-clarke/>.

of war. Moreover, the other services have jurisdictions above the threshold that take priority.

Create Expert Knowledge and a Process to Certify Professionals

Professional knowledge goes beyond the development of skills. Abbott states professional knowledge is abstract in that it legitimizes professional work; establishes the research necessary to diagnose, treat, and make inferences about the problems professionals solve; and constructs the standards of instruction from which the profession certifies its members. Additionally, professional knowledge supports innovation because it reveals underlying regularities that relying on skill does not.⁵²

A significant challenge for professionalizing special operations is the diversity of skills involved, including direct-action operations, foreign internal defense, security force assistance, information operations, and civil affairs.⁵³ Given this range, seeing how these skills could be unified under one professional education umbrella might be difficult. A professional jurisdiction will inform how the profession educates and trains each member to apply each required skill.

Creating expert knowledge and its certification process means significant investment in professional military education that focuses on the demands of special operations. Special operations could still rely on the service components for recruitment, accession, and training but would need to have greater involvement in, if not oversight of, its programs (as the *Comprehensive Review* recommends). Additionally, special operations must create a career-long standard of education that produces professionals capable of stewarding the profession at the tactical, operational, and strategic levels.

Develop a Code of Ethics

With a jurisdiction and expert knowledge established, special operations will be in a position to establish and administer a professional ethic that accounts for what the special operator, as a highly skilled individual, does; who the special operator, as a moral agent, is; and what special operations, as an institution, should achieve. Properly constructed, a robust professional ethic describes the duties, outcomes, and character traits associated with good special operators. Moreover, a professional ethic is not passive. Avoiding

52. Abbott, *System of Professions*, 56–57.

53. “Core Activities,” USSOCOM (website), accessed on July 12, 2021, <https://www.socom.mil/about/core-activities>.

ethical wrongdoing is not good enough; a professional must proactively seek to do good.⁵⁴

Developing such an ethic will be complex given the relative paucity of norms below the threshold of war. Further complicating matters, no professional ethic involves the effective provision of a service. Society gives professionals the authority to engage in activities society does not grant nonprofessionals because these activities could lead to harm. Especially in the military context, professionals must further gain and sustain moral authority. In addition to the functional imperative of the profession, professionals must integrate social norms and relevant legislation, including international law and treaties, into practice and their personal values.⁵⁵

Conclusion

Implementing any of these recommendations, much less all of them, would raise several concerns. The most obvious is designating a special operations jurisdiction would place the organization on the same level as the other services. This effect was almost achieved when then-Secretary of Defense Christopher Miller directed the assistant secretary of defense for special operations and low-intensity conflict to report directly to him, as other service secretaries do.⁵⁶ Current Secretary of Defense Lloyd Austin, however, partially reversed this decision when he moved the position back under the Office of the Under Secretary of Defense for Policy, where the position focuses on the broad policies associated with its functional imperative. Nevertheless, Austin retained a direct line over administrative matters involving organization, training, and equipment.⁵⁷ The reversal effectively provided additional oversight by the Department of Defense without the additional autonomy US Special Operations Command would have gained as a service equivalent.

Other concerns follow from the “chicken-and-egg” situation in which special operations finds itself. To professionalize fully, special operations must set itself apart from the other service professions. From a bureaucratic perspective, this distinction would place special operations in competition rather than collaboration with the other services. This competition could affect access

54. C. Anthony Pfaff and Keith R. Beurskens, “Introduction,” in *Maintaining the High Ground: The Profession and the Ethic in Large-Scale Combat Operations*, ed. C. Anthony Pfaff and Keith R. Beurskens (Fort Leavenworth, KS: Army University Press, 2021), 2.

55. Anthony Hartle, *Moral Issues in Military Decision Making*, 2nd ed. (Lawrence: University Press of Kansas, 2004), 74–75.

56. Corey Dickstein, “Acting Defense Secretary Orders Top Special Operations Civilian to Report Directly to Him,” *Stars and Stripes* (website), November 18, 2020, <https://www.stripes.com/theaters/us/acting-defense-secretary-orders-top-special-ops-civilian-to-report-directly-to-him-1.652557>.

57. Lara Seligman, “Austin Rolls Back Trump-Era Policy on Special Ops,” *Politico* (website), May 5, 2021, <https://www.politico.com/news/2021/05/05/lloyd-austin-defense-special-ops-policy-485432>.

to important resources service components currently provide, making full separation from the services difficult. The growing importance and complexity of competition below the threshold of war and the distraction created by the competition from the equally important task of warfighting suggest special operations' evolution into a full profession is in the organization's interests.

Multiple options exist to move special operations from its current state to one with the resources necessary to recruit, train, assess, and employ effective individuals and teams that can avoid the current ethical failures of the organization. Something like professionalization in the sense described here must happen. Additionally, nothing is wrong with developing an ethics curriculum to sensitize individuals to what is ethically relevant.

Without a professional framework, these measures will do little to set conditions for better ethical behavior. Fixing force generation and operational tempo will ensure a highly skilled force that may be blind to how functional imperatives (like high social cohesion) can encourage unethical behavior. While teaching individual ethics may better enable special operators to talk about ethics, it cannot make them care about ethics. Divorced from the calling a professional identity provides, individuals will have little reason to take the hard right and avoid the easy wrong—and little reason to hold themselves accountable for attaining the professional ideal.

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