

# SPECIAL REPORT

A SELECTION OF PAPERS PRESENTED AT THE 2018 FORT LEAVENWORTH ETHICS SYMPOSIUM

2018 Fort Leavenworth Ethics Symposium



## The Impact of Diverse Worldviews on Military Conflict



An intellectual forum co-sponsored  
by the U.S. Army Command and General Staff College and the CGSC Foundation, Inc.

April 30 – May 1, 2018  
Lewis and Clark Center  
Fort Leavenworth, Kansas



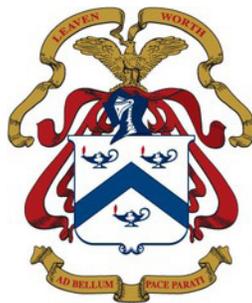
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# The Impact of Diverse Worldviews on Military Conflict

*A Selection of Papers Presented at the  
2018 Fort Leavenworth Ethics Symposium*

*Foreword by*

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Fort Leavenworth, Kansas

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**Fort Leavenworth Ethics Symposium**  
**The Impact of Diverse Worldviews on Military Conflict**  
**30 April - 1 May 2018**

## **Agenda**

### **Monday, 30 April**

- 8:30-8:45 a.m. Introduction by Brigadier General Scott L. Efflandt
- 8:45-9:45 a.m. Remarks by Dr. George R. Lucas, Jr.
- 9:45-10:00 a.m. Break
- 10:00-12:00 p.m. Panel Discussions (Track 1, Staff Groups 1-10)
- 10:00-12:15 p.m. Breakout Sessions (Track 2, Staff Groups 11-19)
- 12:00-1:00 p.m. Lunch and Break (Track 1)
- 12:15-1:15 p.m. Lunch and Break (Track 2)
- 1:00-3:15 p.m. Breakout Sessions (Track 1)
- 1:15-3:15 p.m. Panel Discussions (Track 2)
- 3:15-4:30 p.m. Social

### **Tuesday, 1 May**

- 8:30-10:00 a.m. Closing by Dr. Shannon E. French
- 10:00-10:20 a.m. Recognition and Awards
- 10:20-10:30 a.m. Break
- 10:30-11:20 a.m. Wrap Around
- 11:20-11:30 a.m. Break
- 11:30-12:30 p.m. Lunch
- 12:30-3:00 p.m. Ethics Service School Instructor & CAPE Visit (by invitation)

### **Panel Discussion Topics**

Salafi-Jihadism: A Look at the Individual and Organizational Level Ethical Framework

*Moderated by Chaplain (Major) Josh Gilliam, Instructor, World Religions, U.S. Army Command and General Staff College*

Cultural Perspectives, Geopolitics and Energy Security of the Koreas

*Moderated by Dr. Mahir Ibrahimov, Director, U.S. Army Culture, Regional Expertise and Language Management Office*

Understanding the Chinese Perspective: What History Tells Us About the Future

*Moderated by Dr. John Modinger, Instructor, Department of Joint, Interagency, and Multinational Operations, U.S. Army Command and General Staff College*



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# Foreword

by Roderick M. Cox

Beginning in 2009, the Command and General Staff College Foundation has partnered each year with the U.S. Army Command and General Staff College to host an annual ethics symposium at Fort Leavenworth. These annual symposia provide an opportunity for academics and practitioners to come together to discuss ethics as they relate to the profession of arms, the practice of state controlled violence, and national security.

The 2018 Fort Leavenworth Ethics Symposium was conducted April 30-May 1, 2018, with the theme of “The Impact of Diverse Worldviews on Military Conflict.” The symposium included a variety of guest speakers, panel discussions, and paper presentations.

Over thirty papers were accepted for presentation at the symposium. This publication is a collection of nineteen of those papers, published largely as submitted. Other papers will be published in a special edition of the Simons Center’s *InterAgency Journal* later this year, and are listed below.

*InterAgency Journal* Vol. 9, Issue 3 (2018)

“Hidden Changes in Organizational Culture and Their Lasting Effects”  
by Christopher R. Allen and Ted A. Thomas

“New Generation Warfare and the Just War Tradition”  
by Richard E. Berkebile

“Disenfranchisement Breeds Conflict”  
by Benjamin E. Birtles

“Criminal Ethos of Russia: The Great Western Dilemma of Fighting New Generation Warfare”  
by Egidijus Čiūtas

“Chinese Advantages in the Development and Integration of Artificial Intelligence and Warfare”  
by Daniel G. Cox

“The Ethics of Information-Gap Decision Making”  
by William J. Davis, Jr. and Penny Koerner

“Will Russian Exploitation of Open Press Destroy U.S. Democracy?”  
by Nicholas Kane

“A Century of Humiliation: The Power of Economic Warfare”  
by Sam Ku

“Is the Morality of War Plausible in a Diverse World?”  
by John Madden

“The Proliferation of Decentralized Trust Technology”  
by Alexander G. Mullin



# Lethal Autonomous Weapons and the Professional Military Ethic

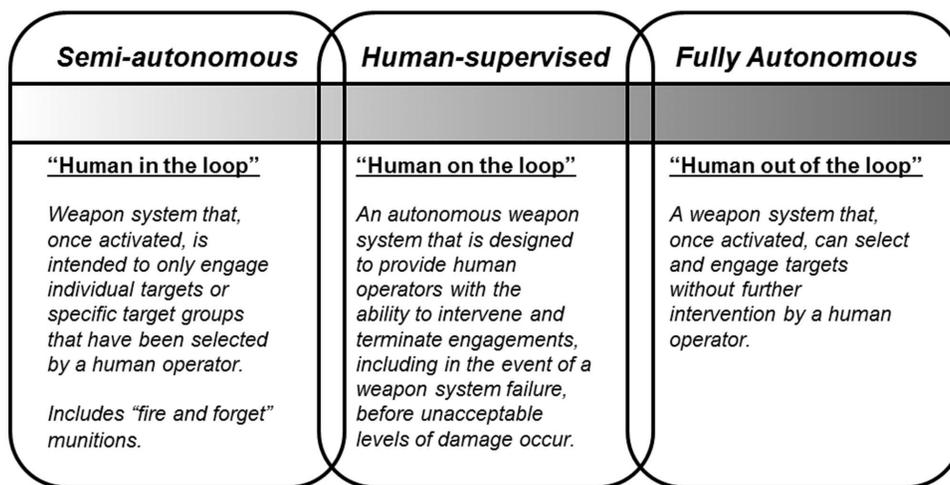
by Jonathan J. Batt

*“The elemental processes of war are too uncertain, too riddled with chance and the unforeseen to be wholly, or even mostly, captured by pat formulas and engineering calculations.”<sup>1</sup>*

Since the Cold War, the United States has maintained a decisive advantage in military weapons technologies. The ability of the U.S. to leverage its economy to fund its vast defense budget has facilitated rapid developments beyond the scope of all other nation states. From its advanced nuclear arsenal to its seemingly omnipresent drone fleet, the U.S. military is the benchmark to which all other militaries are compared. Being the leader in developing new defense technologies comes with the ethical responsibility to take the lead in ensuring that these technologies comply with international norms, treaties, and the professional ethics of the service members that will be employing these weapons.

Over the last decade, a significant body of work has been established regarding the potentials and pitfalls of adapting artificial intelligence (AI) into lethal and non-lethal military technologies. Most of these arguments were made by ethicists, roboticists, lawyers, and computer engineers with an understandably limited insight into the complex operational environments in which these systems might be employed. This study attempts to build on the discourse by offering a perspective from inside the military profession through the lens of The Framework of the Army Ethic. (See Figure 2 on page 12.) Using this lens, lethal autonomous weapon systems (LAWS) will be assessed to discern the types of operations with which they are ethically compatible.

Concerns over the ethical use of new weapons are common and can be traced back to the longbow and crossbow, which drew widespread condemnation contemporaneously. During the 11<sup>th</sup> century, even the Catholic Church denounced the use of crossbows as morally reprehensible tools of war.<sup>2</sup> Prohibitions on



Note: Definitions per DoDD 3000.09, *Autonomy in Weapon Systems*.

Figure 1. DoD Autonomy Classes.<sup>3</sup>

weapons have been successfully implemented in whole or part over the last century in an effort to bring an acceptable level of morality to conflict. In recent history, conventions have been widely adopted to prohibit the use of blinding laser weapons, chemical weapons, and other types of weapons that are inherently indiscriminant or cause superfluous injury. These conventions were codified in international humanitarian law to form the basis for new international norms of armed conflict.

The Department of Defense defines an autonomous weapon as “a weapon system that, once activated, can select and engage targets without further intervention by a human operator.”<sup>4</sup> As the United States continues to refine its remote and autonomous systems, it is approaching the unique ability to produce competent LAWS that require *no* human-in-the-loop to kill on the battlefield. This revelation raises numerous ethical concerns for the military as it weighs the merits and liabilities of employing LAWS rather than human-in-the-loop systems. Before these technologies come to fruition, public leaders should fully consider ethical and functional concerns, ensuring that values are driving innovation and that innovation is not diminishing our values.

It is important to note that the scope of this paper is restricted only to *fully* autonomous weapons that perform operations without human interaction, supervision, or meaningful human control. There is currently no internationally agreed upon standard for what constitutes varying levels of autonomy. This creates significant confusion in the debate, as different authors and experts often talk past one another. I assert that semi-autonomous weapons employed under meaningful human control, while distasteful to some experts, are simply the evolution of lethality in warfare. Fully autonomous systems without a human operator or supervisor, and that can develop their own targets, are a separate class of weapons systems that deserve greater scrutiny.

Discussions on ethical tactics, techniques, and procedures of warfighting are inherent to our professional non-commissioned officer and commissioned officer corps, to advise our civilian leaders on how military

<b><i>The Framework of the Army Ethic</i></b>		
	<b><i>Legal Foundations</i></b>	<b><i>Moral Foundations</i></b>
<b>Army as Profession</b> (Laws, values, and norms for performance of collective institution)	<b>Legal-Institutional</b> <ul style="list-style-type: none"> <li>• The U.S. constitution</li> <li>• Titles 5, 10, 32, USC</li> <li>• Treaties</li> <li>• Status-of-forces agreements</li> <li>• Law of war</li> </ul>	<b>Moral-Institutional</b> <ul style="list-style-type: none"> <li>• The Declaration of Independence</li> <li>• Just war tradition</li> <li>• Trust relationships of profession</li> </ul>
<b>Individual as Professional</b> (Laws, values, and norms for performance of individual professionals)	<b>Legal-Individual</b> <p>Oaths:</p> <ul style="list-style-type: none"> <li>• Enlistment</li> <li>• Commission</li> <li>• Office</li> </ul> USC – Standards of Exemplary Conduct UCMJ Rules of engagement Soldier’s Rules	<b>Moral-Individual</b> <p>Universal Norms:</p> <ul style="list-style-type: none"> <li>• Basic Rights</li> <li>• Golden Rule</li> </ul> <p>Values, Creeds, and Mottos:</p> <ul style="list-style-type: none"> <li>• “Duty, Honor, Country”</li> <li>• NCO Creed</li> <li>• Army Civilian Corps Creed</li> <li>• Army Values</li> <li>• The Soldier’s Creed, Warrior Ethos</li> </ul>
NCO noncommissioned officer	U.S. United States	
UCMJ Uniform Code of Military Justice	USC United States Code	
The <i>Army Ethic</i> is the evolving set of laws, values, and beliefs, embedded within the Army culture of trust that motivates and guides the conduct of Army professionals bound together in common moral purpose.		

Figure 2. The Framework of the Army Ethic.<sup>5</sup>

forces should be employed. Army officers are guided by the Army Ethic- “the evolving set of laws, values, and beliefs, embedded within the Army culture of trust that motivates and guides the conduct of Army professionals bound together in common moral purpose.”<sup>6</sup> This ethic serves as a starting point for the profession to understand its role in service.

Army officers have unique insight into this culture, which is why it is necessary for them to participate in discussions on the future of the military. These discussions cannot be left entirely to those outside of the profession, as critical context may be lost in the debate. This is not to say that military professionals should dominate the discussions, as this paper will explain, the profession and its ethic are firmly grounded in mutual trust. This foundational mutual trust requires honest, intellectual, and complete advice to civilian leaders so that they are armed with the most complete understanding of a problem before issuing guidance to the force.

The Legal-Institutional aspect of The Framework of the Army Ethic is the most uncomplicated component of this debate, as nearly all experts concede that LAWS meet the standards set forth by these foundational documents. All but the most extreme activists acknowledge that current treaties and laws do not prohibit LAWS *per se*. While it is not technically feasible with current AI capability, it is *possible* that in the future, AI performance will enable LAWS to act in compliance with the principles set forth in the Law of War: Military Necessity, Distinction, Proportionality, and Unnecessary Suffering/Humanity. The most compelling counter-argument to this point is that while some states may refine the technology to meet this threshold in the future, other states will knowingly field LAWS without this sophistication, which could result in unprecedented atrocities.

In the Legal-Individual component of the framework, the Standards of Exemplary Conduct (See below.) poses the only consideration of substance. This section specifically calls on officers “to be vigilant in inspecting the conduct of all persons who are placed under their command.” Given the inherently autonomous operations of LAWS, officers employing them would be far from vigilant as the systems would act autonomously on the battlefield. In reality, LAWS would effectively be their own commander, autonomously selecting new targets as operations evolve. Dr. Heather Roff powerfully explains this dilemma in her 2014 article, *The Strategic Robot Problem*:

In this situation, we have created not merely a weapons system, but a weapon that is a combatant and a combatant who is the commander. By fielding multiple [LAWS], moreover, we have the frightening proposition that many (or perhaps all) of them will not be able to

### **§ 3583 U.S. Code - Standards of Exemplary Conduct**

All commanding officers and others in authority in the Army are required—

- (1) to show in themselves a good example of virtue, honor, patriotism, and subordination
- (2) to be vigilant in inspecting the conduct of all persons who are placed under their command
- (3) to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Army, all persons who are guilty of them
- (4) to take all necessary and proper measures, under the laws, regulations, and customs of the Army, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge

communicate with each other because of security concerns, and so interoperability becomes mere fiction. The result would be that “de-conflicting” a battle space is impossible. Manned systems will be unable to communicate with unmanned ones, and [LAWS] will be generating their own military objectives, perhaps in conflict with one another. The most serious challenge, however, is that the creation and fielding of [LAWS] undermines the command and control structure necessary for the prosecution of modern combat. As each [LAWS] becomes its own isolated commander—incommunicado from all others—the framework for establishing legitimate authority over the direction and use of violent force vanishes.<sup>7</sup>

This style of force employment is clearly misaligned with how the Army currently operates. Even mitigating the risk associated with this style of employment through common techniques (time, space, and altitude), still does not account for the reality that commanders would be diminished in their ability to control actions in their battlespace. While officers are charged with maintaining expertise in the ethical “integration of technology in the conduct of military operations,” LAWS are likely outside of this intended scope.<sup>8</sup>

Delegating authority for the employment of lethal force to a weapon system in this manner also raises the question of responsible command. If commanders employ these weapons without the ability to direct, monitor, or inspect their operations, they are investing a significant amount of trust in the programming within the system. Given that commanders will be unable to train their systems and will also be unable to effectively command and control them, it would be nearly impossible to hold a commander accountable for the conduct of the weapon. This responsibility gap may be mitigated by more morally-proactive states but certainly has significant potential for abuse by less reliable actors.

The U.S. military must seriously consider the impact of this manner of force employment with its trust relationship with the American people. Military leaders have a special responsibility, “under commission from the American people and the U.S. Government, and acting as their moral agent, officers provide overall direction to and leadership of the military in situations by exercising legal command responsibilities over Army units.”<sup>9</sup> By abdicating this duty in the employment of LAWS, the Army profession is exposed to serious risk as those outside the military begin to question why we even maintain robust manned formations when we accept that LAWS can fight effectively in our place. While it is obvious to most military professionals, for vast majority of the American people that do not have a professional understanding of warfighting, this is difficult to justify.

<b>U.S. Military Core Values</b>			
<b>Army</b>	<b>Navy &amp; Marine Corps</b>	<b>Air Force</b>	<b>Coast Guard</b>
Loyalty	Honor	Integrity First	Honor
Duty	Courage	Service Before Self	Respect
Respect	Commitment	Excellence in All We Do	Devotion to Duty
Selfless Service			
Honor			
Integrity			
Personal Courage			

**Figure 3. U.S. Military Core Values.**

The Moral-Individual component of the framework provides the final and most significant point of contention within the profession with respect to the use of LAWS. The Army Values “are inherent within the moral principles of the Army Ethic and form the basic moral building blocks of an Army Professional’s character. They help us judge what is right or wrong in any situation.”<sup>10</sup> The service values of each branch of the military are noted in Figure 3 on page 14.

A value common to most of the services, as well as other countries, the U.S. Law of War, and international humanitarian law is honor. Honor is defined by the Army as “a matter of carrying out, acting, and living the values of respect, duty, loyalty, selfless service, integrity and personal courage.”<sup>11</sup> The Law of War manual further elaborates that “honor demands a certain amount of fairness in offense and defense and a certain mutual respect between opposing military forces... [and it] forbids resort to means, expedients, or conduct that would constitute a breach of trust with the enemy.”<sup>12</sup>

Employing LAWS against opposing manned formations clearly demonstrates a lack of personal courage and is patently unfair to the soldiers of the opposition as they are the only ones whose lives are at risk in the conflict. The absence of personal courage also suggests a lack of respect for the lives of the enemy combatants. This scenario is one of many that the laws of war were intended to prevent, as in this situation opponents of the United States are only encouraged to avoid confronting the U.S. military through ruses, hiding among civilians, and other methods that exploit the law.

As LAWS proliferate on the battlefield, one can only anticipate that they will be used to fill a more broad range of tasks that are considered dirty (CBRNE), dull, or dangerous to human soldiers. Casualty aversion is already a significant element in military planning, and this preference for protecting soldiers will expand with technology. Logic suggests that over time, with the availability of semi-autonomous systems and LAWS, personal courage will become an antiquated concept. Respect for the enemy will amount to mathematical calculations. Honor will take its place in history next to chivalry.

*“Artificial intelligence is the future, not only for Russia, but for all humankind. It comes with colossal opportunities, but also threats that are difficult to predict. Whoever becomes the leader in this sphere will become the ruler of the world.”*

—Russian President Vladimir Putin, 1 September 2017<sup>13</sup>

## **Applications for Use**

One of the most cited justifications for the rapid development of LAWS is the inevitability of the technology. Despite the glaring ethical challenges with using LAWS on the battlefield, the United States must develop this technology, if only to be used defensively, or ideally, as a deterrent.

AI enabled systems such as swarm technology, when used in the offense, have the potential to inexpensively destroy even the most advanced U.S. military equipment. To defeat these threats, defensive AI technology can be deployed to protect U.S. forces from hostile automated and autonomous weapons. The U.S. already employs several semi-autonomous defensive weapons such as the MK 15—Phalanx CIWS. Future aircraft carriers or command posts may be enabled with defensive LAWS, or swarms that serve as a modern-day shield against enemy attacks and to collect intelligence. These technologies could be LAWS, but would be more appropriately used in a semi-autonomous state given their close operation to manned elements that could provide responsible command.

In the offense, LAWS could ethically be used against other robotic systems, even if this style of operations does not necessarily comport with the current U.S. system of warfare.

## Conclusions & Recommendations

In previous meetings of the Group of Governmental Experts to the Convention on Certain Conventional Weapons, the majority of states present, signaled the need to ban or restrict the development of LAWS. This effort has been largely organized by the International Committee of the Red Cross and Human Rights Watch, generating significant popular support from AI experts and roboticists. These meetings, however, failed to produce any substantive agreement on definitions or pathways forward with LAWS.

*“Rather than trying to stigmatize or ban such emerging technologies in the area of lethal autonomous weapon systems, States should encourage such innovation that furthers the objectives and purposes of the Convention.”*

—U.S. Statement on lethal autonomous weapon systems (28 March 2018)<sup>14</sup>

In preparation for the April 2018 meeting, both the United States and the Russian Federation submitted working papers focusing on moving forward with LAWS research and development. The United States’ working paper instead focused on the potential humanitarian benefit derived from increased battlefield awareness and reduced harm to civilians without a single reference to the ethical or moral concerns that have been the greatest point of contention in previous meetings. In focusing on previously established potential benefits, the United States is losing an opportunity to lead in this critical debate on the future of warfare.

As stewards of our profession, military officers must contribute to this discussion to inform strategic leaders and help shape policy based on our values so that future opportunities are not also missed. To address this, I propose five recommendations:

- (1) The United States should codify a framework for understanding autonomy in weapon systems. This framework should be developed so that fully autonomous systems are in a class on their own, separate from semi-autonomous weapons that often cloud the debate.
- (2) Given that offensive operations against humans using LAWS do not align with the values of the military and has significant second and third-order negative outcomes, they should be formally banned from use in offensive operations. Only weapons under meaningful human control should be offensively employed on the battlefield.
- (3) The United States should continue to research advanced AI technologies to field defensive LAWS, semi-autonomous weapons, and to conduct counter-autonomous operations.
- (4) Establish working groups in each service to further explore ethical challenges or opportunities. These working groups can also use their understanding to begin establishing the training, doctrine, and tactics, techniques, and procedures that the Secretary of Defense has required prior to fielding.<sup>15</sup>
- (5) Add “Ethical Control” to the Army Values to reinforce the importance of how we ethically employ our Soldiers and autonomous systems.

### Ethical Control

*Know that how we fight matters; exercising discipline in the application of landpower is vital to our success. Ethical control requires a high degree of professional competence and an understanding of the unparalleled capabilities our manned and robotic forces bring to any fight. Soldiers entrusted with these capabilities must use them only within the limits of our doctrine, service values, and the Army Ethic. Ethical control is the underlying principle that separates honorable from illegitimate use of force on the battlefield, allowing us to find moral solutions to diverse problems.*

## End Notes

- 1 Barry Watts, "The Military Art and National Values," in *Moral Obligation and the Military*, (Washington D.C.: NDU Press, 1988), 50.
- 2 Patrick Lin, "Ethical Blowback from Emerging Technologies," in *Military Ethics and Emerging Technologies*, eds. Timothy Demy, George Lucas Jr, and Bradley Strawser (New York: Taylor & Francis, 2014), 64.
- 3 Jeffrey Caton. *Autonomous Weapon Systems: A Brief Survey of Developmental, Operational, Legal, and Ethical Issues*. (Carlisle, PA: Army War College Press, 2015), 3.
- 4 Department of Defense, DoDD 3000.09: *Autonomy in Weapon Systems*. (Washington, D.C.: U.S. Government, 2012). 1.
- 5 Department of the Army, ADRP 1: *The Army Profession*. (Washington, D.C.: U.S. Government, 2015). 2-3.
- 6 *Ibid.*, 1-2.
- 7 Heather M. Roff, "The Strategic Robot Problem: Lethal Autonomous Weapons in War," *Journal of Military Ethics*, 13:3 (2014), 220.
- 8 Department of the Army, ADRP 1, 5-1.
- 9 Dan Snider, "Officership: The Professional Practice," *Military Review*, January-February, 2003.
- 10 Department of the Army, ADRP 1,B-5.
- 11 *Ibid.*
- 12 Department of Defense, *Law of War Manual*. Washington, D.C.: U.S. Government, 2016). 65-66.
- 13 Eric Mack, "Elon Musk: Artificial Intelligence May Spark World War III." last modified September 4, 2017, accessed April 12, 2018, <https://www.cnet.com/news/elon-musk-artificial-intelligence-world-war-iii-russia-china>.
- 14 United States of America. *Humanitarian Benefits of Emerging Technologies in the Area of Lethal Autonomous Weapon Systems*. (28 March, 2018), 6.
- 15 Department of Defense, DoDD 3000.09: *Autonomy in Weapon Systems*. 7-8.



# Finding Common Ground: The Ethics of Anthropology and Military Cooperation

by Joel Evans

Ethics are a common, albeit varying, theme found in most societies and organizations. Definitions of good ethics or ethical behavior can differ greatly between groups. This holds true in the United States between the broader discipline of anthropology and the United States military. Both see their profession as ones that serve society and are bound by deeply ingrained ethics to work toward a greater good. While it seems organizations with such similar concepts of service would have common ground with which to build cooperation, this is by and large not the case. Currently, anthropology and the American military have a tenuous relationship at best. However, this has not always been, nor should it continue to be this way. It is my contention that enough shared interests and similar ethical considerations exist that both groups could forge a new relationship that is beneficial to both.

Before delving into the details of this examination, it is important to understand the methodology. This is primarily a comparative analysis of organizational documents and previous studies. The information used highlights each organizations' ethical ideologies, the historical context that help shaped their relationship, and the areas where each could benefit. After this critical examination, the data is synthesized, and approaches discussed that offer a much-improved relationship between anthropology and the military.

Part of this methodology is examining two large organizations that cover diverse functions and ideologies. This study will require making some generalizations. However, such generalizations will not prevent the identification of broad issues and approaches for cooperation. The United States military is extremely large, consisting of five separate services: Army, Navy, Air Force, Marines, and Coast Guard. Like any organization, each service has its own cultural nuances that give them unique institutional ideologies. To make this examination more manageable, the American Army, which has been the leading service in the last sixteen years of war, will be the focus. Furthermore, the author is a member of the Army and can offer insight into this service based on personal experience. While there are qualities unique to each service, the discussion and potential methods of cooperation are applicable across the Department of Defense.

In a similar manner, anthropology has for basic sub-fields: sociocultural anthropology, linguistic anthropology, biological anthropology, and archaeology. While each sub-field has its own unique ethical issues and nuanced approaches, the discipline is expected to follow the American Anthropological Association's "Ethics Statement."<sup>1</sup> This examination will approach the subject of ethics in general terms while acknowledging that there are a range of perspectives within each organization. Despite these broad generalizations, this type of generalization will highlight some of the key issues and shape ideas on cooperation that can be applied in the variety contexts existing in both.

To begin a meaningful comparison of each group's ethical perspectives, it is important to understand their current ethical climate to establish a baseline of beliefs. As a large bureaucracy, the Army codifies its ideologies in writing which outline everything from uniform wear to the conduct of land warfare. This large body of written material also covers the organization's thoughts on ethics and makes the Army's view on

the topic readily accessible. To begin with, the Army acknowledges the need for having a defined concept of ethics. As it looks to the future, it sees a battlefield that is complex and uncertain. This will lead to ethical dilemmas that will have to be addressed to achieve future success. The concept used by the Army to outline ethics is titled *The Army Ethic*. This framework addresses the expected ethics of the organization and the individual in two areas. The first area is the legal ideologies that stem from documents such as the U.S. Code, treaties, oaths, and the Uniformed Code of Military Justice. The second area is the moral concepts that outline the Army's ethics. These include just war tradition, basic rights, the golden rule, and various creeds. The ethical ideology for the Army can best be summed up in one quote from the Army Ethic, "In war and peace, we recognize the intrinsic dignity and worth of all people, treating them with respect."<sup>2</sup> While this is a brief description, it highlights that ethics are something the Army has put considerable effort into and a key component is the treatment of people.

While the previous description outlines the basic principles of Army ethics, there are areas that require a deeper examination. The use of violence is perhaps the most pertinent issue to discuss and one the Army takes seriously. There are ethical principles in place that limit the use of force in combat. One example is the requirement to use only the military action necessary to achieve the stated military goals. Another example is proportionality which is intended to limit the impacts of combat in terms of life and property. Proportionality means that only the minimum amount of force required should be used to gain an advantage. The Army also necessitates that combat forces distinguish between combatants and noncombatants.<sup>3</sup>

On the surface, these may seem somewhat vague, the Army does have method to implement these ethical concepts. It is important to know that character is the defining trait the Army believes encompasses ethics. The Leader Development Strategy is rooted in the Army Ethic and expects all types of Army leaders to develop character, both theirs and others. This translates into decision making during conflict. In combat, leaders are expected to "consider ethics in planning, preparing, executing, and assessing operations."<sup>4</sup> From this discussion, three things are apparent. First, the degree of organization and thought highlights an organization with a deep concern for ethics. Second, the Leader Development Strategy reveals a methodology that addresses the implementation of ethical practices and shows importance of incorporating ethics into the Army. Finally, the central theme of Army ethics points to a genuine concern for people and the impact of military operations. Understanding the Army's approach to ethics offers an initial understanding of one side of the debate with anthropology.

Like the Army, anthropology as a discipline has its own ethical guidelines. Anthropology in the United States is a diverse discipline. As mentioned before, the field encompasses four general subfields which highlights very different theoretical approaches and field methodologies. In addition, anthropologists in the United States works in both academic and applied fields. Taken together, this is a great deal of professional diversity. While it seems difficult to develop a set of ethics to govern such diverging interests, a common framework does exist. The American Anthropological Association (AAA) has a document on ethics that offers a starting point. While the document is intended to apply only to members of the association, it can be used to inform non-members on ethical expectations. Furthermore, AAA is often referred to in debates regarding the ethics of cooperation between the military and anthropology.<sup>5</sup> An examination of the AAA will provide a framework for understanding Anthropology's approach to ethics.

Like the Army, Anthropology recognized the need for broad ethical guidelines due to the nature of their work given that, as the AAA points out, the discipline is a "social enterprise." There are several more specific reasons that these guidelines are codified. One of the most important is that anthropological research is interactive, meaning that others are always involved. Research may directly involve people, non-humans, other academics, or employers. This differs from disciplines such as history, for example, whose research is primarily on written documents and may involve little to no research involving others. The different groups involved in anthropological research come with their own relationship dynamics which must be understood

and dealt with by the researcher. A second reason that expands on AAA's contextual reasoning is the range of research carried out by anthropologists who look at all facets of human life and are expected to use the knowledge gained to better humanity. This variation in research focuses across the discipline creates a range of ethical situations.<sup>6</sup> While it is important to understand why they exist, it is equally important to understand how they are intended to be used.

With the range of situations mentioned above, all contexts cannot be articulated in one document. However, the Ethical Statement is intended to be a starting point and quick reference for ethical anthropological research. The organization lays out several core principles that form the basis of their ethical framework. Each is discussed in a way that can be used by any of the subfields to address unique circumstances. There are three ethical principles that need discussing as they are issues raised when the military and anthropology work together.<sup>7</sup> The first principle is to not harm those involved in one's research. This is relatively straightforward and reminds the anthropologist to consider the impact of their work. This includes not only the direct impacts but second and third order effects as well. A second principle deals with the availability of an anthropologist's research. Researchers should make their work accessible as soon as possible and should deeply consider the ethical implications of not doing so. The final principle to discuss is consent. Anthropologists are expected to openly discuss the scope of their work and gain the permission of those being studied.<sup>8</sup> While these are not all the ethical principles outlined by AAA, but they are the ones most critical to understanding the ethical tension between the military and anthropology.

It is this framework that anthropologists use as their ethical guide. Understanding the discipline's perception of what and why ethics must be considered is critical. For a more complete picture, the way in which ethics are incorporated in research must be understood. It is important to note that ethics are not a concept only considered at a certain point in the research process. Ethical considerations should be a constant aspect of research and weighed throughout the research process. This includes "making decisions prior to beginning projects, when in the field, and when communicating findings and preserving records." The implementation of this is difficult to assess, however. It is on the individual anthropologist to follow and use the ethical framework outlined by AAA. Furthermore, AAA does not enforce these standards and are "intended to foster discussion, guide anthropologists in making responsible decisions, and educate."<sup>9</sup> This discussion outlines the guiding ethical ideology for the work conducted by anthropologists. Like the Army, this is an organization with a deep concern for ethics and ensuring that their work adheres, as much as possible, to a set of ethical principles.

The previous discussion outlined the ethical approaches of each organization and, as noted by Clawson, both organizations share a common interest in maintaining "ethical practices."<sup>10</sup> From the preceding discussion, it is possible to see similarities and differences between the two groups. One similarity is the ethics of both organizations are people focused. Each is interested in limiting the negative impact of their work. Second, each group works in a broad set of contexts that requires each to have a general set of principles to serve as a tailorable reference in specific situations. Another similarity, is both rely on individuals to interpret and carry out ethical decision making. In anthropology, it is the individual researcher and in the Army, it is the leader. A central difference is the concern with causing harm to others. For the anthropologist, causing harm is unacceptable and should be avoided at all costs. Given the Army's role in national defense, it cannot prevent causing harm. However, it is a key ethical consideration to limit wars' impact. Another difference is the issue of availability of research. Anthropology expects that its research be made readily available and has concerns if this is not possible. However, the military may not be able to fulfill this requirement. A final difference is the ability to enforce ethical violations. The Army has a much greater ability to enforce its ethical requirements than anthropology. The first step in any effort at cooperation is a clear understanding of commonalities and differences. While there are likely more similarities and differences worthy of discussion, this list provides an initial starting point and will shape the following discussion.

The current relationship between anthropology and the military can be described as extremely polarized and tense. The historical relationship between the two have ran the gamut from mutual support to full animosity. Two quotes show the degree to which the sides have separated. When discussing the military, Marshall Sahlins, in his discussion of the Army's counterinsurgency manual, said, "... *the applied anthropology of the U.S. military may be described as something as follows: a planetary strategy of research and destroy, involving the deployment of armed and largely culturally-illiterate American forces from among the thousand or so garrisons now distributed on foreign soil, sometimes complemented by second rate mercenary academics, all charged with an investigation of the cultures of the local peoples sufficient to determine if and how they can be subjugated or, failing that, taken out.*"<sup>11</sup> In a similar comment Montgomery McFate said "*DoD yearns for cultural knowledge, but anthropologists en masse, bound by their own ethical code and sunk in a mire of postmodernism, are unlikely to contribute much of value to reshaping national security policy or practice.*"<sup>12</sup> The comments by both authors are indicative of two groups that are clearly distrusting of and frustrated with one another. As will be seen, there are areas where cooperation can not only develop but be beneficial to both parties. Before a discussion of future cooperation can take place, however, the context and the history that shaped the current relationships must be discussed.

Anthropology and the military have had a long relationship with one another. During World War II, anthropologists actively participated in the war effort. However, there were debates in AAA as to the ethics of their involvement. The shift away from military cooperation changed during the Vietnam War. Anthropologists at the time wrestled with the disciplines role in supporting colonialism as wars like Vietnam began to seem to them more like colonial wars than wars against a legitimate threat. The debate continued through the 1980's and 1990's.<sup>13</sup> This is the general context of the polarized state of the relationship today.

There are some key aspects of institutional culture that highlight this separation. On one hand, the Army has a clearly defined mission within the larger context of national security and, in the author's experience, approaches this mission pragmatically, looking for the best solutions to its problems. Anthropology, on the other hand, is reconciling a past that was involved in colonial pursuits.<sup>14</sup> Relationships between individuals and organizations are built through an understanding of each's issues and concerns. In this case, both groups can benefit from understanding each other's point of view and finding areas where both have something to offer the other.

It may seem that both organizations have wildly different perspectives and there is no real reason to pursue cooperation. This is not the case, however. From a broad perspective, warfare and conflict are important parts of humanity and will continue to be. In fact, it is likely that warfare will increase. It is importance to both the military and anthropology to understand conflict and war as much as possible and there are specific areas where one organization could benefit from the other.

Arguably, the military is the most important institution in the United States national security system. It has been actively involved in war since 2001 and it appears that the chances of additional conflict are on the rise. Add to this the organization's involvement in disaster relief and other operational requirements, the tempo shows no sign of abating. Using the Army as a microcosm of the military reveals areas where anthropology could contribute to the military while maintaining their ethical standards. The first area deals with the projected future of warfare. The Army has identified four key threats that must be considered in the future: competing powers like Russia, regional powers such as North Korea, transnational terrorist organizations, and transnational criminal organizations.<sup>15</sup> This points to the range of areas, groups, and types of warfare that may be on the horizon. While there are many components of these different areas that would be clearly outside of anthropological ethics, the range is so broad that there are areas where anthropologist could support. This include preventing conflict, more effect techniques to train personnel, and methodologies to support post-conflict reconstructions.

Another area of engagement is resilience, which the Army defines as “the ability to cope with adversity and losses.” Resiliency has two temporal elements that the Army must address. It must prepare soldiers to deal with the stresses and trauma of war prior to fighting. A second area is treating soldiers after conflict to aid in healing and reintegration. The Army favors more of hard scientific and medical approaches to addressing resilience in both temporal arenas. A recent article about Australia argued for the benefits of government supported use of indigenous practices in healing trauma. In this case the knowledge supports the same indigenous community.<sup>16</sup> However, there may be ethical ways to incorporate this knowledge into effective techniques to support those wrestling with the trauma of war. The ethical implications of this will be discussed more later.

A final area where anthropology could support the military is in understanding and addressing a range of social issues. The Army recruits from different regions and backgrounds within the United States. As such it is a cross-section of American society and faces many of the same issues as the nation. For example, gender has been a key issue. The Army recently opened branches to women which were previously only open to men. Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) members’ ability to serve in the military has also been discussed. It has also been addressing sexual assault. Gender issues are an area that anthropology studies and would have a great deal to offer the Army. Gender, however, is only an example. There are many other areas where anthropological input would be helpful to the military community.

The discussion so far has focused on the advantages for the Army. However, there is a benefit to anthropology also. The first area is related to access. Anthropology is interested in violence and conflict. This can range from causes of violence to the subsequent impacts. The Army, as one the key institutions for carrying out state sanctioned violence on behalf of the United States, would be enlightening from an anthropological perspective. There are range of topics that could be studied such as interactions with allies, social dynamics within ethnically diverse units, and linguistic anthropological studies of language within the Army. These are only examples of potential study areas. However, the military has become increasingly separated from American society and this includes institutions such as education.<sup>17</sup> Increased engagement with the Army would offer unique perspectives on violence, conflict, and war.

A second opportunity for anthropology is studying an institution that is one of the more important in the United States. Rubinstein points out that “Military, intelligence, and security institutions and the people who participate in them are prominent parts of our society” and argues that it is a missed opportunity to understand and influence change within it. This is even more important given the perception of the military by the American public. A recent Gallup article reveals that Americans have the highest confidence in the military as compared to other institutions. This is a chance to examine American society that, as Gonzalez et al. points out, is militarized. Lutz highlights the influence veterans have on issues related to national defense. There are also veterans working extensively in areas outside of national defense and likely influence other facets of American life.<sup>18</sup> In my own career, several colleagues have left the military to become involved in education, members of the clergy, and business. There many areas ripe for anthropological research associated with the military that does not involve conflict and will raise few ethical concerns. This interconnectedness between American society and the military holds another area that fits within one anthropology’s key tenants—advocacy.

In their ethics statement, AAA believes that anthropology has a duty to use its work “to solve human problems” and, with an understanding of the context, “link their research to the promotion of well-being, social critique or advocacy.” In fact, there is an anthropologist that believes in an activist approach to research to the point of siding with a specific group. He provides a way to better understand situations involving conflict.<sup>19</sup> When working for or studying the American military, there is no shortage of groups that could benefit from the perspective and advocacy that anthropology can provide. As mentioned earlier, the same marginalized groups that exist in broader American society serve in the military and face similar

issues. In addition, veterans' health is a major issue. There are a host of areas, from the internal structures of the VA to reintegration preparation, which provide interesting areas of research and allow anthropologists to practice important components of the ethical code. While these areas of interaction and study are critical, there are many others where cooperation between the two organizations would be of benefit.

The previous discussion outlined some areas where each organization has something unique to offer the other. For anthropology, it is access to a key American institution and for the Army it is the benefit of a new perspective on some of the social issues it faces as a large and diverse organization with a specific purpose. The following discussion adds detail to the earlier framework. It offers some specific areas and potential solutions where cooperation would have a valuable impact and be less contentious than cooperation that involves warfare directly. These areas can prove to be stepping stones to start a dialogue and develop a better understanding of each other's concerns which form the basis of a trusting relationship. Only through this process, can the military and anthropology tackle some of the more complex and charged issues. While it will require patience and thoughtful discourse from each group, it is a worthwhile effort.

Warfare and conflict create some of the worst situations in human existence. This, in turn, breeds populations that bear the impact, both physical and mental, of trauma. For the United States, these populations are both internal and external. The internal population is the military population itself which comprises both those serving and veterans who have completed their service. The American military is quite large and spread across the active duty and reserves. The number of veterans is even larger and spans a broader range of experiences, generally from World War II through the present wars.<sup>20</sup> An area that anthropology could offer insight is resiliency and addressing the impacts of service. There is a need for understanding resiliency outside of scientific and medical methods. This is easy to see in the growth of military and veterans support groups that focus on public service or non-traditional trauma healing that focus on outdoor activities. A recent article highlights the trauma experienced by a group of Australian indigenous people. The idea is to use their own beliefs and rituals to heal the trauma of the past. Furthermore, they are petitioning the Australian government to offer this through governmental health programs. Another example stems from a work of fiction. The Native American author Leslie Marmon Silko's book *Ceremony* discusses a returning Native American World War II veteran dealing with the trauma of war. Part of the discussion, centers on the use of ceremony after returning from war. While this is fiction, it highlights the value of indigenous knowledge and support outside of western medicine.<sup>21</sup> This type of indigenous expertise is a subject studied by anthropology. Perhaps, the discipline could work with the military and indigenous groups to develop programs that support the service members on issues involving post-traumatic stress disorder. With anthropologists acting as intermediaries, the programs could be ethically sound and avoid issues such as cultural appropriation. Further research by anthropologists would be insightful in building resiliency prior to combat as well. Beside supporting internal populations, there are external populations to consider.

The turmoil caused by warfare and natural disasters creates disaffected populations that require a range of support. The most obvious are those directly affected by war. As conflict becomes protracted or comes to end, there are a host of issues other than combat and security that must be addressed. One issue is populations displaced by conflict and may be an issue that the military will have the responsibility to address. Advice from anthropologist can highlight effective and culturally sensitive ways to help in such situations. This support to military efforts could make sustainable improvements for the affected population. Once conflict has ceased, there is great deal of rebuilding that will need to be conducted. This may involve the military, at least in the early stages. Anthropological insight into local cultural nuances and power relations could build the ground work for lasting peace and stability. This is an approach discussed by Lederach with peacebuilding efforts in Columbia.<sup>22</sup> These are two areas that could provide anthropology with new areas of research and ethically support the work of the military.

There are also areas within the institutional Army that could benefit from engaging with anthropology. These are based on the author's experience as a soldier. The first is the exposure to a range of new ideologies.

Generally, the Army is socially conservative and pragmatic in its thinking and approach to problem-solving. This not to say that the Army is not concerned about social issues. It generally does not always fully understand some of the nuances that come with issues of class, gender, race, and power dynamics. Furthermore, the Army is very practical in its quest for knowledge. The organization's priority is conducting land warfare and most knowledge seeking is geared to completing goals supporting the achievement of that end. The expansion of socially oriented ideology supports the Army in another of its key concepts. The Army charges leaders with the care of its members and specifically charges strategic leaders with ensuring these change takes place.<sup>23</sup> Anthropological perspectives and methodologies would go far in that regard.

The core of anthropological methods and theories is engaging with societies and groups which is something that the Army frequently does as well. This also includes all of the Department of Defense—the other Services as well as civilian policymakers. Externally, the Army engages with the American public and militaries from other nations. This is particularly important with public engagement. As mentioned earlier, the military has become increasingly isolated from the American public. An understanding of basic anthropological methods and theories would go far in the Army for building institutional relationships. These discussions point out some areas where the Army could learn from consistent engagement with anthropology.

What has been outlined in this discussion is an assessment of the relationship between the military and anthropology along with potential areas of cooperation and benefits. This examination reveals there are areas where cooperation would benefit both organizations and fit within each's ethical considerations. A further consideration is ways in which this cooperation the could take place. The first method is grass roots engagement between members of both communities. This could include military personnel taking courses in anthropology or speaking to anthropology students. In a similar manner, anthropologists could speak to local Reserve Officer Training Corps on university campuses. Another more organized approach would be institutional engagements between university anthropology departments and local military organizations. These could be as simple as regular, informal working groups or more formal conference type events centered on specific topics. A final, more formal method would be faculty exchanges between civilian anthropological academic departments and military academic institutions. There are no doubt other ways to foster cooperation, but these are few that represent the beginning of a productive process.

While this study has outlined benefits and opportunities for each organization, there are broader benefits as well. It has been illustrated that the relationship between the two organizations is extremely polarized and largely based on misunderstandings. Increased engagements will reduce misunderstandings and potentially have larger societal impacts. Cooperation between the two organizations also has the potential to reduce the chance of war and the impacts of conflict. One anthropologists questioned this type of work particularly for anthropologists or anthropological informed military leaders working in policy formation.<sup>24</sup> Cooperation also helps to bridge the reconnect the military to American society through improved understanding and engagement methodologies. Finally, the processes of educating each other and expand fields of knowledge would help improve American society.

There is no doubt that that there are some deep concerns with the cooperation between the military and anthropology. However, there is some common ground with which to begin the discussion. Furthermore, there are approaches that can start informally and work up to more formal cooperation. This slow process, based on mutual interests and fitting within each organizations ethics, sets the stage for a less polarized discussion on some of the more contentious issues. This type of cooperation benefits each organization and American society overall.

## End Notes

- 1 American Anthropological Association, “2012 Ethics Statement Full Text.” AAA Ethics Blog (blog), American Anthropological Association, November 1, 2012, <http://ethics.americananthro.org/category/statement>.
- 2 Department of the Army. *The Army’s Framework for Character Development: Integrating Character Development within Leader Development Strengthening the shared identity of Trusted Army Professionals*. (Washington, D.C.: U.S. Government, 2017). <http://data.cape.army.mil/web/repository/white-papers/armys-framework-for-character-development-white-paper.pdf>. ii, 1; Department of the Army. *ADRP1: The Army Profession*. (Washington, D.C.: U.S. Government, 2015). <http://data.cape.army.mil/web/repository/doctrine/adrp1.pdf>. 2-2 to 2-3.
- 3 Department of the Army. *ADRP1*, 3-4 to 3-5.
- 4 Ibid., 3-1, 3-6. Michael D. Lundy, “Forward.” In Department of the Army. *The Army’s Framework for Character Development*; Department of the Army. *ADRP 6-22: Army Leadership*. (Washington, D.C.: U.S. Government, 2012). <http://cape.army.mil/repository/doctrine/adrp6-22.pdf>. 3-7.
- 5 American Anthropological Association; Carolyn Fluehr-Lobban, “Anthropology and ethics in America’s declining imperial age,” *Anthropology Today* 24, no. 4 (August 2008): 18-22, accessed April 21, 2018, <http://dx.doi.org/www2.lib.ku.edu/10.1111/j.1467-8322.2008.00601.x>. The AAA’s involvement of the ethics governing anthropology is the theme of the entire article; Roberto González, Hugh Gusterson, and David Price, “War, Culture, and Counterinsurgency,” In Network of Concerned Anthropologists, *The Counter-Counterinsurgency Manual: Or, Notes on Demilitarizing American Society*, (Chicago: Prickly Paradigm Press, 2009), 10.
- 6 American Anthropological Association.
- 7 Ibid.; Fluehr-Lobban, “Anthropology and ethics in America’s declining imperial age,” 19-21; Maximilian C. Forte, “The Human Terrain System and Anthropology: A Review of Ongoing Public Debates,” *American Anthropologist* 113, no.1 (March, 2011): 150-51, accessed April 21, 2018, <http://dx.doi.org/www2.lib.ku.edu/10.1111/j.1548-1433.2010.01315.x>; González, Gusterson, and Price, “War, Culture, and Counterinsurgency,” 10.
- 8 American Anthropological Association.
- 9 Ibid.
- 10 Jenna Lark Clawson, “Ethical Landscapes of the Human Terrain System” (master’s thesis, North Dakota State University of Agriculture and Applied Science, 2014), 50, UMI 1572149.
- 11 Marshall Sahlins, “Preface,” In Network of Concerned Anthropologists, *The Counter-Counterinsurgency Manual: Or, Notes on Demilitarizing American Society*, (Chicago: Prickly Paradigm Press, 2009), ii-iii.
- 12 Montgomery McFate, “Anthropology and Counterinsurgency: The Strange Story of their Curious Relationship,” *Military Review* (March-April 2005): 37, accessed April 21, 2018, [www.au.af.mil/au/awc/awcgate/milreview/mcfate.pdf](http://www.au.af.mil/au/awc/awcgate/milreview/mcfate.pdf).
- 13 Hugh Gusterson, “Militarizing Knowledge,” In Network of Concerned Anthropologists, *The Counter-Counterinsurgency Manual: Or, Notes on Demilitarizing American Society*, (Chicago: Prickly Paradigm Press, 2009), 47-50; Robert A. Rubinstein, Kerry Fosher, and Clementine Fujimura, eds., *Practicing Military Anthropology: Beyond Expectations and Traditional Boundaries* (Sterling: Kumarian Press, 2013), 1-5.

14 McFate, 28.

15 Department of the Army, *TRADOC Pamphlet 525-3-1: The U.S. Army Operating Concept: Win in a Complex World*. (Washington, D.C.: U.S. Government, 2014). [www.tradoc.army.mil/tpubs/pams/tp525-3-1.pdf](http://www.tradoc.army.mil/tpubs/pams/tp525-3-1.pdf). 12-14.

16 Ibid., 39; Jess Zavolokin, “Researcher Appeal to Government to Offer Indigenous Healing Practices,” *National Geographic*, October 22, 2017, accessed April 21, 2018, <http://www.nationalgeographic.com.au/australia/researchers-appeal-to-government-to-offer-indigenous-healing-practices.aspx>.

17 Jon Rahbek-Clemmensen et al., “Conceptualizing the Civil–Military Gap: A Research Note,” *Armed Forces & Society* 38, no. 4 (2012): 669-70; 673, accessed April 21, 2018, <https://doi-org.www2.lib.ku.edu/10.1177/0095327X12456509>.

18 Robert A. Rubinstein, “Master Narrative, Retrospective Attribution, and Ritual Pollution in Anthropology’s Engagements With the Military,” In *Practicing Military Anthropology: Beyond Expectations and Traditional Boundaries* (Sterling: Kumarian Press, 2013), 131; Frank Newton, “Americans’ Confidence in Institutions Edges Up,” *Gallup News*, June 26, 2017, accessed April 22, 2018, <http://news.gallup.com/poll/212840/americans-confidence-institutions-edges.aspx>; González, Gusterson, and Price, “War, Culture, and Counterinsurgency,” 4; Catherine Lutz, “The Military Normal: Feeling at Home with Counterinsurgency in the United States,” In Network of Concerned Anthropologists, *The Counter-Counterinsurgency Manual: Or, Notes on Demilitarizing American Society*, (Chicago: Prickly Paradigm Press, 2009), 36.

19 American Anthropological Association; Christopher Anthony Loperena, “A Divided Community: The Ethics and Politics of Activist Research,” *Current Anthropology* 57, no. 3, (June 2016): 333-4; 340, accessed April 22, 2018, <http://www.journals.uchicago.edu/www2.lib.ku.edu/doi/10.1086/686301>.

20 Kim Parker, Anthony Cilluffo, and Renee Stepler, “6 facts about the U.S. military and its changing demographics,” *Pew Research Center*, April 13, 2017, accessed April 22, 2018, [www.pewresearch.org/fact-tank/2017/04/13/6-facts-about-the-u-s-military-and-its-changing-demographics/](http://www.pewresearch.org/fact-tank/2017/04/13/6-facts-about-the-u-s-military-and-its-changing-demographics/); Kristen Bialik, “The changing face of America’s veteran population,” *Pew Research Center*, November 10, 2017, accessed April 22, 2018, <http://www.pewresearch.org/fact-tank/2017/11/10/the-changing-face-of-americas-veteran-population>.

21 Zavolokin, “Researcher Appeal to Government to Offer Indigenous Healing Practices;” Leslie Marmon Silko, *Ceremony* (Reprint. New York: Penguin Books [1977] 1986), Citations refer to the Penguin edition.

22 Angela J. Lederach, “‘The Campesino Was Born for the Campo’: A Multispecies Approach to Territorial Peace in Colombia,” *American Anthropologist* 119, no. 4 (August 2017): 589-91; 599-600, accessed April 22, 2018, <http://dx.doi.org/www2.lib.ku.edu/10.1111/aman.12925>.

23 Department of the Army, *FM 3-0: Operations*. (Washington, D.C.: U.S. Government, 2017). [http://www.apd.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/ARN5095\\_FM%203-0%20FINAL%20WEB.pdf](http://www.apd.army.mil/epubs/DR_pubs/DR_a/pdf/web/ARN5095_FM%203-0%20FINAL%20WEB.pdf), 1-14; Department of the Army, *AR 350-1: Army Training and Leader Development*. (Washington, D.C.: U.S. Government, 2017). [http://www.apd.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/ARN6701\\_AR350-1\\_Web\\_FINAL.pdf](http://www.apd.army.mil/epubs/DR_pubs/DR_a/pdf/web/ARN6701_AR350-1_Web_FINAL.pdf), 2; Department of the Army, *ADRP: 6-22: Army Leadership*. (Washington, D.C.: U.S. Government, 2012). <http://cape.army.mil/repository/doctrine/adrp6-22.pdf>, 1-2, 2-5.

24 Sahlins, “Preface,” vii; Kanhong Lin, “About Face!,” In Network of Concerned Anthropologists, *The Counter-Counterinsurgency Manual: Or, Notes on Demilitarizing American Society*, (Chicago: Prickly Paradigm Press, 2009), 157-8.



# Understanding the Causes of War: Analysis and Recommendations on Self-Development for Military Professionals

by Christopher J. Heatherly and Ian Melendez

## Introduction

*War is eternal. Battle is not always inevitable.*

On April 3<sup>rd</sup>, 2003, the 2<sup>nd</sup> Battalion, 327<sup>th</sup> Infantry from the U.S. Army's storied 101<sup>st</sup> Airborne Division made its way into the Iraqi city of Najaf. The battalion's mission was twofold. First, the soldiers needed to locate a major Shia religious leader, Grand Ayatollah Ali Hussein Sistani, to ask his support in liberating and rebuilding Iraq. Second, the battalion had orders to secure the famed Imam Ali Mosque. All mosques are sacred, but the Imam Ali Mosque is the Shia faith's third holiest site with only Mecca and Medina holding greater spiritual importance. Unbeknownst to the 101<sup>st</sup> soldiers, anti-regime elements and former Ba'athists had spread a rumor throughout Najaf that the Americans planned to seize the mosque and arrest Sistani.<sup>1</sup> A crowd formed as the unit moved into Najaf. Initially, the Iraqis welcomed the U.S. soldiers but the crowd's mood rapidly darkened as the 101<sup>st</sup> troopers moved closer to the mosque. The Iraqis blocked the road and began yelling in Arabic. Some threw rocks at the soldiers. The Americans were hot and exhausted from days of fighting. They were heavily armed. They did not understand the Arabic language. And, critically, they were well led by their battalion commander, then Lieutenant Colonel (later Major General) Christopher Hughes.

LTC Hughes had moments to decide what action his men should take and much depended upon those decisions. His actions on that fateful April morning would have far ranging consequences beyond the immediate tactical level as Hughes' decisions would directly impact the operational and strategic levels of war. Hughes did not order his men to push forward in some Quixotic attempt to reach the mosque or to fire their weapons. Instead, LTC Hughes directed his men to take a knee, to smile and to point their weapons at the ground. The crowd, while still agitated and blocking the road, began to calm down. Hughes ordered his men to mount their vehicles and return to base. The meeting and mosque could wait. Before departing, LTC Hughes held his weapon by the barrel high in the air pointed toward the ground signaling his peaceful intent to the Iraqis. Hughes bowed to the crowd and led his soldiers back to their base. A short time later, Grand Ayatollah Sistani released a decree calling on the people of Najaf to welcome and work with the Americans.<sup>2</sup>

The importance of this moment for LTC Hughes, his battalion, the citizens of Najaf, the Iraqi people and the United States cannot be overstated. Hughes himself said, "In terms of scale of significance, that is the mosque that would have probably not just have caused every Shia in that country to rise up against the coalition. It probably would have at least brought in the Syrians, if not the Iranians."<sup>3</sup> Bluntly stated, LTC Hughes' actions prevented the outbreak of a larger, regional war in an already complex conflict growing beyond any expectation of the Washington beltway's senior leadership. LTC Hughes was 42 years old and in his 20<sup>th</sup> year of military service when he commanded the 2<sup>nd</sup> Battalion. He was not an expert on tribal complexities or specifically trained on Arabic culture.<sup>4</sup> What made the critical difference for LTC Hughes in Najaf? A lifetime of development via professional schools, operational experience and rigorous self-study ensured Hughes was prepared for what English poet Rudyard Kipling called "the unforgiving minute."<sup>5</sup>

## Is Warfare Unavoidable?

War is man's oldest profession. The desire for conflict, between individuals, tribes, city states and nations to obtain land, resources or revenge is as much a part of the human experience as the burning desire to prevent conflict's very existence. National leaders, religious figures, and military theorists have all sought to understand the underlying *casus belli* to stop conflict before the first blow is struck. Mankind made noble attempts to prevent warfare through formal agreements such as the Treaty of Westphalia, the Treaty of Versailles, and through international organizations like the League of Nations and the United Nations. Each of these bodies were created with the same purpose in mind, namely to bring together the world's major military powers to find peaceful solutions to regional or international issues. However, the historical record on this point is quite clear: conflict appears to be man's natural state and humanity has seldom achieved long periods of peace. If that statement is true, what then is the role of military professionals to understand the underlying issues that lead to conflict? We posit a soldier has the duty, if not the obligation, to commit to a course of professional development allowing a more complete understanding of local, regional and international issues with the goal of increasing cooperation and decreasing conflict. While it is certain U.S. soldiers will deploy again to combat, there is no requirement that victory may be found exclusively through battle. To use a blunt, but effective analogy, if your only tool is a hammer then every problem looks like a nail. This paper argues that all soldiers, regardless of rank, position, or component have the sacred responsibility to continually develop themselves through rigorous self-study throughout the entirety of their military careers. To continue the hammer and nail analogy, they must invest in themselves to better equip their personal toolbox. The ultimate goal of this self-development is two-fold. First, given the strategic and global responsibilities inherent in military service, Army leaders may be able to prevent or limit conflict in the future. Second, those same leaders will be prepared for battle when war is unavoidable. Commanders and leaders have an obligation to provide resources, time, and opportunity for their assigned personnel to develop and pursue robust and lifelong courses of professional self-development. The soldiers in their charge and the civilians they will operate amongst in future warfare demand no less.

## Historical Review

Military theorists, national leaders, and religious figures have long sought to understand the underlying causes of war to prevent conflict or limit the inevitable suffering associated with battle. One of the earliest military theorists, Sun Tzu, offered his wisdom in *The Art of War* writing, "Hence to fight and conquer in all your battles is not supreme excellence; supreme excellence consists in breaking the enemy's resistance without fighting."<sup>6</sup> Much later, statesman Mohandas Gandhi waged successful campaigns of passive resistance against British colonial rule in South Africa and later in his homeland of India.<sup>7</sup> Others, notably Prussian theorist Carl von Clausewitz, took a less hopeful, arguably more pragmatic, view of the human condition describing the permanence of war as a continuation of politics by other means.<sup>8</sup>

Kings, queens, emperors, presidents, and prime ministers have all attempted to put these theories into practice and develop practical, equitable solutions to prevent conflict albeit with mixed results. One such example is the 1648 Treaty of Westphalia which brought an end to the Thirty Years War.<sup>9</sup> This particular conflict, which ravaged Central Europe, killed an unprecedented 12 million people.<sup>10</sup> The Treaty of Westphalia attempted to balance the power of the major European powers of Spain, England, France, and Germany so that no one nation would have continental dominance. Treaty provisions included granting independence to the Spanish in modern day Holland and checking the power of the Catholic Church. These decisions however did not balance the powers of Europe as intended. Spain retained its former dominance in Italy and the Dutch Republic was forced to recognize Spanish control over the Southern Netherlands.<sup>11</sup> The French Bourbon Dynasty supplanted the Hapsburgs as the political powerhouse on the continent and the Holy Roman Empire was decentralized further, paving the way for the Bourbons to control the endless game of chess on the continent. Just six years after signing the treaty, Spain and England were again at war

to regain territory lost during the Thirty Years War and further their own influence on the continent. Spain, France, and England would achieve massive victories and also suffer significant defeat following the Treaty of Westphalia.<sup>12</sup> One trait all but guaranteed the failure of the Treaty of Westphalia, namely individual European nations continued to view warfare as a primary opportunity to seize land, expand influence, or secure resources.<sup>13</sup> Restated, greed outweighed the common good of mankind.

The centenary of the end of World War I highlights yet another attempt to prevent future conflict. The 1919 Treaty of Versailles brought the major Allied nations to Paris during formal talks on the expected Central Powers reparations including transfer of land and people, the redrawing of international boundaries and terms of occupation.<sup>14</sup> France and England in particular blamed Germany for the war and demanded harsh terms. Under their proposals, Germany would lose much of its industrial base, its military would be reduced to a small police force, the Rhineland would be demilitarized, the Allies would occupy the country, and Germany would be forced to repay severe war reparations until 2010.<sup>15</sup> These terms forced Germany into a state of desperation followed by civil war, political unrest, populism, and the existential conditions necessary for the rise of Hitler and the Nazi party.

The American contingent, under the leadership of President Woodrow Wilson, recognized no one nation was entirely at fault and attempted to bring about a fair restitution against Germany while at the same time allowing the defeated powers a chance to rebuild their shattered economies. The English and the French delegations were not satisfied with this approach and deemed it too gentle for their liking. While not adopted by the Allies, President Woodrow Wilson's efforts to forge a lasting peace through his Fourteen Points did lead to the creation of the League of Nations in 1920. Sadly, the League failed in its objective to prevent future conflicts and make WWI "the war to end all wars" as it lacked an enforcement mechanism to bring potential combatants to the discussion table or punish warring nations. The League stood powerless to stop the dozens of regional conflicts, such as the Rif War, the Second Italo-Ethiopian War or the Japanese invasion of China that occurred between WWI and WWII.

Following the unparalleled devastation of World War II, America led the effort to establish the United Nations (UN) to replace the League of Nations. The UN learned from the League of Nations' mistakes by developing a central organ built around the victors of WWII to enforce policy of the UN. The United Nations Security Council (UNSC), as it would come to be known, is the single most powerful international group of nations in history. The UNSC's core includes the United States, United Kingdom, France, China, and Russia along with 10 other rotational nations holding two-year terms.<sup>16</sup> The UN Charter expressly states in Article 2 Section 4, "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."<sup>17</sup> While not able to guarantee global peace, the UN has successfully prevented the outbreak of a third world war. Unfortunately, the UN has been unable to prevent numerous smaller – if no less deadly – conflicts, civil wars, and insurgencies. Peace remains elusive. The U.S. Council for Foreign Relations currently lists 28 ongoing conflicts on three continents.<sup>18</sup> There are numerous other hotspots, such as Venezuela and South Africa, with the potential to add to that list. Ultimately and despite humanity's efforts to build a lasting peace, man continues to wage war. Plato put it best some 2,500 year ago noting, "That only the dead have seen the end of war."<sup>19</sup>

## **Review of Current Army Doctrine on Leader Development**

If war is inevitable, it stands to reason a military leader must be prepared and trained to deploy, fight, and win at a moment's notice. The U.S. Army's approach to leader development is based upon three broad categories comprised of the operational, institutional, and self-development domains. While all three domains include training, experience, and education variables they form distinct categories. The operational domain "encompasses training activities that unit leaders schedule, and individuals, units, and organizations undertake," including rotations to combat training centers (CTC), exercises, and during the conduct of

real world operations.<sup>20</sup> The institutional domain consists of “Army centers/schools that provide initial training and subsequent functional and professional military education for Soldiers, military leaders, and Army Civilians. Army schools ensure Soldiers, leaders, and Army Civilians can perform critical tasks to prescribed standards throughout their careers, and support units on a continuous basis.”<sup>21</sup> Examples from this domain include basic training, advanced individual training, and the entirety of both the NCO education system (NCOES) and officer education system (OES). The final and arguably most critical domain, self-development, “recognizes that Army service requires continuous, life-long learning and that structured training activities in Army schools and in operational units often will not meet every individual’s need for content or time.”<sup>22</sup>

Both the institutional and operational domains are centrally managed at multiple points across the Army and individual soldier’s career through a variety of human resource systems. That said, the Army’s education system is long overdue for a complete overhaul. The 2018 National Defense Strategy accurately describes the current Professional Military Education (PME) system as, “stagnated, focused more on the accomplishment of mandatory credit at the expense of lethality and ingenuity.”<sup>23</sup> The self-development domain, however, is almost entirely left to the individual soldier’s initiative, desire, and means to plan, resource, execute, and assess. The governing manual for leader development, Army Regulation 350-1, places clear emphasis on the need for self-development and offers some advice to shape and scope a proper course; but, there are no formal benchmarks or requirements for soldiers to adhere to or use. Soldiers are left to determine their own course of professional growth—or professional stagnation—shaped by an informal system of mentorship, trial, and error or the school of hard knocks.

### **Past Successful and Unsuccessful Examples of Professional Development Using the Army Leader Development Model**

Two of the U.S. Army’s most effective officers, General of the Army Douglas MacArthur and General George Patton, provide sterling examples of the advantages gained through continued, rigorous professional development using the Army Leader Development Model. General MacArthur’s post World War II administration of occupied Japan was successful as he understood the Japanese mindset and the all-important role played by Emperor Hirohito. MacArthur’s Operational and Self-Development “bubbles” were quite robust given he lived abroad for much of his nearly 50 years of military service including a lengthy period from his arrival in the Philippines after initially retiring in 1935 to his relief during the Korean War in 1951.<sup>24</sup> This sustained exposure to the cultures of other nations offered MacArthur the chance to learn how to work with soldiers and government officials from entirely different cultures and societies.

This experience paid vast dividends during his command during the U.S. occupation of Japan from 1945 to 1951. MacArthur understood the need to work through and with Emperor Hirohito while making it clear he retained the ultimate authority in postwar Japan. Prior to surrender, the Japanese military were known for their near fanatical resistance in battle which only increased as U.S. forces approached the home islands. Japanese casualty rates on Iwo Jima, for example, approached 100% with just 216 POWs captured out of 18,000 soldiers defending the volcanic island.<sup>25</sup> Japanese civilians were expected to fiercely resist during the planned U.S. invasion of Japan using bamboo spears and kamikaze weaponry against the powerful and well equipped American forces. Japan, however, surrendered unconditionally after the U.S. dropped atomic bombs on Hiroshima and Nagasaki which preempted the need for a seaborne invasion. Given the level of Japanese resistance and fanatical devotion demonstrated throughout the Pacific Campaign, MacArthur might have expected to encounter an insurgency, lone wolf attacks or even passive resistance to his command. However, MacArthur knew his opponent’s culture and mindset. MacArthur landed in Japan with just a small retinue of soldiers and kept to a regular routine as the Supreme Commander. According to LTC(R) Robert Ehlen, who served as a bodyguard to MacArthur in 1945-1946, there was never an attempt—let alone a successful attack—against MacArthur or his command.<sup>26</sup> Despite taking over a nation shattered by

war, MacArthur's oversaw the rapid disarmament of the Japanese military, the successful rebuilding of the economy and infrastructure, the implementation of a new constitution and expansion of women's rights. His lifelong devotion to professional self-development ensured the successful U.S. occupation of Japan and remains the cornerstone to modern U.S.-Japan relations.

MacArthur possessed an equally developed institutional bubble as he strongly believed in sharing his personal experiences and self-study with future Army leaders. Following his assignments on the Western Front during World War I, MacArthur was appointed as the Superintendent of West Point. With varying degrees of success, MacArthur attempted to reform the stagnant academy curriculum by adding in non-military subjects for the cadets including writing and economics. Perhaps his most critical reform came in offering more contemporary lessons in warfare based on WWI as opposed to the American Civil War. MacArthur's attempts to institute change were strongly resisted by the Army's old guard, no doubt in part due to his being both the service's youngest major general and the youngest superintendent in over a century.<sup>27</sup>

Not to be outdone by his colleague and rival, General George S. Patton pursued a rigorous course of self-development throughout his professional career. Patton, who suffered from then undiagnosed dyslexia, spent his life in study to make up for a wrongly perceived intellectual gap.<sup>28</sup> He took to memorizing entire passages of history, spoke fluent French, read and wrote upon military affairs and military history and was even a U.S. Olympian in the 1912 games.<sup>29</sup> He designed the last U.S. cavalry saber, refined his horse riding skills through polo and graduated from the prestigious French Cavalry School. Patton formed the Army's first armored unit in France during the Great War. In the interwar years, Patton learned to fly small aircraft to better observe large unit formations and training exercises. With U.S. entry into WWII looking more likely, the Army chose Patton to stand up the Army's first desert training center.

Patton's lifetime of self-development ensured he was prepared, indeed much better prepared than many of his peers, to fight modern combined arms battles on a hitherto unprecedented scale. A veteran of the U.S. Punitive Expedition into Mexico and World War I, Patton spent his leave studying historical invasion routes across France in the expectation of both the advent of mechanized warfare and another global conflict centered in Europe. Recognizing the next war would not be fought in the trenches, Patton studied the German Army's blitzkrieg tactics and read books written by German military leaders.<sup>30</sup> Patton knew war against the Axis was unavoidable if Europe were to be liberated from Nazi rule. A skilled operational level commander, Patton relied upon this lifetime of professional development throughout his successful campaigns in the North African, Italian and European theaters during World War II.<sup>31</sup> As testament to his prowess in battle, the Germans feared Patton more than any other Allied commander. Speaking of his former enemy, Wehrmacht General Gunther Blumentritt said, "We regarded General Patton extremely highly as the most aggressive panzer-general of the Allies. . . His operations impressed us enormously, probably because he came closest to our own concept of the classical military commander. He even improved on Napoleon's basic tenet—*activité, vitesse—vitesse*."<sup>32</sup> Where MacArthur was able to prevent future bloodshed in post war Japan, Patton was able to defeat his enemy in battle; robust courses of professional development ensured their success in war and peace.

Self-development is not a uniquely American concept. MacArthur's former opponent, Admiral Isoroku Yamamoto, while assigned as an attaché in the United States learned English and even made a cross-country drive across the USA to better understand the American people. Amongst Japan's senior leadership, Yamamoto was perhaps the only figure who understood American culture and appreciated the United States' industrial capacity for war. These experiences gave Yamamoto a distinct intellectual edge over his American counterparts who initially held little appreciation of their enemies' military capabilities. When tasked to lead the attack on Pearl Harbor, Yamamoto uniquely understood America's visceral reaction and ability to wage war on a scale few Japanese leaders would have believed possible.<sup>33</sup>

Nor does professional development only matter to the abilities of the generals or admirals. USMC Private Guy Gabaldon single handedly convinced over 1,000 Japanese soldiers to surrender during the Battle of Saipan during WWII. Working largely alone on one of the deadliest battlefields of the Pacific Campaign, Gabaldon routinely ventured into enemy held territory. Gabaldon used the Japanese language skills and cultural knowledge he learned growing up in Los Angeles to great effect by promising captured soldiers “would be treated with dignity, and that we would make sure that they were taken back to Japan after the war.” Gabaldon may not have won the battle, but his actions prevented thousands of additional casualties on Saipan.<sup>34</sup> Indeed, given the decentralized nature of 21st century warfare, cultural and language skills will take on greater prominence in any future conflict. U.S. Army Chief of Staff General Mark A. Milley envisions the next war as being fought by smaller units routinely on the move, cut off from their headquarters and willing to disobey orders in an incredibly lethal environment, the role of individual soldiers will take on greater prominence.<sup>35</sup> Tactical level leaders will not have the time or often the means to contact their higher headquarters for guidance and their actions will have consequences beyond the immediate moment of their orders. These soldiers will require significant cultural knowledge, language ability, education, and experience for success in their assigned missions.

## Challenges

If professional development is vital to U.S. Army leaders, why then do soldiers find it so difficult to successfully achieve? There are several factors, both internal and external to the armed forces, that inhibit self-development at the soldier and unit level. The United States has no warrior caste or system of mandatory national service. The military is an all-volunteer force comprised almost exclusively from its citizenry and a small pool of immigrants. The talent pool available for U.S. military service, already limited by America’s general malaise towards physical fitness, requires expensive and time consuming educational investment to make up for the lack of formal education, language ability, and overseas experience prior to commissioning or enlisting.

While no longer practicing isolationism, the American people are generally ill informed on world affairs. For example, a 2015 *Atlantic* article highlighted several critical facts regarding American’s knowledge beyond its own borders. First, less than 1% of Americans speak a foreign language and 95% of those that studied a foreign language in college pursued European languages spoken by fewer people when compared to Asiatic languages.<sup>36</sup> Per the U.S. Department of State, just 36% of Americans have a passport and almost 1/3 have never been abroad.<sup>37</sup> Nearly 14% of Americans were born abroad which offers some hope to the future that U.S. citizens will take greater interest and have better knowledge of international affairs.<sup>38</sup>

These facts show some improvement when we examine the military leadership charged to defend the United States against the myriad threats facing our nation today. Within the Army’s most senior ranks, 35% of the lieutenant generals and 45% of generals speak a foreign language. However, of those officers, just three speak more than two languages. Major generals fare worse with just 14.5% with foreign language ability while only 12% of brigadier generals speak another language. Despite 17 years of sustained combat operations in the Middle East only seven generals speak Arabic, another Urdu and only one speaks Dari. The numbers are no better when looking at the United States primary global competitors as just six general officers speak Russian and another three are fluent in Mandarin Chinese.<sup>39</sup> A 2008 study (the latest available source) at the height of the Global War on Terror found that just over 1% of the military spoke a foreign language qualifying them for incentive pay.<sup>40</sup> The lack of foreign language proficiency points to several potential problems from a continual (and expensive) requirement for interpreters to the more critical such as developing allies, international partnerships and developing the cultural knowledge required to operate overseas in war or peacetime. This is not to say our senior leadership are uninformed or uneducated, but the lack of direct, personal knowledge on “how the other thinks” places limitations on their ability to understand or make decisions more effectively. A secondary effect is senior officers must

often rely upon outside expertise that may not be available in the moment of crisis. Within the Department of Defense, civilian expertise development is further impacted by archaic, industrial age personnel policies limiting their overseas tour lengths with no centralized replacement plan and little in terms of professional development opportunities.

The Army's longstanding personnel management system further contributes to the gap in Army leader cultural expertise and language knowledge. The Army's rebasing strategy in the 1990s reduced the number overseas service opportunities. U.S. Army Europe, for example, is a shadow of its former self with approximately 34,000 assigned soldiers compared to nearly 500,000 at its zenith.<sup>41</sup> USAREUR's decremented manning means fewer soldiers have overseas assignments in Europe and those lucky few able to secure a position have fewer years abroad than soldiers a generation prior. Other overseas duty locations, such as Korea, have experienced similar personnel reductions while bases in Panama and the Philippines are long since closed. It should be noted these facts are somewhat offset by the number of other, but far smaller, deployments across the globe. Often these deployments are short in duration offering limited contact with the host nation's people, culture, and language. This situation is exacerbated by the Army's PCS cycle requiring soldiers to move every few years and often annually for senior personnel. The frequency of short assignments, combined with a brutal operational tempo limit soldiers' ability to develop true expertise in a given region.

## **Recommendations**

Army doctrine clearly supports and advocates for continued and consistent self-development although too often without a clear road map for success. We recommend a more prescriptive approach that still affords flexibility based upon the innumerable factors that shape individual soldiers' career paths and choices. Self-study must be encouraged, incentivized, resourced and practiced by professional soldier from the first moments of their career. Using ROTC, the primary entry point for officers, as an example, we advocate for the inclusion of additional social science classes beyond that currently required. In addition to one military science class per month, ROTC cadets are mandated to take a single military history prior to commissioning. We believe cadets should take a required mix of history, social sciences, sociology, foreign language and sociology classes before formally joining the officer corps.

Ideally, all soldiers should have a demonstrated proficiency in at least one foreign language by the time they join the ranks as a field grade officer, mid-level warrant officer or NCO. Reliance upon existing military language schools will be insufficient to meet this objective. A 2016 report found just 3,500 military personnel, representing less than 1% of the total strength from all four services, were enrolled at the Defense Language Institute.<sup>42</sup> By comparison, the vast bulk of U.S. foreign allies routinely speak two or more languages and are equally conversant with their associated cultures. True, our allies enjoy the benefits of geography and multiculturalism but the number of tutors, software programs, or traditional brick and mortar colleges offering language courses provide numerous options. We further posit that critical, high demand language skills should continue to be incentivized through foreign language proficiency pay.

The Army should change the current Tuition Assistance (TA) program regulations to allow and incentivize the pursuit of foreign language study, advanced educational degrees and certificates. Current TA rules limit a soldier to one bachelor and master degree along with a foreign language qualification. The Army provides 75% of the tuition cost with an associated additional duty service obligation (ADSO) requiring the servicemember to remain in uniform to "repay" the cost. The majority of this coursework occurs on weekends or after duty hours with little impact to the soldier's work schedule or the unit's readiness. We recommend the Army restructure TA to allow the completion of further professional education. An important stipulation of this initiative is to specify the type of acceptable degree or certificates to prevent a "check the block" mentality where soldiers attend "diploma mill" schools. The Army should focus TA on the humanities, particularly history, sociology and cultures or foreign languages as well as practical skill sets

like negotiations or diplomacy. An added benefit of this program is the additional duty service obligation ensures the Army retains the best educated personnel in its ranks.

We strongly believe the U.S. Army should incorporate greater use of exchange assignments with partner nations. While these opportunities exist today, they are too few in number and tend to be at the division and higher levels. Although unit commanders are understandably loath to lose soldiers, the benefits of such exchanges are quite clear. Participating soldiers will gain unique insight into the culture, military doctrine and capabilities of our allies that comes only through such immersive experiences. They will return to their own units having developed the bonds of friendship found between soldiers and having learned new ways to approach the common problems experienced by any military force.

The Army must place greater interest upon and more closely monitor soldier career development from the first line supervisor to the career managers assigned to the U.S. Army Human Resources Command. We recommend the Army develop a culture which advocates for and recognizes leaders who serve in mentorship roles. We further advocate for a greater system of checks to ensure every soldier maintains a balance in their career - that individual timelines are met for self-development goals and which requires overseas assignments. The Army should provide direct guidance to central selection list and promotion boards to ensure personnel meet these requirements as well as provide similar criteria for branch managers when developing assignment slates. We further believe the Army should change PCS policy guidelines to lengthen duty assignment lengths from the usual three years to five years for accompanied tours. This suggestion is especially important to overseas assignments as the increased time will allow soldiers to become more immersed in another culture, develop bonds with the host nation military, and learn important language skills.

While the U.S. Army emphasizes career development and performance counseling, the actual truth is that too much of both is simply “pencil whipped” to meet a requirement without being conducted properly. This unfortunate habit is learned quite early in a soldier’s career. Consider the following example. During their junior year of college, ROTC cadets are required to select a professor of military science (normally a LTC or MAJ) as a mentor in a career branch of interest. There are only two steps to this task. The cadet must select a mentor and the officer must agree to the request. During his time as a professor of military science, LTC Heatherly received and agreed to over 30 mentor requests. He contacted all of the cadets to offer his assistance and developed an email distribution list as to generate a discussion group. Exactly one cadet responded to this offer and none participated in the discussion group.

Army leadership must continually update Army Regulation 350-1 training to focus on the most critical events required to succeed in an operational or combat environment. Deliberate and effective prioritization will allow subordinate unit commanders the ability to provide time and resources for their soldiers to complete self-development goals. Senior Army leaders must also afford their subordinates the “white space” on their respective training calendars to plan, resource, execute, and assess their own training programs. Recognizing that most self-development is done in already limited free time, commanders must provide opportunity for their assigned personnel to pursue self-development. Finally, the Army should place greater emphasis on cultural competency, language skills training, and history in every phase of the officer education and non-commissioned officer education systems from point of entry through retirement. We applaud the Pentagon’s move to restructure PME that emphasizes, “intellectual leadership and military professionalism in the art and science of warfighting, deepening our knowledge of history while embracing new technology and techniques to counter competitors.”<sup>43</sup>

As a reward mechanism, the Army should incentivize professional development through unambiguous guidance to Central Selection List command, school, and promotion boards that chose those leaders with a proven record of self-development. Benchmarks should include foreign language ability, advanced degrees in the humanities and liberal arts to include history, languages, sociology, cultural studies, as well

as overseas assignments, and professional writing. The Army should place further priority on teaching assignments in the Army's Training and Doctrine Command which are too frequently deemed "career risky" by Army officers. This emphasis will ensure the Army's best and brightest seek out teaching duties where they may impart the value of their own self-development experience to the next generations of Army leadership while having opportunity to interact with professionals from a myriad number of fields apart from military service. This exposure will provide soldiers with a variety of different experiences, viewpoints, and exchanges away from the too oft cloistered military circle.

## **Conclusion**

The authors strongly believe all professional soldiers have the lifelong responsibility to follow a rigorous course of self-development with the ultimate goal of comprehending past, present, and potential causes of war at the local, regional, or international levels. Despite man's best efforts to find lasting peace, war is an inevitable aspect of the human condition. International agreements and organizations may limit conflict in scope or scale but will be unable to prevent war in its entirety. While we cannot know the location, date, and enemy of the next war, this much is certain: the U.S. Army will fight again in battle. We believe every military professional has the solemn obligation to pursue a lifelong course of professional development aimed at understanding the root causes of conflict. Army leaders may be able to prevent or limit conflict and will be equally ready to fight when battle cannot be avoided.

## End Notes

- 1 Jeff Bacon, "Lt Col Hughes – Take a Knee," *Navy Times*, April 11, 2007, accessed January 17, 2018, <http://broadside.navytimes.com/2007/04/11/lcol-hughes-take-a-knee>.
- 2 Ryan Chilcote, Commander shows restraint, prevents unnecessary violence, 2005, accessed January 17, 2018, <http://edition.cnn.com/SPECIALS/2003/iraq/heroes/chrishughes.html>.
- 3 Tricia McDermott, A Calm Colonel's Strategic Victory, March 15, 2006, accessed January 17, 2018, <https://www.cbsnews.com/news/a-calm-colonels-strategic-victory>.
- 4 War Story – Lieutenant Colonel Chris Hughes, October 25, 2010, accessed January 17, 2018, [https://www.youtube.com/watch?v=JeM6PL3m\\_Sg](https://www.youtube.com/watch?v=JeM6PL3m_Sg).
- 5 Kipling Society, accessed January 18, 2018, [http://www.kiplingsociety.co.uk/poems\\_if.htm](http://www.kiplingsociety.co.uk/poems_if.htm).
- 6 Good Reads, accessed February 5, 2018, <https://www.goodreads.com/quotes/191048-to-fight-and-conquer-in-all-your-battles-is-not>.
- 7 History.com, accessed February 5, 2018, <http://www.history.com/topics/mahatma-gandhi>.
- 8 Antullio J. Echevarria II, *Joint Forces Quarterly*, Winter 1995-1996, accessed February 5, 2018, <http://www.clausewitz.com/readings/Echevarria/ECHJFQ.htm>.
- 9 History.com, accessed February 5, 2018, <http://www.history.com/this-day-in-history/thirty-years-war-ends>.
- 10 Civilian Military Intelligence Group, "The Thirty Years War Produced Astonishing Casualties," Daniel Russ, August 10, 2016, accessed February 13, 2018, <https://civilianmilitaryintelligencegroup.com/21865/the-thirty-years-war-produced-astonishing-casualties>.
- 11 Encyclopedia Britannica, "Thirty Years War," accessed February 13, 2018, <https://www.britannica.com/event/Thirty-Years-War>.
- 12 Ibid.
- 13 Ibid.
- 14 Yale Law School, "President Woodrow Wilson's Fourteen Points of Peace," accessed February 11, 2018, [http://avalon.law.yale.edu/20th\\_century/wilson14.asp](http://avalon.law.yale.edu/20th_century/wilson14.asp).
- 15 ABC News, "Germany Set to Make Final World War I Reparation Payments," David Crossland, September 29, 2010, accessed February 11, 2018, <http://abcnews.go.com/International/germany-makes-final-reparation-payments-world-war/story?id=11755920>.
- 16 United Nations, "Security Council," accessed March 1, 2018, <http://www.un.org/en/sc/members>.
- 17 United Nations, "UN Charter," accessed March 1, 2018, <http://www.un.org/en/sections/un-charter/un-charter-full-text>.
- 18 Global Conflict Tracker, accessed March 1, 2018, <https://www.cfr.org/interactives/global-conflict-tracker#!/global-conflict-tracker>.
- 19 Good Reads, accessed 02 March 2018, <https://www.goodreads.com/quotes/35420-only-the-dead-have-seen-the-end-of-war>.
- 20 Army Regulation 350-1, Army Training and Leader Development, (Department of the Army, 2014) 3, accessed January 20, 2018, [http://www.dami.army.pentagon.mil/g2Docs/Foundry/r350\\_1.pdf](http://www.dami.army.pentagon.mil/g2Docs/Foundry/r350_1.pdf).

21 Ibid.

22 Ibid.

23 <https://www.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf>.

24 Leary, William M., ed. (2001). *MacArthur and the American Century: A Reader*. Lincoln: University of Nebraska Press.

25 “The Battle for Iwo Jima,” The National WWII Museum, accessed January 21, 2018, <https://www.nationalww2museum.org/sites/default/files/2017-07/iwo-jima-fact-sheet.pdf>.

26 Ehlen, Robert. Interviewed by author. Monmouth, IL, August 22, 2002.

27 James, D. Clayton (1970). Volume 1, 1880–1941. *The Years of MacArthur*. Boston: Houghton Mifflin.

28 “George Patton,” The University of Michigan Dyslexia Success Stories, accessed January 21, 2018, <http://dyslexiahelp.umich.edu/success-stories/george-patton>.

29 “George Patton,” Sports References, accessed January 21, 2018, <https://www.sports-reference.com/olympics/athletes/pa/george-patton-1.html>.

30 Henrik Bering, “The German View of Patton,” *Policy Review*, February 1, 2012, accessed January 23, 2018, <https://www.hoover.org/research/german-view-patton>.

31 John Mikolasevek, “Patton in WWI,” *Warfare History Network*, June 17, 2016, accessed January 23, 2018, <http://warfarehistorynetwork.com/daily/military-history/patton-in-wwi>.

32 Bering.

33 Ian W. Toll, “A Reluctant Enemy,” *New York Times*, December 6, 2011, accessed January 25, 2018, <http://www.nytimes.com/2011/12/07/opinion/a-reluctant-enemy.html>.

34 Richard Goldstein, “Guy Gabaldon, 80, Hero of Battle of Saipan, Dies,” *New York Times*, September 4, 2006, accessed March 21, 2018, <https://www.nytimes.com/2006/09/04/us/04gabaldon.html>.

35 Sydney J. Friedberg, “Miserable, Disobedient & Victorious: Gen. Milley’s Future U.S. Soldier,” *Breaking Defense*, October 25, 2016, accessed 27 March, 2018, <https://breakingdefense.com/2016/10/miserable-disobedient-victorious-gen-milleys-future-us-soldier>.

36 Amelia Friedman, “America’s Lacking Language Skills,” *The Atlantic*, May 10, 2015, accessed January 20, 2018, <https://www.theatlantic.com/education/archive/2015/05/filling-americas-language-education-potholes/392876>.

37 Ginger Adams Otis, “America Less Likely to Travel Abroad,” *New York Daily News*, November 11, 2015, accessed January 20, 2018, <http://www.nydailynews.com/news/national/americans-travel-survey-article-1.2431648>.

38 Alan Gomez, “U.S. Foreign Born Population Nears High,” *USA Today*, September 28, 2015, accessed January 20, 2018, <https://www.usatoday.com/story/news/2015/09/28/us-foreign-born-population-nears-high/72814674>.

39 U.S. Army General Officer Management Office, accessed January 20, 2018, <https://www.gomo.army.mil/Ext/Portal/Officer/Masterprint.aspx>.

40 Will Bardenwerper, “For Military, Slow Progress in Foreign Language Push,” *New York Times*, September 21, 2008, accessed January 21, 2018, <http://www.nytimes.com/2008/09/22/washington/22language.html>.

41 Jeff Desjardins, “U.S. Military Deployments by Country,” Visual Capitalist, March 18, 2017, accessed February 20, 2018, <http://www.visualcapitalist.com/u-s-military-personnel-deployments-country>.

42 Voice of America, “Languages Help Improve Military, International Relations,” May 26, 2016, accessed February 20, 2018, <https://learningenglish.voanews.com/a/us-soldiers-study-languages-and-culture-diplomacy/3347369.html>.

43 U.S. Department of Defense, “National Defense Strategy,” accessed March 30, 2018, <https://www.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf>.

# First to Fight for the “Right”: The Ethical Dilemma Inherent within the Multi-Domain Battle Concept

by Bryan Hedrick

*“The world has achieved brilliance without conscience.  
Ours is a world of nuclear giants and ethical infants...  
If we continue to develop technology without wisdom or prudence,  
our servant may prove to be our executioner.”*

—General Omar N. Bradley, former Army Chief of Staff and Chairman of the Joint Chiefs of Staff, Armistice Day speech, 11 November 1948, as quoted in his book, *Collected Writings, Volume 1* (1967).

In 2016, cinemas around the world dramatized the ethical and moral dilemmas of the fiercely debated drone program in the movie *Eye in the Sky*.<sup>1</sup> Though certainly biased against the drone program, it did illuminate several points of contention relevant to the discussion of warfare, technology, and human morality. Essentially, a drone pilot was given an order to execute a lethal strike on a target in which a young civilian girl was expected to become collateral damage. While the commander ordering the strike did everything in her ability to limit the chance of the girl’s death, ultimately the decision was made to proceed with the strike. Throughout the movie, the issues of moral, ethical, and legal justification were at the nexus of the decision; the aftermath was a pilot in Nevada going home from his shift having just killed an eight-year-old girl across the globe in Africa. War is never simplistic; this movie demonstrates the ethical ramifications of a nation conducting a pre-emptive lethal strike against a non-state actor who had the propensity to inflict harm, and the moral injury to the pilot who pulled the trigger. Such is the future and danger of warfare envisioned in TRADOC’s Multi-Domain Battle concept (MDB).<sup>2</sup>

MDB poses an intrinsic ethical dilemma to the warfighter’s ability to apply combat power congruent with *the Jus ad Bellum* and *Jus in Bello* principles inherent within the Law of War (LoW). In light of this dilemma, the Army’s Ethical Reasoning Framework does not provide commanders, nor soldiers the rigor or speed at which to make sound ethical decisions in MDB.<sup>3</sup> It is imperative the Army develop an ethical framework that is capable of mitigating ethical dilemmas within the MDB context. Furthermore, it is essential units train on the use of this ethical framework, incorporating the realistic context and tempo of operations within MDB. Finally, the Army Chaplaincy must become further engaged in the ethical formation of units and operational definitions must be updated to be relevant to the MDB’s non-linear, four-dimensional concept of warfare in order to limit risk of moral injury to MDB practitioners. This paper will explain why and offer recommendations for the ethical application of the MDB concept.

According to the United Nations Charter VII, nations may only enter armed conflict with just cause.<sup>4</sup> Two distinct principles emerge from the document. First, the principle of self-defense; the United States has the right to enter armed conflict to defend its citizens or territory.<sup>5</sup> Second, nations may enter into armed conflict as part of a collective self-defense. In other words, the U.S. may enter armed conflict to protect an ally or to prevent atrocities or human rights violations, in accordance with international law.<sup>6</sup> *Jus ad Bellum* does not

condone the use of force to pursue national interests.<sup>7</sup> In direct contrast, the purpose of competition within MDB, “is to defend national interests without the large-scale violence that characterizes armed conflict.” Therefore, conducting targeted surgical strikes whether by drone, Special Operations Forces, or cyber-attacks presents an ethical and moral challenge to those prosecuting the attacks.

Second, a nation may not enter into armed conflict without a reasonable probability of success. MDB defines success as a return to competition, not a disarmament of the enemy.<sup>8</sup> MDB also assumes the best possible outcome of armed conflict is a degraded enemy that still retains nuclear capability. In addition, the concept calls for the military to not push aggressors to the point in which their only option is to resort to weapons of mass destruction. This is both a problematic and dangerous end state as it envisions soldiers who will experience horrors of war only to still have a capable enemy following conflict, without a sense of purpose, accomplishment, or moral justification in their actions.<sup>9</sup> A recent study has demonstrated this link between moral injury, reasonable success, and just cause stating moral injury, “may also be driven by losses...the loss of a compelling and life-changing purpose (i.e., as in the “Warrior Creed” of defending democratic values).”<sup>10</sup> Furthermore it advocated, “Clearly, the need for finding meaning is heightened in war where human empathy is limited, where orders to engage in firing upon others are followed, and where death and dying are not abstractions, but daily occurrences.”<sup>11</sup> Without the just cause or a clear definition of success, service members are placed at increased risk of moral injury.

Just War Tradition advocates the use of military force as the last resort, yet MDB envisions a vibrant, active role for military operations in foreign affairs. Strategic special and cyber operations blur this principle. MDB identifies conducting proxy wars to fracture enemy alliances and demonstrate friendly capabilities, both offensive and defensive cyber operations against other nations, and global SOF engagement to shape future battlefields as tools for use during competition. It would seem the Multi-Domain Battle assumes conflict as the status quo, not as a last resort.

The final principle of *Jus ad Bellum* is proportionality. How is the use of bombs and bullets justified when national security is threatened by lines of code? How can lethal, pre-emptive or retaliatory strikes be ethically proportioned against a cyber threat? Just war theorists posit the means used must be proportional to the desired ends. This requires a balance of power used and the goals of conflict must be proportionate in response to the actions taken. For example, a nation who has land invaded may justify entering armed conflict in order to reclaim the lost territory, but cannot justify invading the aggressor’s lands or exacting further retribution. The ends must be proportionate to the means.<sup>12</sup> According to the Multi-Domain Battle, cyber-attacks against our economic interests, are an attack on our sovereignty, thus warranting lethal retaliation. While legal justification may protect such actions, moral, and ethical justification is far more ambiguous.

Within MDB’s phase of armed conflict, how do the *Jus in Bello* principles of discrimination and proportionality apply? First, in terms of discrimination, several definitions are not adequate operational terms for conducting MDB. For example, the Geneva Convention I defines conflict as, “[a]ny difference arising between two States and leading to the intervention of armed forces is an armed conflict within the meaning of Article 2, even if one of the Parties denies the existence of a state of war.”<sup>13</sup> Likewise, the LoW states, “a state of war can exist when States are not on opposite sides of the conflict.”<sup>14</sup> Note the disparity between MDB’s definition of competition, which is replete with armed forces intervention, and how the LoW and Geneva Convention defines this same action as armed conflict. Furthermore, the United States adheres to the definition of civilians in the U.N.’s Additional Protocol (AP) I and II, though it “contains a ‘negative definition’ of civilian, which ‘follows a process of elimination.’”<sup>15</sup> The reason it is considered negative is the term civilian is designed to cover anyone not explicitly mentioned as a combatant, as opposed to a definitive category of persons. Even the Law of Armed Conflict (LOAC) acknowledges the “lack of clarity” within the future of conflict concerning civilians taking a direct part in hostilities, cyber operations, automated weapons systems, and targeting in non-international conflict.<sup>16</sup>

Similarly, the Law of Armed Conflict defines a combatant to, “include anyone engaging in hostilities in an armed conflict on behalf of a party to the conflict. This can be a status or conduct based designation. These persons are lawful targets unless out of combat or hors de combat, e.g., wounded, sick, or taken prisoner.”<sup>17</sup> This definition assumes combatants and non-combatants can be readily identified, though in modern warfare or non-international armed conflicts, especially in megacities, it is not so simple. This definition requires significant discrimination on the part of soldiers to determine who is considered a combatant in both the cyber and physical domains. Problematically, in the age of increased intelligence and cyber analytics, discrimination is quite challenging when an attack was conducted geographically dispersed through lines of code.

Second, the while the LoW only hints at the doctrine of double effect, in MDB this issue comes to the forefront of ethical considerations. Essentially, the doctrine of double effect states that while non-combatants are not to be targeted directly, they may be targeted indirectly so long as casualties are minimized, or so long as the non-combatants are directly supporting the war effort, despite not being uniformed.<sup>18</sup> It was this justification that led the Allies to justify the firebombing of urban centers in World War II to destroy the Nazi war factories. It also led to the atrocity of the Dresden bombing which claimed the lives of between 25,000-500,000 civilians.<sup>19</sup> In the modern context, at what point does a civilian become a combatant or fit into this category? For example, how are civilians working in information technology, private industry, or research and development viewed in terms of combatant status? This critical question must be answered prior to giving commanders of semi-autonomous units, broad intent, and increased lethality.

The emerging means of conducting warfare convolutes the ability to discriminate targets. Cyber activity is a critical vulnerability for nearly all aspects of human society. Power grids, communication networks, banking systems, and the Department of Defense all rely on freedom of movement within the cyber domain. All actors in conflict desire to exploit this reliance. Consequentially, public health services and public works are often on the same networks. Some would argue this is merely collateral damage, however where is the line drawn? One of the primary reasons for the revision of the Geneva Convention III was due to the atrocities committed by the indiscriminate killing of civilians waged by both the Axis and Allied powers during World War II.<sup>20</sup> As warfare again transitions to primarily urban centers with increased lethality in both the physical as well as cyber domain, it is necessary to revisit and better define ethical guidelines on discrimination to alleviate unnecessary civilian casualties and human suffering. While it is impossible to completely eradicate civilian casualties, they should be minimized.

Furthermore, the LoW limits commanders’ actions by disallowing indiscriminate attacks in which civilians cannot be readily identified or casualties mitigated.<sup>21</sup> What metrics or guidance is given to commanders that allows them to make this determination cross domains, in rapid execution? Additionally, the complex future of military operations obscure the ability to determine second and third orders of effect from military actions and requires non-linear, three and four-dimension critical thinking/operational design, enhancing the need for an ethical framework that is tailored to this context. MDB exponentially increases the uncertainty and requires commanders and soldiers alike to make rapid decisions to exploit fleeting windows of advantage in which the ethical and moral issues abound.

The principle of proportionality demands the question of how do we provide a measured, kinetic response to an enemy action conducted in the abstract cyber domain? The nature of the Multi-Domain Battle is a cross of the abstract and physical domains of war to leverage multiple dilemmas against the enemy in order to overwhelm their capabilities. This is a logical tactic, however the devil is in the details. The LoW defines proportionality as, “the principle that even where one is justified in acting, one must not act in a way that is unreasonable or excessive.”<sup>22</sup> What ethical paradigm assists commanders in determining whether a cyber or kinetic response is warranted and, indeed, proportionate?

The danger of moral injury is on par, if not higher, with the addition of abstract domains in future conflict.<sup>23</sup> Unlike conventional forces who deploy and conduct operations in time/space abroad, cyber, drone, and intelligence operations are often occurring from a base in the continental United States where there is no buffer between the harsh realities of combat and the normal challenges and pleasantries of life at home. These professionals end their shifts and return to being parents and spouses, literally taking kids to soccer practice twenty minutes after being an integral part of killing a known terrorist, or watching an innocent person beheaded.<sup>24</sup> Under the bond of extreme secrecy, these intelligence and cyber warriors cannot discuss this tension with those family members and must compartmentalize such horrors without the buffer of the time and distance afforded to troops physically deployed overseas.

In light of these ethical dilemmas I make the following recommendations. First, it is imperative to redesign the Army's Ethical Reasoning Framework to incorporate the ambiguity, tempo, lethality, and tenacity of the Multi-Domain Battle. The framework, with its eight step process, is cumbersome and requires significant training to be effective. If the framework is to be a usable tool, it must be redesigned, streamlined, and most importantly, trained in the operational domain. With limited windows of advantage and the need to exploit opportunities rapidly, ethical decision-making must become efficient to be effective. The Army must train on this concept and validate units at the combat training centers on their ability to navigate challenging ethical dilemmas as they relate to multi-domain employment of combat effects. Finally, establish a lessons learned program for commanders to assist in developing efficiency and effectiveness in this capability.

Second, it is critical to review current definitions update as necessary. As discussed above, the definition of a civilian and armed conflict are vague at best. MDB's use of the terms armed conflict and competition is problematic in contrast with LoW's definition. Civilian requires a more comprehensive and deliberate definition to reduce ambiguity and enable better tactical discrimination. Furthermore, the law of double effect is poorly described leaving operational gaps in application and moral injury in execution. For example, how are civilians working in the intelligence community, private industry, or development viewed in terms of combatant status? Finally, what are the guidelines and authorities for targeting between the abstract and physical domains? These questions require answers to ethically conduct MDB.

Third, it is critical to develop the ethical character of the force. MDB is built on the premise that the military can be trusted to do what is ethically and morally right in the face of adversity, ambiguity, and with limited oversight. This trust extends to each individual soldier and involves significant risk for commanders and our national security. MDB hinges on precise actions within precise windows of advantage, all while not inflicting enough damage as to threaten the use of weapons of mass destruction. It emphasizes efficiency and effectiveness, perhaps at the expense of the ethical. Tactical actions have strategic importance and trust in small, semi-autonomous units must be validated through the development of ethical character throughout the force. Additionally, ethical training needs enhanced within the institutional domain. Currently, there is a significant lack of education on ethical reasoning in both the Non-Commissioned Officer and Officer Education Systems.

Finally, the U.S. Army Chaplaincy must become more engaged as the ethical advisor to the command by integrating ethical considerations into the training and operations of its units. Unit Ministry Teams are tasked in AR 165-1 to provide ethical advisement to their units,<sup>25</sup> yet are chaplains and religious affairs specialists trained and equipped in the operational domain to provide this capability? Currently this training resides solely in the institutional domain, with no operational domain tasks to support ethical advisement. I recommend the chaplain task analysts examine and develop tasks that effectively enable training on ethical advisement within the operational domain, which are then validated during unit rotations at combat training centers. Additionally, chaplains and religious affairs specialists are equipped to train units on moral leadership training and should do so. This is a critical training tool at a commander's disposal to utilize in the development of character.

In conclusion, there is an ethical disparity between the Multi-Domain Battle and the warfighter's ability to conduct land combat in accordance with the Law of War. As new technologies continue to develop, the ethical considerations and guidelines must be constantly revised and implemented. The welfare of our nation and its military members are at stake. Just because we can do something, does not mean we should. It is not the military might of the United States that makes this nation great; it is the ability to wield such power in an ethical manner which truly defines the spirit of America.

## End Notes

- 1 Gavin Hood et al., “Eye in the Sky,” recorded 2016.
- 2 Department of Defense, *Multi-Domain Battle: Evolution of Combined Arms for the 21st Century*, by U.S. Army (Washington D.C.: Department of the Army, 2017).
- 3 See Appendix C in *Religious Support and Internal Advisement*, by U.S. Army (Washington, D.C.: Department of the Army, 2017).
- 4 United Nations, “Chapter Vii,” accessed April 14, 2018, <http://www.un.org/en/sections/un-charter/chapter-vii>.
- 5 Ibid.
- 6 Ibid.
- 7 “Internet Encyclopedia of Philosophy: Just War Theory,” accessed April 12, 2018, <https://www.iep.utm.edu/justwar/#H2>.
- 8 *Multi-Domain Battle*.
- 9 Shoba Sreenivasan, Daniel E. Smee, and Linda E. Weinberger, “Moral Injury: A Meaning-Based Model for Iraq/Afghanistan Combat Veterans,” *The International Forum for Logotherapy* 37 (2014), <http://www.acmhck.org/wp-content/uploads/2013/08/Logotherapy5.pdf>.
- 10 Ibid., 30.
- 11 Ibid.
- 12 Jean S. Pictet and Frédéric Siordet, *Geneva Convention I: For the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field : Commentary* (Geneva: International committee of the Red Cross, 1995).
- 13 David Lee, ed. *Law of Armed Conflict Deskbook* (Charlottesville, VA: United States Army Judge Advocate General’s Legal Center and School, 2015), 24.
- 14 Office of General Counsel, Department of Defense, “Department of Defense Law of War Manual,” (2016), <http://purl.fdlp.gov/GPO/gpo71097>.
- 15 Lee, 90.
- 16 Office of General Counsel, 103.
- 17 Lee, 137.
- 18 Michael Walzer, *Just and Unjust Wars a Moral Argument with Historical Illustrations* (New York, NY: Basic Books, 2015), 154-157.
- 19 Meghan Bowe, “Framing Memory: The Bombings of Dresden, Germany in Narrative, Discourse and Commemoration after 1945” (University of Victoria, 2011), 132, [https://dspace.library.uvic.ca:8443/bitstream/handle/1828/3261/MeghanBowe\\_MA%20Thesis%20.pdf?sequence=1](https://dspace.library.uvic.ca:8443/bitstream/handle/1828/3261/MeghanBowe_MA%20Thesis%20.pdf?sequence=1).
- 20 Office of General Counsel, 100.
- 21 Ibid.
- 22 Ibid., 60.

23 See the following for an in-depth study on the mental health of drone pilots in relation to manual pilots: Jean L; Webber Otto, Bryant J., “Mental Health Diagnoses and Counseling among Pilots of Remotely Piloted Aircraft in the United States Air Force,” *Medical Surveillance Monthly Report* 20, no. 3 (2013), [https://timemilitary.files.wordpress.com/2013/04/pages-from-pages-from-msmr\\_mar\\_2013\\_external\\_causes\\_of\\_tbi.pdf](https://timemilitary.files.wordpress.com/2013/04/pages-from-pages-from-msmr_mar_2013_external_causes_of_tbi.pdf).

24 Quinta Jurecic, “Moral Theory and Drone Warfare: A Literature Review,” accessed March 1, 2018, <https://www.lawfareblog.com/moral-theory-and-drone-warfare-literature-review>.

25 U.S. Army, *Ar 165-1: Army Chaplain Corps Activities* (Washington, D.C.: Department of the Army, 2015).



# Reciprocity and the Search for a Guiding Principle in Cross-Cultural Relations: A Philosophical Essay

by Prisco R. Hernandez, Ph.D.

*“And on earth peace, good will toward men”*

This essay proposes reciprocity, defined as “a mutual exchange of goods or services between two parties rooted in good will,” as a reliable and practical principle that allows differing entities or persons to work productively for a common cause or goal. Reciprocity works because it is rooted in human nature. It relies on an instinctive sense of justice based on equality. Persons or communities provide something of value that another person or community needs in exchange for something of value that they need. It is powerful because it allows humans to communicate and cooperate effectively across national and cultural boundaries. It is not something that is imposed by force but something that is mutually agreeable to parties that deal with each other as equals. This mutually beneficial aspect distinguishes relationships based on reciprocity from those based on leveraging power or the threat of violence. Thus, reciprocity offers an alternative way to engage constructively in cross-cultural relationships. However, although effective and rooted on human nature, relationships based on reciprocity can be difficult in practice. Therefore, I will also point out the difficulties that must be overcome when trying this approach which is so different from the dominant approaches used by most nations which are based on *Realpolitik* and a Machiavellian worldview based on self-interest and the pressure to achieve short term goals. Unfortunately, the ever-present dark side of human nature, based on selfish self-interest, often conspires against the possibilities opened up by reciprocity. These contrary tendencies must be recognized, arrested, and overcome if an approach to mutual relationships based on reciprocity is to work. Moreover, the process of developing mutually beneficial reciprocal relationships must, of necessity, take time in order to test it, vet it, and allow it to flourish.

## **The Problem is “The Other”**

The United States’ government long-term involvement with the non-western cultures of the Middle East and Southwest Asia has brought to the fore the importance of achieving a profound level of cross-cultural understanding in order to attain policy goals. Western culture, whether based on the traditional Judeo-Christian worldview and the legacy of the Classical and Medieval worlds or whether viewed as a Post-Christian secular society based on the principles of personal freedom, liberal democracy, and economic neoliberalism, has been set into conflict with other ancient cultures such as those of the Islamic Middle East, Orthodox Russia, and the complex ancient cultures of India and China. This brings each of these protagonists into conflict with “The Other.” The concept of “The Other” has been used in philosophy, anthropology, and sociology as a way to describe the image we humans sometimes construct of other individuals or groups that are perceived as significantly different from us. To conceptualize “The Other” we emphasize differences and focus specifically on the perceived faults or defects of that “Other.” Thus, “The Other” becomes at best a stranger and at worst an enemy. It follows that the “The Other” cannot be trusted, must be defeated, or somehow subjugated because its “Otherness” represents a challenge and a danger. Violence and deceit, not good will and trust are called for when dealing with this “Other.”

In situations of war and conflict “The Other” is often reduced to a caricature that tends to demonize and depersonalize it so that it becomes easier to kill. We can recall how in previous wars waged by the United States the enemy has been described as “Redskins,” “Krauts,” “Nips,” “Gooks,” or “Ragheads.” These negative stereotypes become problematic when dealing with persons or groups from these cultures that are allied during war or during the post-war reconstruction period. Since these stereotypes tend to persist, they also become extremely detrimental in diplomatic engagements. When confronted with “The Other,” operational leaders within the U.S. government and military have been forced to recognize that persons and groups from “Other” cultures are not only political enemies, but can also be allies and neutral parties to conflict that must be approached appropriately—not necessarily as enemies. This in turn has led to the recognition that soldiers, and other officials who interact with members of “Other” cultures on a daily basis needed to acquire some basic cultural skills in order to bridge cultural differences that would allow them to work together.

Following the Hippocratic dictum of “First do no harm,” soldiers and diplomats have been taught to avoid supposed cultural taboos so as not to offend the mysterious “Other.” Useful though they are at a superficial level, these instructions do not set firm foundations for true cross-cultural communications. The need for a deeper level of understanding led to the formulation of the concept of “human terrain” and an attempt to form teams which included persons with appropriate levels of cultural expertise. Human terrain attempted to use demography and cultural analysis at the local level to better understand the immediate environment. This included local contractors, linguists, and service-members with family roots from a particular culture. Additionally the military attempted to recruit and incorporate persons who had deep knowledge of the operational area or of disciplines such as anthropology, sociology, and international relations. These efforts certainly enhance the military’s capacity to understand and shape the operational environment. But they often fall short of the desired long-term goals which can only be achieved through long term and persistent cross-cultural engagements rooted in understanding.

At the highest level, U.S. efforts have varied through seventeen years encompassing three presidential administrations, many executive foreign-policy teams and numerous combatant commanders and their constantly changing staffs. U.S. high-level pronouncements have struck both positive cooperative notes as well as provocative dissenting ones throughout the years. This instability and contradictory messages have had a detrimental effect in achieving the desired long term goals. But perhaps the biggest hurdle to effective cross-cultural relations has been the continued persistence of “The Other” who remains inscrutable, alien, and dangerous. We now turn to an alternative—unmasking “The Other.”

### **Unmasking “The Other”—the Road to Reciprocity**

Anyone proposing a solution to serious political and military problems would be extremely naïve to believe that this would be a simple proposition. The problems of conflict and war are deeply rooted in the worst depths of human nature. Moreover, the proposed solution is itself problematic, if not in concept in its implementation. But, it is arguably a practical and proven way to resolve conflict and work toward common goals. So, what is reciprocity? As mentioned in our opening statement, reciprocity in this context is: a mutual exchange of goods and services between two parties rooted in good will.” This begs the question: Can reciprocity work? To answer it we point to the definition. It can work provided both parties work in good will.

Why does reciprocity work? Reciprocity works because it derives from an innate sense of justice based on a mutually beneficial exchange among equals. If this is so we may ask: Why is reciprocity often difficult in practice? The answer lies in the dark side of human nature. Mistrust or fear of “The Other” does not allow for good will and closes the door to reciprocal relationships. Alternatively, the desire to take advantage or dominate “The Other” also destroys the possibility of a reciprocal relationship. It follows that the pre-

condition to engage in relations based on reciprocity is to do away with the external mask that covers “The Other’s” humanity.

Reciprocity takes a broad view of the human condition and places more value on aspects that are considered most basic or essential over those that lie at the surface such as color of skin or aspects conditioned by culture such as food preferences. It focuses on what makes us human rather than on what makes us American or Chinese. This deeper assessment of the human condition is what allows us to relate to “The Other” on a level which surmounts surface differences and acknowledges our mutual humanity. Unmasking “The Other” requires us to accept certain assumptions about the human condition that allow for relations of reciprocity. The first assumption is ontological. We must assume that behind the mask worn by “The Other” we all share a common human essence—a common humanity. From this it follows that we must also unmask ourselves. A common humanity requires equality. All masks are to be removed. From a position of ontological equality we may derive a state of ethical equality. That is, if humans are capable of ethical choices—another assumption we choose to make—and they are ontologically equal, then humans share the capacity to deal with each other ethically. At this point it is important to acknowledge cultural differences rooted in beliefs and custom but these should not obscure the underlying and more basic common human ontology and capacity for ethical choices.

### **The Intuition at the Root of Reciprocity**

When we examine systems of justice throughout many cultures we observe certain similarities that seem to be innate in human beings. One of these is to reward or punish people according to their deeds. “An eye for an eye; a tooth for a tooth” is the negative expression of this idea. The golden rule: “Do unto others as you would have them do unto you” is the positive expression of the same basic idea. As an ethical principle the golden rule exists in many philosophical systems and in the ethical precepts of many world religions. It also forms the basis of restorative justice. Economic exchanges of goods and services are also based on equivalent value. Other such exchanges include trade agreements, military cooperation agreements, mutual assistance agreements in case of humanitarian disasters and others. Thus, reciprocity, rooted as it is in human ontology, capacity for ethical choice, and innate sense of justice in mutual interactions with other humans is a concept that may serve as the basis for cross-cultural cooperation once we ourselves and the perceived “Other” take off our masks.

### **Some Practical Guidelines to Establishing Reciprocal Relationships**

The following guidelines may serve to set the foundations for lasting and productive engagements based on reciprocity:

- Identify actors willing and able to act in good faith. It is important to identify specific persons who are willing and able to cooperate in good faith for a common good. These two requirements are critical. The persons involved must have both the *will* and the *ability* or *power* to act in good faith and commit to a relationship based on reciprocity. The expression of “good faith” means that the parties are approaching their relationship as one of cooperation and in the common interest. Rather than charging into each other in collision course, they are attempting to walk together—side by side. It also means that neither party is attempting to undermine the other by means of hidden agendas and lack of transparency. The expressed intent to act in good faith for the common good is important; although, as we shall see, it must be tested and affirmed throughout the process. The famous Russian proverb “trust, but verify” is very appropriate in this context. A sober assessment of human nature and its pitfalls should allow both parties to devise and emplace a system of mutually agreed upon checks and balances to help keep the participants honest despite tendencies to the contrary.

- Create a Relationship of Practical Equality. Reciprocity works best when both parties are roughly equal in power and capabilities or when one is in a position to provide what the other lacks and vice versa. This power equality facilitates a relationship based on reciprocity because it is more difficult for either party to use force to impose unilateral solutions. Again, in a relationship based on equality and reciprocity there should be no losers—only winners. In practical terms, it is often the case that one party is dominant in relative power vis-à-vis the other. When there are power inequalities traditional political realism would counsel the stronger party to exercise coercion on the weaker in the tradition of “might makes right” or as Thucydides wrote: “The strong do what they will, the weak suffer what they must.” However, if the stronger party wants to reap the benefits of solutions reached through relationships of reciprocity, then it must eschew the unilateral solution based on power and put itself on a theoretical level with the less powerful party. Interestingly, this is the practical fiction embraced by the idea of the United Nations. Each nation, from the world’s superpower to the smallest city state, is, in theory, granted the same dignity and prerogatives. Although practitioners of *Realpolitik* would dismiss this offhand, it provides the foundation for international relations based on a certain level of equality. A general consensus that unilateral action is overwhelmingly counter-productive in a globalized world is also very helpful in nurturing attempts at reciprocity.
- Identify a common ethical framework. In order to develop a proper context for relationships based on reciprocity, it is first necessary to establish some mutually-agreed upon ethical foundations. These ethical foundations are to be accepted by all and are to serve as reference points to relations of reciprocity. This may at first seem an unsurmountable problem given that even within many cultures there are no common ethical frameworks and that many persons do not accept the validity of absolute ethical standards—e.g. ethical relativists—or even the possibility of ethical behavior—e.g. behavioral determinists. Nonetheless, it is always possible to appeal to the moral high ground as defined in the UN Declaration of Human Rights. The ethical framework provided by the great world religions, despite their immense differences, also offer points of similarity especially in their general ethical principles. In certain situations, these may serve as the foundations of a common ethical framework. In the absence of profound religious or ethical principles, the players may be able to construct mutually acceptable “rules of engagement” which may act as a de facto ethical system—although these would rest in weaker philosophical grounds than those based on accepted systems of ethics.
- Identify common goals. The basis of reciprocity is the willingness of the parties in question to work together for a common good and more specifically, for common goals. When pursuing common goals the parties do not engage in competition where there are winners and losers. They cooperate to obtain an outcome favorable to all parties.
- Work with “The Other” within a framework of mutual trust. Once identified mutual goals must be pursued in an atmosphere of mutual trust. This is important because the existence of hidden agendas, or even the perception that there are hidden agendas will quickly destroy the spirit of cooperation which is at the heart of reciprocal relationships.
- Persevere and Adjust. Relationships based on reciprocity require care and attention. They may need to be readjusted periodically when goals are achieved or when conditions change. At times, it may be necessary to offer “The Other” proof of good will to retain trust and confidence. Trust must be renewed constantly. If lost, it may be difficult or impossible to regain.
- Be Transparent. Trust, based on honesty based on transparency are obviously important for a relationship based on reciprocity to work; however, it is very difficult to achieve these in practice. Furthermore, it may take a long time to develop trust based on honesty and transparency—sometimes years. In practice it takes perseverance and a gradual increase in mutual sharing of increasingly sensitive information or working together toward more significant goals. It is a difficult process indeed, but well worth the effort.

## **Towards an Ethical Political Philosophy based on Reciprocity**

Reciprocity introduces a higher ethical standard than the usual common schools of international relations advocate. It does so because it places the common interests of humanity on a higher plane than the usual focus on narrow national interest. For this very reason, high level engagements based on reciprocity offer the prospect of long-term peace based on justice.

Since reciprocity should work for mutual benefit, partners should keep solutions employing lethal operations and war to a minimum. This is in part a reaffirmation of one of the principles of Just War Theory. War and violence are to be used as a means of last resort. International partners who want to work within the framework of reciprocal relationships could work in concert to isolate those who do not practice reciprocity or are discovered to harbor hidden agendas. As the dominant superpower in the world, the United States has to work particularly hard to gain the trust of lesser powers, particularly those who have been trampled by its power in the past. This is challenging, but it could prove to others the good will of American policy and therefore encourage relations based on trust and reciprocity.

### **In Conclusion**

Reciprocity is a practical principle which cuts across cultural mores and boundaries because it is rooted in our common human nature by virtue of our common ontology and ethical capacity. It is both an attitude of mind and spirit as well as a principle of action. Reciprocity is the basis for mutually beneficial relationships of exchange based on the innate human sense of justice as expressed in the golden rule. It is a simple concept, but one that can be very difficult to implement in practice. However, given that human nature is capable not only of dreadful acts of violence and cruelty but of sublime acts self-sacrifice and great nobility as well, it is a principle that can and should be implemented because it has the potential of creating conditions for profound and lasting solutions to seemingly intractable problems that may otherwise lead to war and conflict. Acting in a spirit of reciprocity requires the opening up of one person or group to the "Other" with an offering of good will in the expectation that it will be accepted and reciprocated by the "Other." It demands the mutual unmasking of the participants as a prerequisite to their engagement at a deep human level. It also requires the acceptance of mutually agreed-upon ethical principles, or as a minimum, standards of behavior. Finally, it demands perseverance and adjustment to reach mutually agreed upon goals. Despite the challenges, the principle of reciprocity has the potential to yield deep and long-lasting positive outcomes in both high level diplomacy and various types of military operations. It is a principle that can and should be put into practice much more often. Our very survival may depend on this.



# Shaping Small Unit Ethics

by Richard S. Higashi

*“Adhering to the principles the Army Values embody is essential to upholding high ethical standards of behavior.”<sup>1</sup> —ADRP 6-22*

Today’s military conflicts are complex, so navigating the ethics of today’s battlefield as a tactical leader is not simple. The current Army strategy is to have soldiers rely on their training and above all else, embody Army values. Conceptually, this should help leaders choose the *right* that is the most consistent with Army goals, but there are always competing principles and sometimes individuals deviate toward unethical behavior. To help soldiers make choices there are a multitude of ethical decision-making models (e.g., The Ethical Triangle) that are supposed to help individuals make ethical decisions, but I contend that they are better suited as introspective models for reflection. The problem is that these models are individual focused so instead of relying on each individual’s moral foundation, there should be a formalized process that shapes the ethical environment for soldiers at the lowest levels. Here is a two-part process: 1) leaders need to foster a positive ethical climate with consistent feedback and reflection; and 2) staffs at higher echelons need to deliberately use a problem-solving method to provide ethical clarity to subordinate units.

*“Climate and culture describe the environment in which a leader leads. The leader shapes the environment in which the leader and others operate... Army leaders must consistently focus on shaping ethics-based organizational climates... When an organization’s ethical climate nurtures ethical behavior, people will think, feel, and act ethically.”<sup>2</sup> —ADRP 6-22*

This excerpt shows that the Army understands the leader’s role in fostering an ethical climate. It is important because one of the most powerful influences on an individual’s ethical decision making is the organization’s environment.<sup>3,4</sup> The problem is measuring a unit’s ethical climate. If we use Victor and Cullen’s definition of an organization’s ethical climate: “the perceived prescriptions, proscriptions, and permissions regarding moral obligations in organizations,”<sup>5</sup> then we can use the following five categories, as described by Valentine and Barnett,<sup>6</sup> to help leaders measure climate:

1. the degree to which soldiers perceive that leaders support and model ethical behavior
2. the degree to which soldiers perceive that ethical behavior is the “norm” in their unit
3. the degree to which soldiers perceive that ethical (unethical) behavior is rewarded (punished) in their unit
4. the degree to which soldiers perceive that they can act ethically and still succeed
5. the degree to which ethical considerations are factored into the decision-making process in their organization

The goal is to reflect on these five questions and incorporate them into the “assess” step of the Army Operations Process.

*“Ethical reasoning must occur during the operations process. Leaders consider ethics in planning, preparing, executing, and assessing operations.”<sup>7</sup> —ADRP 6-22*

This will help identify behavior that deviates from the Army norm after each cycle of the operations process and allow the leader to make corrections. It is very difficult to keep perceptions in check, but one method

is consistent feedback; both up and down the chain of command. Upward feedback is not discussed often, but lower-level leaders should be consulting with their superiors for advice and clarity. The problem is what happens when subordinate leaders don't ask questions.

Famous historical cases such as the My Lai Massacre, Abu Ghraib, and “The Fall of the Warrior King”<sup>8</sup> all provide examples of how things can go wrong. While these cases are extreme, there are patterns that develop from which we can learn. For example, the “Fall of the Warrior King” was a case where LTC Sassaman tried to cover up his soldiers’ unorthodox method of non-lethal force to enforce a curfew, which resulted in the death of Zaydoon Fadhil. LTC Sassaman’s actions could be attributed to a high level of unit cohesion and shows its potential negative effects. LTC (R) Robert Rielly studied cases like this and the My Lai Massacre; he discovered that unit cohesion, an essential element in combat, is one of the major factors that can negatively affect a group’s ethics.<sup>9</sup>

*“The normative power of the cohesive group causes the strong personal commitment on the part of the soldier that he ought to conform to group expectations. The development of unit norms and values causes unit members to band together in their commitment to each other, the unit and its purpose.”<sup>10</sup> —William Henderson*

The danger is that any unit can develop norms and values not consistent with the Army as a whole.<sup>11</sup> To show how powerful this can be, a study conducted in 2006 found that more than 40% of service members in combat zones would not report a fellow service member for a potential war crime.<sup>12</sup> Cases like “The Fall of the Warrior King” exemplify this and show how atrocities and war crimes cannot be attributed to a single individual acting alone.<sup>13</sup> These acts can occur when a leader provides tacit approval through silence or worse, explicit approval.<sup>14</sup> To prevent this from happening, leaders need to be the ethical role model, correct errant behavior, and produce an ethical climate where everyone will think, feel, and act ethically.

<b>The Framework of the Army Ethic</b>		
	<b>Legal Foundations</b>	<b>Moral Foundations</b>
<b>Army as Profession</b> (Laws, values, and norms for performance of collective institution)	<b>Legal-Institutional</b> <ul style="list-style-type: none"> <li>• The U.S. constitution</li> <li>• Titles 5, 10, 32, USC</li> <li>• Treaties</li> <li>• Status-of-forces agreements</li> <li>• Law of war</li> </ul>	<b>Moral-Institutional</b> <ul style="list-style-type: none"> <li>• The Declaration of Independence</li> <li>• Just war tradition</li> <li>• Trust relationships of profession</li> </ul>
<b>Individual as Professional</b> (Laws, values, and norms for performance of individual professionals)	<b>Legal-Individual</b> <p>Oaths:</p> <ul style="list-style-type: none"> <li>• Enlistment</li> <li>• Commission</li> <li>• Office</li> </ul> <p>USC – Standards of Exemplary Conduct</p> <p>UCMJ</p> <p>Rules of engagement</p> <p>Soldier’s Rules</p>	<b>Moral-Individual</b> <p>Universal Norms:</p> <ul style="list-style-type: none"> <li>• Basic Rights</li> <li>• Golden Rule</li> </ul> <p>Values, Creeds, and Mottos:</p> <ul style="list-style-type: none"> <li>• “Duty, Honor, Country”</li> <li>• NCO Creed</li> <li>• Army Civilian Corps Creed</li> <li>• Army Values</li> <li>• The Soldier’s Creed, Warrior Ethos</li> </ul>
NCO noncommissioned officer	U.S. United States	
UCMJ Uniform Code of Military Justice	USC United States Code	
The <i>Army Ethic</i> is the evolving set of laws, values, and beliefs, embedded within the Army culture of trust that motivates and guides the conduct of Army professionals bound together in common moral purpose.		

**Figure 1. The Framework of the Army Ethic.<sup>15</sup>**

The Army expects their leaders to make values-based, ethical choices for the good of the Army and the nation,<sup>16</sup> but how do leaders do this? The current Army strategy is to have soldiers rely on their training and above all else, embody Army values. The Army provides a framework for this based on the legal and moral obligations of individuals and the institution. (See Figure 1 on page 56.)

Martin Cook argues that this current model, with a reliance on training and exhortation of rules, is not sufficient and should be supplemented by leaders shaping their command climate and reserving time for reflection on ethics.<sup>17</sup>

*“While a leader may not be completely prepared for complex situations, spending time to reflect on the Army Values, studying, and honing personal leadership competencies will help.”<sup>18</sup> —ADRP 6-22*

This sounds great, but how should one reflect? One of the best models created for ethical reflection is James Svara’s Ethical Triangle (See Figure 2 below.) because it balances the three main ethics approaches: the virtuous approach, the deontology and principle-based approach, and the utilitarian approach (consequences). However, the problem is that it is not very useful as an ethical decision-making model because it is not practical in the heat of battle.

Another problem with this model is that it becomes difficult to visualize multiple competing worldviews on ethics. Here is where I will introduce an adaptive model, called the Ethical Pyramid (See Figure 3 on page 58.), which incorporates Svara’s model and a theoretical model on ethical dimensions. Victor and Cullen (1988) theorized that there are three ethical criterion dimensions, which are egoism (consequences to the self), benevolence (consequences to others), and principles (application of ethical standards).<sup>19</sup>

The Ethical Pyramid combines both models in order to help leaders visualize multiple worldviews on ethics by showing how an individual’s morals align with the Army’s and others (coalition partners, host-nation nationals, etc.).

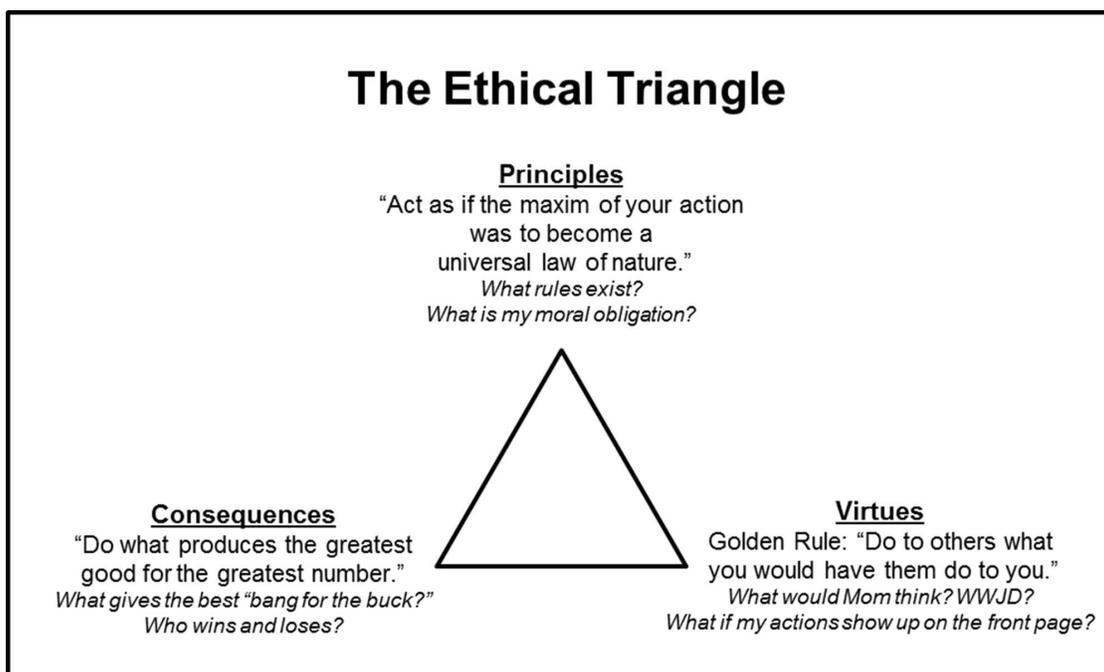


Figure 2. The “Ethical Triangle.”<sup>20, 21</sup>

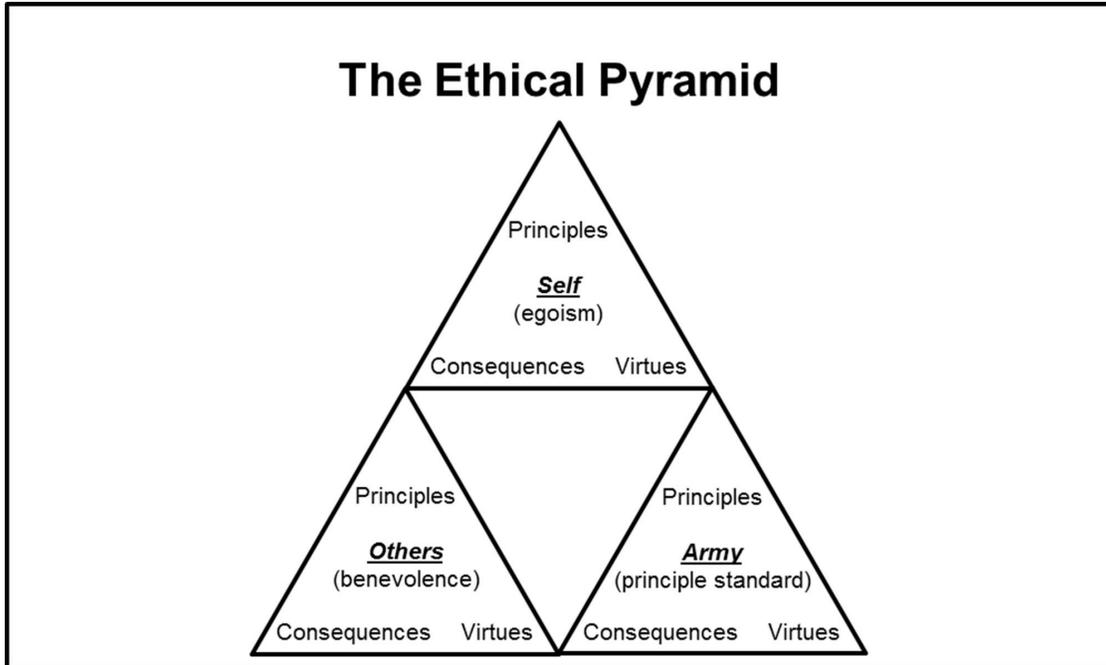


Figure 3. The Ethical Pyramid.

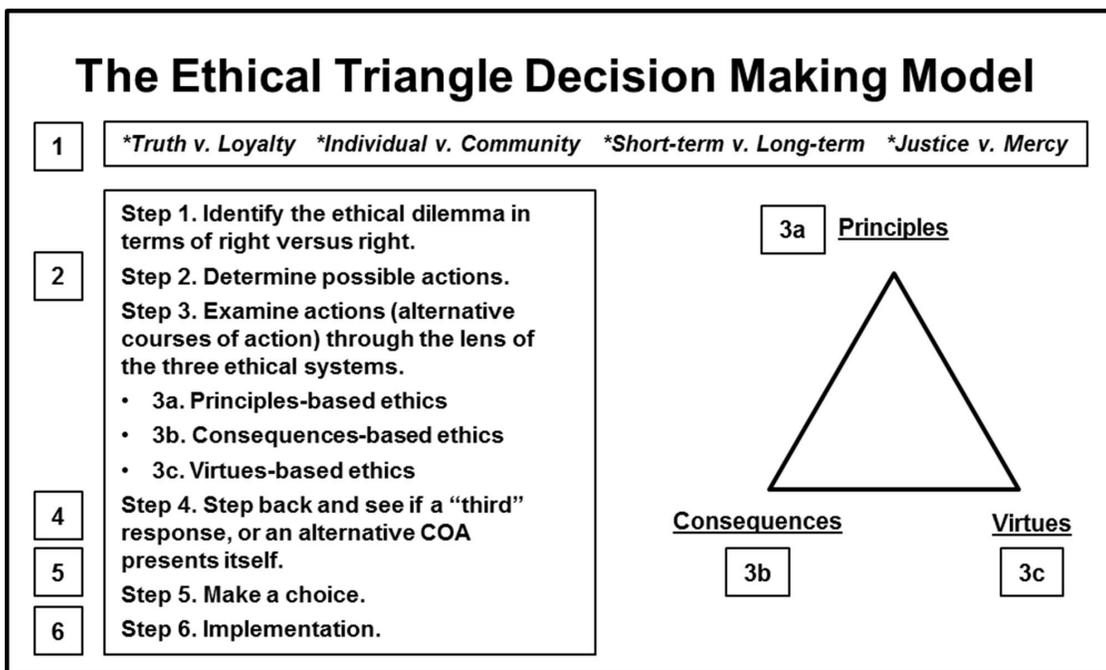


Figure 4. The Ethical Triangle Decision-Making Model.<sup>23</sup>

This may look like ethical relativism, or the idea that morality is relative to the norms of one's culture, but this model is merely a tool to check for moral alignment. This is an important distinction because ethical relativism receives criticism since it leaves no room for a common framework for resolving moral disputes between members of different societies.<sup>22</sup> While this model does not help resolve any disputes between competing worldviews, it does help show how similar (or different) an individual's view on ethics is compared to the Army and others.

The Ethical Pyramid is not the only model created based on the Ethical Triangle. Dr. Jack Kem developed his own model on how to use the Ethical Triangle for decision-making (See Figure 4 on page 58.), but it appears to be too time consuming for small unit leaders to use during combat.

That being said, it can be useful as a problem-solving model for staffs in higher headquarters. In other words, staffs can use models such as this in order to provide clarity to smaller subordinate units.

*“Organizational leaders have staffs to help them lead their people and manage their organizations’ resources. They establish policies and the organizational climate that support their subordinate leaders.”<sup>24</sup> —ADRP 6-22*

Currently, the most common way staffs provide ethical clarity is through the review of rules and regulations. This, however, has proven inadequate (ref. previous listed atrocities), so one recommended course of action is for staffs to be more deliberate in their planning at the operational level to include ethics (e.g., generate an Ethics Annex to the Operations Order). However, the staff's goal is not to tie the hands of subordinate commanders, but to create more specificity with regard to ethics in order to reduce ambiguity and the chance for criminal misinterpretation or abuse.

*“Vague orders may foster a climate of indiscipline, permitting subordinates to act outside the framework of the Army Values in pursuit of mission accomplishment. Nothing is more dangerous from an ethical perspective and could do more harm to the reputation of the Army and its mission. Leaders have a responsibility to research relevant orders, rules, and regulations and to demand clarification of orders that could lead to criminal misinterpretation or abuse.”<sup>25</sup> —ADRP 6-22*

Ultimately, the purpose of this framework is to use *planning* at higher echelons (e.g., the operational level of war) and introspective models (e.g., the Ethical Pyramid) for individual *understanding* to align small unit ethics with Army values. These introspective models, such as the ethical pyramid presented in this paper, are tools that can assist leaders and their staffs in their understanding of the ethical environment. It is important because historical evidence shows that soldiers within small units can, and sometimes do, deviate from the norm without consistent assessment and correction. Furthermore, there should be a better, formalized process during planning that shapes the ethical environment for soldiers at the lowest levels instead of relying entirely on the pre-existing ethical foundations of each individual.

## End Notes

- 1 Department of the Army, *ADRP 6-22: Army Leadership*. (Washington, D.C.: U.S. Government, 2012). 3-6.
- 2 Ibid., 3-5, 3-6, 7-1.
- 3 James Weber and Virginia W. Gerde, “Organizational Role and Environmental Uncertainty as Influences on Ethical Work Climate in Military Units,” *Journal of Business Ethics* (2011): 595.
- 4 Sean Valentine and Tim Barnett, “Ethics Codes, and Sales Professionals’ Perceptions of Their Organizations’ Ethical Values,” *Journal of Business Ethics*, no. 40 (2002): 192-193.
- 5 B. Victor and J.B. Cullen, “The Organizational Bases of Ethical Work Climates,” *Administrative Sciences Quarterly*, no. 33 (1988): 101.
- 6 Valentine and Barnett, “Ethics Codes, and Sales Professionals’ Perceptions of Their Organizations’ Ethical Values,” 192.
- 7 Department of the Army, *ADRP 6-22*, 3-7.
- 8 Dexter Filikins, The Fall of the Warrior King, *New York Times*, October 23, 2005, accessed April 24, 2018, <https://www.nytimes.com/2005/10/23/magazine/the-fall-of-the-warrior-king.html>.
- 9 Robert Rielly, “The Darker Side of the Force—The Negative Influence of Cohesion,” *Military Review* (Apr 2001): 2.
- 10 William Darryl Henderson, *Cohesion. The Human Element in Combat* (Washington, D.C.: National Defense University Press, 1985), 23.
- 11 Rielly, 4.
- 12 Weber and Gerde, “Organizational Role and Environmental Uncertainty as Influences on Ethical Work Climate in Military Units,” 609.
- 13 Filikins.
- 14 Rielly, 4.
- 15 Department of the Army, *ADRP 1: The Army Profession*. (Washington, D.C.: U.S. Government, 2015). 2-3.
- 16 Department of the Army, *ADRP 6-22*, 3-7.
- 17 Martin L. Cook, “Military Ethics and Character Development,” in *Routledge Handbook of Military Ethics*, edited by George Lucas (Abingdon, UK: Routledge, 2015), 104-105.
- 18 Ibid.
- 19 Weber and Gerde, 596.
- 20 James Svara, “The Ethical Triangle.” In *Combating Corruption, Encouraging Ethics: A Practical Guide to Management Ethics Second Edition*, edited by William L. Richter and Frances Burke (Maryland: Rowman & Littlefield Publishers, Inc., 2007), 27.
- 21 Dr. Jack Kem, “Ethical Decision Making: Using the ‘Ethical Triangle,’” *2016 CGSC Ethics Symposium* (Fort Leavenworth, KS, 2016), 4.

22 Manuel Velasquez, Claire Andre, Thomas Shanks, S.J., and Michael J. Meyer, "Ethical Relativism," *Santa Clara University*, last modified August 1, 1992, accessed April 24, 2018, <https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/ethical-relativism>.

23 Kem, 7.

24 Department of the Army, *ADRP 6-22*, 2-5.

25 *Ibid.*, 3-7.



# Medics and Mortality: Discussing Death in Modern Military Medical Training

by Ann Jeschke, Ph.D.

On September 20, 2017, Secretary of Defense James Mattis articulated three lines of effort for the Department of Defense; the first being to construct a more lethal and ready military force. When thinking about this first line of effort, more powerful equipment and combat training for warfighters might seem like a straightforward path to achieving this goal. Upon closer scrutiny, a great deal more than training and equipping warfighters is involved when discussing a lethal and ready force. Often unmentioned, the military medical corps plays a significant role in ensuring a ready force. This is especially true considering that Mattis is “committed to improving the combat preparedness, lethality, survivability, and resiliency of our nation’s ground close combat formations.”<sup>1</sup> The military medical corps not only provides force health protection in terms of preventative medical treatment that keeps warfighters combat ready, but it also increases survivability by providing the world’s best trauma care both on and off the battlefield. Additionally, operational psychologists work to ensure the mental stamina of those who will engage in fighting on the ground. As such, the goal of achieving a more lethal and ready ground force places a heavy burden on the military medical corps as they will be tasked with ensuring the survivability and resilience of warfighters.

While there is a great deal of military medical research related to how the military medical corps can promote both survivability and resilience in operational ground units, there is little discussion on how an increased training tempo and lethality would affect the needs of the military medical corps. Moreover, emerging conflicts present an added challenge; namely, anti-access and area denial that will impede immediate long-distance medical evacuation of injured warfighters. The practical implication of a protracted time before medical evacuation is that combat medics<sup>2</sup> will be required to take on a broader scope of practice. Medics will not only provide immediate life-saving interventions at the point of injury on the battlefield, but they will also be asked to provide extended critical care management as well as palliation for those warfighters who are in active death. Mattis’ goals and the nature of future conflict leads to questions about how to best ensure medical readiness and resilience in military clinicians. Since medics will take on a lion’s share of the medical burden, I wish to broadly consider what training is necessary to properly prepare medics to provide combat casualty care within these new conditions.

My goal in this paper is not to provide a strong normative argument. Instead, I want to reflect on an interesting absence I noted when studying tactical combat casualty care (TCCC) and prolonged field care (PFC) training manuals.<sup>3</sup> Specifically, I saw that training focuses solely on life-saving procedures and any mention of death is strikingly absent. As a civilian, one of the first things I think about when reflecting on combat is death. To me it seemed obvious that a medic would need to prepare for the possibility of death. Looking at triage categories it might appear that death is addressed through the category of expectant, which is a combat casualty that overwhelms the available medical resources and is at the end of life. While the concept of possible death is implicit in the expectant triage category, the word death is never present, nor the fact that a warfighter might die in the care of a medic. In fact, combat casualty care training manuals suggest that expectant comrades be placed to the side while focus shifts to other comrades with “salvageable” injuries.<sup>4</sup> There is no training or insight provided on how to deal with an expectant casualty.

I am starting from the assumption that addressing death in the combat casualty care training would be a good change in doctrine. I have come to realize that many individuals object to my basic starting point. However, if it is reasonable to train the warfighter like she fights, then engaging the reality of death as a strong possibility would be important an aspect of combat casualty care training; especially, considering the shift to PFC with increased lethality on the battlefield. Before addressing specifics about how to properly train medics for future armed conflict, I will perform a more conceptual reflection that can be used as background to more detailed future research. In this paper, I speculate on why death is not part of the standard curriculum. Thereafter, I suggest that overlooking death might have negative consequences for the medic in terms of both casualty care as well as the medic's mental stamina. Finally, I offer initial insights for bringing death into combat casualty care training. This exploratory paper will provide the groundwork for better understanding what competencies a medic might need to succeed at her role within the constraints of the future battlefield as well as when and how such competencies could be integrated into combat casualty care training courses.

Realizing that combat casualty care training manuals did not affirm my assumption that death is a likely reality for which the medic should be prepared, I became curious about what might be causing the reticence to directly address death and speak in a language that is not shrouded in euphemism. Turning now to that topic, I will explore several factors that might be influencing combat casualty care doctrine.

### **Why is Death Missing**

When I started to research on why death is absent from combat casualty care doctrine, what I found was that military medicine is situated in a unique modern scientific worldview. Acknowledging death within modern medicine or modernity in general is more complicated than it seemed at first blush, even when discussing the reality of combat. My first insight came from Atul Gawande's book *Being Mortal*. In this book, Gawande walks through his own experience of confronting death as a physician practicing modern medicine. He explains that his training did not prepare him for the reality of human mortality. "Our textbooks had almost nothing on aging or frailty or dying ... The way we saw it, and the way our professors saw it, the purpose of medical schooling was to teach how to save lives, not how to tend to their demise."<sup>5</sup> Gawande's personal memoir helped me understand that the avoidance of death was not simply due to something implicit in combat casualty care training. Instead, it pointed me to larger assumptions embedded in the training, practice, and purpose of modern medicine. Mostly, a hidden assumption that death can be overcome through modern medical science and technology.

Robert Kavanaugh, a thanatologist writing in the 1970's confirmed Gawande's personal experience. Discussing his own reflections on the revolution of scientific medicine Kavanaugh said, "I heard a famous scientist boast that modern medicine has added more reality to the age-old concept of immortality than all the theologians and churchmen in history combine."<sup>6</sup> I was personally intrigued by this admission because it was disclosed at the advent of modern medical technology. Technological medicine now has the capacity to keep individuals alive under the most extraordinary circumstances. George N. Marshall suggests that the hope of immortality can be seen in scientific excitement about technologies such as "deep-freeze preservation of bodies for future restoration."<sup>7</sup> It is as if technology has hidden the reality of death behind the possibility of survival through advanced medical technologies. Thus, medicine no longer needs to grapple with the fact that all human beings will die because medicine is questioning that primordial assumption. However, Marshall suggests that the more "we advance science, technology, and institutional solutions" to prolonging death, "the more we fear death" and anxiously attempt to control it.<sup>8</sup>

Perhaps the need to control and overcome death is because it is no longer a workaday aspect of human existence. In contrast, it is something to be defended against as the typical modern medical language suggests. A quote from Stephen J. Gould after being diagnosed with terminal cancer epitomizes the general orientation of modern scientific medicine toward death. He says:

“It has become, in my view, a bit too trendy to regard the acceptance of death as something tantamount to intrinsic dignity. Of course, I agree with the preacher of Ecclesiastes that there is a time to love and a time to die—and when my skein runs out I hope to face the end calmly and in my own way. For most situations, however, I prefer the more martial view that death is the ultimate enemy—and I find nothing reproachable in those who rage mightily against the dying of the light.”<sup>9</sup>

Gould made this comment in an article suggesting that hope can be found in the long tail of statistics. Being a famous evolutionary biologist who had a rich understanding of statistics, he literally took odds with the idea that the literature on mesothelioma presented; namely that the “median mortality of eight months” meant that he would likely be “dead in eight months.”<sup>10</sup> Instead he chose to re-interpret the studies with a great deal of nuance to steel himself against mortality as the most likely outcome.

Advances in biology have also kept the focus on life-saving advancements and ignored the physiological processes related to wear and tear on the body leading to eventual death. As Robert Pollack suggests: “both biology and medicine have become stuck in a long series of persistent, clever but useless attempts to ignore [death]: medicine by insisting that death is a failure, and biology by insisting that death is not interesting.”<sup>11</sup> In other words, biological research sees the process of dying as not worthy of scientific reflection and medicine sees death as a denial of its own mission and purpose.

Lest I paint a picture that modern medical research is single-mindedly perpetrating a conspiracy against discussions on death, I want to illustrate that there are broader social realities beyond modern medicine that influence how combat casualty care training manuals are constructed. In performing his research on how to create options for a dignified death, Marshall encountered resistance to speaking of death in the young men. Marshall was confronted with a stinging question: “How can any red-blooded, active person be concerned with death?”<sup>12</sup> A similar scornful comment was shot at me when I began this research. I was asked, “Why should military medical research waste its time on death when those in combat arms are typically young healthy men?” My simple retort at the time was, “They are going into combat.” To me it was obvious. Yet, it was as if this military medical researcher could not conceive that death was an option in combat; especially not one that medical research could not overcome given enough resources. This led me to realize that there is an even greater social force at play when talking about death. To me combat did not simply equate healthy young men in the prime of their life, as the reader likely recognizes by now, it also equated the possibility of death. However, such attitudes are deeply embedded in what Christina Staudt calls a “Death System.” Staudt’s definition of a death system is “everything related to death in a society,”<sup>13</sup> which she simplifies from John Morgan’s more complex and comprehensive definition.

Staudt’s brilliant historiography of the current American Death system, helped me realize that avoidance of death is grounded in our broader death-denying Western culture. With the onset of the modern industrial revolution, death denial became the paradigmatic attitude toward death which persisted through the entire 20<sup>th</sup> century. In fact, Staudt suggests that death became so taboo in the 20<sup>th</sup> century that it was equivalent to pornography in the Victorian era. Death denial was the primary mechanism for individuals dealing with the reality of death. Relying on Elizabeth Kübler-Ross’s research, Staudt says that the practical result of a death-denying society is that it isolates and ignores anything that is a reminder of death because such action serves to avoid direct confrontation with human mortality.<sup>14</sup> Such an isolation can be seen in the way expectant injuries are to be set to the side in combat casualty care doctrine. While the goal is likely to avoid emotional distress for the other injured warfighters as well as clinicians, it also ends up ignoring the reality of death.

With the introduction of medical technology in the last quarter of the 20<sup>th</sup> century, Staudt suggests that death denial morphed into a form of death control through the “unrestricted use of all-out technologies to keep a person alive.”<sup>15</sup> As such, death’s current cultural cloaking device creates an expectation that medical clinician’s and researchers will do everything to keep individuals alive against all odds or figure out how to

do so. It is within this latest shift in the American death-system that current combat casualty care training and research has been developed.

Modern medical technology and scientific research, while amazing in their discoveries and capabilities, are situated in a broader worldview that influences the social appreciation of death. Taken together combat casualty care training doctrine is influenced by a modern society and medical landscape that focuses on survivability and life-saving measures while wanting to overcome death as the enemy of human nature. As Gawande explains, “medicine exists to fight death and disease, and that is of course, its most basic task.”<sup>16</sup> While the modern worldview and practice of medicine may have established death as the enemy, Gawande submits that “the enemy has superior forces. Eventually, [death] wins.”<sup>17</sup> Considering the cultural terrain within which modern medicine operates, Elizabeth Kübler-Ross says that scientifically trained medical clinicians “cannot deal with death or are uncomfortable facing it.”<sup>18</sup> Military medicine is not immune to these death-defying trends when considering the advancements in combat casualty care over the last 20 years. However, no amount of medical, scientific, or technological advancement can eradicate death from the battlefield or even life itself. To ignore death is to leave the medic unprepared to face the reality of combat.

In assuming that death should be part of the combat casualty care training doctrine, I have shown that there are far greater medical, social, and historical forces at play than simple ignorance or avoidance on the part of the military medical corps. In contrast, the idea of speaking about death in combat casualty care training is quite counter cultural. For these reasons, I want to turn next to explore what might be the potential consequences of not talking about death in the combat casualty care training.

### **Consequences of Not Talking about Death**

As I begin this section, I also am working on the assumption that anxiety and distress are made more poignant when there is a lack of understanding or familiarity with a phenomenon. To avoid the topic of death in combat casualty care training would be to set up potentially challenging consequences for both the dying warfighter and the medic. As I pondered my own relationship to death, I could not deny that I have been swept up into a death avoidant attitude. Death is not something that I have often encountered other than in abstract thinking. It is not that people I know have not died. Yet, I have a limited vocabulary with which to talk about my own experiences of death. Therefore, to better understand the consequences of death avoidance for the medic, I not only read books on the topic of death and dying, but I also spoke with military clinicians who worked in combat casualty care and operational psychology.

One of the most profound stories came from a clinician who training medical students to triage wounded in a mock combat scenario. This clinician watched as medical students moved emergent casualties behind doors where they could not be seen. It was not due to malicious intent nor to having been overly influenced by a deep understanding of combat casualty care procedures as these were untrained students. It simply appeared to be the most expedient and unemotional way to deal with the reality that some casualties were dying, and resources were limited. My colleague was mortified and tried to impart to these students that a warfighter deserved more for her service than to be left alone to die in a back corner. From an outside perspective, it was easy to cringe at this disregard for someone in the last stages of life. However, I could not be sure I would have done any different if given the opportunity. Like these students, I have had no direct confrontation with someone who is actively dying and possess no language or skills to directly face death in another person and appropriately engage.

Although not triaged as emergent combat casualties, Kavanaugh’s interviews with dying individuals shed light on how those who are dying feel when their immanent death is ignored. One woman describes her experience of dying as an artificial attitude of perfect, yet distant, care:

The whole rigmarole of dying has become an irking bore. Two doctors stop by irregularly to check my comfort level and push their pills. My minister came almost every day until I foolishly told him I thought I was falling in love with him. Now he comes about twice a week when Arnold is here and reads or prays for me. I suppose he is too uncomfortable to deal personally with me, probably afraid I will cause a scene. The nurses are super to me, almost too perfect in answering every need. I'd feel better if somebody around here would goof so I could crab and complain. It certainly would be more like the real me ... Never in my life have I felt more alone.<sup>19</sup>

As I read this story, I envisioned a group of automatons that interacted in a pleasant yet uninvolved manner. Such a flat, innocuous experience was not perceived by the dying woman as meaningful or helpful. There was no human complexity or richness in her interactions. In fact, it all seemed a bit like a ruse.

One of the classical literary texts on dying is Tolstoy's *The Death of Ivan Ilyich*. This text is often read in medical humanities curriculum when discussing end of life issues because it poignantly portrays the depth of anguish experienced by Ilyich:

What tormented Ivan Ilych most was the deception, the lie, which for some reason they all accepted, that he was not dying but was simply ill, and he only need keep quiet and undergo a treatment and then something very good would result ... This deception tortured him—their not wishing to admit what they all knew and what he knew, but wanting to lie to him concerning his terrible condition, and wishing and forcing him to participate in that lie. Those lies—lies enacted over him on the eve of his death and destined to degrade this awful, solemn act to the level of their visitings, their curtains, their sturgeon for dinner—were a terrible agony for Ivan Ilych. And strangely enough, many times when they were going through their antics over him he had been within a hairbreadth of calling out to them: “Stop lying! You know and I know that I am dying. Then at least stop lying about it!” But he had never had the spirit to do it ... Apart from this lying, or because of it, what most tormented Ivan Ilych was that no one pitied him as he wished to be pitied. At certain moments after prolonged suffering he wished most of all (though he would have been ashamed to confess it) for someone to pity him as a sick child is pitied. He longed to be petted and comforted.<sup>20</sup>

Not only does this literary masterpiece affirm the pain felt by the woman above, but it also points out what was lacking from Ilyich's final days of life; namely, the need for human closeness and compassion. Ilyich longed to be comforted through human touch and caressing, which even to him seemed a bit infantile.

Reflecting on these stories as well as the goal of isolating emergent casualties from view of others, it seems likely that a potential consequence of denying death in combat casualty care doctrine is that it will lead medics to either completely ignore the warfighter or simply disengage from connecting to the dying warfighter's emotions, needs, and final wishes. I recognize that combat casualty care is performed under the most austere and extreme circumstances. Some might argue that the medic simply does not have the spare resources to attend to the dying in a meaningful way. Such attention to someone who cannot re-engage the fight might diminish not conserve the fighting force. I concede that resources are limited and that such attention to the needs of the dying will further tax the medic. However, to ignore this reality also places emotional burdens on the medic that could reduce her medical readiness and resilience.

Returning to the conversation I had with my colleague, we pondered if ignoring death was good for clinicians. I was surprised because my colleague was sure that ignoring death in the military was a good thing because it kept morale high and helped people seem invincible. To engage the idea of death might decrease combat readiness in the modern warfighter. An invincible attitude was, in theory, good for modern warfare because it inoculated the warfighter against the mental and emotional distress that thinking of

death might cause. In other words, avoiding death should promote resilience. Again, I was somewhat taken aback by this insight because I was aware of other ancient and classical notions of warriorhood that viewed death in combat as an honorable outcome for the warfighter. Knowing my colleague had worked with many medics, I asked what the long-term consequences of not confronting death might be for a medic once she returned home. After pausing, my colleague suggested that the consequences were psychologically profound as medics construct an identity that is concerned solely with saving life.

The following narrative affirms the damage that can be done to a clinician's sense of self-worth and emotional health when not prepared to confront the reality of death. Gawande describes his initial reaction when he first faced death and realized that medicine was not capable of saving everyone:

“When I became a doctor, I crossed over to the other side of the hospital doors, and although I had grown up with two doctors for parents, everything I saw was new to me. I had certainly never seen anyone die before and when I did it came as a shock ... Somehow the concept [of death] didn't occur to me, even when I saw people my own age die. I had a white coat on; they had a hospital gown. I couldn't quite picture it the other way around ... The shock to me therefore was seeing medicine not pull people through. I knew theoretically that my patients could die, of course, but every actual instance seemed like a violation, as if the rules I thought we were playing by were broken ... When I saw my first deaths, I was too guarded to cry. But I dreamt about them. I had recurring nightmares in which I'd find my patients' corpses in my house—in my own bed ... I felt that I'd killed these people. I'd failed.”<sup>21</sup>

Gawande's shock was twofold. The initial hit he took was that modern medicine was not able to fix all things. The rational response was that Gawande perceived himself as a failure. Grappling with the unaddressed reality of death weighed heavily on his conscience as he struggled to psychologically integrate what he was experiencing.

Jon Kerstetter, a military physician with extensive training in combat casualty care describes a deeper existential change that occurred when he first encountered the reality of combat. He says:

“You trained well, but now you think all those war games and evac scenarios didn't prepare you. You're right. How could they? This is real. The fear and the blood and the shit are real. Death is real. War is real ... Despite what you feel, you move out anyway. As you do, you sense that the mysterious alchemy of war has transformed your nature.”<sup>22</sup>

Kerstetter does not describe what this transformation does to him, but he does say that when he failed to save lives he, like Gawande, felt personally responsible for the outcome. Kerstetter agonized over not having done enough to prevent untoward complications. He even stated that being a good military clinician meant carrying the emotional burden of this interior conflict.<sup>23</sup>

Though these narratives are not from the voices of medics, they serve to highlight a reality that weighs on the consciences of clinicians; namely, that their professional identity is rocked to the core when they confront the reality of death. Such a challenge is likely exacerbated for the medic because she cares for her comrades with whom she has become intensely bonded. The death of a comrade likely courses deeper than a patient with whom a civilian clinician maintains a certain clinical distance. Ignoring the reality of death might also cause the emotional needs of the medic to be overlooked. In specific, her need for appropriate time and resources with which to engage in grief processing.

When someone dies there is a normal grieving process. However, when grief processing is not attended to it leads to many psycho-social sequelae. The process of grieving is often stopped short for many because in a death denying society this process is seen as weak. Seeming or feeling weak is a foreign concept to

most individuals in the military; including the medic. The need to remain in control and effective might exacerbate the challenge of engaging in healthy grief processing.

In exploring healthy grief processing, Marshall compares a grief repressed individual and one that is properly working through her emotions. This example provides a cautionary tale to a modern culture that loves to see people mettle through death without blinking an eye. In an envious letter Marshall received from a mourning widow, he shows that grieving is not a neatly packaged emotional process. In contrast, it runs contrary to the Western emotionally stoic approach to death:

“[A] woman wrote that she and her friend were both in the same congregation when their husbands died at approximately the same time. Her friend continued right along in her community, church, and club activities, even taking on new duties. Everyone seemed to admire her courage, spirit, and sense of strength. On the other hand, my correspondent could do very little. She was lethargic by comparison, not able to carry on, but was haunted by the comparisons she felt others must make between the two of them. She wondered why she was so weak. Today, over seven months later, her friend has had a complete mental collapse and is in a mental hospital; my correspondent has gradually found new strength and purpose, has overcome ... her grief, and is now living, she believes, a normal life, adjusted to her new circumstances. She was apparently able to make the transition accepting in time the reality of the death of her husband, extracting some of the investment in the past, and reinvesting in the present and future.”<sup>24</sup>

The comparison between these two widows illustrates how side-stepping the grieving process can be damaging to a human being’s long term psychological health. To turn back to my intro, the reader will recall that the military medical corps is tasked with forwarding psychological resilience for the warfighter. One of the consequences of not addressing death might be a decline in psychological resilience as medic’s will not understand what is happening to them if they are not familiarized with the chaotic emotions that grief processing entails. As such, they may stop the process short to remain in control.

Clearly, I am concerned with the consequences of modern scientific medicine in relationship to mortality. My goal is not to paint a cynical picture nor to find fault with any thread of this complex reality, to do so would be to also strip the world of the positive benefits that have been gained through modern scientific medicine. However, it is important to highlight that the avoidance of death has profound consequences for the dying warfighter as well as the medic. Finding inroads to changing the current path is not without serious challenges considering that death has become such an invisible force in modern medicine. The difficulty of addressing death is again illustrated by Gawande, who says that when he was first asked if a patient was dying he had no answer because after his medical training he longer understood what dying meant, how to diagnose it, or what it looked like. He says that the current focus on life-saving procedures “has rendered obsolete centuries of experience, tradition, and language about our mortality.”<sup>25</sup> Although bringing death back into the conversation is a large challenge, I do not believe it is impossible. It is to this task that I turn in the next section.

### **Implications: Possibilities for Bringing Death into the Discussion**

Having undertaken an intellectual journey to explore death, I wanted to try and practice what I might end up preaching. In putting myself to this task, I have not come any closer to directly engaging death. Unfortunately, I was left a bit empty-handed as my own adventure with death remains abstract. Marshall, referencing advice from Dr. Johan Branter, suggested that one way to bring death into the daily life is to attend more funerals at which one is not the central mourner.<sup>26</sup> I was only able to attend one funeral in the last year and I played the dutiful death denying role of observant researcher who approached the entire experience from a rather anti-septic and clinical perspective. A detached mechanical encounter with death

is the very thing I worry about in modern medicine; yet, I was unable to overcome that same style of facing death. I felt at loggerheads because I could not get beyond the interpersonal habits that afforded comfort when operating within a death-denying culture. Edgar N. Jackson's commentary was accurate when he suggested that the power of cultural norms quickly pervert the researcher when attempting to make general considerations about how best to engage death.<sup>27</sup>

I share this as a personal journey to be clear that I am by no means an expert. In fact, I am a neophyte researcher when it comes to end of life on the battlefield. My goal in this section is not to provide solutions to the challenges discussed in the first two sections. However, I wish to reflect on a few changes that might build a foundation upon which sustainable change for combat casualty care training could occur. Bringing death back into the foreground will not happen overnight, and the first step may not include a direct confrontation with death. As I have illustrated throughout this paper, directly facing death has come as an emotional shock for most clinicians.

My main suggestion is to have a method for addressing the emotional reality of confronting death that is embedded in training. In didactic training, books or personal memoirs of clinicians could be used as a discussion guide for entering a general conversation about death. Such training would be best developed in conjunction with senior ranking medics who have been deployed to accurately appropriate the military language, culture, and ethos. Other subject matter experts on end of life ethics could advise and lead discussion. Starting from a theoretical perspective it could be helpful to ask general broad questions such as: why is death absent from much of medical discourse? Simply realizing death is absent and questioning why death has taken a holiday would allow medics in training to develop their own insights in a safe environment at an emotional distance. Such a conversation will also allow for the unfolding of awareness in the medic's mind and start to shift her imagination.

Thereafter, these same stories can serve as a springboard for voicing more personal concerns or questions about what it is like to confront death. Such a discussion would allow the seasoned medical trainers who have been deployed to frankly engage their experiences with death in combat casualty care. Discussions could take many forms and would allow medics in training to reflect on what emotions they might experience when encountering death. Kavanaugh says that one of the most important aspects of attending the dying process is that the living participant "get in touch with [her] visceral feelings."<sup>28</sup> Some natural emotions related to confronting death are: embarrassment, fear, avoidance, anger, uneasiness, clamminess, distress, apathy, and disdain for the dying person. Visceral feelings emerge quickly in the face of death and take many by surprise because they are powerful and uncomfortable emotions that tend to distract.<sup>29</sup> Setting up a discussion context where medics in training hear about the visceral feelings others have experienced establishes a cognitive context for what they will encounter when performing combat casualty care.

Another avenue would be to create mock death scenarios built into medical skills training. When a medic is asked to triage injured warfighters in a simulated environment, trainers could require the medic to communicate to the warfighter that she is dying. This would allow for visceral emotions to emerge and allow the medic to wrestle with how to communicate difficult truths while also being attentive to the dying warfighter. Simulated scenarios where medics must interface with dying warfighters will allow medics in training to fumble in a non-life-threatening environment. Such simulations also allow the medic to become familiarized with her own tendencies and receive feedback from peers about what worked well and what did not in terms of caring for the dying warfighter. Even if medics show resistance to "play acting death" in training, simulations could be a potent learning tool because they would familiarize medics in training with their own avoidance of death. All of this would create a context that could start to move the medic away from identifying solely with providing life-saving procedures. Simulations also allow more seasoned trainers to impart wisdom concerning how they handled death and dying in combat casualty care.

Finally, it is important to have debriefing scenarios both in training. Likely, this would lead to conversations of embarrassment, awkwardness, and even concerns about futility of care. Such debriefing scenarios will also highlight how providing combat casualty care is physically and psychologically taxing on the medic. Providing solidarity and understanding in a group de-briefing can help to buffer some of resentment by allowing the healthy process of venting and reflecting on frustrations as well as growth opportunities. Allowing medics an environment in which they can reflect on the personal and interpersonal reactions they have in relationship to death will help them process their experiences before being deployed. This sort of emotional and cognitive processing is important in becoming more attuned to the intricate rhythms of combat casualty care and will help more realistically prepare a medic for her future work.

Taking up death in the theoretical, medical, and personal contexts within training will help provide a foundation upon which the medic can process future encounters and emotions. If there is no context against which to compare her experience, emotions may come upon a medic and catch her unaware. As such, familiarizing medics with death and offering a way to begin developing death-consciousness in combat casualty care will hopefully lead to better care for the dying warfighter as well as a certain amount of emotional processing before the medic must face death in real-time. All of this leads to broader concerns about how to avoid stretching the already over-extended military medical corps to a breaking point. The goal should be to integrate these concepts into what is already in place in a meaningful way.

## **Conclusion**

In this paper, I have attempted to engage the behemoth task of addressing death in combat casualty care training. First, I explored some of the factors that might be influencing the absence of death training doctrine. Thereafter, I articulated some of the possible negative consequences of failing to address death. Finally, I provided a brief set of insights that could be used as a starting point from which to move forward in researching ways to best prepare a medic to care for dying warfighters on the battlefield. Since this is a new area of research, it will be important to begin with qualitative studies because they allow for the development of innovative constructs that are culturally sensitive. Querying experienced medics who are the subject matter experts of combat casualty care will enable researchers to develop a deeper knowledge of what is already operant, what is needed, and how to structure such training. Finally, this paper also has implications for research on medic self-care and grief processing upon returning home from deployment. The latter is a topic I hope to take up in future research.

## End Notes

1 Matthew Cox, “Mattis Wants Ground Combat Units to Be More Lethal in the Close Fight,” *Military.com*, February 23, 2018, 1, <https://www.military.com/daily-news/2018/02/23/mattis-wants-ground-combat-units-be-more-lethal-close-fight.html>.

2 I will refer to combat medics from this point forward simply as medics. I realize that there are many varieties of medic and corpsmen across the military. This paper is speaking to those military medics who participate in operational medicine and provide combat casualty care.

3 I will simply refer to the work and training performed by combat medics as “combat casualty care” in general. I recognize that there are specific differences between TCCC and PFC as well as other modes of care performed by clinicians who are not medics. This will help to simplify my language as the objective is to provide health care to combat casualties. Also the overarching set of doctrine on combat casualty care writ large all focuses singularly on life-saving procedures.

4 Miguel A. Cubano and Martha K. Lenhart, *Emergency War Surgery* (Government Printing Office, 2014), 30–31.

5 Atul Gawande, *Being Mortal: Medicine and What Matters in the End*, First edition (New York, New York: Metropolitan Books, Henry Holt and Company, 2014), 1.

6 Robert Kavanaugh, *Facing Death* (Los Angeles: Nash Pub, 1973), 6.

7 George N. Marshall, *Facing Death and Grief: A Sensible Perspective for the Modern Person* (Buffalo, N.Y: Prometheus Books, 1981), 4.

8 *Ibid.*, 28.

9 Stephen Jay Gould, “The Median Isn’t the Message,” *Virtual Mentor* 15, no. 1 (January 1, 2013): 77, <https://doi.org/10.1001/virtualmentor.2013.15.1.mnar1-1301>.

10 *Ibid.*

11 Robert Pollack, “Forward,” in *Our Changing Journey to the End: Reshaping Death, Dying, and Grief in America*, ed. Christina Staudt and J. Harold Ellens (Santa Barbara, California: Praeger, 2014), vii.

12 Marshall, 5.

13 Christina Staudt, “Introduction: A Bird’s Eye View of the Territory,” in *Our Changing Journey to the End: Reshaping Death, Dying, and Grief in America*, ed. Christina Staudt and J. Harold Ellens (Santa Barbara, California: Praeger, 2014), 4.

14 *Ibid.*, 5–7.

15 *Ibid.*, 8–9.

16 Gawande, 187.

17 *Ibid.*, 187.

18 Elizabeth Kübler-Ross, *On Death and Dying* (New York: Scribner, 1969), 246.

19 Kavanaugh, 42–43.

20 Leo Tolstoy, *The Death of Iván Il'ych: And Other Stories*, trans. JD Duff and Aylmer Maude, vol. 654, Signet Classic (New York, N.Y.: New American Publisher, Inc, 1960), 137.

21 Gawande, 6–7.

22 Jon Kerstetter, *Crossings: A Doctor-Soldier's Story*, First edition (New York: Crown, 2017), 5.

23 Kerstetter, 39–40.

24 Marshall, 17.

25 Gawande, 158.

26 Marshall, 14.

27 Edgar N. Jackson, “Grief,” in *Concerning Death: A Practical Guide for the Living*, ed. Earl A. Grollman (Beacon Pr, 1974), 2.

28 Kavanaugh, 23.

29 Ibid., 23.



# What Were You Thinking? Discovering your Moral Philosophy Using the Forensic Approach

by Richard A. McConnell, Ph.D. and Evan Westgate

The words “Live up to Army Values” are well known to any Soldier who has completed initial training. This phrase is the abbreviated version of the Army’s definition of Honor, the fifth Army Value. Ask any Soldier if they live an honorable life and you will most likely receive an affirmative response. However, this definition has limits in practical application. How does one know which course of action is honorable in an ethical dilemma when two or more options might qualify as morally right? Alternatively, what if a worse dilemma emerges where, of the options available, none appears entirely morally right? Making the right choice becomes increasingly important as leaders demonstrate their trustworthiness to others through consistent honorable living. A leader’s honorable or dishonorable conduct directly affects unit cohesion. Although scholars have written extensively about ethical dilemmas, many Army leaders may be unaware of the mental models they use to make decisions in morally ambiguous situations. How individuals apply these mental models can be described as a person’s moral philosophy. It is that moral philosophy that drives us towards honorable or dishonorable decisions. Honorable decisions help military professionals earn the respect of the nation and the soldiers with whom they serve. A Soldier demonstrates honor by living in accordance with their own moral philosophy, which is in turn shaped by the internalization of the six remaining Army Values: Loyalty, Duty, Respect, Selfless Service, Integrity, and Personal Courage. Honor serves as the unifying Army Value that ties all other values together as Soldiers endeavor to demonstrate the values the American people expect them to display regardless of the potential moral ambiguity they might experience. Perception of the importance of honorable conduct among military professionals, especially in combat, is nothing new.

In his seminal work following World War II, SLA Marshall described the practical application of honorable conduct. Soldiers naturally avoid danger in the effort of self-preservation but are also reluctant to let their fellow soldiers down.<sup>1</sup> The need to conduct themselves honorably under fire to demonstrate their trustworthiness not only supports unit cohesion but also that unit’s survival under fire. If examining this phenomenon through the lens of the Army values, a soldier may endeavor to do his duty in order to avoid the dishonorable display of cowardice which might cause his fellow soldiers to distrust him. This example employs both duty and personal courage but are unified by honor. (See Figure 1 on page 76.) This desire to display honor to gain trust is a basic motivation among professional combatants dating back centuries.

From the earliest combat formations, warriors, through their conduct, either won the trust of their fellow warriors or shattered it. Therefore, a soldier’s desire to conduct himself honorably could be motivated by a desire to avoid shame, losing the confidence of others, and damaging the chances of survival of the organization.<sup>2</sup> Such a description of honor casts this value as a practical tool soldiers could use to judge the trustworthiness of fellow soldiers and their leaders. Soldiers observe the words and deeds of those with whom they serve, evaluating how the moral philosophies of those individuals play out in real time. In this way, honorable behavior becomes an outward evidence of an individual’s moral philosophy. Thus, an honorable person could be defined as someone whose words and deeds provide evidence that they are trustworthy. (See Figure 2 on page 76.)

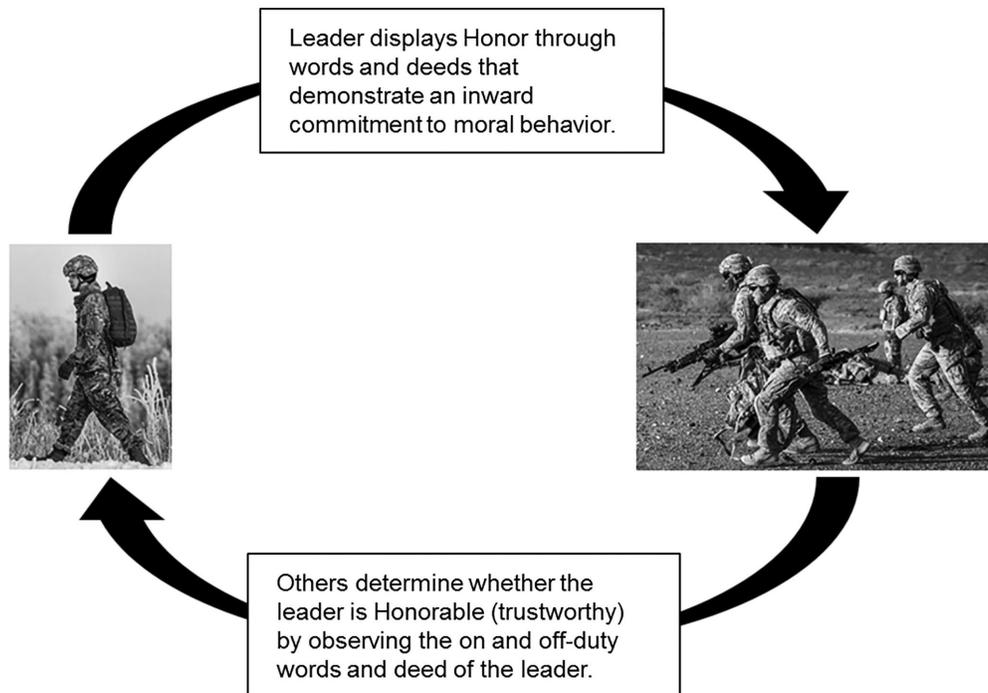
## Honor: The Unifying Army Value

Live up to Army values.  
The nation's highest military award is The Medal of Honor. This award goes to Soldiers who make honor a matter of daily living – Soldiers who develop the habit of being honorable, and solidifying that habit with every value choice they make. Honor is a matter of carrying out, acting, and living the values of respect, duty, loyalty, selfless service, integrity and personal courage in everything you do.



Source: <https://www.army.mil/values>

Figure 1. Honor the unifying Army value.



Source: <https://us.army.mil/photos>

Figure 2. Honor defined through action.

The problem is that for many individuals, although they have made difficult moral choices which demonstrated honor, they remain unaware of how they did so. The field of ethics appears to many to be the realm of the scholar with little practical application. However, the field of ethics is a form of discovery learning that is imminently practical process of determining right from wrong and making moral decisions.<sup>3,4</sup> The field of ethics can assist individuals with making moral choices that directly affect how they are perceived by others. This allows others to determine that the person making the moral choice is trustworthy. What follows is a brief literature review providing descriptions supporting a practical understanding of the field of ethics which support the formulation of moral philosophies.

### **Brief literature review:**

*The Torture Papers: The Road to Abu Ghraib:* The field of ethics and the use of a moral philosophy seem to be noticed only in the aftermath of instances where morality seemed abandoned. The events leading up to the atrocities at the prison of Abu Ghraib serve as a cautionary tale. Years prior, legal opinions covering what was called enhanced interrogation practices set the stage for conduct that in other cases might have been considered unacceptable.<sup>5</sup> Waterboarding has been discontinued, leaving a national conversation in its wake seeking to understand how Americans justified this practice. Some have argued that the law was misused to justify immoral behavior that ultimately led to the excesses of Abu Ghraib. This source is relevant to the discussion of ethics and moral philosophies because practices were considered using legal review as a means for justification. Therefore, this source could encourage the question: what behaviors cross the line of my moral philosophy, rules of conduct, or support for the better good?

*Military ethics and virtues: An interdisciplinary approach for the 21<sup>st</sup> century:* if honor is the unifying concept of the Army values, then how individuals define honor is central to this discussion. The military Academy at West Point is famous for educating young leaders to pursue the ethos of, “duty, honor, country,” (p. 15)<sup>6</sup>. In the pursuit of this ethos, West Point’s honor code states: “a cadet will not lie, cheat, steal, or tolerate those who do” (p. 15). The definition of the honor code is informative as it emphasizes specific actions such as lying, cheating, stealing, and the toleration of those who commit these acts. This source is relevant to the discussion of ethics and moral philosophies because it describes specific parameters for how honorable people should behave. Therefore, this source could encourage the question: how do I define honorable conduct and how might that definition influence my behavior?

*On Bullshit:* Moral philosophies are influenced by how individuals interpret certain values such as integrity. Some scholars have argued that there is a difference between lying and bullshit.<sup>7</sup> For some, lying is an effort to deceive for a specific purpose such as preventing others from knowing an unflattering truth about ourselves. Bullshit on the other hand may be a proclivity to stretch the truth or not be overly concerned about that which is truthful. The inverse of this argument is, all lying is deception that empirically presents something that is just not so regardless of the purpose such deception serves. This source is relevant to the discussion of ethics and moral philosophies because it presents an alternative interpretation of one of the Army values: integrity. Therefore, this source could encourage the question: how do I define lying versus the honorable pursuit of truth?

*Lying to Ourselves: Dishonesty in the Military Profession:* The Army demands that all Soldiers live with Integrity, but closer inspection into day to day duty performance reveals that lying is a common, routine practice.<sup>8</sup> The Army has only begun to address a culture where leaders are actually encouraged to lie. Units are required to complete more tasks than is physically possible, and leaders are required to report completion of each of these tasks regardless of their actual completion. In this environment, documentation often becomes a substitute for performance. This source is relevant to the discussion of ethics and moral philosophy because it illustrates that individuals who consider themselves honorable may lie when it is encouraged by their institution. This source could encourage the questions: under what circumstances is lying acceptable? Is there a difference between a “big lie” and a “little lie”?

*Closing the Candor Chasm: The Missing Element of Army Professionalism:* Sometimes, honorable living requires accepting personal risk in an effort to do the right thing. Honorable leaders speak truth to power. Leaders should display the courage of their convictions to speak up if something is wrong.<sup>9</sup> In Army culture, it can be difficult for leaders to express “contrarian views” because the leaders who ultimately determine future promotion prospects often value a positive, can-do attitude. Those who toe the line get ahead, while those who offer an honest but pessimistic assessment are left behind. The personal risk of candor is illustrated by the fate of former Army Chief of Staff General Eric Shinseki, who offered congressional testimony (later proven accurate by the events of our more recent campaign in Iraq) that a sizable Army footprint would be required to stabilize Iraq after the removal of Saddam Hussein’s government. Shinseki provided candor, his honest assessment, even though it was not in line with the opinions of his superiors. This source is relevant to the discussion of ethics and moral philosophy because it could encourage the question: when does duty require that I display the personal courage to speak out, even though what I have to say might not be popular and could even jeopardize my career and livelihood?

*The Command of The Air:* Like many of his contemporaries, Italian military thinker Giulio Douhet was wrestling with several ideas in the aftermath of the unprecedented carnage of World War I. Douhet attempted to develop an airpower doctrine that would avoid the protracted and devastating stalemate that developed in the trenches of Europe.<sup>10</sup> In his paper, he proposed that bombers target the cities and population centers of the enemy using “tons of high-explosive, incendiary, and gas bombs.” These weapons would cause so much death and destruction that “by the following day the life of the city would be suspended.” He surmised that, although this action would be “a frightful cataclysm” and a horrible atrocity, it would in fact be merciful because it would be quick and decisive, and prevent millions from dying in the mud and trenches of no-man’s land. This source is relevant to the discussion of ethics and moral philosophy because it addresses the ideas of just and honorable conduct of war, and also foreshadows the awesome power and responsibility of nuclear weapons. When is it important to adhere to the ideals of discrimination and proportionality? Was it dishonorable to employ nuclear weapons against Japan, and in what cases would it be honorable to accept collateral damage in order to save Soldiers’ lives?

*Achilles in Vietnam: Combat trauma and the undoing of character:* A way honor might be depicted is how combatants treat each other, directly displaying the character or morality of opponents. In his seminal work on posttraumatic stress, Jonathan Shay uses the example of Achilles at Troy and the ancient Greek perceptions of honor to describe the effects of morally questionable behavior on veterans after combat.<sup>11</sup> Shay describes combatants who violate their inner definition of honor as individuals placed in an untenable position psychologically. In such cases honorable behavior could be viewed as enlightened self-interest as the damaging of a person’s character/honor might be detrimental. This source is relevant to the discussion of ethics and moral philosophies because it provides a description of what might happen to individuals willing to compromise their honor. Therefore, this source could encourage the question: how might the violation of my code of honor result in long-term psychological damage?

*Morals under the gun: the cardinal virtues, military ethics, and American society:* If dishonorable conduct might harm individuals long-term, how might honorable conduct influence how individuals choose to live their lives? In the film *Saving Private Ryan*, a fictional character is saved from the perils of combat through the efforts of a squad of soldiers, of which all but two are killed in the effort.<sup>12</sup> As the Captain leading the squad lays dying, he charges Private Ryan to earn the efforts of the men who died to save him. Years later, as an older man, Private Ryan asks his wife if he had earned what he was given—had he, “led a good, decent life” (p. xvi)?<sup>13</sup> Such narratives are central to the desire to live an honorable life. This source is relevant to the discussion of ethics and moral philosophies because it provides a rich description of the motivation for displaying honor through a life of goodness and decency. Therefore, this source could encourage the question: if I were charged to earn the good actions on my behalf by others, could I do so by my behavior—could I claim to be an honorable person?

As one moves “out” from the triangle, the ethical basis for action is weakened and unethical actions may seem justifiable. In addition, reinforcement from other bases is decreased. As one moves “in” toward the triangle, the reinforcement among bases is increased.

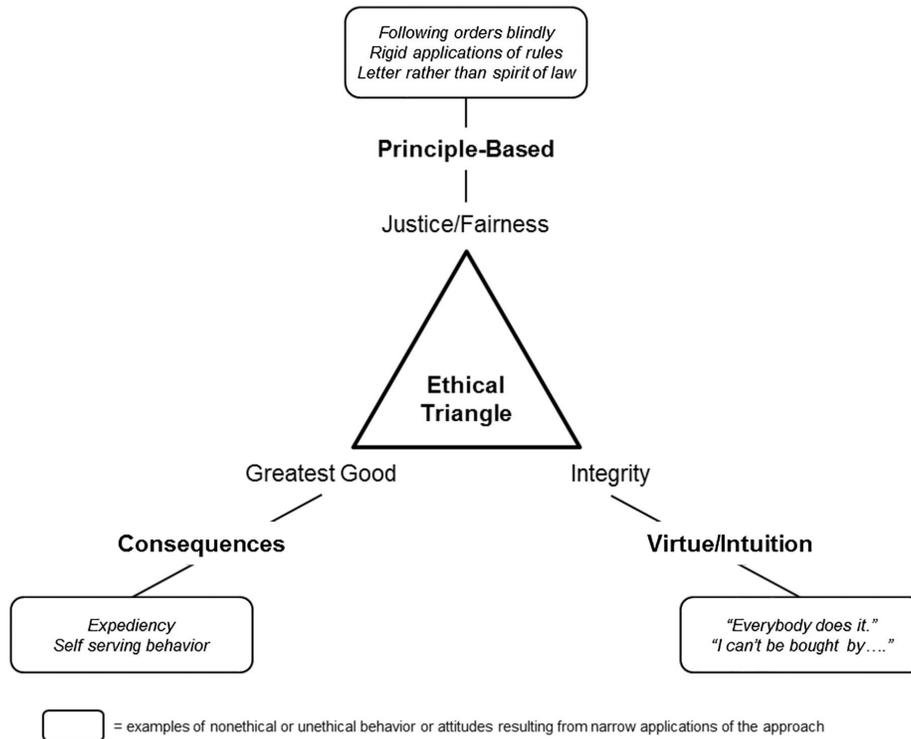


Figure 3. The ethical triangle by James Svava.<sup>14</sup>

*Outliers: The story of success:* although the title of this book clearly is discussing success, one’s definition of honor can be attributed to the culture in which you grew up. These cultural predispositions may cause individuals to fail especially when moral issues are at stake.<sup>15</sup> Gladwell discusses honor culture describing how certain societies emphasize concepts of honor that might drive individuals to behave in certain dishonorable ways. For example, the feuds of the Hatfields versus the McCoys in the 1800s resulted in numerous murders all in an attempt to protect someone’s concept of their honor. In certain eastern cultures, the concept of an honor killing exists where members of the family might kill a female member for dishonoring their tribe. This source is relevant to the discussion of the Army value of honor because honor cultures are distinctly different from the unifying Army value of honor. The term honor culture is a noun describing societies that produce individuals who dogmatically protect honor often through dishonorable acts such as murder. Alternatively, the unifying Army value of honor is a verb displayed through actions providing much-needed information to others regarding the moral philosophy of the person they are observing. As discussed earlier, this information helps others decide who is trustworthy by observing their honorable behavior.

*The Ethical Triangle:* Ultimately the pursuit of living a good and honorable life requires some kind of plan of action in order to make that goal attainable. Individuals often make ethical decisions in their daily lives without understanding how they do so. Gaining a deep understanding of the three major ethical frames (principles, consequences, and virtues—see Figure 3 above) and how they might be used in building a moral philosophy could be informative. Individuals who begin their ethical decision-making process by evaluating if there are rules governing their decision may have a principles-based moral philosophy. Individuals who begin their ethical decision-making process by evaluating how good and honorable people might behave

might have a virtues-based moral philosophy. Individuals who begin their ethical decision-making process by evaluating and weighing the consequences with an eye towards the greatest good for the most people might have a consequences-based moral philosophy.<sup>16</sup> Most useful in moral philosophy formulation is the note at the top of Figure 3 (See page 79.) cautioning against overdependence on one construct alone. The closer to the center of the triangle one stays in their moral philosophy the less likely it will be that they may make errors. Most often, the use of more points of the triangle is better. This source is relevant to the discussion of ethics and moral philosophies because it provides a roadmap for evaluating how to make decisions based on a moral philosophy. Therefore, this source could encourage the question: how have I made moral and ethical decisions in my life and how might I pass on to protégés how to develop their own moral philosophies?

This brief literature review should have provided a description of some of the writings in the field of ethical and moral decisions including those in a military context. Such sources are informative but ultimately moral philosophies must be applied in a practical way. What follows is a discussion of specific cases drawn from films as a way to describe what we call the forensic approach to moral philosophy formulation. Like forensic scientists, we can autopsy moral decisions. By observing how people make moral decisions, we might be able to surmise the moral philosophy of the decision-maker. This discussion can be informative for individuals attempting to build their own moral philosophy.

### **Recommended film clips to facilitate student introspection to own moral philosophy:**

Band of Brothers, The Last Patrol.<sup>17</sup> In this clip, which takes place in the closing months of World War II, Dick Winters, a battalion commander in the 101<sup>st</sup> Airborne Division, orders his men to forgo executing a risky nighttime patrol that he believes is pointless. He also asks them to report in the morning that they conducted the patrol but failed to capture any prisoners (a lie). In this scenario, the protagonist appears to follow a virtues-based philosophy, trying to find what he perceives as the best course of action in a difficult scenario. He is potentially falling short in the Army Value of Loyalty, however, by demonstrating stronger loyalty to his men than to his higher headquarters and, by extension, the nation. In this case, it would appear that the moral philosophy of Major Dick Winters is a combination virtue and consequential ethics which allows him to break rules to demonstrate loyalty to the soldiers of Easy Company.

Lone Survivor, the Sheep Herders.<sup>18</sup> LT Michael Murphy and his four-man SEAL reconnaissance team encounter three local sheep herders while on a surveillance mission in northeast Afghanistan. They must decide whether to kill the Afghans or to let them go free. The SEALs know that the sheep herders will most likely reveal their location to the local Taliban, leaving their team significantly outnumbered and outgunned. The ensuing debate reveals that some of the SEALs approach this dilemma from a consequence-based perspective: let the herders go and risk death, or kill them and risk becoming a war criminal. Interestingly, service principles and a desire to live with virtue and honor are not featured in the discussion. In this case, it would appear that LT Murphy's moral philosophy is a combination of virtue and principles/rules based as he decides not to kill the captured Afghans in spite of the potential outcome.

Zero Dark Thirty, Waterboarding.<sup>19</sup> In the days following the September 11<sup>th</sup> Attacks, CIA agent "Maya" witnesses fellow agents subjecting a detainee to waterboarding. She is clearly uncomfortable with the situation, but takes no action to confront her fellow operatives about their behavior. This scenario leaves her motivations up to viewer interpretation. Does she fail to intervene because she is using a consequence-based ethical approach? Is obtaining intelligence on Osama Bin Laden worth abandoning the long-held principles of the United States? Conversely, it could be a failure in personal courage to challenge her peers' behavior, not wanting to demonstrate to her peers that she doesn't have the stomach to do what is necessary in an ugly job. In this case, Maya's moral philosophy seems to flirt with virtue ethics as she seems repulsed by the methods used by her colleague but ultimately favors consequentialism to justify a potential misuse of interrogation techniques.

Eye In the Sky, Collateral Damage.<sup>20</sup> 2LT Watts, a drone pilot, is observing several terrorists who are plotting a suicide bombing in Nairobi Kenya. He is ordered by his superiors to engage the target with a hellfire missile, but observes a local girl enter the kill zone and set up a stand to sell bread. Watts hesitates due to the risk of collateral damage, and his superior officer again commands him to fire. Watts is approaching this dilemma from a virtues-based approach while the superior officer is approaching the dilemma from a consequence-based approach. The Army Value of Integrity could guide Watts to “do what is right, legally and morally.” In this case, 2LT Watts’ moral philosophy seems to be a combination of virtue, principles/rules based, and consequentialism causing him to be reluctant to follow his orders as given.

Interview with Edward Snowden.<sup>21</sup> Edward Snowden leaked classified material from the National Security Agency in 2013, and subsequently fled the United States to avoid arrest and prosecution. Snowden justifies his actions in this clip by saying “you have to have a greater commitment to justice than you do a fear of the law.” Assuming Snowden is being honest about his motives, he is following a virtues-based ethical decision-making process. He subordinated the consequences of his actions to others and his duty to follow rules and regulations to do what he felt was his moral obligation to do the right thing, accepting significant personal hardship in the process. In this case, Snowden’s internal intent is difficult to surmise causing difficulty in establishing his moral philosophy. If he is being honest, his moral philosophy appears virtue based. How could his actions be honorable, however, if they resulted in the deaths of others, which is entirely possible? If he is not being honest, perhaps his actions were the result of something entirely disconnected from a moral philosophy. This case illustrates that one’s moral philosophy (or lack of one) leads to actions that others will use to judge that person’s trustworthiness. Most would agree that even if they admire what Snowden did, they would be reluctant to trust him with sensitive information. What does that say about his moral philosophy?

Crimson Tide, Officer’s Mess.<sup>22</sup> While dining with the officers on the nuclear missile submarine, USS Alabama, Captain Ramsey and Lieutenant Commander Hunter debate the ethics of launching a nuclear strike. For Ramsey, his responsibility is clear. He sees his job as to simply “push the button” when given the order. This shows he follows a principles-based approach. Hunter, on the other hand, follows a virtues-based approach combined with the other two points of the triangle. He believes that his job is more nuanced, but it is clear he will avoid employing nuclear weapons until it is the last resort. Hunter knows that Sailors must be able to live with the things they do, even when ordered to do them. This case is the clash of moral philosophies establishing the importance of triangulation. Captain Ramsey’s Moral philosophy seems a simple application of the rules without any question. Lieutenant Commander Hunter is indeed more complicated in his views. Hunter’s moral philosophy appears to be virtue based but he is aware of the rules while also considering the wider consequences of nuclear war. Hunter’s approach employs triangulation in his moral philosophy while Ramsey favors the simplicity of one ethical paradigm without employing others as a confirmation step. This scene in the officers’ mess sets the stage for the later dilemma surrounding the potential nuclear missile launch. For further reflection on case 6, refer to appendix A-C for proposed examples of how Ramsey and Hunter might describe their moral philosophies. (See pages 84-88.)

The preceding 6 cases have been an attempt to illustrate how ethic principles may be applied in practical contexts. Table 1 (See page 82.) illustrates how the literature review applies to the cases presented above.

All types of Soldiers make decisions. Many of these decisions are easy, a clear choice between right and wrong. In such cases of clear right and wrong, the honorable decisions might be more obvious. As leaders advance in rank and responsibility, however, the decisions they are faced with will likely become more complex. Often, these decisions will become ethical dilemmas, a choice between two “rights”. Svara’s ethical triangle model provides a good framework for describing the choices found in these ethical dilemmas. The competing “rights” of principles, consequences, and virtues can cloud a leader’s perception, often making the path to the honorable course of action murky and unclear. An application of the unifying

value of Honor, illuminated by the six remaining Army Values, could serve to help leaders decide which leg of the ethical triangle should take primacy in a given situation. The authors of this paper intended to provide a means to exercise the mental muscles leaders need to make honorable decisions when faced with ethical dilemmas. Personal, introspective analysis of the dilemmas and choices presented in the recommended scenarios will allow individual leaders to examine and define their own moral philosophy. The ultimate objective of this paper is to provide a vehicle for leaders to improve their ethical decision-making ability by developing their own moral philosophy. Leaders who understand their own moral philosophy will be better equipped to mentor and coach others to develop their own. This will allow leaders and those they develop to make honorable choices that they, their Soldiers, and the American people can respect, ultimately enhancing their leadership. A proactive approach to honorable ethical decision making, fostered through a commitment to leader development that is grounded in the Army Values, may reduce the need for a reactive approach focused on punishing leaders who make the wrong decision.

Interactions between recommended scenarios and literature review				
Literature	Scenario			
<i>The Torture Papers</i>	Zero Dark Thirty			
<i>Military ethics and virtues: an interdisciplinary approach for the 21st century</i>	Band of Brothers	Lone Survivor		
<i>On Bullshit</i>	Edward Snowden	Band of Brothers		
<i>Lying to Ourselves: Dishonesty in the Military Profession</i>	Band of Brothers	Edward Snowden		
<i>Closing the Candor Chasm: The Missing Element of Army Professionalism</i>	Zero Dark Thirty	Band of Brothers	Edward Snowden	
<i>The Command of the Air</i>	Crimson Tide	Lone Survivor	Eye in the Sky	
<i>Achilles in Vietnam: Combat trauma and the undoing of character</i>	Eye in the Sky	Lone Survivor	Crimson Tide	
<i>Morals under the gun: the cardinal values, military ethics, and American society</i>	Zero Dark Thirty	Eye in the Sky	Crimson Tide	Lone Survivor
<i>Ethical Decision Making: Using the "Ethical Triangle"</i>	All Scenarios			

**Table 1. Interactions between recommended scenarios and literature review.**

## End Notes

- 1 Marshall, S. L. A., *Men Against Fire: The Problem of Battle Command* (Norman, OK.: University of Oklahoma Press, 1947).
- 2 Steven Pressfield, *The Warrior Ethos* (New York: Black Irish Entertainment, 2011).
- 3 Pojman, L. and Fieser, J., *Ethics: Discovering Right and Wrong*, 7<sup>th</sup> ed. (Boston, MA: Cengage Learning, 2006).
- 4 Jack Kem, “Ethical Decision Making: Using the ‘Ethical Triangle,’” in *The Ethics of Humanitarian Military Operations and Intervention* (2016 Ethics Symposium, Fort Leavenworth, KS: U.S. Government Printing Office, 2016).
- 5 Karen J. Greenberg and Joshua L. Dratel, *The Torture Papers: The Road to Abu Ghraib* (New York: Cambridge University Press, 2005).
- 6 Peter Olsthoorn, *Military Ethics and Virtues: An Interdisciplinary Approach for the 21st Century* (London: Routledge Taylor and Francis Group, 2011).
- 7 Harry G. Frankfurt, *On Bullshit* (Princeton, New Jersey: Princeton University Press, 2005).
- 8 Leonard Wong and Stephen J. Garass, “Lying to Ourselves: Dishonesty in the Army Profession,” *U.S. Army War College Strategic Studies Institute*, February 2015.
- 9 Paul Paolozzi, “Closing the Candor Chasim: The Missing Element of Army Professionalism,” *U.S. Army War College Strategic Studies Institute* 5 (September 2013).
- 10 Giulio Douhet, *The Command of the Air*, ed. Joseph Patrick Harahan and Richard H. Kohn, trans. Dino Ferrari, 1<sup>st</sup> edition (Tuscaloosa, AL: University Alabama Press, 2009).
- 11 Shay, J., *Achilles in Vietnam: Combat Trauma and the Undoing of Character* (New York: Scribner, 1994).
- 12 Steven Spielberg, *Saving Privat Ryan*, Drama (DreamWorks Pictures, 1998).
- 13 James H. Toner, *Morals under the Gun: The Cardinal Virtues, Military Ethics, and American Society* (Lexington, KY: The University Press of Kentucky, 2000).
- 14 James Svara H., “The Ethical Triangle,” in *Combating Corruption, Encouraging Ethics: A Practical Guide to Management Ethics* (New York: Rowman and Littlefield Publishers Inc., 2007).
- 15 Malcolm Gladwell, *Outliers: The Story of Success*, Reprint edition (New York, NY: Back Bay Books, 2011).
- 16 Svara, 22–28.
- 17 Phil Alden Robinson et al., *Band of Brothers: The Last Patrol*, Drama (HBO Home Entertainment, 2001).
- 18 Peter Berg, *Lone Survivor*, Drama (Universal Pictures, 2003).
- 19 Katherine Bigelow, *Zero Dark Thirty*, Drama (Columbia Pictures, 2012).
- 20 Gavin Hood, *Eye in the Sky*, Drama (Entertainment One, 2015).
- 21 “Interview with Edward Snowden: The Ethics of Whistleblowing—Hero or Traitor,” *Philosophy Talk*, July 12, 2015.
- 22 Scott Hunter, *Crimson Tide*, Drama (Buena Vista Pictures, 1995). Meal Scene: 21:15-24:09; Launch Dilemma: 54:56-1:09.

## Appendix A: Moral Philosophy Worksheet

Moral philosophy of \_\_\_\_\_

**Moral dilemma:** (Choose one life event where you were required to make a tough moral choice. What was the choice, how was it expressed, and who was effected by it?)

**Relate the Ethical triangle to the above moral dilemma:** (Ethical Triangle: Principles (Rules), Consequences, and Virtues; relate these elements to the above moral dilemma.)

**What actions or occurrences demonstrated how those ethical triangle elements were important?:**  
(How did the ethical triangle elements become apparent to you as key drivers of your moral choices during this dilemma?)

**One sentence moral philosophy assertion:** (How would you describe your moral philosophy as succinctly as possible?)

**How my moral philosophy manifests itself in my daily life:** (What daily evidence do you observe of your moral philosophy in action? In other words, if someone attempted to convict you of being a moral person, what would be the evidence they could use?)

**How this moral philosophy enables me to assist others to identify their moral philosophy i.e. how they make moral choices in their daily lives:** (How would you use your journey to your moral philosophy to help others determine theirs?)

## Appendix B: Moral Philosophy Worksheet

### Moral philosophy of Captain Ramsey

**Moral dilemma:** (Choose one life event where you were required to make a tough moral choice. What was the choice, how was it expressed, and who was effected by it?)

On 1 November, the setting of Condition 1SQ for strategic missile launch aboard the USS Alabama when my Executive Officer (LCDR Hunter) refused to echo my commands because he wanted to confirm the launch order based on an incomplete message fragment that inferred the launch message might have a subsequent transmission. This disagreement led to a mutiny aboard the USS Alabama.

**Relate the Ethical triangle to the above moral dilemma:** (Ethical Triangle: Principles (Rules), Consequences, and Virtues; relate these elements to the above moral dilemma.)

*The Naval Regulations regarding strategic missile launch are explicit and contain no ambiguity. When given the order to launch, we were supposed to use the last order in hand and launch. Hunter was disobeying the rules because he thought he could substitute his judgment for those who sent the order. This was a clear violation of established principles (rules).*

**What actions or occurrences demonstrated how those ethical triangle elements were important?:** (How did the ethical triangle elements become apparent to you as key drivers of your moral choices during this dilemma?)

*Hunter wanted to confirm our order but I realized that this message fragment could be a fake and we were under attack which underscored our need to follow naval regulations with dispatch and do our duty which was our honorable obligation clearly articulated in our oath to, "Well and faithfully discharge the duties of the office upon which I am about to enter; So help me God." The longer we delayed launch the more urgent our situation became. The time to doubt the system for LCDR Hunter should have been long before this incident. If he could not follow naval regulations he should have resigned.*

**One sentence moral philosophy assertion:** (How would you describe your moral philosophy as succinctly as possible?)

*My moral philosophy consists of honorably living up to my obligations by following the regulations put in place by competent authorities in the support of protecting the constitution against all enemies foreign and domestic without any mental reservations or purpose of evasion.*

**How my moral philosophy manifests itself in my daily life:** (What daily evidence do you observe of your moral philosophy in action? In other words, if someone attempted to convict you of being a moral person, what would be the evidence they could use?)

*I run my ship as I run my life: straight and by the book. I have dedicated my life to defending my country in one of the most dangerous pursuits possible to modern warfare: Nuclear missiles. My country has placed trust and confidence in me. That trust indicates that the American people can trust me to follow the rules which are an absolute necessity in the governing of nuclear weapons. How could the American people trust me if they thought I would use my own judgement to interpret if I should follow each and every order I receive.*

**How this moral philosophy enables me to assist others to identify their moral philosophy i.e. how they make moral choices in their daily lives:** (How would you use your journey to your moral philosophy to help others determine theirs?)

*The world of nuclear weapons control is complex and the making of mistakes cannot be tolerated. Like learning how to master the complexities of navigation in the dangerous environment of the ocean, nuclear*

*weapons control can benefit from the imposing of rules and regulations. My journey to an understanding of my moral philosophy helped me learn the rules and practice them to the point of second nature in their application. Therefore, I relentlessly drill my crew and all my subordinate leaders to the point where they can execute their jobs flawlessly within the rules which is their honorable duty. My intent is to produce leaders who know the rules by heart, can apply them in any situation, and thus demonstrate their trustworthiness to the American people.*

## Appendix C: Moral Philosophy Worksheet

### Moral philosophy of Lieutenant Commander Hunter

**Moral dilemma:** (Choose one life event where you were required to make a tough moral choice. What was the choice, how was it expressed, and who was effected by it?)

*On 1 November, I was serving as the XO of the Ballistic Missile Submarine USS Alabama. Our ship received an authenticated order from the National Command Authority to launch a preemptive nuclear strike against rebel held nuclear missile installations in Russia. Subsequently, we received another message that was interrupted by an attack by an enemy submarine. I suspected that the message fragment we did receive could be an order to cancel our missile launch. I then asked Captain Ramsey (Alabama's Commanding Officer) to delay the launch, which was not in accordance with naval regulation, in order to try to determine the full contents of the second message. CAPT Ramsey subsequently refused to delay the launch. My confirmation of the launch order was required to complete the launch sequence, and I refused to confirm CAPT Ramsey's order. Also in conflict with Naval Regulation, CAPT Ramsey then threatened to replace me with another officer. Since we could not come to an agreement, I ordered that CAPT Ramsey be relieved and took command of the USS Alabama.*

**Relate the Ethical triangle to the above moral dilemma:** (Ethical Triangle: Principles (Rules), Consequences, and Virtues; relate these elements to the above moral dilemma.)

*Although the Naval Regulation clearly required that we execute the missile launch based on the last authenticated order we received, I felt that it was my duty to use my own moral judgement in this case. The awesome destructive power of nuclear weapons and the risk that the Russian government would retaliate in kind required that we be absolutely sure of our orders. We did not know the full contents of the second message because its receipt was interrupted by an attack by an enemy submarine. I felt that it was my duty to delay the missile launch until we could confirm or deny whether that message contained orders to cancel our launch or change our target package. I utilized all three elements of the ethical triangle in making my decision to relieve CAPT Ramsey of command in order to delay the launch. Using a principles-based approach, I believed I was following Naval Regulation by refusing to confirm CAPT Ramsey's launch order. The need for the Executive Officer to confirm the Captain's launch order provides an important safeguard. The Captain's desire for me to simply rubber stamp his order or step aside when I disagreed was a clear violation of the regulation. My desire to delay the launch until we could confirm the order demonstrates a values-based approach. I was still willing to execute the launch as ordered, but I felt that it was my duty to ensure we were aware of the contents of the second message. It could have been an order to change our target package or cancel our strike altogether. Finally, I was using a consequences-based approach by ensuring that nuclear weapons were used only as a last resort. Launching our nuclear weapons would kill hundreds of thousands of people in Russia, and almost certainly result in a massive retaliation against the United States. For this reason, I felt it was my duty to delay the launch until our orders were confirmed and a launch was absolutely necessary. I was able to use all three elements of the ethical triangle to make my decision, which I feel was the most honorable given the situation.*

**What actions or occurrences demonstrated how those ethical triangle elements were important?:**

(How did the ethical triangle elements become apparent to you as key drivers of your moral choices during this dilemma?)

*Although Naval Regulations clearly stated that we should launch, it was necessary to delay the launch in this situation. Officers cannot be simple button pushers. Executing orders like an automaton, without thought or consideration of principles, values, and consequences can have dangerous outcomes. Some perpetrators of atrocities in the past have claimed that "they were just following orders." Captain Ramsey was wrong when he expected me to confirm the order despite my serious misgivings. Although Ramsey was*

*my superior, Naval Regulations required that I do my duty and refuse to confirm the launch order until I was absolutely sure that it was the right thing to do. The awesome power of nuclear weapons requires that these safeguards are in place in order to ensure that they are not used mistakenly.*

**One sentence moral philosophy assertion:** (How would you describe your moral philosophy as succinctly as possible?)

### **My moral philosophy**

*I will honorably apply virtues, principles, and consequences when doing my duty to support and defend the U.S. Constitution against all enemies foreign and domestic, and I will faithfully execute my duties even when it could potentially damage my career as a U.S. Naval Officer.*

**How my moral philosophy manifests itself in my daily life:** (What daily evidence do you observe of your moral philosophy in action? In other words, if someone attempted to convict you of being a moral person, what would be the evidence they could use?)

*I utilize all three elements of the ethical triangle when making decisions. I am not simply a button-pusher; I will use my education and training to navigate ethical dilemmas, making what I feel is the most honorable decision in each unique circumstance. As a custodian of America's submarine nuclear deterrence, I will order the employment of the awesome weapons in my charge only after careful consideration and as a last resort.*

**How this moral philosophy enables me to assist others to identify their moral philosophy i.e. how they make moral choices in their daily lives:** (How would you use your journey to your moral philosophy to help others determine theirs?)

*Many members of the Navy, including my commanding officer, CAPT Ramsey, are uncomfortable with my decision to attend Harvard and receive additional academic education. I believe this education has helped me understand the true nature of war and the danger of nuclear weapons. While some feel that my careful consideration of the situation creates unnecessary delays, our awesome responsibility requires that we be absolutely sure before launching our missiles. Once they are launched, they cannot be recalled and will likely lead to the deaths of millions of people in both Russia and the United States. For this reason, I will ensure that my subordinates understand that we must use the framework of principles, virtues, and consequences in each of our moral decisions. If I am chosen to command a submarine, I will ensure that my relationship with my Executive Officer is one where he can openly communicate with me. I will create a command climate where my XO understands that we must both be completely sure that it is the correct thing to do, within naval regulation, before we execute a nuclear weapon launch.*

# The Southern Caucasus: Ethical Challenges Informing the Application of American Power

by Mark V. Montesclaros

*No region of the world equaled the Caucasus in proving how bloody  
and messy the death of a large empire can be.*

—Robert Kaplan, *Eastward to Tartary*

*No one has ever been quite sure where Europe ends and Asia starts.*

—*The Economist*, 27 November 2017

## Context and Scope

This paper supports the 2018 CGSC Ethics Symposium by examining the ethical implications posed by applying U.S. elements of power, including potential military operations, in the South Caucasus region. So it looks at some of the underlying forces “that might not be well understood by U.S. participants,” in the words of the symposium announcement. Greater knowledge of the Southern Caucasus enhances a more effective application of The Army Ethic: “In war and peace, we recognize the intrinsic dignity and worth of all people, treating them with respect.”<sup>1</sup> Additionally, acquiring in-depth knowledge of any region, not solely this one, is a pre-requisite to acquiring the necessary military expertise in order to apply landpower successfully in any given context. In particular, this paper supports the “moral-ethical” as well as the “political-cultural” fields, two of the four areas deemed critical to expert knowledge in ADRP 1, *The Army Profession*. The latter, for example, applies to Army organizations dealing with outside organizations—“particularly with unified action partners and civilian populations, both foreign and domestic, in all civil-military relations.”<sup>2</sup> It is this intent of this paper to contribute to the development of more expert knowledge on the South Caucasus region.

Hopefully, the observations in this paper will add depth and nuance to knowledge of a region that is already somewhat familiar to the current CGSOC student or graduate. While the “GAAT” scenario (Georgia-Azerbaijan-Armenia-Turkey) has been present in the CGSOC core curriculum for well over a decade, there is a tendency to focus on the region’s broader contextual themes, whether they be actor driven (the role of regional hegemony such as Russia or Iran) or issue driven (energy or regional stability, for example). This paper will add depth and breadth to an understanding of perhaps less well-known aspects of Georgia, Armenia and Azerbaijan, with ethical ramifications for the United States as well as U.S. European Command—the combatant command whose area of responsibility encompasses this region.

Its role as a key scenario in the CGSOC curriculum aside, the South Caucasus region merits study in its own right. The region has routinely been characterized as a land bridge between Europe and Central Asia or as a “geopolitical fault line.”<sup>3</sup> Others see the South Caucasus as a region in search of an identity, consisting solely of individual countries that lack any coherent integration. Journalist Robert Kaplan, a long-time observer of the region, once characterized it as “Russia’s Wild West, [where] since the seventeenth century,

Russian colonialists have knocked their heads against the walls of steep gorges trying to subdue congeries of unruly peoples.”<sup>4</sup> Indeed, closed land borders and frozen conflicts involving multiple countries help to bolster this view.

There are multiple observations on the current and future state of affairs in the South Caucasus. Some are pessimistic and do not see a positive outcome in the offing: “The region has been the most unstable part of the former Soviet Union in terms of the numbers, intensity and length of its ethnic and civil conflicts.”<sup>5</sup> Some see what’s happening in the region today as a redux of “the Great Game,” in which the world’s great powers are vying for influence and territorial hegemony over this vulnerable portion of the former Soviet Union, especially in light of Russia’s recent revanchist tendencies. Still others, such as author Parag Khanna, view the Southern Caucasus and its three independent republics in a positive light, with endless opportunities for connectivity and infrastructure growth. Regardless of viewpoint, the region merits study for a number of reasons that will hopefully be made evident by this paper.

For purposes of this article, the Southern Caucasus consists solely of the states of Georgia, Armenia and Azerbaijan. It does not attempt to tackle Jeffrey Mankoff’s “Big Caucasus” formulation,<sup>6</sup> which includes the seven Russian republics of the Northern Caucasus, nor does it include Russia, Turkey or Iran themselves—although they exert tremendous influence over the actions of the three smaller states and will be mentioned frequently in this paper. Indeed, as a DJIMO instructor I often liken the region to “three metallic objects surrounded by three magnets of varying strength,” indicating that Georgia, Armenia and Azerbaijan respond in varying degrees to the surrounding powers vying for hegemonic influence over them.

The plan of this paper is to lay out in successive sections (loosely based on the PMESII framework of joint doctrine) broad challenges in the Southern Caucasus countries that may pose ethical questions for the U.S. and EUCOM in the application of national/military elements of power. A framing question accompanies each section to help the reader focus on the potential issues at hand. At the end of each section’s analysis, I attempt to answer the “so-what” question by providing some broad recommendations to confront each ethical challenge. While some may not be entirely original or particularly innovative, they will provide students and readers alike with some additional context for understanding this complex region from an ethical perspective.

## **Zero-Sum Game**

*“How does the United States and EUCOM remain neutral in a region beset by regional conflicts and internal strife?”*

There is something striking if one looks at a historical map of the Southern Caucasus during the Soviet period (1952-1991).<sup>7</sup> The geographic outlines of the major frozen conflicts besetting the region today are clearly visible. The Nagorno-Karabakh, perhaps the most intractable problem facing the Caucasus today, appears with clear borders as an autonomous oblast (equivalent to a province) within the Azerbaijani Soviet Socialist Republic (S.S.R). To the north, Abkhazia and South Ossetia are likewise visible as autonomous entities (A.S.S.R) within the borders of Georgia. The bottom line is that most of the Southern Caucasus conflicts are well rooted in the past, some having cultural and ethnic origins traceable to ancient times. They are not simply a product of the Soviet period, nor are they an entirely recent phenomenon.

There is a reason the Southern Caucasus has garnered the reputation as the most troubled part of the former Soviet Union. Among the three countries—Armenia, Georgia, Azerbaijan—there are a number of conflicts—some frozen, some not so frozen, others festering based on long-held grievances. These conflicts manifest themselves politically and geographically into a hodgepodge of a map featuring breakaway territories, enclaves, exclaves and closed borders—all of which can be quite bewildering to someone trying to understand region for the first time. Indeed, a very cogent question is whether or not the Southern

Caucasus is a “region” at all, or simply a conglomerate of three disparate republics trying to go it alone, based on a number of ethnic or religious tensions and grievances either between or amongst them. Strategist George Friedman evidences another standard characterization of the region:

The Caucasus remains a flashpoint, and the Russians have increased the temperature by signing a long-term treaty with Armenia and sending a substantial number of troops there. This puts Georgia, a country supported by the West, in a pincer between Russia and Armenia. And it also threatens Azerbaijan, the major alternative to Russian energy for Europe.<sup>8</sup>

Thus, there remains the persistent idea that the Southern Caucasus could erupt at any time—at worst, resulting in a conflagration involving the world’s great powers; at best, resulting in a renewed war between Armenia and Azerbaijan over the contentious Nagorno-Karabakh that would be far more lethal and destructive than the 1992 conflict.

Perhaps the defining and most intractable of the region’s conflicts is the Nagorno-Karabakh, the disputed territory within the country of Azerbaijan but occupied by Armenia since 1994. Roughly translated using a mixture of Russian and Turkish-Persian words as “mountainous black garden,”<sup>9</sup> the Nagorno-Karabakh is symbolic of what author and strategist Parag Khanna calls “devolution”—“Everywhere empires are splintering and authority is dissipating away from central capitals toward provinces and cities that seek autonomy in their financial and diplomatic affairs.”<sup>10</sup> The Nagorno-Karabakh is a conflict zone marked by a real world “Line of Contact (LoC),”—essentially a no man’s land—and contested by two of the three Southern Caucasus states who refuse to compromise, based on long-standing political and ethno-cultural claims to the territory. Despite multiple attempts by the Minsk Group (Russia, the U.S. and France) of the Organization for Security Co-Operation in Europe (OSCE)—in addition to international pressure—to resolve the long-standing conflict, the situation remains unresolved to this day.

Except for frequent incidents along the LOC, there has been no major escalation by the two sides in the Nagorno-Karabakh—that is, until April 2016—when large-scale fighting broke out once again. With a resurgent armed forces rebuilt largely on revenues from its significant oil and natural gas reserves, Azerbaijan undertook a four-day offensive, utilizing new technologies including “suicide” drones, which took Armenia by surprise and wrested away some previously Armenian-held territory. Between 60-200 personnel on either side were killed, but Azerbaijan declared victory with reclamation of strategically significant territory.<sup>11</sup> While many observers predicted a major conflagration to follow, Russia stepped in, mediated a cease-fire, and the situation has since remained stable, though not without much consternation and continued calls for international involvement to end the crisis once and for all.

The Nagorno-Karabakh conflict is symbolic of the zero-sum game nature of the Southern Caucasus—complex, intractable, and without an end in sight. Parag Khanna underscores this point with an observation on Russian aggression in 2014.

Particularly Russia’s effective dismemberment of Ukraine raised alarm bells that world is retreating into zero-sum territorial logic. The former Soviet space certainly presents other live cases: From Estonia to Moldova to the Caucasus and Central Asia, Russia constantly manipulates ethnic Russian minority populations with passports and propaganda.<sup>12</sup>

The “live case” in the Caucasus is obviously multi-faceted, with Russia’s role key to any conflict resolution. Not only does Russia play a critical role as arbiter on the Minsk Group of the OSCE, it incongruously provides arms to both Armenia and Azerbaijan—generally defensive to the former and offensive to the latter.<sup>13</sup> Additionally, Russia continues to maintain a military presence of about 5,000 armed forces at the 102d military base in Gyumri and has extended that lease with Armenia until 2044.<sup>14</sup> Indeed, Russia’s military presence throughout the Southern Caucasus is well known and acknowledged by EUCOM

Commander General Curtis Scaparrotti in his posture statement of 8 March 2018 before the Senate Armed Services Committee.<sup>15</sup>

Aside from the Nagorno-Karabakh, CGSOC students are already familiar with some of the other geographic flashpoints and issues of the “zero-sum game” variety. While Armenia and Azerbaijan wrestle over the N-K, Georgia and Russia haggle over two of the vestiges from their brief 2008 conflict—Abkhazia and South Ossetia. Both are breakaway regions which resulted in the internal displacement of ethnic Georgians (IDPs), as well as the permanent stationing of Russian troops inside both breakaways, to the consternation of Georgia and in violation of the EU-brokered ceasefire agreement. In Abkhazia, Russia concluded an agreement for a base until 2059—potentially 2074, including up to 5,000 military personnel with sophisticated arms, both offensive and defensive.<sup>16</sup> Similarly, Russia stages 1,200 personnel in Tskhinvali, South Ossetia, with similar weaponry and a long-range lease.<sup>17</sup>

Given this complex scenario, and returning to the question posed at the beginning of this section, the central ethical consideration for U.S. policy and potential EUCOM military operations must be, in the words of Kuchin and Mankoff—“First, do no harm.”<sup>18</sup> This is a difficult path to tread, and perhaps precisely for this reason American involvement in the region, both from a national as well as a military perspective, has been relatively light in comparison to others. Thus, remaining neutral is a primary imperative, given the zero-sum game nature of the conflicts in the region. “Doing no harm” in this context means not taking sides in the highly contentious Nagorno-Karabakh conflict between Armenia and Azerbaijan, and not exacerbating the already tense situation between Georgia and its two occupied territories, Abkhazia and South Ossetia.

Of course, there are multiple factors that challenge America’s ability to remain neutral regarding both flashpoints. Regarding the Nagorno-Karabakh, Russia is a “first among equals” on the Minsk Group of the OSCE, charged with resolving the conflict. Yet at the same time, it clearly backs Armenia while supplying weaponry to both it and Azerbaijan. Indeed, there are many who believe it is to Russia’s advantage to prolong the conflict in the N-K. On the opposite side of the conflict, Turkey—for political and ethno-cultural reasons, stands with Azerbaijan in its claims to regaining the disputed territory, and has closed its borders with Armenia, at least since 1993, due to the conflict. To complicate matters, Turkey is a long-standing NATO member and refuses to acknowledge the 1915 genocide of Armenians on the Anatolian peninsula. Regarding Georgia, the U.S. supports the nation’s integrity and recognizes neither Abkhazia nor South Ossetia. It also supports Georgia’s eventual accession into NATO, a process, along with Ukraine’s, that lags due to Russian aggression as well as European intransigence on the issue.

“Doing no harm” does not mean, however, that the U.S. should disengage from the region. From a national perspective, America should take a more pro-active role in resolving the Nagorno-Karabakh through the Minsk Group, emphasizing the diplomatic element of power and seeking to better understand the perspective of both the Armenians as well as the Azerbaijanis. The U.S. should not acquiesce to Russian leadership in this regard, nor should it take action that favors either side. Because the N-K conflict is the flashpoint with the greatest potential to embroil the region in future conflict, the U.S. should exercise due caution, “do no harm,” and prevent this from happening.

Aside from diplomacy, the U.S. should continue its foreign assistance to all three countries, contingent upon factors such as human rights performance and in support of U.S. objectives for the region. Much of the goodwill from the Southern Caucasus’ support of U.S. and coalition efforts in the War on Terror has seemed to dissipate; while all three countries supported OIF, OEF and to varying degrees the Northern Distribution Network, only Georgia receives appreciable amounts of foreign aid today. According to State Department’s Foreign Assistance website, in FY 2017 Georgia received \$60.16 million while Armenia and Azerbaijan received \$26.07 million and \$14.97 million, respectively. For FY 2019, the planned funding figures are \$31.1 million, \$6.04 million, and \$4.00 million, respectively. These figures are reflective of Georgia’s

commitment to U.S. and EUCOM initiatives in the region, as well as the human rights performance of Armenia and especially Azerbaijan (see next section). Also obvious is the downturn in U.S. foreign assistance in general, when compared to the previous Administration.

In the fictitious “GAAT” scenario, major war occurs as a U.S. led-coalition defends Azerbaijan against an attack by “Ahurastan,” a fictitious breakaway region of northern Iran largely comprised of ethnic Azerbaijanis seeking to consolidate its gains with the seizure of the Kura River basin. In the “real world” Southern Caucasus, the U.S. is not likely to go to war soon, either in defense of Georgian interests or on either side of the Nagorno-Karabakh conflict. Major combat operations are not likely, however; the ROMO spectrum encompasses multiple activities to include theater security cooperation, security force assistance, and other forms of engagement.

Again, the guiding ethical principle should be “do no harm.” U.S. Forces should again remain neutral and take no actions to exacerbate regional tensions. U.S. Forces should abide by the Leahy Amendment in all security cooperation activities, which specifically prohibits providing assistance to any security forces of a foreign country if determined to have committed a gross violation of human rights by the Secretary of State.<sup>19</sup> As will be shown in subsequent sections of this paper, this is an issue that potentially affects both sides of the Nagorno-Karabakh conflict. During engagements and exercises, EUCOM should emphasize professional ethics in all aspects. Additionally, potential engagements with host nation PME institutions, especially in Armenia and Azerbaijan, should reinforce topics found in both the NATO Partnership Action Plan on Defence Institution Building Reference Curriculum, as well as the NATO Generic Officer Professional Military Education Reference Curriculum. With respect to the former, of particular importance are the ethics and leadership blocks dealing with the individual in the profession, the profession at work and the profession and society.<sup>20</sup> Concerning the latter, U.S. Forces should emphasize and/or reinforce topics such as human rights, protection of civilians, rules of engagement and standards of behavior on the battlefield.<sup>21</sup> Since all three countries have Individual Partner Action Plans (IPAP) under NATO, there exists the basis for future engagement with Armenia and Azerbaijan.<sup>22</sup>

Maintaining a neutral stance and doing no harm will continue to be an ethical challenge for the United States and EUCOM, given the zero-sum game interpretation of the regional situation by the multiple states involved. Indeed, there are many who feel that the states of the Southern Caucasus can make no real progress until they overcome brinksmanship and seek real solutions to problems. This will be up to the individual states, as no externally directed efforts have had any lasting impact on any of the major flashpoints despite years of effort and negotiation.

### **Fledgling Democracies and Fragile States**

*“How should the U.S./EUCOM deal with countries that fall short of the bar with regard to the rule of law?”*

There are no Jeffersonian democracies in the Southern Caucasus. Nor should we expect that there be—with Georgia, Armenia and Azerbaijan gaining independence only as recently as 1991 with the dissolution of the Soviet Union. At best, they are fragile or weak democracies, seeking to tread the difficult path between identification with the West, deepening connections with the Russian Federation, or some combination of both.

The problem is complicated by the countries’ desire to identify with the West: “The question of where Europe’s eastern border lies has bedeviled statesmen for centuries. It has proved equally difficult for the European Union, which must decide how to deal with countries to its east that would like to join the club.”<sup>23</sup> A key example in this regard is the European Union’s Eastern Partnership program which includes Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

One of the most respected global indices for measuring the strength of governments is Freedom House's "Freedom in the World." Freedom House is an NGO whose work tends to get the attention of governments and publics worldwide. In essence, the countries of the South Caucasus are found wanting. As an example, according to Freedom House—which measures the strength of freedom around the world based on 25 indicators—none of the countries in the region is rated "Free"—the highest rating and one given to 45% of the 195 countries rated, or 88 total.<sup>24</sup> To make matters worse, none of the surrounding regional powers fares any better—Russia and Iran are rated "Not Free," while perhaps the most disturbing recent trend is Turkey's downgrading in 2018 to "Not Free," based on President Recep Tayyip Erdogan's brutal repressive measures following the Turkish military coup of 2016. So much for leadership by example.

As for the Southern Caucasus countries, the Freedom in the World 2018 report designates Armenia and Georgia as "Partially Free," while Azerbaijan has the lowest designation of "Not Free." (As a point of comparison, 58 of the 195 (30%) countries Freedom House rates are "Partially Free," while 49 or 25% are "Not Free.")<sup>25</sup> Despite Georgia's rating, Freedom House has designated the state as "one to watch" in 2018, mainly because the ruling Georgian Dream Party has enacted reforms that assures its own power, while emasculating potential opposition. Additionally, the report highlights the undue influence of power broker Bidzina Ivanishvili, who holds no elected office but wields considerable control behind the scenes.<sup>26</sup> Armenia's rating suffers from governmental corruption, constitutional reforms that consolidate the regime's power at the expense of opposition groups, and police repression against mass demonstrators and journalists.<sup>27</sup> Azerbaijan distinguishes itself among the Caucasian states as the only country rated "Not Free." Perhaps buoyed by oil wealth that gives it more freedom of maneuver than other states, President Ilham Aliyev continues to take repressive measures that "draw global attention to the country's dismal human rights record."<sup>28</sup> Azerbaijan is noted for government repression against the political opposition, journalists and the media, and human rights activists. Indeed, Azerbaijan's increasingly negative human rights record has concerned many potential donor nations, including the United States. Freedom House's observations on the human rights performance of Armenia, Azerbaijan and Georgia are supported by other indices as well, including Amnesty International's 2017/2018 report and Human Rights Watch's World Report 2017. Both note the decline in Georgia following the accession of Georgia Dream to power, the uneven performance of Armenia, and the continuing crackdown in Azerbaijan against opposition parties, the media, civil rights activists and NGOs.<sup>29</sup> When it comes to the countries of the Southern Caucasus, Azerbaijan is in a class by itself, underscoring the increasing authoritarianism under President Aliyev.

What are the ethical implications of dealing with countries that do not quite meet standards when it comes to issues such as democracy, fragility, corruption and human rights? This has always been a difficult issue, because those countries most in need of U.S. and international support normally cannot meet the minimum qualifications for international loans or key developmental programs such as the U.S.'s Millennium Challenge Account. So the ethical question is does the United States provide much needed aid to such countries, or withhold it until they show improvement in governance and human rights performance?

America tends to hold countries accountable for their human rights record, even withholding aid when it could benefit publics in the receiving countries. As an example, the U.S. Millennium Challenge Corporation (MCC) signed a compact Armenia in 2006 to include improvements to irrigation networks and road construction. In 2011, MCC closed the agreement, citing "concerns about the status of governance in Armenia."<sup>30</sup> Subsequently, the World Bank assumed funding for the original MCC-planned construction. A more complex example involves Section 907 of the Freedom Support Act, passed by Congress in 1992 with strong advocacy by the powerful American Armenian lobby. The act prohibited the U.S. from providing any direct foreign aid to Azerbaijan, until the President determined that the country ceased its blockade against Armenia and the Nagorno-Karabakh. In response to Azerbaijan's support of the U.S. in the War on Terror, however, Congress passed legislation that allowed the President to waive Section 907 if it was necessary for counter-terrorism purposes or the operational readiness of U.S. or coalition forces.<sup>31</sup>

In the application of its elements of power, America must once again exercise caution and emphasize neutrality low-cost, low-visibility programs that emphasize democracy building. That is precisely what the U.S. is doing now; the only recommendation is to restore foreign aid to its previous FY17 levels.<sup>32</sup> The United States should continue to abide by the Leahy Amendment regarding assistance to security forces, and apply the 907 waiver judiciously, based on real progress in Azerbaijan. In its strategic communications, themes and messaging, America must continue to emphasize democracy and encourage civil rights compliance in all three countries of the South Caucasus region. EUCOM should emphasize similar themes as it executes theater security cooperation (mostly with Georgia) at the lower end of the ROMO spectrum, emphasizing professionalism, the law of armed conflict, respect for human rights, protection of civilians, and similar themes.

## **Culture, Narratives and IDPs**

*“How should the U.S./EUCOM accommodate multiple cultures and ethnicities, genocidal narratives and internally displaced persons in its engagement with the Southern Caucasus?”*

One of the implications of the region’s characterization as a land bridge is that there have been multiple “flows” across it, in terms of both peoples and goods. Culturally, the countries of the Southern Caucasus are complicated—diverse and fragmented, with ethno-linguistic lines not coincident with political boundaries. To encapsulate this phenomenon, Robert Kaplan observes:

Today, the Caucasus is shared by four countries and about a dozen autonomous regions, with as many as fifty ethnic groups, each with its own language or dialect. Some are well known and numerous, such as the Georgians, the Armenians, the Azeri Turks of Azerbaijan, and the Chechens; others are smaller and obscure, such as the Ingush, the Ossetes, the Avars, the Abkhaz, the Balkhars, the Kumyks, the Mingrelians, and the Meskhetian Turks.<sup>33</sup>

In a similar vein, Martin Cook poses this insightful question: “How does one deal with the fact that, in much of the world, membership in a particular ethnic group within an internationally recognized border is more an indicator of one’s identity than the name of the country one one’s passport.”<sup>34</sup> Indeed, close scrutiny of a cultural-linguistic map of the region<sup>35</sup> highlights many of the challenges. Ethnic Georgians largely inhabit Georgia, are generally of the Eastern Orthodox Christian faith, and are one of the group comprising the Caucasian group of peoples. Armenians, an Indo-European people, are found in Armenia and the Nagorno-Karabakh. Azeris, a Turkic people belonging to the Altaic group, tend to be Shia Muslim. Thus, one can consider the borders between Georgia-Armenia and Azerbaijan-Iran-Turkey as a “civilizational fault line” envisioned by Samuel Huntington.

There are significant cultural and religious differences that must be respected and recognized; perhaps most characteristic of the region is the Christian-Muslim split between Armenia and Azerbaijan. Once again, Robert Kaplan notes this stark contrast from his travels throughout the Caucasus:

For Armenians, Karabakh is the last outpost of their Christian civilization and a historic haven of Armenian princes and bishops before the eastern Turkic world begins. Azerbaijanis talk of it as a cradle, nursery, or conservatoire, the birthplace of their musicians and poets. Historically, Armenia is diminished without this enclave and its monasteries and its mountain lords; geographically and economically, Azerbaijan is not fully viable without Nagorny Karabakh.<sup>36</sup>

The Southern Caucasus is replete with ethnolinguistic groups that defy political boundaries and are increasingly seeking self-identification. According to author Svante Cornell, ethnic minorities in the Southern (as well as Northern) Caucasus had several choices when it came to self-identification—the choices included the tribe/clan to which they belonged, the nation whose territory they lived in, or a supra-

national entity such as religion, as in the case of Islam. With the dissolution (or devolution) of the Soviet Union, many are choosing tribal or clan relationships in lieu of the other choices—the Abkhaz or Ossetes, for example in the two breakaway republics of Georgia. Unfortunately for the Caucasian republics, Cornell observes: “So far, it seems that most minorities have refused to adopt the national identity of their republic of residence.”<sup>37</sup> As noted previously, with 50 distinct ethnic and cultural groups in the region, this does not bode well for either state or regional identity in the Southern Caucasus. Cornell also warns that stronger group identity, and not discrimination by the state, is what is driving an “...increasingly conflictual attitude of minorities.”<sup>38</sup>

Another issue in the Southern Caucasus is the presence of national narratives that includes themes of genocide and victimization. Foremost is the Armenian genocide of 1915 which has already been mentioned. Despite years of haggling over this issue, Turkey still refuses to acknowledge its role as a perpetrator of genocide. As a result, Turkish-Armenian relations are strained and land borders between the two countries remained closed. Rather than a mere vestige of the distant past, the Turkish ethnic cleansing of the Anatolian Peninsula remains a key driver in the relations between the two nations. Another example is the Khojaly massacre of 1992 during the Nagorno-Karabakh War, in which Armenian armed forces massacred a large number of civilian non-combatants, interspersed with a few militiamen—the total death toll estimated at 485.<sup>39</sup>

A third issue in this section regards IDPs, which are a direct result of the previously “hot” conflicts in both Georgia and Azerbaijan. CGSOC students are already familiar with the number of persons displaced as a result of the Nagorno-Karabakh conflict. That number is estimated to be as high as 724,000 ethnic Azerbaijanis from the N-K and 413,000 Armenians from Azerbaijan proper.<sup>40</sup> Perhaps less well known are the ethnic Georgians displaced from Abkhazia and South Ossetia during the 2008 Russo-Georgian War. An estimated 250,000 fit into this category.

So what are the ethical implications of this complex panoply of cultures, narratives, and displaced populations? American policy and EUCOM programs must emphasize respect for cultures, consideration of narratives, and protection of IDPs, especially in the case of future conflict. Regarding strategic themes and messages, the U.S. must be careful not to exacerbate existing tensions or to take actions that impart favor to one side or the other, especially in the case of the volatile Nagorno-Karabakh. Regarding narratives, the U.S. must be careful not to diminish ethnic minorities or ignore the importance of narratives to the affected publics. As Stratfor founder George Friedman observes, “The fact is that we all have memories, and all but the most powerful nations feel victimized by some wrong that cannot be made right. This is true in the Balkans, and this is certainly true in the Caucasus. Failure to understand the passions of others can lead you into grave political error.”<sup>41</sup> Author Thomas de Waal recommends that Armenia and Azerbaijan develop a “third narrative,” one that emphasizes cooperation instead of recent animosities viewed through a single lens. Perhaps de Waal’s solution is the only one that can put an end to the Nagorno-Karabakh conflict once and for all.

Protecting IDPs will be a critical issue in any future lethal application of the military element of power in the Southern Caucasus. Indeed, it characterizes the environment today, given the current state of affairs along the LoC in the Nagorno-Karabakh:

Given the close proximity of civilians to the front lines, heavy casualties would be likely from shelling or other military deployments. Both sides [Armenia and Azerbaijan] alleged that other engaged in atrocities during the April 2016 escalation, which Minsk Group co-chairs condemned in their December 2016 statement. Humanitarian agencies in the region are beefing up their capacities and developing contingency plans.<sup>42</sup>

Should EUCOM find itself in a lethal war in the Southern Caucasus, protection of IDPs will be a key concern. The issue is made more complex by the fact that the region's host nation governments are not known for their strong record of human rights; indeed, Azerbaijan is heavily criticized for its repression of NGOs, which would play a key role in the protection of civilians in any future scenario.

## Infrastructure

*“How should the U.S./EUCOM protect U.S. interests in a region where energy resources and pipelines are ubiquitous and competition for new infrastructure is fierce?”*

Perhaps no single area represents the potential future of the Southern Caucasus as does infrastructure. Indeed, despite the plethora of closed borders, frozen conflicts, enclaves as well as exclaves, a remarkable latticework of roads, railways and oil and gas pipelines overlays the region. Unfortunately, the lines tend to be either east west or north south in orientation, not fully incorporating all regional states, in particular Armenia.

An aerial view of the Caspian is revealing, as is any map of the Caucasus region that portrays oil or gas lines, roads or railroads. The region is truly being integrated into a modern day “Silk Road.” Parag Khanna, author of *Connectography: Mapping the Future of Global Civilization*, refers to this phenomenon as “inclusive remapping,” which he considers an imperative for progress in the future world order.<sup>43</sup> (This in contrasted with “exclusive remapping,” illustrated by Russia’s seizure of Georgian territory in 2008, as well its aggression against the Crimea and the eastern Ukraine in 2014). The author takes this argument farther, and considers inclusive remapping as an ethical imperative:

The touchstone of morality in a global society is leveraging connectedness for utilitarian ends: achieving the greatest good for the greatest number of people. We must apply John Rawl’s test of societal morality on a global scale, judging ourselves by how we treat those at the bottom and justifying inequality to the extent that it improves the lives of the poorest... We are, in fact, on the right track: Globalization and connectivity have improved the quality of life for billions of people even if they have also made high inequality inevitable.<sup>44</sup>

For the application of U.S. elements of power, particularly diplomatic and economic, there are multiple ethical implications of pursuing infrastructure improvements in the Southern Caucasus, in a manner similar to U.S. backing of the successful Baku-Tbilisi-Ceyhan (BTC) pipeline. (Indeed, Parag Khanna considers the completion of the pipeline as an “anti-clash of civilizations” example, where multiple states (Azerbaijan-Georgia-Turkey) overcame cultural barriers in the name of greater connectivity). First, the U.S. must again balance its interests with the realities of the region, taking into account the increasingly authoritarian government of Azerbaijan, for example. While energy companies don’t necessarily care about this issue, America must consider it in its foreign policy calculus. Additionally, several nations in the region have state-owned oil or natural gas concerns, particularly Gazprom in Russia and SOCAR—the State Oil Company of the Azerbaijan Republic—that immediately politicize any trans-regional infrastructure plans into potential zero-sum games, as discussed earlier in this paper. From a EUCOM perspective, protection of infrastructure is a potential concern, particularly in any future conflict involving use of force. While there are indications that even Russia purposely avoided damaging the BTC pipeline in during the 2008 Russo-Georgia War, there are no guarantees that future adversaries will avoid damage to the region’s extensive energy infrastructure. EUCOM would have to be prepared in its application of the joint function of protection, and consequence management should any of the network of pipelines be damaged.

Infrastructure improvements is perhaps one thing people can agree upon, from a policy perspective. Jeffrey Mankoff offers this recommendation:

Beyond energy, Washington should encourage the construction of new transportation links, such as roads, railways, and ports that will make it easier to link the Big Caucasus region [including the republics of the North Caucasus] to the outside world and to global markets.<sup>45</sup>

If there is an ethical imperative to improve global connectivity, then the U.S. will have to balance that tendency with its national security calculus. If the Southern Caucasus is to benefit as a region, then a previously neglected state such as Armenia must take part in its “inclusive remapping.”

## **Conclusion**

As has been shown by the preceding analysis, the Southern Caucasus countries present multiple ethical challenges that should inform the application of U.S. elements of power in the region. Because the U.S. is not likely to go to war anytime soon, most of these challenges influence elements of power applied at the lower end of the range of military operations spectrum. This is in spite of the April 2016 escalation of the conflict in the Nagorno-Karabakh between Armenia and Azerbaijan and some analysts’ view that it marked a certain run-up to future conflagration. Thus, the laws of armed conflict, which ideally apply to all combatants, will most likely have less applicability for the United States and, by extension, EUCOM given the current situation in the Southern Caucasus. As in the past, much U.S. involvement in the region will be in the non-lethal realm at the lower end of the range of military operations spectrum.

For American policy, these areas include negotiation, state building, developmental aid and security assistance. For EUCOM, any operations along the ROMO spectrum will support GEN Scaparrotti’s overarching priority to deter Russia and defend against any potential aggression, especially within the bounds of the European Deterrence Initiative (EDI). At the present, the “heavy lifter” within the region is Georgia, which continues to support the Afghanistan mission (Operation Resolute Support) in much broader numbers than either Armenia or Azerbaijan. This is reflected in the relatively higher foreign assistance America provides to Georgia when compared with its two neighbors.

The ethical considerations in this paper, by no means exhaustive, are representative of the many challenges associated with this unique and historic land bridge between Europe and Asia. The Southern Caucasus continues to be a volatile region that seems to plod along with its frozen conflicts, closed borders and ethno-cultural tensions. Yet, it continues to command attention and respect for its energy resources, fledgling democracies and developmental potential. While overall American and EUCOM efforts in the region are relatively low when compared to other regions—due in no small part to increasingly authoritarian regimes—the potential exists for much greater levels of involvement. Either the region will continue to implode or devolve into major war, or it will adapt a version of de Waal’s “third narrative” and finally solve the long-term conflicts and grievances that beset the region. In either scenario, the ethical considerations presented in this paper will no doubt challenge decision makers as they navigate either course towards a more stable, peaceful and productive South Caucasus region.

## End Notes

- 1 ADRP 1, *The Army Profession*, (Washington, D.C.: U.S. Government Publishing Office, June 2015), 2-6.
- 2 *Ibid.*, 5-1.
- 3 *Foreign Affairs* Snapshot, 10 Oct 16, “The South Caucasus Unfreezes: Why Russia Is the Biggest Winner,” Jeffrey Mankoff. Accessed Feb 22, 2018. <https://www.foreignaffairs.com/articles/russia-fsu/2016-10-10/south-caucasus-unfreezes>.
- 4 Robert D. Kaplan, *Eastward to Tartary: Travels in the Balkans, the Middle East, and the Caucasus*. (New York: Vintage Departures, 2000), 226.
- 5 Jim Nichol, *Armenia, Azerbaijan, and Georgia: Political Developments and Implications for U.S. Interests*, (Washington, D.C.: Congressional Research Service, 2 April 2014), 18.
- 6 Jeffrey Mankoff, “The Big Caucasus: Between Fragmentation and Integration,” Center for Strategic and International Studies, March 2012. The seven republics of the Russia’s North Caucasus include Chechnya, Dagestan, North Ossetia, Ingushetia, Karachevo-Cherkessi and Kabardino-Balkaria.
- 7 Administrative Map of Caucasus in USSR, 1952-1991.
- 8 George Friedman, *Flash Points: The Emerging Crisis in Europe* (New York: Doubleday, 2015), 255.
- 9 Thomas de Waal, *Black Garden: Armenia and Azerbaijan Through Peace and War*. (New York: NYU Press, 2013), 8.
- 10 Parag Khanna, *Connectography: Mapping the Future of Global Civilization* (New York: Random House, 2016), xvii.
- 11 “Nagorno-Karabakh: New Opening, or More Peril,” *International Crisis Group Europe Report No. 239* (Brussels: International Crisis Group Headquarters, 4 Jul 2016), 2-4.
- 12 Khanna, 81.
- 13 Alexander Clapp, “Prisoner of the Caucasus.” *The National Interest*, March/April 2017, 53.
- 14 Jane’s by IHS Markit, “Jane’s Sentinel Security Assessment—Russia and the CIS” (2017).
- 15 Statement of GEN Curtis M. Scaparrotti, USA, Commander, U.S. European Command, before the U.S. Senate Committee on Armed Services (March 8, 2018), 4.
- 16 Jane’s by HIS Markit, “Jane’s Sentinel Security Assessment-Russia and the CIS: Abkhazia,”4.
- 17 Tracey German, “Securing the South Caucasus: Military Aspects of Russian Policy Towards the Region Since 2008.” *Europe-Asia Studies*, Vol. 64, No. 9, Nov 2012, 1653.
- 18 Andrew C. Kuchins and Jeffrey Mankoff, *The South Caucasus in a Reconnecting Eurasia: U.S. Policy Interests and Recommendations*. Center for Strategic and International Studies, October 2016, 12.
- 19 22 U.S. Code 2378d, “Limitation on Assistance to Security Forces.” Accessed January 26, 2018. <https://www.law.cornell.edu/uscode/test/22/2387d>.
- 20 Partnership Action Plan on Defence Institution Building Reference Curriculum, NATO, undated.
- 21 Generic Officer Professional Military Education Reference Curriculum, NATO, undated.
- 22 Regarding the comments on PME, the author has experience developing PME with another IPAP member, Moldova, during the period 2009-2014. Moldova is similar to Georgia, in that it has a Russian-occupied breakaway region, the Transnistria, on its eastern border with Ukraine. The Moldovan Armed

Forces were very receptive to the NATO curriculum and adopted key elements of it as they developed a “Master’s Course,” which replicates elements of both intermediate and senior staff colleges in the United States armed forces. While similar efforts are taking place in Georgia, Armenia and Azerbaijan could follow suit in the near future.

23 “The EU’s Eastern Partnership: Disappointed Suitors.” *Economist*, October 7, 2017, 55.

24 “Freedom in the World 2018: Democracy in Crisis.” Accessed March 26, 2018. <https://freedomhouse.org>.

25 Ibid.

26 Freedom House, Georgia Report 2018. Accessed Mar 26, 2018, 3. <https://freedomhouse.org>.

27 Freedom House, Armenia Report 2016. Accessed Dec 9, 2017, 1. <https://freedomhouse.org>.

28 Freedom House, Azerbaijan Report 2016. Accessed Dec 9, 2017. <https://freedomhouse.org>.

29 Human Rights Watch, “World Report 2017: Azerbaijan.” Accessed January 1, 2018.

30 Millennium Challenge Corporation, “Armenia Compact.” Accessed April 19, 2018. <https://www.mcc.gov/where-we-work/program/armenia-compact>.

31 Federal Register, Vol. 81, No. 77/Thursday, April 21, 2016/Notices/Public Notice 9529.

32 According to the Foreign Assistance website, total planned foreign assistance dropped from \$44.87 billion in FY2017 to \$28.39 billion in FY2018, for a decrease of almost 37%.

33 Kaplan, 227.

34 Martin L. Cook, “Ethical Issues in War: An Overview,” Chapter 16 in *U.S. Army War College Guide to National Security Issue, Volume II: National Security Policy and Strategy*, J. Boone Bartholomees, Jr., ed. (Carlisle: Strategic Studies Institute, 2012), 219.

35 Ethnolinguistic Groups in the Caucasus Region, map.

36 de Waal, 1.

37 Cornell, 455.

38 Ibid., 456.

39 de Waal, 184.

40 “Nagorno-Karabakh,” 6.

41 Friedman, 147.

42 Magdalena Grono, “Looming Dangers One Year after Nagorno-Karabakh Escalation,” *International Crisis Group Commentary*, 31 Mar 2017. Accessed Jan 25, 2018. <https://www.crisisgroup.org/europe-central-asia/caucasus/nagorno-karabakh-azerbaijan/looming-dangers-one-year-after-nagorno-karabakh-escalatio>.

43 Khanna, 80-81.

44 Ibid., 384.

45 Mankoff, 30.

# Just War Theory: North Korea and Preemptive War

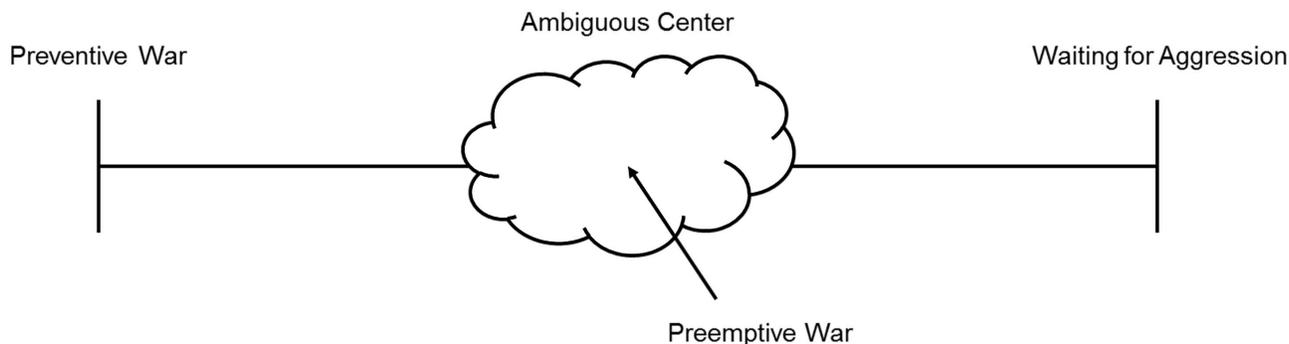
by Zachary L. Morris

In December, Secretary of Defense James Mattis said that “storm clouds are gathering” over Korea, and while he hoped for a diplomatic solution, there is “little reason for optimism.”<sup>1</sup> Senator Lindsey Graham echoed Secretary Mattis’ sentiments when he estimated that there was a 30 to 70 percent chance of war between the United States (U.S.) and North Korea, officially known as the Democratic People’s Republic of Korea (DPRK).<sup>2</sup> Reports have also suggested the U.S. is considering preemptive strikes against North Korea.<sup>3</sup> Kori Schake, from the Hoover Institution, has stated the Trump Administration “sounds eerily and increasingly like the George W. Bush administration in the run-up to the Iraq war” when discussing North Korea.<sup>4</sup> Many people fear the Trump administration is building a war cabinet with John Bolton and Mike Pompeo.<sup>5</sup> John Bolton, the new National Security Advisor, has regularly espoused extremely hawkish positions and outlined his views in a Wall Street Journal op-ed titled “The Legal Case for Striking North Korea First.”<sup>6</sup> Mike Pompeo, the serving CIA director and, pending confirmation, incoming Secretary of State, has also supported extremely hawkish views and has made several remarks apparently endorsing a first strike against the DPRK.<sup>7</sup> Contrasted with these concerns, several positive developments have occurred recently, including North Korea’s participation in the South Korean hosted Winter Olympics, discussion about a Korean War peace treaty, Kim Jong-un’s cancellation of further nuclear and missile testing, and a planned summit between President Trump and Kim Jong-un. While these are all positive signs for diplomacy, some analysts are concerned that “if negotiations fail, the administration might conclude that a military strike is the only way forward, greatly increasing the chance of war.”<sup>8</sup>

However, based on Just War Theory, a preemptive attack against North Korea is currently unjustified. Of the three required conditions for a justified preemptive attack, within the exception to just cause called “anticipation,” the North Korean case meets only one. The three conditions necessary for a preemptive attack are: 1) an adversary that displays a manifest intent to injure; 2) a degree of active preparation that makes the intent and danger actual, and; 3) a situation in which waiting is no longer an option. The paper follows in five sections. The first explains the concept of just cause within *Jus ad Bellum* and the conditions necessary for a justified preemptive war. The second section argues North Korea meets the first required condition of a manifest intent to injure. The third section explains that North Korea does not meet the condition of active preparation. Active preparation, in this context, focuses on the conditions necessary for an adversary possessing weapons of mass destruction (WMD). Those conditions are a recent history of: using WMD, committing international aggression, or deliberately targeting civilians in wartime. The fourth section argues that there is still time and other options are available for the U.S. to resolve the tension; hence, North Korea does not meet the third required condition. Finally, the paper concludes by examining a few potential conditions which could justify a preemptive attack on North Korea and argues that the U.S. should maintain strict standards for the justification of preemptive war.

## Just War Theory: Three Conditions for Preemptive Attack

The core principles of Just War Theory aim to limit the incidence and destructiveness of war.<sup>9</sup> The principles of *Jus Ad Bellum*—just cause, right intention, public declaration of war by a proper authority, last resort, probability of success, and proportionality—recognize that while war is sometimes morally permissible,



**Figure 1. Spectrum of Anticipation.<sup>10</sup>**

the occasion for war is limited.<sup>11</sup> This analysis focuses on the exception to the principle of just cause called “anticipation.” Just cause requires that states resort to force only to defend themselves or others from aggression, and aggression is defined as the violation of a state’s right to territorial integrity and political sovereignty.<sup>12</sup> The exceptions to just cause carefully expand the moral justification for resorting to war beyond the basic limit of responding to interstate aggression.<sup>13</sup> Anticipation, or preemptive war, focuses on finding the point between legitimate and illegitimate first strikes.<sup>14</sup> The point, depicted in Figure 1 (See above.), lies in “anticipation’s” morally ambiguous spectrum between preventative war on one extreme and the unrealistic requirement of waiting for aggression on the other extreme.<sup>15</sup>

At one end of the spectrum of anticipation lies preventative war. States fight preventative wars to maintain the balance of power or to stop an unfavorable change in the potential future which could result in inferiority.<sup>16</sup> The most frequent arguments offered for preventative war are utilitarian or realist based—i.e. fight now to avoid future costs and gain future benefits.<sup>17</sup> The argument is often summarized as: the current balance of power preserves liberty, or our way of life, and is worth defending, and; fight early, before the balance tips decisively, which greatly reduces costs and risks while waiting doesn’t mean avoiding war, but only fighting on a larger and more costly scale.<sup>18</sup> Preventative war is illegal and considered unethical by Just War scholars and experts.<sup>19</sup> Preventative war is morally unjustified because the danger which states intend to limit is distant and speculative.<sup>20</sup> Given the uncertainties of power politics, there are limited practical and universal ways of deciding morally when to fight on utilitarian principles.<sup>21</sup>

Just War Theory provides some guidance and criteria to traverse the morally ambiguous spectrum of “anticipation” to find the ethically justified preemptive attacks. A preemptive attack is a military strike in which a state attacks first, not out of aims for a distant future, but for immediate aims to preempt an attack the state knows is coming in the very near future.<sup>22</sup> Just War Theory has three required conditions which help guide when a preemptive attack is justified. Only when a potential adversary meets all three conditions is a preemptive attack justified.<sup>23</sup> The three conditions are: “a manifest intent to injure, a degree of active preparation that makes that intent a positive danger, and a general situation in which waiting, or doing anything other than fighting, greatly magnifies the risk.”<sup>24</sup> Based on these criteria, states may use military force in the face of threats of war, whenever the failure to do so would seriously risk their territorial integrity or political independence.<sup>25</sup> The Six Day War is often used as the prime example of a justified preemptive attack.<sup>26</sup> In 1967, Israel’s attack was justified because Egypt’s actions revealed a determined enemy which compelled an Israeli attack.<sup>27</sup> Egypt’s actions—including closing the Straits of Tiran, massing forces on the border, expelling the United Nations peacekeepers, and expanding military alliances—forced an attack by requiring Israeli mobilization, disrupting Israel’s economy, and creating an unsustainable security situation

for Israel. Egypt met all three conditions by demonstrating a manifest intent to injure, preparing in such a way that actively caused harm, and creating a situation in which Israel could not delay action.

However, there are many common misconceptions about what actions and threats might fulfill the conditions required to justify a preemptive attack. Because the initiation of violence and war is a significant moral event, the burden of proof falls on the initiator of violence.<sup>28</sup> Rhetoric, boastful ranting, and provocations that political leaders often use is not itself threatening.<sup>29</sup> Fear is also not a justification of, or by itself a right to, a preemptive attack.<sup>30</sup> An actual injury and harm must be caused, just not necessarily physically or by violence.<sup>31</sup> Further, the rough and tumble behavior of states in international competition does not necessarily serve as a justification for preemptive attacks. Hostile acts short of war, even those involving violence, are not automatically justification for war because they may represent restraint or an offer to quarrel within limits.<sup>32</sup> In the Six Day War example, Egypt's actions were causing actual and significant harm to Israel and its population. Egypt's actions required Israel's military to remain mobilized, actively disrupting the Israeli economy and society in harmful ways. Without Israel's preemptive attack, Israel would have either suffered severe economic damage, or demobilized and lived in a constant state of existential threat from adversaries massed on its border. Thus, detailed analysis is necessary on a case by case basis to determine if a potential adversary meets each of the required conditions necessary for a justified preemptive attack.

### **Condition 1: A Manifest Intent to Injure**

The first condition for a justified preemptive attack is a manifest intent to injure by a determined enemy committed to doing severe harm to a political community.<sup>33</sup> An intent to injure is often revealed by either a bitter history of conflict between communities, or through recent and explicit threats.<sup>34</sup> These indicators must be current and specific and are often associated with concrete actions.<sup>35</sup> In 1967, Egypt and Israel were bitter and determined enemies. A recent history of conflict between Egypt and Israel existed, with wars in 1948 and 1956. Additionally, in the three weeks leading up to the June 5 attack, President Nasser took several actions to reinforce this enmity. President Nasser stated that if war occurred, Egypt's goal would be the complete destruction of Israel.<sup>36</sup> Egypt also closed the Straits of Tiran to Israeli commerce, massed forces on the border, expelled the United Nations Emergency Force from the Sinai and Gaza Strip, and expanded a military alliance with Syria to include Jordan and Iraq.<sup>37</sup> The recent history between the states, rhetoric, and physical actions, all clearly revealed that Egypt was a bitter and determined enemy intent on injuring Israel.

The DPRK has a history of animosity and tension going back decades with the U.S. and its allies South Korea and Japan. The U.S. relationship has been turbulent since the Korean War, which ended in an armistice in 1953. While there are some recent positive signs, including a possible discussion about a peace treaty with South Korea, relations remain tense.<sup>38</sup> Over the decades, the DPRK has attacked U.S. aircraft and personnel, shelled South Korea, sunk a South Korean warship, imprisoned American civilians, and abducted Japanese citizens.<sup>39</sup> In 2010, tension between South Korea and North Korea amplified, with North Korea sinking a South Korean naval vessel, which killed 46 sailors, and shelling Yeonpyeong Island—killing two South Korean civilians.<sup>40</sup> In November 2014, North Korea also conducted a sophisticated cyberattack against Sony Pictures Entertainment which disrupted the company's communication systems, released employees' information, and leaked films.<sup>41</sup> Official diplomatic relations between the U.S. and the DPRK remain extremely limited between both states.<sup>42</sup> Kim Jong-Un's use of aggressive and belligerent rhetoric also displays a deep ideological animosity for the U.S. and its allies.<sup>43</sup> The recent war of words between the Trump administration and Kim's regime has significantly heightened tension, further exacerbating the relationship.<sup>44</sup> Thus, recent history demonstrates that the DPRK remains a bitter and determined enemy of the U.S.

While there is a strong history of animosity and bitter enmity between the DPRK and the U.S., several other factors are worth considering. First, the majority of North Korea's belligerence has been directed at South Korea and other regional allies.<sup>45</sup> However, South Korea, Japan, and several other regional allies currently do not support a preemptive strike, even though they are the most threatened by North Korea. South Korean President Moon Jae-in has even claimed a veto right over any U.S. military action on the peninsula, expressing fear that the U.S. will start a war that South Korea will pay the price for.<sup>46</sup> Second, since Kim Jong-un assumed power in 2011, North Korean external belligerence has generally been limited to rhetoric and extensive nuclear and missile testing. While rhetoric and nuclear testing is concerning, such examples are far less belligerent than the actual cross border clashes which occurred in 2010. Kim has also demonstrated a willingness to reduce tension with both South Korea and the U.S. since North Korea's participation in the 2018 Winter Olympics. Thus, while North Korea meets the Just War Theory condition of a manifest intent to injure by a determined enemy, the analysis is arguable and possibly trending in a positive direction.

### Condition 2: A Degree of Active Preparation

The second required condition for a justified preemptive attack is “a degree of active preparation that makes that intent a positive danger” and serves as actual preparation for war.<sup>47</sup> Malign intent, even with a violent history, is not enough to justify a preemptive attack.<sup>48</sup> A common standard is that the adversary's preparation must be actively committing harm in some way, such as the Egyptians were doing in 1967.<sup>49</sup> In 1967, Egypt was actively committing harm by forcing Israel to remain mobilized, forming new and threatening alliances, and reducing Israel's economic security.<sup>50</sup> Active preparation, depending on the context, has conventionally been considered actions such as military mobilizations, new alliances, naval blockades, or border incursions.<sup>51</sup> North Korea does not meet these conventional standards of active preparation currently.

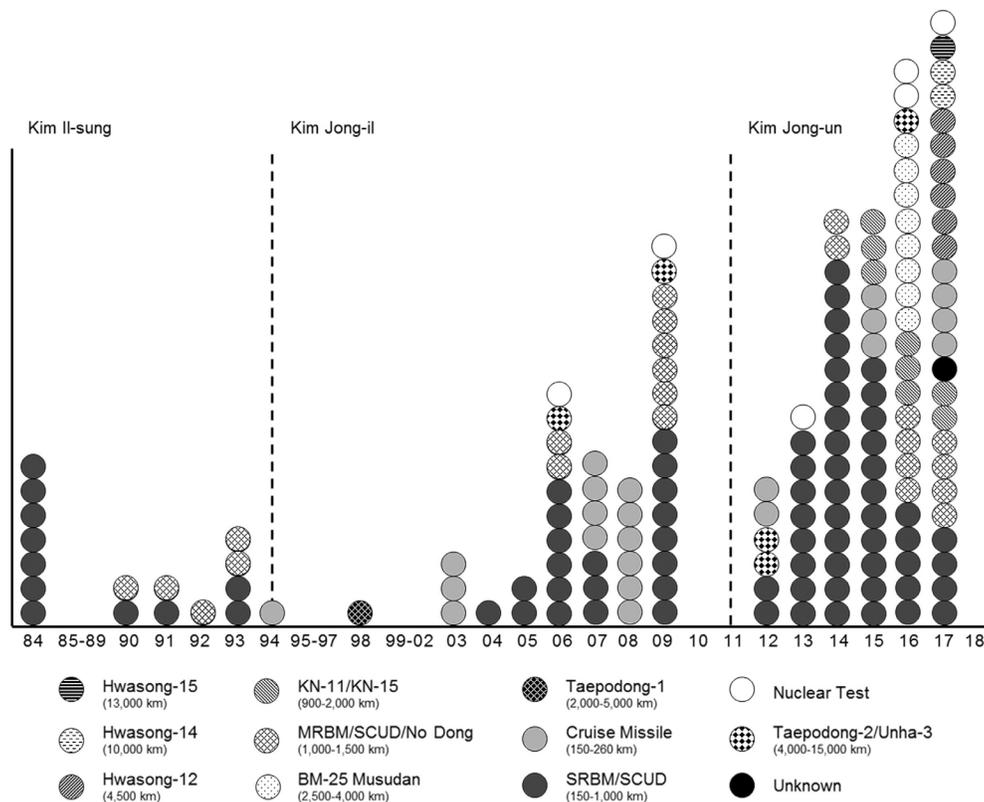


Figure 2. North Korean Ballistic Missile and Nuclear Weapon Tests.<sup>52</sup>

However, the concern related to North Korea focuses on their development of nuclear weapons. Just War scholars argue that mere possession of nuclear weapons does not count as a severely threatening military capacity and preparation. However, nuclear weapons can count as justification when coupled with a recent history of using them, committing international aggression, or having deliberately targeted civilians in wartime.<sup>53</sup> North Korea does not currently meet any of these standards regarding nuclear weapons.

North Korea has not yet used nuclear weapons, or WMD, for aggression against another state. The DPRK possesses substantial chemical, biological, and some nuclear weapons capabilities.<sup>54</sup> Current estimates of nuclear weapons generally range from between 20 and 60 warheads.<sup>55</sup> However, the current Kim regime has not used these weapons against a foreign state. The DPRK has focused on testing and development thus far, while at times using tests of both nuclear weapons and Inter-Continental Ballistic Missiles (ICBMs) to rile other states. Kim Jong-un has radically accelerated the speed and volume of testing over the previous Kim regimes, as depicted in Figure 2.<sup>56</sup> (See page 104.) While these tests and capability developments are provocative, it does not constitute use against a foreign state. Further, approximately 25-40 percent of these tests appear to fail.<sup>57</sup> The only arguable use of WMD centered on the assassination of Kim Jong-un's half-brother, Kim Jong-nam, at the Kuala Lumpur airport on 13 February 2017.<sup>58</sup> However, while this attack violated international law and was detestable, it did not constitute an attack on a foreign nation. Thus, while the DPRK clearly possesses the capability to employ various WMD, they have not yet actually used any of these systems against a foreign nation.

The current Kim regime has not committed aggression against a foreign state that constitutes an act of war. While the DPRK has conducted many belligerent acts—including cyberattacks in 2014, aggressive missile and nuclear weapons testing, assassinations, domestic purges, and virulent rhetoric—Kim Jong-un's DPRK has remained below the threshold of war and initiated less direct violence against other states than previous regimes. North Korea has not fought a war since 1953, under Kim's grandfather, Kim Il-sung. Further, Kim Jong-un has not had a violent border clash reminiscent of his father Kim Jong-il in 2010 when North Korea sank a South Korean navy corvette and shelled Yeonpyeong Island.<sup>59</sup> Thus, Kim Jong-un has skillfully remained below the threshold of war, because nonlethal cyberattacks, rhetoric, and weapons development do not constitute aggression in international law or Just War Theory.<sup>60</sup> While there is a history of animosity and tension, North Korea under Kim Jong-un has not committed recent aggression which could justify a preemptive attack due to nuclear weapons possession.

Kim Jong-un's regime has not deliberately targeted foreign civilians during wartime, denying the final potential condition for justifying a preemptive attack based on nuclear weapons possession. While the Kim regime uses extreme brutality against its own domestic population—including violent purges, assassinations, and political prison camps—the DPRK has been relatively restrained in recent years regarding foreign civilians.<sup>61</sup> The last time North Korea killed foreign civilians during border conflicts was in 2010, under Kim Jong-il. However, after shelling Yeonpyeong Island and killing two South Korean marines and two civilians in November 2010, North Korea rapidly deescalated the crisis, potentially indicating a desire to limit escalation and minimize foreign civilian casualties.<sup>62</sup> Further, North Korea clearly possesses the capability to inflict significant civilian casualties should they choose to do so.<sup>63</sup> While there is widespread belief that North Korea would target civilian population centers in the event of a conflict, the regime has not done so yet.<sup>64</sup> Thus, though North Korea's domestic human rights behavior and the expectation of civilian targeting during a future war is concerning, the DPRK has not met the standard of justification for Just War Theory or a preemptive attack.

Based on this analysis, North Korea does not currently meet the second Just War Theory condition for a justified preemptive attack. The Kim regime has not taken the positive actions required to demonstrate active preparation in a conventional sense, nor has the DPRK committed actual harm recently. Further, the DPRK fails to meet any of the stringent requirements necessary to justify a preemptive attack based on

WMD possession. While there are concerns that North Korea could use its nuclear capability as a deterrent shield for international aggression, most analysts agree that North Korea is developing nuclear capabilities primarily for deterrent and political reasons.<sup>65</sup> In May 2017, Director of National Intelligence Dan Coats reaffirmed the intelligence community's assessment that "Pyongyang's nuclear capabilities are intended for deterrence, international prestige, and coercive diplomacy."<sup>66</sup> North Korea has also consistently asserted that its weapons are for deterrence, as in the 2013 Law on Consolidating Position of Nuclear Weapons State which outlined the DPRK's deterrent policy.<sup>67</sup> In September 2017, the North Korean foreign minister followed the same line at the United Nations General Assembly, stating "[North Korea's] national nuclear force is, to all intents and purposes, a war deterrent for putting an end to nuclear threat of the U.S. and for preventing its military invasion."<sup>68</sup> Thus, while WMD capabilities are concerning, North Korea's testing and development is likely focused on deterrence and does not constitute active preparation as a justification for preemptive attack.

### **Condition 3: Waiting No Longer an Option**

The third necessary condition to justify a preemptive attack based on Just War Theory is a situation in which waiting, or doing anything other than attacking, greatly magnifies the risk.<sup>69</sup> The timespan that defines the limit of waiting is certainly not hours or days, but also probably not months or years.<sup>70</sup> What this condition seeks to impose is a restriction that no other reasonable options exist to address the current threatening conditions. In the 1967 Six Day War example, most scholars focus on the three weeks leading up to the conflict.<sup>71</sup> During the weeks before the preemptive attack, Israel did attempt to address the situation using diplomacy and other means.<sup>72</sup> However, once Iraq joined the Arab alliance and the situation became dire, Israel's options disappeared, and Israel attacked the next day.<sup>73</sup> Thus, the timeframe in which states may consider a preemptive attack is ambiguous and not clearly defined, but should generally be within a few weeks or, at most, months.

North Korea currently does not meet the immediate response criteria required for a justified preemptive attack because there are still other options available for U.S. leaders to resolve the crisis.<sup>74</sup> As recent events have demonstrated, including Kim Jong-un's offer to negotiate and pause weapons testing, the U.S. and allies still possess diplomatic opportunities to deescalate the tension.<sup>75</sup> Further, some analysts question whether North Korea could even effectively attack the U.S. with nuclear weapons, and several suspect that the DPRK would require a year or more, and many tests, before having a truly threatening capability.<sup>76</sup> North Korea has thus far only conducted three tests of the Hwasong-14 and Hwasong-15 ICBMs that demonstrated a reasonable capability of reaching the continental U.S.<sup>77</sup> The DPRK still potentially faces significant technological hurdles before being capable of striking the U.S. effectively—including developing a survivable reentry vehicle, miniaturizing a warhead for intercontinental travel, achieving accuracy in targeting, defeating U.S. ballistic missile defense systems, and improving warhead power.<sup>78</sup> Thus, North Korea's capabilities to even threaten the U.S. currently are questionable and time remains for other options.

While North Korea possesses questionable capability to threaten the continental U.S., the DPRK clearly has the capability to threaten South Korea, Japan, and other regional U.S. interests. However, these U.S. allies, even though they face significantly higher threats than the U.S., are not yet willing to engage in a preemptive strike.<sup>79</sup> The fact that these regional partners and allies are not yet willing to engage in a preemptive attack clearly demonstrates that the U.S. should be patient and has other options available. Further, to qualify for an inability to wait longer the potential adversary would need to meet the qualification of the second Just War Theory criteria—a degree of active preparation making the intent and danger actual. Considering North Korea does not yet meet the second criteria, it is difficult to argue that North Korea could fulfill this third and more stringent criteria of Just War Theory. Thus, on balance, the DPRK does not meet either the second or third criteria for a justified preemptive attack.

## Conclusion

A preemptive attack against North Korea is currently unjustified because North Korea does not meet the necessary conditions of active preparation, or a situation in which waiting is no longer an option. While North Korea does meet the required condition of a manifest intent to injure by a determined enemy, it fails the other two necessary conditions. North Korea has not yet conducted active preparation making the intent and danger actual, either conventionally or by having a recent history of using WMD, committing international aggression, or targeting civilians in war. The DPRK does not meet the final condition because there is time and other options still available to the U.S., and North Korea likely does not even have the capability to attack the U.S. for several months or years. Further, while this paper focuses on the exceptions to just cause within *Jus ad Bellum*, further analysis would also probably find issues within the concepts of last resort, probability of success, and proportionality. Though North Korea currently fails to meet the necessary conditions for a justified preemptive attack, the DPRK may meet those conditions in the future.

Developing potential conditions required for a future justified preemptive attack on North Korea is difficult because state action, like human action, gains its significance from its context.<sup>80</sup> However, some broad contours or outlines may be discernible. First, regional allies, such as South Korea and Japan, would probably need to agree with the assessment and contribute efforts to the preemptive attack. Regional allies' participation is probably necessary because those states are currently more threatened by North Korea than the U.S., and they will likely suffer greater costs after a war starts. Further, the U.S. would likely require their support and capabilities for a successful preemptive attack and war. Second, North Korea would need to fulfill the condition depicting active preparation for war or use of WMD. One example could be atmospheric tests of nuclear weapons in the Pacific which causes international casualties or directly impacts another state's environment. Other examples might include increased tension that results in cross border fires and deliberate targeting of civilians, or conventional preparation for an attack against South Korea or other regional state. Third, and finally, the question of time and lack of other options is extremely difficult to predetermine. Few credible predictive options exist, beyond observing missiles preparing to launch with sound intelligence about their targets. However, waiting until that late a stage is probably not required by Just War Theory.

In the end, the U.S. should seek to keep the justification for a preemptive attack at a high standard for several reasons. First, war should always be the last reasonable resort for a state to address a problem.<sup>81</sup> War is a terrible and costly event, and political leaders will make mistakes.<sup>82</sup> Most populations and states care about their morality and only want to employ violence for a just purpose.<sup>83</sup> As such, preemptive attacks should be truly exceptional, and the burden of justification falls on the attacker to prove, with evidence, that the situation meets the appropriate criteria.<sup>84</sup> Only in truly exceptional circumstances can a government publicly justify a first strike and show how such an attack is consistent with protecting its people.<sup>85</sup> Otherwise the incidence of war, and its justification, could dramatically increase. The U.S. should also limit the justification for preemptive war lest other states attempt to expand the moral justification for preemptive attacks against their neighbors. Numerous contentious regions and borders exist and opening the flood gates on justified conflict could significantly destabilize the international community. Further, giving potentially expansionist states a possible justification, such as China, Russia, and Iran, could undermine U.S. interests globally. The U.S. should discourage great powers from employing preemptive attacks as a justification against significantly weaker neighbors, or risk considerable trouble in numerous geographic areas in the future. Due to the emerging environment, future scholars and military leaders should increase the study of, and refine, our nuclear weapons criteria for preemptive strikes. This appears necessary as an increasing number of countries acquire nuclear weapons and more future conflicts potentially include nuclear armed states. Refining Just War Theory in this way could limit the incidence of conflict and help control the violence or use of such weapons in a future war.

## End Notes

1 David Barno and Nora Bensahel, “Why American’s Aren’t Really Worried About War With North Korea,” *War on the Rocks* (16JAN2018); available from <<https://warontherocks.com/2018/01/americans-arent-really-worried-war-north-korea>>. Accessed 23APR2018.

2 Ibid.

3 Ibid.

4 Kori Schake, “The North Korea Debate Sounds Eerily Familiar,” *The Atlantic* (8DEC2017); available from <<https://www.theatlantic.com/international/archive/2017/12/north-korea-iraq-war-george-w-bush-trump/547796/>>. Accessed 23APR2018. See also, Abraham M. Denmark, “The Myth of the Limited Strike on North Korea,” *Foreign Affairs Online* (9JAN2018); available from <<https://www.foreignaffairs.com/articles/north-korea/2018-01-09/myth-limited-strike-north-korea>>. Accessed 23APR2018.

5 Reva Goujon, “Trump Loads the Bolton Bullet,” *Stratfor* (27MAR2018); available from <<https://worldview.stratfor.com/article/trump-war-cabinet-bolton-pompeo-iran-north-korea>>. Accessed 23APR2018.

6 Scott D. Sagan and Allen S. Weiner, “Bolton’s Illegal War Plan for North Korea,” *The New York Times Online* (6APR2018); available from <<https://www.nytimes.com/2018/04/06/opinion/john-bolton-north-korea.html>>. Accessed 23APR2018. John Bolton, “The Legal Case for Striking North Korea First,” *The Wall Street Journal Online* (28FEB2018); available from <<https://www.wsj.com/articles/the-legal-case-for-striking-north-korea-first-1519862374>>. Accessed 23APR2018.

7 Adam Taylor, “Tillerson vs. Pompeo: Two Very Different Views of North Korea,” *The Washington Post Online* (13MAR2018); available from <[https://www.washingtonpost.com/news/worldviews/wp/2018/03/13/tillerson-vs-pompeo-two-very-different-views-of-north-korea/?utm\\_term=.4df0e4a9d5c6](https://www.washingtonpost.com/news/worldviews/wp/2018/03/13/tillerson-vs-pompeo-two-very-different-views-of-north-korea/?utm_term=.4df0e4a9d5c6)>. Accessed 23APR2018.

8 Victor Cha and Katrin Fraser Katz, “The Right Way to Coerce North Korea,” *Foreign Affairs* (May/June2018); available from <<https://www.foreignaffairs.com/articles/north-korea/2018-04-01/right-way-coerce-north-korea>>. Accessed 23APR2018.

9 Brian Orend, *The Morality of War*, 2<sup>nd</sup> ed. (Toronto, Canada: Broadview Press, 2013), 33.

10 Figure developed by author.

11 Orend, 33-64. *Jus ad Bellum* means “justice before war” and encompasses the moral principles of Just War Theory related to going to war.

12 Ibid., 34-43 & 80.

13 Ibid., 71.

14 Michael Walzer, *Just and Unjust Wars*, 4<sup>th</sup> ed. (New York: Basic Books, 2006), 81.

15 Ibid., 75.

16 Ibid., 76.

17 Orend, 78.

18 Walzer, 77.

19 Ibid., 79. Orend, 79.

20 Orend, 79.

21 Walzer, 77.

22 Orend, 79. Another definition of a preemptive attack is: “an attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent.” Robert M. Lawrence, “The Preventive/Preemptive War Doctrine Cannot Justify the Iraq War,” *Denver Journal of International Law and Policy* 33, no. 1 (Winter 2004): 16.

23 Ibid., 79.

24 Walzer, 81.

25 Ibid., 85.

26 Ibid., 82-85.

27 Ibid., 84-85.

28 Ibid., 82 & 83. Orend, 79-80.

29 Walzer, 80-81.

30 Ibid., 84.

31 Ibid., 81.

32 Ibid., 80-81.

33 Orend, 79.

34 Ibid., 79.

35 Walzer, 81.

36 Ibid., 83.

37 Ibid., 82-83.

38 Choe Sang-Hun and Jane Perlez, “Treaty to Formally End Korean War is Being Discussed, South Confirms,” *The New York Times Online* (18APR2018); available from <<https://www.nytimes.com/2018/04/18/world/asia/north-korea-south-treaty.html>>. Accessed 23APR2018.

39 Michael Fuchs, “The North Korea Deal: Why Diplomacy is Still the Best Option,” *Foreign Affairs Online* (21DEC2017); available from <<https://www.foreignaffairs.com/articles/north-korea/2017-12-21/north-korea-deal>>. Accessed 23APR2018.

40 Mary Beth D. Nikitin, Emma Chanlett-Avery, and Mark E. Manyin, *Nuclear Negotiations with North Korea: In Brief* (Washington, D.C.: Congressional Research Service, 2017) 9-10.

41 Reports speculate that the attack was an attempt to punish Sony for its production of the movie “The Interview” in which American journalists assassinate Kim Jong-un. Emma Chanlett-Avery, Ian E. Rinehart, and Mary Beth D. Nikitin, *North Korea: U.S. Relations, Nuclear Diplomacy, and International Situation* (Washington, D.C.: Congressional Research Service, 2016), 18.

42 Neither state maintains an official embassy or consulate and most communication goes through the demilitarized zone (DMZ) or partner nations. However, official relations may begin again with a meeting between CIA Director Mike Pompeo and Kim Jong-un in April and talks about a President Trump meeting with Kim. Director Pompeo’s meeting was the first U.S. official meeting with the DPRK regime since 2000. Alex Ward, “Pompeo’s Meeting With Kim ‘Smoothly.’ Trump’s Meeting with Kim Might Not,” *Vox*

- (18APR2018); available from <<https://www.vox.com/2018/4/18/17251322/pompeo-trump-kim-north-korea-nuclear>>. Accessed 23APR2018.
- 43 Kathleen J. McInnis, Andrew Feickert, Mark E. Manyin, Steven A. Hildreth, Mary Beth D. Nikitin, and Emma Chanlett-Avery, *The North Korean Nuclear Challenge: Military Options and Issues for Congress* (Washington, D.C.: Congressional Research Service, 2017), 1.
- 44 John Haltiwanger, “Trump Lost to North Korea’s Kim Jong Un in 2017’s War of Words, Experts Say,” *Newsweek* (29DEC2017); available from <<http://www.newsweek.com/trump-lost-north-koreas-kim-jong-un-2017s-war-words-experts-say-763247>>. Accessed 23APR2018.
- 45 The majority of physical belligerence, such as artillery strikes, are physically directed against the South Korean military.
- 46 Denmark.
- 47 Walzer, 81.
- 48 Orend, 79.
- 49 Walzer, 81.
- 50 Ibid., 82-83.
- 51 Ibid., 81.
- 52 Image created by the author using data from Center for Strategic & International Studies, “Missile Threat: CSIS Missile Defense Project.”
- 53 Orend, 83.
- 54 McInnis et al., 15.
- 55 Siegfried S. Hecker, “What We Really Know About North Korea’s Nuclear Weapons: And What We Don’t Yet Know for Sure,” *Foreign Affairs Online* (4DEC2018); available from <<https://www.foreignaffairs.com/articles/north-korea/2017-12-04/what-we-really-know-about-north-koreas-nuclear-weapons>>. Accessed 23APR2018. Jung H. Pak, “The Education of Kim Jong-Un,” *Brookings* (FEB2018); available from <[https://www.brookings.edu/essay/the-education-of-kim-jong-un/?utm\\_medium=contentshare&utm\\_source=email&utm\\_campaign=essay19](https://www.brookings.edu/essay/the-education-of-kim-jong-un/?utm_medium=contentshare&utm_source=email&utm_campaign=essay19)>. Accessed 23APR2018.
- 56 Center for Strategic & International Studies, “Missile Threat: CSIS Missile Defense Project,” *Center For Strategic and International Studies* (2018); available from <<https://missilethreat.csis.org/country/dprk>>. Accessed 23APR2018.
- 57 Pak.
- 58 Anna Fifield, “North Korean Leader’s Half Brother Suffered a ‘Very Painful Death,’ Malaysian Officials Say,” *The Washington Post Online* (26FEB2017); available from <[https://www.washingtonpost.com/world/north-korean-leaders-half-brother-suffered-a-very-painful-death-within-20-minutes-malaysian-officials-say/2017/02/26/f33b7006-6e4e-415a-98e6-846b27fdc9e6\\_story.html?noredirect=on&utm\\_term=.9e7b00d092a0](https://www.washingtonpost.com/world/north-korean-leaders-half-brother-suffered-a-very-painful-death-within-20-minutes-malaysian-officials-say/2017/02/26/f33b7006-6e4e-415a-98e6-846b27fdc9e6_story.html?noredirect=on&utm_term=.9e7b00d092a0)>. Accessed 23APR2018. Pak, “The Education of Kim Jong-Un.”
- 59 Nikitin et al., 10.
- 60 Walzer, 80.
- 61 Chanlett-Avery et al., 4, 10, & 18-19. Pak.

62 Nikitin et al., 10.

63 McInnis et al., 3.

64 Ibid., 19-20.

65 Pak.

66 McInnis et al., 10.

67 Pak. See also, DPRK Supreme People's Assembly, "Law on Consolidating Position of Nuclear Weapons State Adopted," *Supreme People's Assembly Online Archive* (1APR2013); available from <<https://nkaggregator.com/2013/04/01/law-on-consolidating-position-of-nuclear-weapons-state-adopted/>>. Accessed 23APR2018.

68 Pak.

69 Walzer, 81.

70 Ibid., 77 & 81. Orend, 79.

71 Walzer, 81.

72 Ibid., 84.

73 Ibid., 83.

74 Fuchs.

75 Sophie Jeong, Will Ripley, and Euan McKirdy, "Kim Jong Un: North Korea No Longer Needs Nuclear Tests," *CNN* (22APR2018); available from <<https://www.cnn.com/2018/04/20/asia/north-korea-closes-nuclear-site/index.html>>. Accessed 23APR2018.

76 Hecker.

77 Center for Strategic & International Studies.

78 William J. Broad, Mika Grondahl, Josh Keller, Alicia Parlapiano, Anjali Singhvi, and Karen Yourish, "This Missile Could Reach California. But Can North Korea Use it With a Nuclear Weapon," *The New York Times Online* (3SEP2017); available from <<https://www.nytimes.com/interactive/2017/08/22/world/asia/north-korea-nuclear-weapons.html>>. Accessed 23APR2018.

79 Denmark.

80 Walzer, 80.

81 Orend, 59.

82 Walzer, 80.

83 Ibid., 80.

84 Orend, 79-80.

85 Ibid., 81-82.



# The Ethical Body, Selecthics and the Should, Would, Could Trilemma

by Brandt A. Murphy

Modern application of Just War Principles is rooted in Christian theological explorations as to when and why war should be waged. Originally posed as a model by Saint Augustine in the 5th century, and later amended by Saint Thomas Aquinas in the 13th century, these principles have all but guided ethical warfighters toward what is right in the prosecution of bloody conflict by belligerents. Given the inherently didactic nature of organizational leaders within the U.S. military, it is important to explore the reasons which necessitate war, and how it is to be conducted once initiated. Thus, in an effort to understand Just War Principles and discuss potential impacts of its revision/erosion on warfighters, three frames of exploration will be used to discern the ramifications. The first, referred to as the Ethical Triangle by Dr. Jack Kem, will survey ethics in a primarily rational mode. Second, “the Ethical Body,” will be introduced as the author’s creation and as a frame of reference to view ethical dilemmas found within their irrational, living and evolving manner of existence. The third, “Selecthics Trilemma: Should, Would, Could” will examine ethical and psychological differences between choices.

## I. Introduction: Just War Principles and Traditions Revisited

Just War Principles explore when, why, and how war should be waged. Inasmuch as conflict is considered natural with regard to mankind and, unfortunately, must happen for states to resolve issues, ethicists throughout history have produced a set of principles which govern the conduct of war. The first, *Jus Ad Bellum*, denotes the responsibility of an appropriate authority in the declaration of war. The declaration must be legitimate in the sense that it seeks to set right that which has been wronged and the actions taken must also match the intent for engaging in war. Further, declaring war should be a state’s last resort, in addition to holding a reasonable belief that it will be victorious and the ends will be sufficient vis-à-vis the means.<sup>1</sup> Put plainly, the notions of universal good versus universal evil govern the decision a state makes to enter into war.<sup>2</sup>

Next, *Jus In Bello*, determines how states behave in the prosecution of a war. Two key factors emerge: judgment and conduct. *Judgment* restricts who (which enemies) belligerents may engage and *conduct* restricts how (types of tactics used) they are to do it. More importantly, universally accepted conduct precludes actions such as torture or rape during war. The third principle, *Jus Post Bellum*, remains unrefined in its scope due to the fact that all nations do not agree on how to conclude a war and achieve a sustainable peace. A mitigating factor for how warring nations interact post conflict is typically determined treaties (e.g., Treaty of Paris after WWII) or adhering to the terms of agreement within an armistice (e.g., Korean War).

### *Prominent Ethicists and Their Contributions*

Perhaps the most familiar ethicists include Plato (5<sup>th</sup> Century B.C.) and Aristotle (4<sup>th</sup> Century B.C.). Their contribution to the realm of ethics is brought to the fore by way of *virtue*, or one’s character, and how someone is to live in a good manner.<sup>3</sup> From Plato and Aristotle, we extract the notion of **the golden rule** and its application toward living a good life. Thomas Hobbes (1588-1679) and Immanuel Kant (1724-1804) provide for us the next example through a logical way of living by *principles-based* ethics.<sup>4</sup> To them,

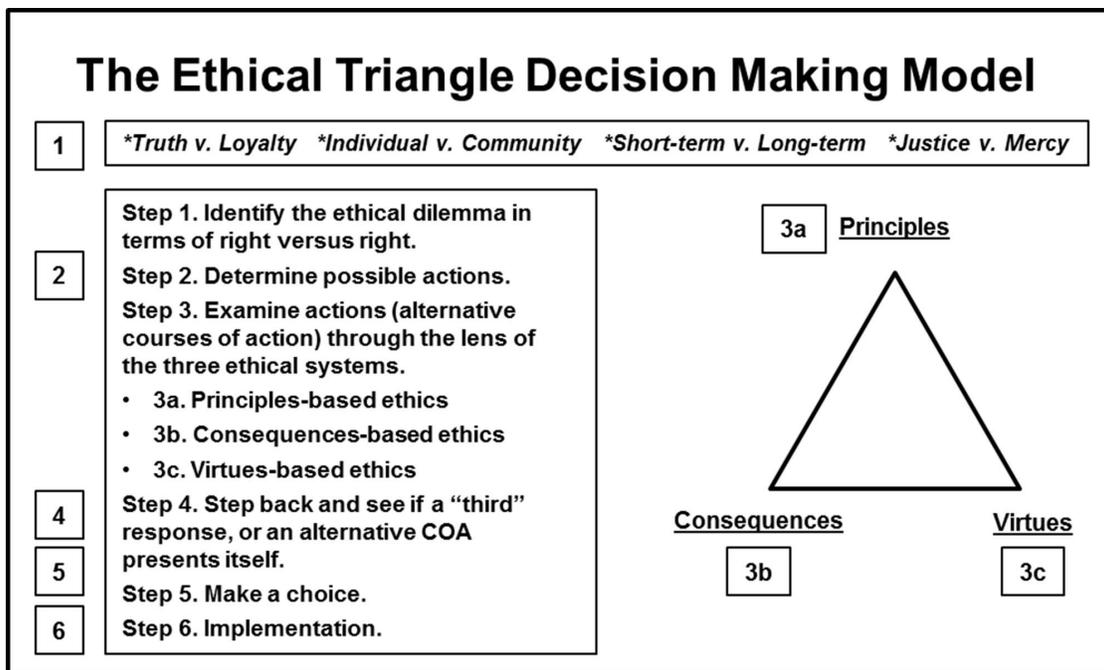


Figure 1. The “Ethical Triangle” Ethical Decision Making Model with Steps.

one must follow general **rules**, or maxims, which would logically determine principles toward the ways in which a person lives. In other words, one should determine the rules for living well and morally follow them. The next set of ethicists, David Hume (1711-1776) and John Stuart Mill (1806-1873), promulgate the way in which choice, and the **consequences** thereof, affects ethical decision making.<sup>5</sup> Considered to take a *utilitarian* perspective, both Hume and Mill credit individual sentiment toward ethics and what is right in the face of attaining a greater good.

Unfortunately, it is from the individual determinant that ethical dilemmas seem the most mired in how one should act in resolving a matter. Understanding self-evident behavior with regard to making one’s own virtue, Friedrich Nietzsche (1844-1900) enters the fray. His hedonistic, or selfish, manner of interpreting ethical conduct prescribes that one must simply live “good” as it relates to themselves, and the way in which he or she determines what “good” is.

Dr. Jack Kem, Associate Dean of Academics at U.S. Army Command and General Staff College, provides a useful model, known as the Ethical Triangle, which illustrates how each of the aforementioned ethicists view ethical dilemmas and ethical decision making.<sup>6</sup> (See Figure 1 above.)

With regard to practical application of ethics in a rational, logical manner the ethical triangle serves as an adept guide. Unfortunately, ethics and the conduct of it in a humanistic manner require a living, somewhat irrational and evolving framework to serve as a manner of exploration.

## II. The Ethical Body

Ethical decision making requires the examination of not only the situation in question itself, but also the biases and beliefs (morals) the examiner has, as well. To that end, a living, contextually irrational and evolving model is required. The Ethical Body (See Figure 2 on page 115.) is established to explore the ways in which we may better understand ethical dilemmas and difficult ethical questions as professionals. In this

## The Ethical Body

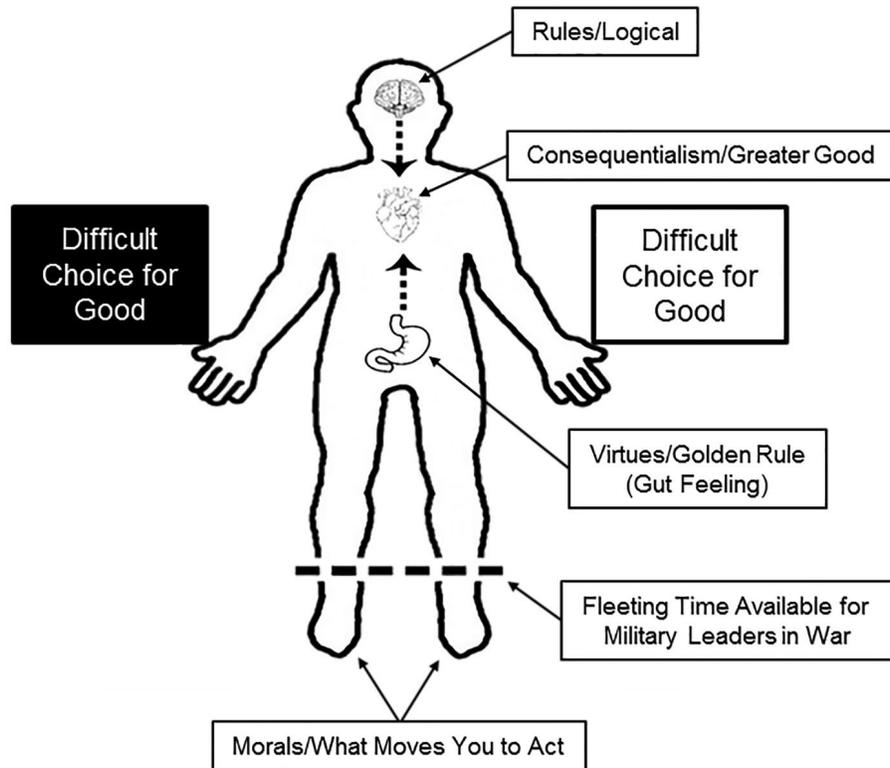


Figure 2. The “Ethical Body” Ethical Decision Making Model.

frame of reference, all facets of ethics are considered when facing an ethical dilemma or issue. It should be understood that options initiating in any part of the “body” are ultimately filtered through the heart (placed against a consequentialist template) before a decision is made.

Beginning with an understanding of how Hobbes and Kant depict ethical norms, rules and logic are associated with the “brain” part of the The Ethical Body. Principles-based ethics require logical understanding of the ethical issue with regard to determining an outcome which conforms to the set of an individual’s maxims, or steadfast rules, toward which he or she lives his/her life. It is from this part of the “body” where emotion does not sway an individual’s judgment. The brain also explores ethical issues with an absolute appreciation for facts and objectivity in order to discern truth.

Next, virtues are introduced and examined via the “gut” of The Ethical Body wherein one’s experiences and anecdotal exposure play an integral part toward determining an outcome. The gut relies on how one lives his life based on his or her character. The way in which they choose to live truly influences the choice made in an ethical dilemma or problem with regard to how others should be treated. Further, the notion of the “golden rule” sways the individual’s judgment given that each of us experience the environment unique to our customs and cultures. For example, someone from the United States may like to be treated a certain way culturally, whereas a person from Tanzania may treat people (and expect to be treated) completely different, given the cultural differences and experiences for each person. Therefore, the “golden rule” must be appropriated to cultural/environmental niches.

## Selecthics Trilemma

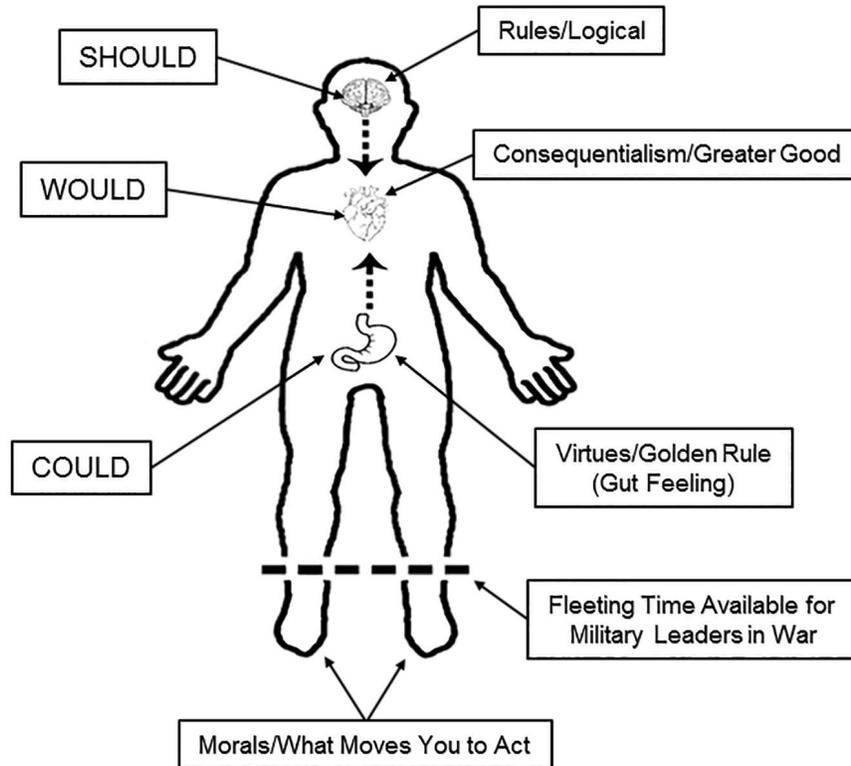


Figure 3. Selecthics Trilemma.

The most prominent part of The Ethical Body is the “heart.” It is within this portion that a consequentialist decision toward achieving the greater good within an ethical situation is formed. Individual sentiment and emotion are the determinants which sway an individual’s judgment. Further, with the heart being central to the body and its emphasis toward reaching the best outcome through the greater good, the ethical decisions which originate in the “brain” or “gut” must then filter through the heart in order to reach a final decision on ethical matters or dilemmas. It cannot be overstated that for The Ethical Body to function correctly, ethical choices no matter where they originate, are required to filter through the heart in order to make the a more ethically informed decision with regard to solving ethical matters.

But, those things which determine a plan of action do not necessarily influence it being put into action. The “feet” of The Ethical Body illustrate an individual’s morals within an ethical dilemma and “move” them to take action based on their values. This is not done in a vacuum, however, since *time* for professionals is ever fleeting, especially in the tumultuous events of war. However, when ethical choices are sifted through logical, consequential, and virtuous filters one may be left searching for deeper understanding with regard to choosing how to act. Hence, the ideas of should, would, and could are introduced.

### III. Selecthics Trilemma: Should, Would, Could for Professionals

From the living, irrational ethical decision-making process seen in The Ethical Body, we also must take into account the possibilities which lie in each ethical problem. *Selecthics* is the art of choosing what to

do by understanding our inner self and how we make decisions. Beginning with the “brain” (rules/logic), we must first understand the maxim(s) through how we decide our actions. This is the *should* part of the “trilemma.” Questions such as why is the action or choice necessary; or, what is the meaning and end result of the choice, if I decide to do anything at all, and how will it benefit the way I choose to live my life—all examine the *should* portion unconstrained by emotional sway or bias. Simply stated, it is important for one to understand what he or she *should* do before exploring what action to take.

The *would* portion invokes a sympathetic reaction to a situation and is, therefore, most associated with the “heart” in The Ethical Body. It does not, however, take into account the means one has to actually perform an action. For example, the trite example of an ethical dilemma involves a train track which is split into direction “A” or direction “B” and a switch that will send the train down one of the paths given. A person must decide between sending the train toward direction “A” consisting of one person tied to the tracks, but the person is a member of his or her family, or direction “B” which has five people tied down who are strangers. A common sentiment involves the person exploring how they would decide to achieve the greater good through weighing the consequence of choosing a direction. The *would* part of the trilemma is particularly sensitive to Ethical dilemmas due to the fact that although each choice is good, both typically involve a negative aspect that may, or may not, be the best choice when juxtaposed with the situation.

Unfortunately, the limiting factor in personal decision-making is the means by which we are able to act. The *could* portion is constrained by means available and personal experience/bias. It involves the employment of what we have, or do not have, in concert with an empathetic “gut” feeling toward deciding how to act. In the aforementioned train dilemma, the person may decide that since the option is only A or B, their loyalty virtue lies with the family member. Understanding that he *should* act, *would* like to save them all, but *could* only choose one direction, he chose loyalty to family over the ostensibly greater good a spectator may associate with saving five lives. Figure 3 (See page 116.) depicts how Selecthics aligns with The Ethical Body.

#### **IV: Conclusion**

Whether examining an ethical situation through the lens of the Ethical Triangle, or a combination of The Ethical Body and the Selecthics Trilemma, it is important to understand that decisions invoke real world consequences which may or may not mean the difference between life and death, especially for the military professional. Ethical decision making must not be relegated to one area of the triangle, one section of the body, or one part of the trilemma. It should include a holistic approach that takes into account an emotional understanding of a situation which also has an appreciation for the logical perspective. Ultimately, a decision is made once it is applied against consequentialist filter.

Additionally, further consideration is required in order explore the ramifications of an action, or set of actions, that *could* be done, but *should* not be done. In war, this scenario exists in perpetuity by opposing sides which may, if even unintentionally, escalate conflict to unimaginable carnage. Therefore, it should be the morals of an action-taker which induce restraint for the purposes of considering an ethical action with vis-à-vis Just War Principles.

## End Notes

1 Scott Borderud, *An Overview of Ethical Philosophy and Just War Tradition*, (Fort Leavenworth: USACGSC, 2017), 5.

2 Ibid.

3 Jack Kem, *Ethical Decision Making: Using the “Ethical Triangle.”* (Fort Leavenworth: USACGSC, 2017), 6.

4 Ibid, 4.

5 Ibid, 5.

6 Ibid, 7.

# Law of War and Ethical Considerations for Medical Units During Large Scale Combat Operations

by Patrick Naughton

## Introduction

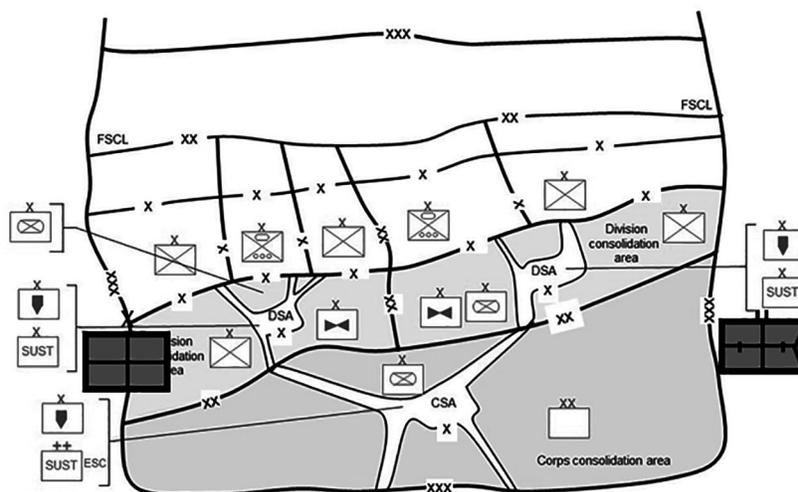
The foundations of Army doctrine are grounded in and guided by Army ethical standards, which are derived from Army Values and the Law of War—both seek to guide Army leaders in the conduct of operations.<sup>1</sup> The new Field Manual (FM) 3-0: *Operations* presents the hypothesis that since 2001, the Army has shifted its focus from training and equipping the force to face peer threats to one concentrated on defeating two insurgencies and confronting global terrorism. It declares that during that time, four nations have developed capabilities that are now able to counter United States (U.S.) advantages across all domains. The four peer threats: Russia, China, Iran, and North Korea, present the most significant readiness challenge to U.S. forces since the Cold War. They require the U.S. Army to reorient itself back to preparing to face a peer competitor on the battlefield.<sup>2</sup> With this shift, the U.S. military medical community must re-familiarize itself with international and Department of Defense (DoD) Law of War guidance and other ethical considerations when employing medical units and personnel in a peer operational environment during large scale combat operations. Utilizing inadequately marked and improperly placed medical units in the next war will result in a massive disruption to the ability to provide care due to mistargeting. The employment of medical units in a counterinsurgency environment will not be the same when facing a peer competitor; as such, future peer opponents and their adherence or otherwise to international medical protocols must now be considered.

Due to the adversaries faced over the past seventeen years, and their disregard for international law, the U.S. military's adherence to international medical agreements and ethical considerations has declined. Employing medical units and personnel improperly marked per Geneva Convention Articles and DoD Law of War Manual guidance has become the norm. In addition, the placing of medical facilities next to valid military objectives to capitalize on logistical support has become standard practice.

This essay will examine this topic through five areas. First, the employment of medical units in large scale combat operations per recently released Army doctrine will be explored. Second, international and Department of Defense Law of War guidance will be reviewed. Third, American peer threats and their Law of War and Ethical postures will be examined. Fourth, Information and Intelligence Operations and how they can be leveraged by medical units will be discussed. Lastly, U.S. Law of War and Ethical considerations during large scale combat operations when facing a peer competitor will be expounded upon.

## Medical Units in Large Scale Combat Operations

*FM 3-0: Operations* has introduced one key new concept that relates to the arraying of medical units when conducting large scale combat operations. What was once termed the “Rear Area” is now broken into two parts. The first is the Consolidation Area, which is the “portion of the commander’s area of operations that is designated to facilitate the security and stability tasks necessary for freedom of action in the close area and to support the continuous consolidation of gains.”<sup>3</sup> The second is the Support Area; this is the “portion of the commander’s area of operations that is designated to facilitate the positioning, employment, and protection of base sustainment assets required to sustain, enable, and control operations.”<sup>4</sup>



**Figure 1. Graphic representation of the Consolidation and Support Areas introduced in FM 3-0, this graphic illustrates where the Medical Brigade and Field Hospital will find themselves.<sup>5</sup>**

The Consolidation Area is where “activities to make enduring any temporary operational success and set the conditions for a stable environment allowing for a transition of control to legitimate authorities” will occur.<sup>6</sup> Though this sounds like a new concept, it is not; *FM 3-0* just gives it a name and codifies it. (See Figure 1 above.) Historical precedence exists for it—consider American activities in World War II (WWII) Germany. Note, the Consolidation Area may not be labeled as such in Operations Orders and Graphic Overlays; however, it will be recognizable as it will be the designated area behind maneuver elements in the Forward Edge of the Battle Area (FEBA). Security for the Consolidation Area will be the responsibility of a Brigade Combat Team (BCT) that can defeat all Levels of Threat.

Located within the Consolidation Areas will be Support Areas. These will consist of Base Camps or Base Camp Clusters that contain sustainment assets to include medical units. The Maneuver Enhancement Brigade (MEB), or Sustainment Brigade (SUS BDE) if an MEB is not available, will manage the array of these Base Camps/Clusters and the overall placements of Support Areas. The MEB (or SUS BDE) is expected to be able to defeat up to a Level II Threat in these areas. Any Level III threats will be defeated by a Tactical Combat Force (TCF) provided by the BCT in the Consolidation Area.

Medical planners must understand and grasp this new doctrinal concept when considering where to employ their units. In addition, MEBs and SUS BDEs need to understand the necessity to clearly mark medical units and keep them away from military objectives when located in these areas. All components of the military medical community will need to start training with MEBs and SUS BDEs if they are to be prepared to exercise this relationship in the Consolidation/Support Areas during large scale combat operations in a deployed environment against a peer threat.

### **International and Department of Defense Law of War Guidance**

Per the International Committee of the Red Cross and Red Crescent: “The Geneva Conventions and their Additional Protocols form the core of international humanitarian law, which regulates the conduct of armed conflict and seeks to limit its effects.”<sup>7</sup> The Geneva Convention contains numerous Articles directly related to medical forces on the battlefield. However, Articles 19, 24, 39, and 42 are critical because they speak to the proper employment and markings of medical units in the Consolidation and Support areas. Signatories to the Geneva Convention and its Protocols have agreed to the following:

1<sup>st</sup> Convention, Article 19: Fixed establishments and mobile medical units of the Medical Service may in no circumstances be attacked, but shall at all times be respected and protected by the Parties to the conflict...The responsible authorities shall ensure that the said medical establishments and units are, as far as possible, situated in such a manner that attacks against military objectives cannot imperil their safety.<sup>8</sup>

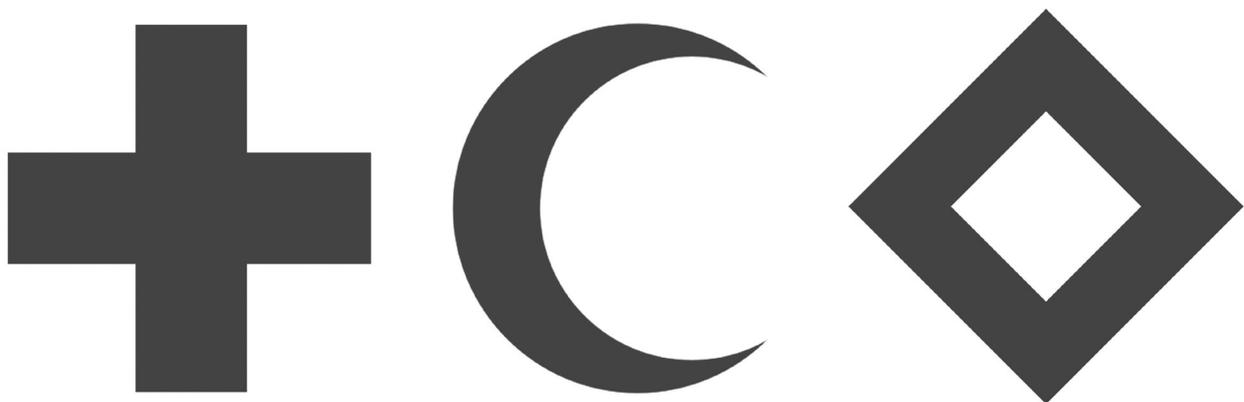
1<sup>st</sup> Convention, Article 24: Medical personnel exclusively engaged in the search for, or the collection, transport or treatment of the wounded or sick, or in the prevention of disease, staff exclusively engaged in the administration of medical units and establishments, as well as chaplains attached to the armed forces, shall be respected and protected in all circumstances.<sup>9</sup>

1<sup>st</sup> Convention, Article 42: The distinctive flag [*red cross or other recognized emblem*] of the Convention shall be hoisted only over such medical units and establishments as are entitled to be respected under the Convention...Parties to the conflict shall take the necessary steps, in so far as military considerations permit, to make the distinctive emblems indicating medical units and establishments clearly visible to the enemy land, air or naval forces, in order to obviate the possibility of any hostile action.<sup>10</sup>

1<sup>st</sup> Convention, Article 39: Under the direction of the competent military authority, the emblem shall be displayed on the flags, armlets and on all equipment employed in the Medical Service.<sup>11</sup>

The *DoD Law of War Manual*, last updated in December of 2016, supports the Geneva Convention Articles and codifies the guidance to all DoD branches, which can then be found in service specific Law of War FMs and doctrine. Though the manual does support the Conventions, it does contain one crucial caveat:

The display of the distinctive emblem is under the direction of the competent military authority. Thus, the military command may authorize the removal or obscuring of the distinctive emblem for tactical purposes, such as camouflage. Similarly, it would be appropriate for the distinctive emblem to be removed if it is assessed that enemy forces will fail to respect the emblem and seek to attack medical personnel; display of the emblem in such circumstances would not be considered “feasible” because in that instance it would not result in a humanitarian benefit. In the practice of the United States, removal or obscuration of the distinctive emblem has generally been controlled by the responsible major tactical commander, such as a brigade commander or higher.<sup>12</sup>



**Figure 2. Internationally recognized medical emblem markings: Red Cross, Red Crescent, and Red Crystal.<sup>13</sup>**

This stipulation has dominated the past seventeen years of employment of medical units and personnel due to the nature of the adversaries faced, who do not respect any international standards. Unfortunately, this thought process continues to direct military medical and non-medical planners on how to employ medical units in Consolidation and Support Areas when preparing to face a peer competitor. Though the DoD Law of War Manual allows for this proviso, it does caution that: “The absence of the distinctive emblem may increase the risk that enemy forces will not recognize the protected status of military medical...and attack them in error.”<sup>14</sup>

### **Medical Law of War and Ethical Posture of Near Peer Threats**

The first Geneva Convention occurred in 1949 after WWII; however, many of the rules later codified were largely adhered to by the combatants. The Convention was also observed in the Korean conflict, though both conflicts did experience violations on the tactical level, evidenced by actions in Hong Kong, Singapore, and the Chaplain-Medic Massacre.<sup>15</sup> Neither conflicts saw an intentional direct deep strike conducted against a properly marked medical unit, though the enemy had the capability to do so.

Examining the posture being demonstrated and observed regarding the medical Law of War and ethical considerations of peer threats in Russia, China, Iran, and North Korea is important when considering the emplacement of medical units. All these countries are signatories to the 1<sup>st</sup> Convention of 1949, which includes Articles 19, 24, 39 and 42.<sup>16</sup> However, the act of signing does not guarantee they will abide by the guidance. Examining past events and current actions is the only way to determine if they will respect international law regarding the protection of medical units and personnel.

Russia, as evidenced in its recent conflict in Georgia, is willing and capable of using direct air support (DAS) in conjunction with ground forces. Its combined arms approach targeting key nodes with DAS is capable and will be able to reach U.S. Consolidation Areas.<sup>17</sup> Many experts feel that Russia will respect properly marked medical units during the deep fight due to its belief in itself as a pillar of western civilization and culture. However, if its enemy does not abide by Geneva standards, then Russia can be counted on to reply negatively in kind.<sup>18</sup> Nonetheless, Russia does send mixed messages, as evidenced by its past actions in Syria and accusations of purposefully targeting medical facilities as a war strategy.<sup>19</sup>

China has not been involved in large scale combat operations since Korea. Its recent military experience has primarily focused on humanitarian assistance and disaster relief operations. Experts have not discovered anything in Chinese doctrine that specifically permits purposefully targeting medical facilities, though they will direct fire against logistics and command and control nodes during the deep fight. Examining covert messaging may be critical to determining China’s intent toward military medical operations. All training events conducted by the Peoples Liberation Army (PLA) have properly marked medical evacuation platforms and facilities present. This indicates that they will respect appropriately marked medical units located in the Consolidation Area.<sup>20</sup> (See Figure 3 on page 123.)

Iran is an emerging peer competitor that is attempting to leverage what strengths it has in the event it engages in conflict against the U.S. It has observed the conflicts in Iraq, Afghanistan, and Israel to glean lessons that can be incorporated into its own armed forces. It believes America is vulnerable due to its over reliance on technology, regional basing, and adverse nature toward risk and heavy casualties. Iran plans to counter American might through religiously motivated soldiers, strategic depth, and a willingness to accept high casualties. The concept of a mosaic defense has recently been implemented in Iran’s defensive strategy. The plan centers on its ability to draw the enemy into its border to create strategic depth. Then, through independently led forces, it can conduct an insurgency on U.S. extended lines of communication located in the Support and Consolidation Areas. This battle of attrition is meant to win a victory by eroding America’s commitment through high casualties.<sup>21</sup> The Iranian strategy will place its forces on a collision path with



**Figure 3. Aboard Chinese hospital ship Peace Ark during a multilateral exercise in 2013. Note properly marked medical aircraft and medical brassards worn by its personnel. Could be a covert message on Chinese intent to respect international medical rules.<sup>22</sup>**

medical units. Based on Iran’s human rights record, how it will treat properly marked medical units during large scale combat operations is a concern.<sup>23</sup>

Of the top four peer threats, North Korea is the big unknown. According to the United States Army Training and Doctrine Command 2015 *Threat Tactics Report*, North Korea understands that the American Consolidation and Support Areas are an exposed Center of Gravity that they can exploit. It will focus conventional fires, para-military, and Special Forces in these areas to attack key command, supply, and logistical centers.<sup>24</sup> Due to its many weaknesses in protecting its own rear, it may seek to avoid targeting enemy medical units to protect what it can in its own support areas. However, despite being a signatory to the 1<sup>st</sup> Geneva Convention, actions demonstrated during the Korean War and the USS Pueblo incident suggest that it is highly unlikely that they will abide by any Laws of War. Experts believe that most North Korean soldiers and officers have most likely never received any training on international protocols.<sup>25</sup> The employment and proper marking of American medical units will need to be carefully considered in a conflict against North Korea.

### **Leveraging Information and Intelligence Operations for Medical Units**

When facing peer competitors, the U.S. will need to heavily leverage Information Operations (IO) and the Intelligence Process when employing medical units and personnel in the Consolidation and Support Areas. IO is the “integrated employment, during military operations, of information-related capabilities in concert with other lines of operation to influence, disrupt, corrupt, or usurp the decision-making of adversaries and potential adversaries while protecting our own.”<sup>26</sup> While the Law of War may not seem as ready fodder for an IO campaign, it is in fact one of the easiest areas with which to exploit and influence U.S. actions. The recently published *DoD Law of War Manual* is evidence of this. First released in 2015, it included the term “unprivileged belligerents” when referring to journalists on the battlefield. Russia Today, an international television network funded by the Russian government, seized upon this wording and waged a highly effective IO campaign criticizing the manual and the U.S.<sup>27</sup> It was so effective that in December 2016, the U.S. released an updated version that removed the controversial wording and added clarification on the protection afforded to journalists.<sup>28</sup> This illustrates how enemies can use Law of War guidance in an IO campaign to influence actions—simply interchange the word medical for journalist for context.

The Intelligence Process is the method by “which information is converted into intelligence and made available to users, consisting of the six interrelated intelligence operations.”<sup>29</sup> As already noted, the four peer threats demonstrate their national intent in regards to respecting medical Law of War and Ethical considerations in large scale combat operations by being signatories to international agreements, overt and covert messaging, and through past actions. It will fall on the U.S. intelligence apparatus at all levels to determine the intent of a peer threat regarding the employment of medical units and personnel *before* the next fight. Will the belligerent employ its own medical units in accordance with international standards? Will it respect the proper employment of U.S. medical units? These will be the questions that U.S. intelligence operations will need to answer *prior* to entering major combat operations.

Continuing the current trend of employing medical units and personnel not in accordance with Law of War guidance and ethical considerations will result in the massive destruction of medical forces due to mistargeting. If the U.S. intentionally targets clearly marked enemy medical facilities it will provide adversaries with ammunition for an IO campaign that will have devastating effects on U.S. international prestige and credibility and will weaken alliances and coalitions. Moreover, if the U.S., due to erroneous intelligence and the belief that enemies will not respect international medical guidelines, employ medical forces in a way that they are mistaken for valid military objectives, it will result in their rapid destruction. This will quickly remove the ability of U.S. forces to clear the battlefield of its sick and wounded, thereby eliminating any offensive capabilities. Lastly, the IO campaign works both ways; belligerents that fail to follow international Law of War Guidance can be attacked and condemned in a method that will remove global support for their efforts.

### **Medical Law of War and Ethical Considerations in Large Scale Combat Operations**

Military planners are tasked with the complicated duty of balancing Operational Art and science. The art of operations is the “cognitive approach by commanders and staff” to organize and employ military forces, utilizing their intellectual skill developed through experience and training.<sup>30</sup> Operational science “revolves around the physical, quantifiable, and technical aspects of waging war”.<sup>31</sup> Many planners, when attempting to balance both, examine the practical side of logistics to prevent the bane of maneuver forces spelled out in two elements of Operational Art: culmination and operational reach—both of which often occur due to inadequate planning in the science of resupply. Planners also identify specific sustainment functions that could cause these elements to occur, that being the risk of ammunition or fuel depots being destroyed in deep-strikes.

However, when thinking abstractly using Operational Art, planners often overlook another critical sustainment function: Health Service Support. If these units are destroyed, it would halt any attempt at operational reach and cause all maneuver elements to immediately culminate. The inability to clear the theater of casualties would quickly overwhelm maneuver units and remove their ability to continue the fight. In addition, the morale sapping factor it would have on the force cannot be understated. This fact must be considered when conducting planning during large scale combat operations.

When overlooked by military planners, medical units will be placed in a unique position when operating from the Base Camps in the Consolidation and Support Areas. The BCT and MEB (or SUS BDE) managing these areas will understandably desire all units to be highly camouflaged to avoid deep-strikes. In addition, sustainers will desire that units form around shared logistics nodes or collocate along main avenues of approach to ease resupply efforts for shared commodities such as fuel and water. While the effectiveness of this collocation has been demonstrated in Iraq and Afghanistan, by Law of War standards they are considered legitimate military objectives. A peer competitor who has the capability to strike these targets remotely across vast distances will seek these areas out. Medical units must be employed away from these objectives and within the guidelines of Geneva Article 19 and the DoD Law of War Manual to avoid being

destroyed, a result which would remove the ability to clear the battlefield of casualties and provide any Health Service Support.

International protection standards must be fully leveraged because medical units have no offensive role in any capacity. Medical markings seek to fill defensive gaps that combat units conduct internally through offensive postures. Collocating large medical units within a military objective or placing it under camouflage or “in the wood-line”, removes the defensive protections it has and opens it up for attack from a peer competitor who has deep-strike capabilities. Hence, a medical unit’s greatest form of protection is to openly acknowledge its task and mission through highly visible medical markings. International standards of protection rigorously applied to medical units is not a constraint; rather, it serves as a combat multiplier, allowing units to better support the warfighter by enhancing their survivability under international Law of War guidelines. These protection standards, carefully applied against medical units, seek to protect robust medical treatment facilities, capabilities, and evacuation platforms arrayed in the Consolidation and Support Areas.

Ethical considerations can sometimes become confusing when persons are both medical professionals and soldiers. The International Committee of the Red Cross in partnership with numerous other medical organizations has also recognized the growing trend of ignoring properly marked medical personnel and facilities in conflict areas. They state: “Existing norms are no longer sufficient and the general consensus that the medical mission has to be respected in all circumstances has slipped into the background while abuses have increased from sporadic to systematic.”<sup>32</sup> Due to this, working across a broad spectrum of civil and military medical groups, they have created and issued a set of principles aimed at assisting military health care workers understand ethical considerations. The document, entitled: *Ethical Principles of*



**Figure 4. 95<sup>th</sup> Evacuation Hospital in Italy, 1944. There is no mistaking that this is a clearly marked medical treatment facility located away from valid military objectives.<sup>33</sup>**

*Health Care in Times of Armed Conflict and Other Emergencies*, contains fourteen guiding principles that military medical professionals can follow that nest with current DoD guidance. To include the principle “In fulfilling their duties...health-care personnel are identified by internationally recognized symbols such as the Red Cross, Red Crescent or Red Crystal as a visible manifestation of their protection under applicable international law.”<sup>34</sup>

Though U.S. military medical personnel have strong core ethical principles engrained through their civilian and military training,<sup>35</sup> another area that sends a mixed message internally and externally is the DoD’s departure from wearing medical arm brassards. Once a common accoutrement to all U.S. military medical personnel, it has been removed from usage, though not due to any official guidance. In fact, the medical brassard is still authorized for wear per official Army uniform guidance.<sup>36</sup> It has become another victim of the past seventeen years of counterinsurgency operations where, rightfully so, many believe that the wearer presents a target, as seen in Iraq and Afghanistan. Despite this, the DoD has begun to reexamine the proper marking of medical personnel. To adhere with the international Geneva guidance that all medical personnel shall “carry a special identity card bearing the distinctive emblem” and that the “card shall be water-resistant and of such size that it can be carried in the pocket”, the DoD now includes the red cross on identification cards.<sup>37</sup> Beginning July of 2014, the DoD began to permanently “issue the Geneva Conventions Common Access Card with a red cross emblem to military personnel and DoD civilian employees in certain medical, medical auxiliary or religious occupational specialties.”<sup>38</sup> This is a step in the right direction and something not done until now; previously this card was issued before deployment as a slip of paper, if at all.



**Figure 5. Contemporary U.S. Army Field Hospital established in a field environment. When compared to the hospital from WWII it is easy to see how with the absence of proper medical markings this could be mistaken for a valid military objective by an enemy with deep-strike capability.<sup>39</sup>**

As established, IO and intelligence efforts will be critical in determining what guidance to follow and how to employ medical units and personnel. Military planners, working with national and strategic leaders, will need to determine what message the U.S. wants to send to the world regarding adherence to Law of War guidance and Ethical considerations during large scale combat operations. Planners will need to balance intelligence on the enemies' deep-strike restrictions against U.S. logistics support desires and the survivability, through clearly marked units set away from military objectives, of its Health Service Support structure.

## **Conclusion**

With the U.S. Army reorienting itself back to preparing to face a peer competitor on the battlefield, the military medical community must re-familiarize itself with international and DoD Law of War guidance and other ethical considerations when employing medical units and personnel in a peer operational environment during large scale combat operations. This essay has examined the topic through five areas thereby enabling medical personnel and the warfighter to understand this reorientation: the recently released FM 3-0 that has redefined the area behind the FEBA, international and DoD Law of War guidance, peer threats and their medical Law of War and Ethical postures, leveraging Information and Intelligence, and U.S. Law of War and ethical considerations during large scale combat operations.

Respecting medical international agreements during conflict, adhering to Law of War guidance, and exercising ethical considerations, directly assist in the cessation of conflict through demonstrating mutual respect and providing a common ground for resolution after the war. When facing a peer competitor, intentionally targeting medical units will exacerbate tensions and lead to a bitter conflict, as evidenced during the German-Russian front in WWII, which still defines Russian narratives and its siege mentality today. Furthermore, a direct result of the disregard toward international law is seen in the current conflict in Syria that will have repercussions for generations. Due to this, military training events and doctrine must heavily stress the importance of understanding the protections offered to medical units under internationally established guidelines. America's global terrorism adversaries have not respected international agreements; however, future peer opponents and their adherence or otherwise to international medical protocols must now be considered.

As the United States shifts from stability and counterinsurgency operations and begins to consider the threats these peer competitors offer, it must examine the proper employment and markings of medical units and personnel per Geneva Convention Articles and *DoD Law of War Manual* guidance. This analysis must be done *before* entering large scale combat operations. Each peer threat sends clear or covert messages on how it will treat properly marked medical units in the deep fight, which should be analyzed *prior* to committing to one course of action when employing medical forces. It appears that Russia and China will respect international protocols. Entering a conflict against either with inadequately marked or improperly placed medical units will result in massive disruption to the ability to provide care due to mistargeting. Iran and North Korea may not respect these same rules; employing properly marked medical units in this operational environment will have the opposite effect. Regardless of who the U.S. faces, to avoid learning costly lessons in the opening phases of hostilities with a peer competitor, the American military must have this conversation now.

## End Notes

- 1 Department of the Army, *Army Doctrine Publication 1-01: Doctrine Primer*. (Washington, D.C.: U.S. Government, 2014). 3-3.
- 2 Department of the Army, *Field Manual 3-0: Operations*. (Washington, D.C.: U.S. Government, 2017). ix.
- 3 Ibid., Glossary-7.
- 4 Ibid., Glossary-17.
- 5 Graphic courtesy of Combined Arms Center.
- 6 Department of the Army, *FM 3-0*, Glossary-7.
- 7 International Committee of the Red Cross. “Home Page”. <https://www.icrc.org/en/war-and-law/treaties-customary-law/geneva-conventions>. Accessed March 19, 2018.
- 8 Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949, Article 19, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=D8F87DF50E554BC2C12563CD0051A030>. Accessed March 19, 2018.
- 9 Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949, Article 24, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/ART/365-570030?OpenDocument>. Accessed March 19, 2018.
- 10 Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949, Article 19, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=9EFCEFD4CDDC55F1C12563CD0051A22C>. Accessed March 19, 2018.
- 11 Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949, Article 39, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=5CEA985AB098FBD8C1257F15004A3370>. Accessed March 19, 2018.
- 12 Department of Defense, *Law of War Manual*. (Washington, D.C.: U.S. Government, 2016). 496.
- 13 Ibid., 493.
- 14 Ibid., 496-497.
- 15 Executive Sessions of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, Volume 3, Eighty Third Congress Session, 1953. “Alexandra Hospital Massacre”, National Library Board Singapore, [http://eresources.nlb.gov.sg/infopedia/articles/SIP\\_2014-04-07\\_090735.html](http://eresources.nlb.gov.sg/infopedia/articles/SIP_2014-04-07_090735.html). Accessed March 19, 2018.
- 16 International Committee of the Red Cross “Treaties, States Parties and Commentaries by State,” <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountry.xsp>. Accessed March 20, 2018.
- 17 Department of the Army, *Threat Tactics Report Compendium: ISIL, North Korea, Russia, and China* (Fort Leavenworth, KS: TRADOC, 2015), 103.
- 18 Grau, Lester W, Research Coordinator for the Foreign Military Studies Office at Fort Leavenworth, Kansas. Email to author. September 5, 2017.

- 19 “Syrian and Russian forces targeting hospitals as a strategy of war,” Amnesty International, March 3, 2016, <https://www.amnesty.org/en/latest/news/2016/03/syrian-and-russian-forces-targeting-hospitals-as-a-strategy-of-war>. Accessed March 21, 2018.
- 20 Williams, James Marc, Senior Military Analyst, TRADOC G2 ACE—Threats Integration at Fort Leavenworth, Kansas. Email to the author. November 6, 2017.
- 21 Michael Connell, “Iran’s Military Doctrine,” *The Iran Primer*, United States Institute of Peace, <http://iranprimer.usip.org/resource/irans-military-doctrine>. Accessed March 21, 2018.
- 22 DVIDS, <https://www.dvidshub.net/image/959254/pla-us-develop-strong-ties-through-shared-medical-values>.
- 23 State Department Update on Iran’s Human Rights Abuses, *The Iran Primer*, May 17, 2017, United States Institute of Peace, <http://iranprimer.usip.org/blog/2017/may/17/state-department-update-iran%E2%80%99s-human-rights-abuses>. Accessed March 21, 2018.
- 24 Department of the Army, *Threat Tactics Report Compendium*, 55.
- 25 Pendleton, Henry David, TRADOC G2 ACE—Threats Integration at Fort Leavenworth, Kansas. Email to the author. November 6, 2017.
- 26 Joint Chiefs of Staff, *Joint Publication 5-0: Joint Planning*. (Washington, D.C.: U.S. Government, 2017). IV-I.
- 27 “Journos listed as potential combatants in Pentagon’s updated ‘Law of War,’” Russia Today, June 24, 2015, <https://www.youtube.com/watch?v=TZVOgBBmrGI>. Accessed March 21, 2018.
- 28 “Pentagon’s revised Law of War Manual recognizes role of independent journalists,” Committee to Protect Journalists, July 22, 106, <https://cpj.org/2016/07/pentagons-revised-law-of-war-manual-recognizes-rol.php>. Accessed March 21, 2018.
- 29 Joint Chiefs of Staff, *Joint Publication 2-01: Joint and National Intelligence Support to Military Operations*. (Washington, D.C.: U.S. Government, 2017). GL-10.
- 30 Joint Chiefs of Staff, *Joint Publication 3-13: Information Operations*. (Washington, D.C.: U.S. Government, 2014). GL-3.
- 31 James M. Dubik, *Operational Art in Counterinsurgency: A View from the Inside*. (Institute for the Study of War, 2015). 11.
- 32 Peter Maurer, “Ethical principles of health care in conflict,” *International Committee of the Red Cross*, June 30, 2015, <https://www.icrc.org/en/document/ethical-principles-health-care-conflict-and-other-emergencies>. Accessed March 21, 2018.
- 33 U.S. National Library of Medicine, <https://collections.nlm.nih.gov/catalog/nlm:nlmuid-101442899-imghttps://collections.nlm.nih.gov/catalog/nlm:nlmuid-101442899-img>.
- 34 Maurer.
- 35 For an in depth overview of the Army Medical Departments ethical standards see: <http://www.cs.amedd.army.mil/Portlet.aspx?ID=106cb6b1-3327-47f3-a350-b2fb57beb928>.
- 36 Department of the Army, *Pamphlet 670-1: Guide to the Wear and Appearance of Army Uniforms and Insignia*. (Washington, D.C.: U.S. Government, 2017). 231-232.

37 Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949, Article 40, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=E9E8E3295AB8C1A2C12563CD0051A1FD>. Accessed March 21, 2018.

38 Amaani Lyle, “DOD to Include Red Cross Emblem on Some Common Access Cards,” DoD News, June 11, 2014, <http://archive.defense.gov/news/newsarticle.aspx?id=122454>. Accessed March 21, 2018.

39 U.S. Army, <https://www.army.mil/e2/c/images/2017/09/08/491582/original.jpg>.

# Ethical Considerations of State Partnership Program and Understanding a Worldview

by Brooke M. Norton

## Introduction

The United States National Guard forces of all 54 states and territories participate in the State Partnership Program (SPP) with 74 nations (77 nations by the end of 2018) worldwide.<sup>1</sup> The partnerships provide incredible opportunities to assist and influence foreign military forces across the globe. The program began in 1993 when the U.S. assisted three post-Soviet bloc nations' military forces during their transition period.<sup>2</sup> After 25 years of growth, the SPP now includes additional nations across all six combatant commands (CCMDs). It is a joint Department of Defense (DoD) program that seeks to develop stability and partner capacity, promote national objectives, and improve relations between the United States and foreign countries through security cooperation activities.<sup>3</sup> Typical activities the partners may conduct include key leader engagements, leadership development, tactical training, and disaster/emergency response training. The SPP is "managed and administered by the National Guard Bureau (NGB), guided by Department of State (DOS) foreign policy goals, executed and coordinated by the geographic CCMDs, with personnel sourced by the National Guard (NG)."<sup>4</sup> Ethics concerning the program are rarely discussed, and there is a need to evaluate specific areas of the SPP through the ethical lens. Three reasons the SPP requires ethics examination are the funding of the program, the selection methods of nations as partners, and imposing American ideologies on developing nations.

## Ethics

Army Leadership doctrine, ADRP 6-22, emphasizes the necessity of all leaders to make decisions using ethical reasoning.

"Ethical choices may be between right and wrong, shades of gray, or two rights. Some problems center on an issue requiring special consideration of what is most ethical. Leaders use multiple perspectives to think about ethical concerns, applying the following perspectives to determine the most ethical choice. One perspective comes from the view that desirable *virtues* such as courage, justice, and benevolence define ethical outcomes. A second perspective comes from the set of agreed-upon values or *rules*, such as the Army Values or Constitutional rights. A third perspective bases the *consequences* of the decision on whatever produces the greatest good for the greatest number as most favorable."<sup>5</sup> (Emphasis added.)

Dr. Jack Kem refers to the three perspectives above as the ethical triangle and argues that leaders must attempt to achieve a balance of the three when making decisions.<sup>6</sup> Simply applying only one perspective results in an imbalanced approach to ethical issues which tend to be naturally complex. To ensure ethical reasoning is applied, a series of questions can guide the leader to make sound decisions.

When considering the perspective of virtues, one should ask questions such as: what would grandma think of my decision? Or am I applying the Golden Rule? Regarding ethical considerations of the SPP, leaders should also be asking questions such as: what would the American public think? What does the rest of the world think? On the perspective of rules, one should ask questions such as: what rules or principles

exist that I must follow? What are my moral obligations? Again, with respect to the SPP, leaders should consider such questions as: how is program funding allocated, utilized, and monitored? Or how are specific partnership events recorded and/or audited for effectiveness? With the final ethical perspective of consequences, one should seek to gain the greatest good for the greatest number and ask: who wins and who loses? For the SPP, what would happen if the program ended? What about nations not “admitted” to the program? This paper seeks to examine and explore some of these tough questions through a broad overview of the current literature available on the state partnership program.

### **Funding the State Partnership Program**

Government funding is allocated based on requirements. When considering the SPP, and how much money should be appropriated, the objectives of the program should be examined. Four goals identified by NGB for the SPP are:

1. Build partnership capacity to deter, prevent, and prepare,
2. Build partnership capacity to respond and recover,
3. Support partners’ defense reform and professional development,
4. Enable and facilitate enduring broad-spectrum security relationships.<sup>7</sup>

Funding is allocated to the SPP from multiple government sources to achieve the above goals and build mutually beneficial relationships with foreign nations. The complex network of allocated dollars originates from Congress, the states, the combatant commander’s (CCDR) traditional commander’s activities accounts, the DoD, and the DOS.<sup>8</sup> Each of the funding sources seek to achieve objectives through the SPP and have varying degrees of interest in the program. In the open source documents researched, it was not clear the total amount of funds appropriated from each entity.

According to section 1205 of the 2014 National Defense Authorization Act (NDAA), payments for incremental expenses of foreign countries participating in SPP activities may not exceed \$10,000,000 in any fiscal year.<sup>9</sup> An incremental expense is defined by the NDAA as “the reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the country as a direct result of the country’s participation” in SPP activities, but does not include “any form of lethal assistance (excluding training ammunition); or pay, allowances, and other normal costs of the personnel of the country.”<sup>10</sup> It appears that the DoD funding may be utilized for both state NG forces as well as foreign military forces, with ample room to justify use of funds for any requirement within the realm of a security cooperation event between the state and the partner nation. According to the FY 2015 Report to Congress just one year later, the SPP activities numbered 779 across the globe, and increased DoD’s cost by nearly 24%, totaling \$12,398,169.<sup>11</sup> Although DoD is not the sole source providing the means for the SPP, the total cost of the program remains unclear because funding amounts from the other government sources were not found during the limited scope and time of the research for this paper.

Requirements determine funding, but there is also a need for evaluating the proper utilization of the funds once allocated. When examining the SPP, there is a lack of oversight of the program and only recently have measures of performance (MOPs) and measures of effectiveness (MOEs) been integrated into the requirements for funding allocations.<sup>12</sup> The challenge remains evaluating the success of the program in a standardized manner because each partner nation has individualized needs, and each combatant commander may have different goals for security cooperation efforts.

When considering the ethics of funding SPP, there are many questions to contemplate from each of the three perspectives: What do Americans think about paying for the program? Do they know about the program and their tax dollars funding it? If funding were reduced or eliminated, would there be second and third order effects? How are the funds being utilized, monitored, and audited? Are the desired effects of the program

achieved? Could the funds be allocated elsewhere with better results? Ultimately, there needs to be more transparency about the state partnership program and the use of funds allocated. Continued progress toward measuring the success of the program is also necessary to justify the funding.

### **Partnership Formation**

New state partnerships within the SPP are initiated on an annual basis with nominations from the geographic combatant commanders (GCCs) to the Chairman, Joint Chief of Staff (CJCS). Each nomination must include a formal request from the nominated partner nation Ministry of Defense, Chief of Defense, or Head of State, an endorsement from the associated Chief of Mission, and documentation of strategic objectives and long-term U.S. interests that will be advanced through the potential partnership.<sup>13</sup> The CJCS reviews all nominations, and forwards a consolidated, prioritized list to the Undersecretary of Defense for Policy (USD(P)) who may then issue approval of new state partnerships.<sup>14</sup> Finally, working closely with National Guard Bureau, the USD(P), with the concurrence of the Secretary of State, selects a state and the new partnership becomes final.<sup>15</sup>

In the FY 2015 Report to Congress there were four partner nations who received no SPP activity, and therefore no funding, due to a lack of Defense Cooperation Agreement or tension with the U.S. government.<sup>16</sup> At the time of research for this paper, the criteria to include or exclude a foreign country in the SPP was not found. Nor was a definition of “tension” found. The analysis process to begin a partnership with a foreign nation appears to be subjective. There is always a potential for a degraded relationship based on many factors such as politics, economics, and culture. As a final note, with no access to cooperation programs, military training, and humanitarian and civic assistance, non-partner nations may feel excluded. Others may have actors that seek retaliation.

As one considers the ethical implications of nation selection, several questions around the ethical triangle must be addressed. Are our forces safe? How do we prevent non-select nations, or actors within, from retaliating? What is the likelihood of insider threat attacks once the partnership is established? Does the American public know which nations are included in the partnership program, and should they be able to influence selection? Does the American population understand that foreign military members often conduct training with U.S. forces at federal installations in the United States? Should a partnership be limited or terminated when the objectives are met? The safety and security of the nation is a priority and can be easily affected by the SPP. In addition, national leaders may face public mistrust by U.S. citizens due to a lack of transparency regarding the program.

### **Ideology Alignment**

Culture, laws, and values across nations are not necessarily in alignment with the United States and can have a negative effect on relationships in terms of interpretation of ethics, war, and world perspectives in general. Although the terms security cooperation and partnership imply both nations involved in the SPP are equally invested, little is mentioned throughout the documents about the U.S. building a foundational understanding of the partner nation. Because a nation seeks to partner with an American state does not mean their country desires to be like America. LTC (Ret.) Brian Steed states that there are four topics one must study to understand another nation’s people: religion, history, culture (how people act and interact), and language.<sup>17</sup> Failing to spend the time and effort to know one’s counterpart results in “cultural arrogance” and can quickly deteriorate a relationship.<sup>18</sup>

One example of a state partnership is with Washington state’s National Guard which is partnered with both Thailand and Malaysia in PACOM. The core beliefs and values in one area- religion- vastly differ from Washington to the two partner nations. Thailand is 90% Buddhist and Malaysia is 61% Islam and 20% Buddhist while Washington is 60% Christian with a very small minority of residents practicing either Islam

or Buddhism.<sup>19</sup> The Joint Force Headquarters—Washington National Guard State Partnership Program Brief details the priorities, past and planned SPP activities, as well as challenges with conducting SPP with the two nations. Of note in the brief is one specific challenge highlighted with the new partner, Malaysia: “Race Politics: Malays limit Chinese (25%) / Tamil (7%) in Armed Forces.”<sup>20</sup> To an American who typically views inclusion as the rule and doesn’t tolerate discrimination, the limits of races within the Malaysian military appear racist and discriminatory. It is unknown what type of analysis has been conducted to date, but there may be a historical, religious, or cultural reason for the Malays to have the rule in place. This is one example of how partner nations may feel the American ideology imposed upon them throughout the security cooperation activities as the National Guard members conduct training based on U.S. doctrine, standards, and ideologies.

Returning to the ethical triangle, leaders must continue to entertain questions about the SPP and whether U.S. forces are being “culturally arrogant.” What outcomes does the U.S. want to achieve with the partnership? What outcomes does the partner nation want to achieve? Have the state NG forces completed sufficient education and training on the partner nation and region? What is considered sufficient education? If the understanding of the partner’s culture is absent, what consequences are possible? Do the requirements for the program enable such learning? How do leaders prevent uneducated or quick decisions? Cultural education is more than learning a few words, customs, and courtesies of another country or region. One of the benefits of forming partnerships between foreign nations and state national guard forces is the ability to form relationships with continuity—a difficult challenge for regular active component forces with relatively high personnel turnover. It requires significant effort and resources to ensure a comprehensive understanding of another culture, but it must be a priority for the SPP to be successful.

## **Recommendations**

Three ethical considerations were explored concerning the state partnership program: funding the program, nation selection, and ideology alignment. Three recommendations have been identified to improve the program and ensure resources are utilized effectively and efficiently to achieve national, CCMD, DOS, and NGB objectives. The first recommendation is that funding for the SPP must be reported and monitored within one department to reduce potential redundancy and ensure proper utilization of resources. Second, the success of the program, or events conducted within the parameters of the program, must be measured in a standardized manner. Simply reporting dates, locations, numbers of participants, and type of activity is not sufficient to gain an understanding of the success of the program. Lastly, cultural training of state NG personnel must be standardized to include language, history, religion, and culture education of their partnered nation(s). Although this type of education is time intensive, it is possible to establish a hybrid distance learning and resident course to train NG forces.

## **Conclusion**

There are number of ethical considerations that need attention in regard to understanding worldviews and the ethical framework of the state partnership program. Currently, the questions to ensure the program is being executed within ethical standards are not being asked or answered fully. As the SPP continues to be one of the cost-effective security cooperation efforts utilized, U.S. leadership must ensure the program is executed within ethical parameters. Transparency and accountability of the program must be increased with funding and nation selection. The efforts of the state NG forces must be invested enough to accept the challenge of understanding the culture(s) of their partners. If the primary goal is to build mutually beneficial relationships, the U.S. must listen to the American population as well as the partner nation. The SPP offers a method by which multiple departments can collaborate to achieve objectives with the ultimate priority of maintaining the safety and security of the United States.

## End Notes

- 1 “State Partnership Program,” accessed April 19, 2018, <http://www.nationalguard.mil/Leadership/Joint-Staff/J-5/International-Affairs-Division/State-Partnership-Program>.
- 2 Ibid.
- 3 Government Accountability Office, *GAO-13-335T, Building Partner Capacity: Key Practices to Effectively Manage Department of Defense Efforts to Promote Security Cooperation* (Washington, D.C., 2013), 3.
- 4 Department of Defense, *The State Partnership Program FY 2015 Annual Report to Congress* (Washington, D.C., 2015), 3.
- 5 Department of the Army, *ADRP 6-22: Army Leadership*. (Washington, D.C.: U.S. Government, 2012). 3-7.
- 6 Jack D. Kem, “Ethical Decision Making: Using the ‘Ethical Triangle,’” *2016 CGSC Ethics Symposium* (Symposium Report, Fort Leavenworth, KS, 2016), 4.
- 7 Lawrence Kapp and Nina Serafino, Congressional Research for Congress, *R41957, The National Guard State Partnership Program: Background, Issues, and Options for Congress* (Washington, D.C., 2011) 2.
- 8 Ziga Pretnar, “The National Guard State Partnership Program and Regional Security in the Western Balkans” (masters thesis, CGSC, 2014), 69, <http://www.dtic.mil/docs/citations/ADA613498>.
- 9 U.S. Congress, 2014 National Defense Authorization Act (Washington, D.C., 2013), section 1205, <https://www.congress.gov/113/plaws/publ66/PLAW-113publ66.pdf>.
- 10 Ibid.
- 11 Department of Defense, *The State Partnership Program FY 2015 Annual Report to Congress* (Washington, D.C., 2015), 5.
- 12 Government Accountability Office, *GAO-12-548, State Partnership Program: Improved Oversight, Guidance, and Training Needed for National Guard’s Efforts with Foreign Partners* (Washington, D.C., 2012), 8.
- 13 Under Secretary of Defense for Policy, *DOD Instruction (DODI) Number 5111.20: State Partnership Program (SPP)* (Washington, D.C., 2012), 1.
- 14 Ibid.
- 15 Ibid.
- 16 Department of Defense, *The State Partnership Program FY 2015 Annual Report to Congress* (Washington, D.C., 2015), 6.
- 17 Brian L. Steed, *Bees and Spiders: Applied Cultural Awareness and the Art of Cross-Cultural Influence* (Houston, TX: Strategic Book Publishing and Rights Co., 2014), 100.
- 18 Ibid., 26.
- 19 U.S. Department of State, Thailand and Malaysia Religious Demography, accessed April 10, 2018, <https://www.state.gov/j/drl/rls/irf/2005/51531.htm>.
- 20 Joint Forces Headquarters-Washington National Guard, “State Partnership Program Brief” (Camp Murray, Washington, 2018), 13.



# The Moral and Ethical Leadership Implications for Close Combat Soldiers in Subterranean Operations

by Anthony Randall

The moral and ethical leadership implications for close combat Soldiers in subterranean environments present complex problem sets in multi-domain warfare. Subterranean systems impact efficient implementation of Mission Command, effective application of doctrine, and ethical application of moral courage essential to the warrior's long term vitality spiritually, psychologically, and physiologically. Subterranean environments are a potential living hell for all who descend where "being fades away into nonentity."<sup>1</sup> Leaders must prepare, protect, and preserve close combat soldiers soul, psyche, and warrior code embodied by the Army Ethic.

## Subterranean Space Overview: Concepts and Doctrine

The U.S. Army's recent focus on developing, shaping, and implementing concepts and doctrine into multi-domain training and operational environments must include subterranean warfare. *ATP 3-21.51 Subterranean Operations*, identifies the brigade combat team (BCT) as the "Army's primary combined arms, close combat force." When necessary, they conduct "operations in subterranean environments...to seize, retain, and exploit the initiative."<sup>2</sup>

Three subterranean environments, "natural tunnels, urban subsurface systems, and underground facilities" disrupt and deny mission command, restrict tactics and techniques normally providing overmatch, and threaten the warrior's spiritual, psychological, and physiological being.<sup>3</sup> Whether used for "command and control, operations, production, storage, or protection," no subterranean system is the same and pose "tactical and physical risk."<sup>4</sup> Close combat units mitigate subterranean threats with five options: bypass, neutralize, control, defeat, or clear, with clear being the most inherently dangerous option.<sup>5</sup>

"Operations in a subterranean environment are physically and psychologically demanding. Specialized equipment such as ballistic shields, air quality monitors, and breathing apparatus must be either worn or hand carried in addition to an already robust combat load. Enclosed spaces, potential low or no light conditions, extremely limited maneuver options, and intermittent communications create immense psychological stress. Potential unique environmental or structural hazards such as air quality deteriorating to dangerous levels, injury from blast overpressure, or tunnel collapse serve to compound an already stressful environment."<sup>6</sup>—LTC Nathan Palisca<sup>7</sup>

Threat forces increase the tactical and physical risk endemic in subterranean operations by accelerating the psychological and physiological culminating point of close combat forces. Whether confronting a traditional threat such as North Korea, an irregular threat such as insurgents and guerilla's in Afghanistan, or a hybrid threat such as Hezbollah and the Islamic Resistance Movement (HAMAS), close combat leaders must assess the significant moral and ethical dilemmas of sending a close combat force into a subterranean system.<sup>8</sup> U.S. and Iraqi Forces encountered this complexity during the 2017 battle of Mosul, Iraq against ISIS.<sup>9</sup>

## Realized Mission Command in Subterranean Space

Doctrine developers and practitioners collectively realize the challenges of efficiently and effectively conducting subterranean operations. Since the emergence of ATP 3-21.51 in February 2018, LTC Rob Stanton and his CWMD Elimination Task Force and Sub-T SME, have solely focused on integrating concepts, doctrine, and training into real world application as a close combat force. He frames the problem set of realized mission command twofold, recognizing the “Sub-T environment becomes a ‘condition of the battlefield’ and simply a sub-set of a larger mission.”<sup>10</sup> Secondly, “what can a general purpose force realistically do...and do we really have the capability to send large numbers of GPF Soldiers underground?”<sup>11</sup>

The effectiveness of clearing a subterranean space will directly correspond to Soldiers’ cohesion and ability to trust one another with limited to no communications outside of their breaching element. Going underground removes many forms of overmatch leaving a peer to peer, close range, deadly fight. According to Stanton, “The only way to survive is to be a cohesive team before the breach ever takes place.”<sup>12</sup>

Leaders must recognize the “intimate brutality” and “primal aggression” killing range LTC (USA, Ret.) David Grossman identifies as the most damaging to a warrior’s mind, spirit, and body.<sup>13</sup> It is the hardest distance to kill another human being as the “average human being has a strong resistance to piercing the body of another of his own kind.”<sup>14</sup> It must be trained.

Despite a perceived or real intention of some Army leaders to limit or close the Modern Army Combatives Program (MACP), an intentional and renewed emphasis on hand to hand combat and knife fighting skills, to include training on the psychological impacts of killing an enemy combatant at close range is paramount to close combat unit training. The MACP and SOCP (Special Operations Combatives Program) should receive unanimous Army leadership support and emphasis in doctrine and training. Over 10,000 known military subterranean systems today.<sup>15</sup> Close combat forces must train and expect to fight in subsurface space.

If not, it presents a failure to address a clear and present danger in subterranean space affecting Soldiers holistic well-being. Israeli Defense Force Major Ran Tinichigiu, a former subterranean unit company commander, concurs that their training in Krav Maga conditions soldiers to be confident with killing at close range while understanding the advantages of creating space to use personal weapons while wearing body armor, night vision goggles, and other equipment.<sup>16</sup> Choosing to clear a subterranean system should weigh heavy on the moral and ethical decision making process of leaders when planning and conducting the mission.

Creating shared understanding requires an “incredible amount of tactical patience”<sup>17</sup> as the accustomed IPB and real-time assets may be limited or deemed irrelevant literally leaving a commander and their force blind. Therefore, clear commander’s intent from the senior commander to the lead soldier in the breach must convey the “why” of going underground in order to achieve the decisive action required and buy-in of soldiers.

Subterranean environments may more acutely reduce Soldiers heartiness and grit causing them to culminate quicker due to the moral and ethical implications of their actions and subsequent psychological and physiological stress of subterranean environments. Stanton believes, “Soldiers will likely ‘culminate’ much faster in the three domains (mental, physical, emotional) and much more rapidly than we expect. We need to realize and be prepared for that.”<sup>18</sup> Soldiers’ moral courage and professional ethic internalized beforehand and steadfast determination increases their survivability during and after operations.

Regarding disciplined initiative, it is a double edged sword. Major Tinichigiu advises the enemy may have less information of who and what is breaching their defenses and may struggle comparatively with the sense or feeling of being trapped or buried alive. It is a “psychological game of hide and seek. You must keep moving and not become static.”<sup>19</sup>

Bypassing a subterranean space may elicit psychological duress on units. Israeli Defense Force Major Ido Puterkovski recalled during the 2014 Israel-Gaza conflict with Hamas his unit established a secure battle position for 72 hours and implemented routine defensive procedures to include rest and recovery operations. During that time, an enemy combatant emerged from a subterranean space with an anti-tank weapon and engaged a tank inside their battle position. Psychologically this reduced their forces confidence in a secure area impacting rest and recovery plans and creating a hyper-vigilance of seeing each terrain feature as Sub-T entry or exit points.<sup>20</sup>

When Paragraph 1 regarding enemy and terrain may be incomplete or altogether missing, LTC Palisca encourages close combat soldiers to consider three aspects of subterranean warfare with regard to realized mission command. First, to the individual soldier, remember the enemy has to fight in the same environment. They are not superhuman. Second, leaders must ensure their units do not outrun their sensors, mirrors, robots, or moral and ethical rules of engagement. Third, leaders at every level must assume this mission set and train for proficiency now.<sup>21</sup>

### **Welcome to Hell: Theological and Psychological Impacts of Subterranean Space**

The highway to hell is glorified by rock ‘n’ rollers, condemned by firebrand preachers, and its very existence questioned by philosophers, theologians, and psychologists. To understand the implications of subterranean space as a living hell, it is necessary to consider the religious, philosophical, and psychological frameworks shaping our culture, warriors, and warrior codes.<sup>22</sup>

The darkness, isolation, and torment of hell opposes the immortal peace of heaven and pleasures of life and earthly relationships. Cultural and religious burial practices associate death and afterlife as subsurface. Greek mythology identifies the underworld of Hades as a place of torment. Judaism, Christianity, and Islam believe in some form of subsurface physical hell where torment and isolation from God prevails eternally, or for a period of time before annihilation, or redemption. Hinduism’s Yama judges the dead in multiple kinds of hell. Buddhist teachings associate death and hell with an underground concept of “diyu.”

The Judeo-Christian tradition portrays hell as a place of permanence, annihilation, or temporary torment for purification. Jesus warned, “Fear him who can destroy both soul and body in hell.” (Matthew 10:28). Jesus taught that hell is a physical location prescribed for punishment “after judgment,” consumed with “fire and darkness,” and “never ending punishment.”<sup>23</sup> Origen believed hell held wicked souls for temporary purification in hopes of reunification with God, and Dante’s Inferno spirals the wicked down nine levels of torment.

Today progressive theologians, like Rob Bell, question hell as an actual physical location preferring to describe it as a “terrible evil that comes from the secrets hidden deep within our hearts.”<sup>24</sup> His perspective of experiencing a living hell within the depth of our soul is similar to psychologist, Carl Jung’s “shadow” identity of depravity and evil. Karl Marlantes writes, “The warrior must recognize the moments when circumstances mirror the ugly unwanted parts of his or her psyche. This is the only way to minimize the evil consequences of ignoring these parts. To do this requires recognizing and accepting one’s own despised parts, a form of heroism not taught in boot camp.”<sup>25</sup> Concepts of hell impact a warrior’s functionality in a subterranean space.

Understanding how close combat soldiers may respond in a subterranean environment includes psychosocial research in conjunction with theological and philosophical beliefs. Psychosocial research on humans interacting with subterranean spaces identified four major issues of concern: “isolation, perceived control, negative culture-based associations, and perceived security.”<sup>26</sup> Real time intelligence assets, protection from overmatching weaponry, and national defense strategies increase the propensity of these concerns in subterranean spaces.

The descent into unknown subterranean spaces to include temperature, narrowing, widening, descending, turning of tunnels, and confronting obstacles without situational awareness of what is happening above ground creates a natural sense of isolation, entrapment, and claustrophobia.<sup>27</sup> The darkness and fear of the unknown affects an individual's conception of time and duration underground. However, when close combat soldiers work as tight knit teams through training and experience, the subsurface space acts as a bonding relationship impacting mission accomplishment, survival, and returning to the surface.

Close combat soldiers entering unknown subterranean spaces must mitigate perceived and actual lack of control and security. Lack of reliable maps, self-correcting landmarks and terrain features minimize soldiers' abilities to navigate and adjust positions especially under the duress of enemy contact, evacuating wounded personnel, and escaping environmental threats like cave-ins or limited oxygen. Teaching warriors to 'control what they can control' and mindfulness fosters mental conditioning and emotional health under duress in uncontrollable conditions.

Enter the enemy force. Based upon psycho-social research of subterranean spaces, dehumanizing populations living underground is a natural human response.<sup>28</sup> The cultural and religious affiliations to death, demons, and the tormented, coupled with a hatred, fear, and disgust of an unknown number and location of enemy and how they are prepared to fight, can quickly lead to dehumanizing and demonizing the enemy.

Our Professional Ethic and Army Values encourage Soldiers to refrain from dehumanizing the enemy. Rules of Engagement aid Soldiers in discerning *jus in bello* principles such as proportional use of force, discrimination between combatants, and noncombatants, avoiding evil means, and using good faith of treating the enemy honorably as a combatant, with care as a prisoner, and with dignity when deceased. The Geneva Convention and UCMJ provide systems of justice for warriors who violate the ethic.

However, something deeper must compel warriors through a sense of character, identity, and honor than simply rules of war. Aristotelean virtue ethics and the works of Thomas Aquinas attempt to create a moral and ethical framework for the warrior to operate within since even "the most virtuous of soldiers, therefore, in the most just of wars, could, under Thomistic scrutiny also, still sense a certain disorientation in his attempt to do what was right on the battlefield."<sup>29</sup>

Our religious and philosophical perspectives of death, hell, and the enemy's humanity contribute to our perspective lenses as well as the psycho-social issues of isolation, and perceived control and security. Close Combat Leaders must ensure their personal and personnel's professional ethic, moral character, intent, action, and end state is rooted, founded, exercised, and tested in order to live with the hell of war ready to pierce through their soul.

### **Prepare, Protect, and Preserve: The Professional Army Ethic, Training, and Care**

Steeling the soul of the warrior is a holistic and ongoing process rather than a systematic task or program of instruction. It requires recruiting, teaching, and training Soldiers of character. Soldiers must know who they are individually as trusted professionals, who they are collectively as a professional ethic, and who benefits from their character, intent, and actions as leaders.

Our professional Army Ethic relies upon trusted professionals comprised of character, competence, and commitment who execute their mission effectively, efficiently, and ethically.<sup>30</sup> Our ethic is shaped by our culture and societal beliefs to include our spiritual and religious beliefs and practices, and philosophical and psychological development.<sup>31</sup>

Instilling the character of a professional warrior requires a professional ethic, a warrior's code, self-regulated and enforced from within out of a compelling love for one another and ones warrior class in war and peace. Major General Carl von Clausewitz wrote, "The soldier trade, if it is to mean anything at all, has to be

anchored to an unshakable code of honor. Otherwise, those of us who follow the drums become nothing more than a bunch of hired assassins walking around in gaudy clothes... a disgrace to God and mankind.”<sup>32</sup>

For the U.S. Army this includes ADRP-1 and the Army Framework for Character Development, the Uniform Code of Military Justice (UCMJ), Rules of Engagement (ROE), and just war principles. These ethical rule sets create a framework for the compelling moral code of the warrior class shaping their moral and ethical reasoning and decision making process.

Immanuel Kant’s deontological moral reasoning and categorical imperatives continue to influence today’s professional armies. The first imperative of universal law shapes leaders’ use of just war theory and international law to determine if intentions, actions, and proposed end states fulfill jus in bello when choosing a subterranean mitigating course of action.

Subterranean operations are morally and ethically challenging especially when non-combatants such as human shields, enslaved labor, and trafficked people are involved. If jus ad bellum principles for going to war guide the jus in bello principles of war, subterranean warfare may shift 21<sup>st</sup> century warfare towards traditional total war principles. Such a dramatic shift conflicts with technology, social media, and public opinions conditioning of society to expect and demand risk averse surgical strikes and minimal casualties of combatants and non-combatants. Today, jus in bello seemingly dictates jus ad bellum contrary to the traditional deontological approach due to a hypersensitivity of battlefield violence via 24/7 real time access. The Clausewitz Trinity prevails. We must defeat our enemies with speed, surprise and violence of action, free the oppressed, and protect the innocent with the greatest scrutiny in history.

Kant’s second imperative supports people to be seen as an end state rather than merely a means to an end. How close combat leaders interpret this imperative impacts the livelihood of their soldiers, non-combatants, and an enemy force when considering proportionality in the use of force, discrimination, avoidance of evil means, and good faith. Choosing to bypass, neutralize, or control a subterranean space may better fulfill this imperative than destroying or clearing it. Conversely, destroying or clearing a subterranean space in order to deny the enemy use of space to attack other friendly forces may also be a viable course of action.

Finally, the third imperative of making rules in a position of authority that one would also willingly be subjected to, prepares us to effectively protect our soldiers, non-combatants, and treat enemy soldiers justly during and after conflict. Leaders must consider the cost of subterranean operations regarding a units’ combat effectiveness and culmination points, and the potential post combat psychological trauma and moral injury resulting from subterranean spaces.

A professional ethic, moral and ethical reasoning, and morally courageous leadership enhance the preparation, protection, and preservation of close combat soldiers from the banality of evil and propensity of humanity to commit atrocities against humanity. Regarding subterranean spaces, there is no difference in proportionality, use of force, and right intent in suffocating a submarine crew at the bottom of the ocean by disabling their vessel with depth charges as there is closing off ventilation shafts or entrance/exit points of subterranean spaces. When both situations contain combatants, who by their own volition and intent, have chosen to fight from those defenses, which can also be considered offensive in nature, and must be bypassed, neutralized, controlled, defeated, or cleared. Additionally, we have integrated soft and hard call out techniques on objectives in Afghanistan and Iraq in order to mitigate risk to noncombatants even at the risk of our forces, losing initiative, or control of time and space.

### **Conclusion: Reclaiming the Warrior’s “Ticket”**

Warriors who look into the snarling, gazing, fearful, or saddened eyes of our enemy, kill them as combatants, care for them as wounded, and respect them as fellow warriors, meanwhile understanding their own fear of death and desire to live life another day, must have the spiritual, behavioral, and physical coping

mechanisms necessary to live well. “Warriors, above all, must fundamentally be spiritual people, that is, people who are on a different path to start with.”<sup>33</sup>

Steven Pressfield captures this image in, *Gates of Fire*, when after battle the Spartans reclaim their “tickets,” “wooden-twig bracelets,” that are snapped in half before battle. One part is placed in the basket held by the priest, the other attached to the body of the Spartan as their dog tag.<sup>34</sup> Reclaiming ones ticket and reattaching it is a purging and healing process of thanksgiving for surviving battle, mourning for those comrades who died, and living to fight another day. Critical characters in the scene include: the priest, the leader, and fellow warriors.

Addressing the moral pain of soldiers and preserving and caring for the wounded soul of the soldier is nothing new. Warrior codes, penances, ritual religious cleansings, and therapeutic psychology all attempt to address caring for the Soldiers soul after combat. Sigmund Freud mistakenly assumed soldiers returning from World War I would “joyfully return to his home, his wife, and his children, undelayed and undisturbed by any thought of the enemy he has slain” because “civilized man” had lost or discarded “ethical sensitiveness.”<sup>35</sup>

Many of the Enlightenment’s moral philosophies discarded a creator God’s objective truth, religion, and Aristolean and Thomistic virtues, in an effort to find moral good, without God, or an objective good. This led to the evolutionary social scientific pursuits of therapy while limiting the spiritual growth and healing required by the human soul. This pursuit is contrary to historical warrior codes across all cultures including our professional Army Ethic.

Preserving the force through the Army’s Human Performance Program is a holistic attempt to develop the 21<sup>st</sup> century American Soldier and care for the greatest asset of today’s military, people. Carl Jung wrote in reference to the psychological needs of humanity that, “It is indeed high time for the clergyman and psychotherapist to join forces to meet this great spiritual task.”<sup>36</sup> We must remember, “The nation that makes a great distinction between its scholars and its warriors will have its thinking done by cowards and its fighting done by fools.” (Spartan king, quoted by Thucydides) Subterranean warfare highlights the continual need for professional Soldiers to prepare, protect, and preserve the warrior’s soul by internalizing a warrior code, utilizing moral and ethical decision making, and the exercising transformational leadership necessary to teach, train, refine, forge, and heal the warrior soul. May we trust that, “*God has not given us a spirit of fear, but of power and love and of a sound mind.*” (2 Timothy 1:7)

## End Notes

- 1 C.S. Lewis, *The Problem of Pain* (New York: Macmillan Publishing Company, 1962). 127.
- 2 U.S. Army Infantry School, *Subterranean Operations*, Army Techniques Publication AT 3-21.51 (Washington, D.C.: Headquarters, Department of the Army, 2018).
- 3 Ibid., 2-1.
- 4 Ibid., 1-9, 1-22.
- 5 Ibid.
- 6 Nathan Palisca LTC, "Subterranean MTT A Slide Deck," April 10, 2018.
- 7 Chief of Calvary Doctrine Branch in the Directorate of Training and Doctrine at the Maneuver Center of Excellence at Fort Benning, Georgia and led the developing and writing of ATP 3-21.51.
- 8 Ibid., 2-1.
- 9 "Mosul Study Group" (U.S. Army Combine Arms Center (USACAC), September 2017).
- 10 Robert Stanton LTC, "Moral Aspects of Sub T OE," April 5, 2018.
- 11 Ibid.
- 12 Ibid.
- 13 David Grossman, *On Killing* (Boston: Back Bay Books, 1996). 120, 135.
- 14 Ibid., 123.
- 15 U.S. Army Infantry School, *Subterranean Operations*.
- 16 Ran Tinichigiu MAJ and Ido Puterkovski MAJ, "Interview with IDF Students on Sub T," April 11, 2018.
- 17 Stanton, "Moral Aspects of Sub T OE."
- 18 Ibid.
- 19 Tinichigiu and Puterkovski, "Interview with IDF Students on Sub T."
- 20 Ibid.
- 21 Nathan Palisca LTC, "Meeting with LTC Nate Palisca, DOTD Sub T ATP 3-21.51," March 29, 2018.
- 22 Shannon French, *The Code of the Warrior* (Maryland: Rowman & Littlefield, 2017). 4.
- 23 Francis Chan and Preston Sprinkle, *Erasing Hell* (Colorado Springs: David C. Cook, 2011). 74.
- 24 Rob Bell, *Love Wins* (New York: Harper Collins, 2011). 93.
- 25 Karl Marlantes, *What It Is Like to Go to War* (New York: Atlantic Monthly Press, 2011). 80.
- 26 Eun Lee et al., "A Psychosocial Approach to Understanding Underground Spaces," *Frontiers in Psychology* (March 28, 2017).
- 27 Ibid.
- 28 Ibid.

- 29 Bernard Verkamp, *The Moral Treatment of Returning Warriors in Early Medieval and Modern Times* (Chicago: University of Scranton Press, 2006). 36.
- 30 “Army White Paper: The Army Framework for Character Development” (Department of the Army, June 2017). 4.
- 31 Ibid., 6.
- 32 Carl Von Clausewitz, *On War* (Princeton: Princeton University Press, 1989).
- 33 Marlantes, 64.
- 34 Steven Pressfield, *Gates of Fire* (New York: Bantam, 1998).
- 35 Verkamp, 49.
- 36 Carl Jung, *Modern Man in Search of a Soul* (New York: Harcourt, Brace and Company, 1933). 265.

# “Reflecting the Best in Us”<sup>1</sup>: Traditional Just War Principles as a Framework for Building Character and Maintaining Trust

by Kenneth L. Sampson

*“Killing, whatever its form, can be morally corrosive. Mid-intensity counter insurgency, with its myriad of complex situations, an enemy who won’t play fair and the constant, enduring feeling of being under threat, compound such corrosiveness... There is a balance to be struck between morality and operational effectiveness, between softness and hardness. It is a fine line to walk, but one which must be walked nonetheless.”<sup>2</sup>*

The moral steadiness described by Lieutenant Paddy Bury, platoon leader for a Ranger Company, 1 Royal Irish Regiment, Afghanistan, 2008, addresses aspects of Just War. This paper contends that the Just War Tradition, articulated and instilled at the Soldier, Sailor, Marine, Airman, Coast Guard level—and integrated throughout the Armed Forces, serves to stimulate individual character development and cultivate systemic trust. It draws heavily on a variety of recent articles, memoirs, novels and Armed Forces publications relating to combat realities, moral injury, and the necessity of character development.

While focused on the tactical-to-operational levels of conflict, the findings within this work nonetheless apply to strategic concerns. The actions of a “strategic corporal” can have international impact. The patterns of thought and conduct developed by Armed Forces members at the Battalion and Brigade level continue as they advance to the ambiguous, more globally-focused senior positions. And, tactically positioned forces benefit by clear nationally developed objectives on the reasons why they go to war.

The Just War framework, though not without its detractors, is a command “caretakers-of-the-profession-of-arms” responsibility, leadership duty, cohesion-building opportunity, and character-developing imperative. Outcomes include enhanced military credibility, greater public “buy-in” of direction and policy, fewer spiritually-injured combat-exposed personnel, and strengthened “why we fight” integration with Armed Forces members on the ground.

The Tradition offers criteria and principles “...stretching back in time and continuing even today on the intersection of ethics and war...[a framework] significantly larger and richer than is often assumed and... not a fixed theory or doctrine.”<sup>3</sup> For many, it is a “living tradition that more closely resembles an ongoing conversation about what it means to love and seek justice for our neighbors in war.”<sup>4</sup>

Legal prescriptions guiding policy and conduct leading to and within war are extensive. The 1204 page *Department of Defense Law of War Manual* and 253 page *Law of Armed Conflict Deskbook* parse with great detail particular legal issues of war.<sup>5</sup> Yet the more lofty aspirations and standards of morality, reflected in the best within us as a Nation and Armed Forces, and which impact on-the-ground behavior in complex settings, may not be readily accessible within such legal formulations.<sup>6</sup> Embracing the Tradition’s structure within our units—“The only framework that offers a rich, highly inflected language, a storehouse of categories, concepts, and common places developed over centuries of reflection, in which the moral

particulars of war can be examined”—leads to readily available, humanity-centered insight and guidance for our citizen warriors.<sup>7</sup>

This moral insight is critical, especially in the ethically corrosive (over time) combat environment. On the “morally bruising battlefield,”<sup>8</sup> “...in the heat and fury of combat...there are powerful forces, the ‘forces of moral gravity,’ which tend to drag the soldier down to the enemy’s level.”<sup>9</sup> After five months combat near Sangin, Afghanistan in 2008, Patrick Bury would write, “We are being [morally] corroded, eaten by this hard place.”<sup>10</sup> Yet he could keep his “moral compass...still pointing North,” in part due to the positive impact of the Just War Tradition.<sup>11</sup>

The Tradition can assist in providing a helpful moral context, a sense of coherence and orientation in the too often falling-to-pieces, pulled-in-a-hundred-directions world of deployments or Stateside assignments. Nearing the end of their 2008 Iraq combat tour, “The Good Soldiers” of the 1-16 Infantry Battalion experienced “fresh fires and explosions, and after more than four hundred days [in Baghdad], there was a growing sense of bewilderment within the soldiers. What were they supposed to think of what was happening? How were they to make sense of it? How could they shape it into something understandable?”<sup>12</sup> In this often confusing world where soldiers are “required to make the most consequential, intense and complex moral decisions of their lives...to help them understand why it is morally right for them to fight”<sup>13</sup> the Just War Tradition can assist.

## Obstacles

*“Never think that war, no matter how necessary, nor how justified, is not a crime. Ask the infantry and ask the dead.”—Ernest Hemingway<sup>14</sup>*

From many quarters we are encouraged to “tread lightly” in our use and treatment of Just War principles. First, on the soldier level, the obstinateness of the enemy seems to make empathy impossible: “These are a people who do not understand kindness...They see kindness as a weakness. And they will take advantage of it. And Marines will die.”<sup>15</sup> There is the unthinking, “My country right or wrong” obedience and “muscle memory” reflex that those who engage directly with the enemy must possess: “As Private Tilley my most important job was to carry out orders.”<sup>16</sup> “Stuffing down” ethical questions experienced in combat is the avenue of some: “There were names people used to describe soldiers who struggled with combat stress and they were often degrading or unsoldierly. One knew it was better to keep your demons locked inside and not talk much about it.”<sup>17</sup> Then, there’s the hard-hearted, uncompromising nature of “closing with the enemy.” “This book [*Callsign Hades*]...is not meant for those who serve bravely in the infantry, for I fear my observations are too soft for men who need to remain hard.”<sup>18</sup> Lastly, on the soldier level, there’s the negation of conscience:

“Our military’s institutional preferences leave little room for personal conscience. Military culture expects service members suffering from moral distress to ‘suck it up and drive on’... ‘Resilience’ training prepares soldiers to cope with bad experiences—even if these future experiences involve their doing, or witnessing, something that they *should* feel bad about.”<sup>19</sup>

Secondly, the realities of war may seem to obliterate Just War considerations. There’s a seemingly “monstrous immorality” in even considering advanced weaponry: “Nuclear weapons explode the theory of just war. They are the first of mankind’s technological innovations that are simply not encompassable within the familiar moral world.”<sup>20</sup> Next, there’s the savage nature of combat: “War is brutish, inglorious and a terrible waste...Combat leaves an indelible mark on those who are forced to endure it.”<sup>21</sup> War realities can lead to a celebration of hate: “Allied officers were constantly fretting that the troops’ hate levels weren’t high enough...George Patton’s aide praised him as ‘a great hate builder.’ Dwight Eisenhower bragged, ‘I am not one who finds it difficult to hate my enemies.’”<sup>22</sup>

Third, faith/philosophical factors may curtail Just War reasoning. A basic incompatibility surfaces when combining the concepts “just” (fair-minded, even-handed, decent, righteous, principled) and “war” (bloodshed, fighting, struggles, encounters). The inner moral conflict experienced by “Golden Rule” (“Do unto others as you would have others do unto you”) constraints in combat can be great:

“[Soldiers] do not want to be killed themselves, yet they must sometimes kill others. Compassion, the ‘Golden Rule,’ and laws and mores that are normal at home are greatly modified on battlefields, applying to a warrior’s dealings with his comrades-in-arms but only in special circumstances to his interactions with ‘enemy’ troops.”<sup>23</sup>

Lastly, in *Killing From the Inside Out—Moral Injury and Just War*, humanities professor Robert Emmet Meagher, outlines reasons “[it] is time to declare [Just War theory’s] death and to write an autopsy.”<sup>24</sup> The Tradition has been used to so “rubber stamp” and justify military actions that its effectiveness is null:

“...following World War I...the concept of just war has been invoked to drape with legitimacy every major war that the United States has waged and is waging...despite the fact that none of these conflicts would have met the criteria for just war before those criteria became so opportunistically diluted and distorted that they could be used to stamp as legitimate whatever acts a warring nation deems necessary to prevail.”<sup>25</sup>

The “broken promises” offered by Just War invalidate its utility: “...at its worst [Just War theory] was a lie, a deadly lie. It promised at least the possibility of war without sin, war without criminality, war without guilt or shame, war in which men would risk their lives but not their souls.”<sup>26</sup> Finally, the moral dissonance within recent wars makes for the Tradition’s unsuitableness:

“War has its own rules, and they don’t include fair play, moral limits, or an agreement that right trumps might. War, as Bertrand Russell is said to have once memorably stated, never decides who’s right, just who’s left. It is, as Vietnam veteran [and Veterans Affairs Chaplain] William Mahedy put it, ‘a moral sewer’ that can’t be cleaned up and whose waters never were and never will be morally potable.”<sup>27</sup>

Despite these barriers, the Just War Tradition remains valid. Not that the Tradition resolves or even begins to resolve all ethical issues raised in combat; not that Just War can unambiguously defend certain courses of action and policies that would necessitate war; not that post war moral concerns—especially for the Armed Forces members who fight them—are easily remedied and sorted out. Rather the Tradition provides a context, a common moral vocabulary, by which we may discuss, wrestle with, and view issues brought about by our profession. Within the Tradition, we have “...inherited a vast moral vocabulary and set of moral tools, developed over centuries and handed down from generation to generation...a practical inheritance... which people could use to engage their own moral struggles.”<sup>28</sup> This shared moral vocabulary enriches, enlightens, and identifies common ground and context with which we can grapple with issues.<sup>29</sup> Though not easy, in identifying particulars of the ethical concerns at hand, and nuances of approach—while engaged with the framework offered by the Just War Tradition—we can arrive at clear, straightforward directives and instruction applicable throughout our chain of command.

### **Command “Caretakers-of-the-Profession-of-Arms” Responsibility**

*“People want to do the right thing in the midst of war...they want moral guidance...”*<sup>30</sup>

As caretakers-of-the-profession-of-arms, Officers embody the “ethos” of the Armed Forces profession and fulfill a calling and vocation with responsibilities “octaves above” that required by civilian counterparts.<sup>31</sup> “[The] commander must be the controlling head, his must be the master mind, and from him must flow the energy and the impulse which are to animate all under him.”<sup>32</sup>

This obligation of service includes providing a moral compass for subordinates, maintaining the “moral high ground,” knowing “when to inspire and embolden their Soldiers and Marines and when to enforce restraint and discipline”—all Just War concerns.<sup>33</sup>

“Leaders prepare to indirectly inflict suffering on their Soldiers and Marines by sending them into harm’s way to accomplish the mission. At the same time, leaders attempt to avoid, at great length, injury and death to innocents. This requirement gets to the very essence of what some describe as ‘the burden of command.’...Leaders must develop these characteristics [fortitude, resolve, mental toughness in commanders and units] in peacetime through study and hard training. They must maintain them in combat.”<sup>34</sup>

This command responsibility involves the education as well as training of those entrusted to one’s care. Vice Admiral James B. Stockdale, held for eight years in a North Vietnamese prison, wrote:

“Every great leader I have known has been a great teacher, able to give those around him a sense of perspective and to set the moral, social, and motivational climate among his followers. This is not easy; it takes wisdom and discipline and requires both the sensitivity to perceive philosophic disarray in your charges and the knowledge of how to put things in order.”<sup>35</sup>

The Just War “disarray” within those whom we lead may express itself within combat by indiscriminate, undisciplined “shoot-em-up time” attitudes.<sup>36</sup> “Nuke the Middle East...Let the whole region be glass...Kill ‘em all...” hatred can easily seep into squads and platoons long exposed to harsh and austere battlefields.<sup>37</sup> Yet to temper this tangle of excessive rhetoric, the wise commander will have offered prior education and training regarding the Just War Tradition—not to enforce *compliance* to rules of conduct but to *embed principles and values* addressing deep moral concerns and understanding.

Command guidance concerning going to war (Jus ad Bellum) principles—competent authority; just cause; proportionate means; exhaustion of peaceful alternatives; right intention—can lead to more thorough “boots-on-the-ground” purpose and integration for the cause at hand.<sup>38</sup> Coaching regarding conduct within war (Jus in Bello) concepts—military necessity; humanity; proportionality; distinction; honor—bolsters understanding for implementation of rules of engagement and behavior on the battlefield.<sup>39</sup> Instruction on cessation of hostilities (Jus Post Bellum) essentials—“...issues regulating the end of warfare and the return from war to peace...i.e., what a just peace should look like...”—can lead to a vision contributing to the personal healing and wholeness of those charged to carry out our nation’s wars.<sup>40</sup>

Rigorous, creative training that promotes awareness of these principles will help raise consciousness of their importance and fix their understanding within units. Then, in the hard-edged realm of combat, where, especially over time, an “ethical fading” may occur, responsible leaders will double efforts to attend to command climate and the Tradition’s awareness and applicability to situations at hand.<sup>41</sup>

## Leadership Duty

*“In sum, then: carefulness before battle, callousness in it, and compassion after it.”<sup>42</sup>*

“Good people volunteer to become soldiers—despite knowing they may be required to do bad things to bad people—because they trust they will be led by good people working to achieve a greater good.”<sup>43</sup> This leadership duty falls most often into the hands of those closest to Armed Forces members on the ground, Noncommissioned Officers/Petty Officers (NCOs/POs). As members of the profession of arms, NCOs/POs are bound together in a shared calling, “a commonly accepted ethos, an ethical framework or code that guides and governs” their behavior.<sup>44</sup>

“In the United States, the members of this noble profession are held to a higher standard of conduct than most of their fellow citizens. They are required to follow a unique set of laws

and a code that guides them morally and ethically, while preparing for—and during—the heat of battle. This code is what separates them from mere criminals, savages, mercenaries, and terrorists. They bear arms and share risks out of necessity at the call of their nation, not out of enjoyment or uncivilized greed.”<sup>45</sup>

Embracing this “moral and ethical code,” which is given structure and shared vocabulary within the Just War Tradition, is both a leadership privilege and obligation. Leaders, at all levels, provide troops on the ground with opportunities to carry out the “most consistent moral conduct in the throes of combat.”<sup>46</sup> They seek to develop an ethical “muscle memory” not conditioned upon “legalistic indoctrination, which easily breaks down under the pressure of complex, confusing, and morally ambiguous circumstances.”<sup>47</sup> Rather, throughout the stages leading to, during and after combat, junior officers and NCOs/POs can take the Just War Tradition “off the shelf...out of their kitbags...[and place it] into their hip pockets” for the betterment of their charges.<sup>48</sup> They train and educate their subordinates in practical, “hands on,” ethically enhancing ways, to include the following:

### Going to War

In preparation for training exercises, Combat Maneuver Training Center rotations, deployments, and combat stationing, the orders process can include reasons for the current fight based on “big picture” Just War principles (Jus ad Bellum). The concept is not to promote an “airtight” Just War checklist. Rather, the intent is for conscious fostering of dialogue and interaction regarding the reasons for going to war.<sup>49</sup> Breaking these notions down into language and moral examples that are accessible and understood by soldiers is essential.<sup>50</sup> During training, formal and informal gatherings after an all-night infiltration, an assault on the objective, or “fire-for-effect” can lead to the practical application of Just War principles “until they become second nature.”<sup>51</sup>

### During War

Remaining “...morally focused and righteous in their intentions, even in the fog of war and under the psychological pressures of combat” has been an upstanding achievement of our individual and collective conduct during these past sixteen years.<sup>52</sup> Yes, aberrations occurred. Yet, throughout combat operations in two theaters, and continuous postings in often austere, harsh and hostile settings around the globe, our Armed Forces have engaged with ethical “eyes wide open” and a “moral compass in hand.”<sup>53</sup> Holding the “precious legacy of ferocious, ethical combat performance”<sup>54</sup> has been maintained by means of “training in the principles of just warfare, the just war tradition, and military standards of conduct and core values.”<sup>55</sup>

The recurrence of moral and spiritual injury within returning forces may be indicative of a need for more intentional “justice within war” approaches. The continuing expert work of the U.S. Naval Academy’s “Stockdale Institute,” the “Center for the Army’s Profession and Ethic” (CAPE), and “The Leavenworth Symposium” offer abundant social media and print-based case studies, speeches, and articles to stimulate leader engagement in “justice within war” training, discussion and insight.<sup>56</sup> Intentionally tying rules of engagement to traditional “conduct within war” moral principles may further embed their value within our forces. Leaders who open squad level dialogue, within a safe space, on issues like combat stress, perfection, guilt, regret, and the “hero narrative” (being “the good guys...protectors of the innocent...destroyers of evil,” practically invincible)<sup>57</sup> may provide “emotional ‘shock absorbers’ [so necessary] for their subordinates.”<sup>58</sup> And, guarding the moral small-unit command climate, even in the midst of dramatic and audacious success, will reap dividends.<sup>59</sup>

### After Combat

After-action reviews, both informal and deliberate, can voice observations concerning moral appeals regarding the use of force and implications appropriate to operations just conducted. Teaming with unit,

ship or squadron assigned Religious Support Teams, Staff Judge Advocates, Behavioral Health and Medical personnel, to offer opportunities for decompression, ethical and spiritual processing, realizing “[m]ind-sets reflecting humility, regret, and perhaps contrition acknowledge this [mixed emotions of regret and sadness in some victorious soldiers] ambivalence and may actually ease a warrior’s transition to peacetime existence.”<sup>60</sup>

### **Unit Cohesion-Building Opportunity**

*“The commander...create[s] an ethical space within which collective reflection on the military calling is frequent, accepted, and instructive. Normally this requires the human touch, an ability to engage informally with subordinates, and to coach and mentor without creating a sense of unease with those whose professional futures are very much in the commander’s hands.”<sup>61</sup>*

Establishing and maintaining a climate of trust within an Armed Forces unit contributes greatly to building cohesion and confidence. The sense of integrity, strength, and loyalty generated by leaders and returned by those who are led shapes and forges bonds so necessary to carry out our military calling. Being committed to “the dignity, worth, and well-being of the other...is the foundation of trust.”<sup>62</sup> Integration of Just War principles within and throughout the command contributes much to establishing such an ethos of assurance and hope.

“The moral truth [of the Just War Tradition] has a reassuring stability and resilience to it” that governs our actions leading to, during and after combat.<sup>63</sup> The discipline required to fight wars justly contributes positively to soldiers sticking together, over time, under trying or exhilarating conditions. The Tradition offers “interdependent and reinforcing parts of a coherent system, ...a general guide for conduct during war when no specific rule applies.”<sup>64</sup> The internal confidence generated by these principles flows from individual Soldiers, Sailors, Marines, Airmen and Coastguard to teams, squads, platoons, and companies. A formidable unit bonding can occur.

Then, whether in counterinsurgency (COIN) or force-on-force action, leaders who set “an example for the local populace,” serving as a “moral compass that extends beyond the COIN force and into the community” will bolster the highest moral aspirations of those within their command.<sup>65</sup> This positive “aspiration-energy” uplifts, ennobles and fuses-together subordinates, peers and superiors alike.

Credible command and leader presence is key to fostering such conditions. Armed Forces members “will remain loyal and dutiful if they see in the one junior officer who is nearest them the embodiment of the ideals which they believe should apply throughout the service.”<sup>66</sup> These front-line leaders, with their day-in and day-out “hands on” interactions, have many opportunities “to create conversations that enable soldiers to gain and maintain healthy perspectives on their wartime experiences.”<sup>67</sup> During these discussions—times that are often spontaneous—to talk deeply of matters that count, and address the “why” of “what to do (and not to do) in war” enable significant moral growth.<sup>68</sup> In the absence of such leader presence, or if the cause is not seen to be just, soldiers may generate squad-level values of some sort, often expressing cynicism, disdain or resentment. A negative small-unit climate develops “from the bottom up, in one-on-one engagements that build interpersonal connections and develop a sense of being understood.”<sup>69</sup> This hostile atmosphere too often leads to an “us-versus-them” antagonism, detrimental to cohesion and whole unit bonding.<sup>70</sup>

Intentionally engaging the Just War Tradition within unit training and “down time” occasions may foster a unified, collective spirit that builds unstoppable trust, resilience and commitment. “Reflection about the practice of justice in war,” a process of “the community’s reflection and discernment,” when introduced or cultivated by a respected, caring leader, may pay great dividends.<sup>71</sup> Tapping the wide array of on-line videos and training aids, or suggesting recent memoirs, novels or documentaries,<sup>72</sup> shows involved, patient leadership, leading to “Soldiers and Marines [who] are more confident in their chances of success...”<sup>73</sup>

Including *ARMY Magazine's* recent "Strong to the Core" series by line-officer Lieutenant Colonel (Retired) Pete Kilner, which features cutting-edge Just War themed insight, will benefit formal and informal dialogue and interaction.<sup>74</sup>

### Character-Developing Imperative

*"It's a journey that one could never imagine—I've touched lives, made folks feel and be appreciated for who they are—never for what they are wearing in terms of rank but as the human beings under the uniform."*<sup>75</sup>

Our nation looks to us to help develop the character of those entrusted to our care. "Enacting justice [a primary Armed Forces capability] requires more than mere determination or willpower; one must be attuned to what justice is and formed in the habits and practices that render the pursuit of justice second nature. This is what is meant by character."<sup>76</sup> The Just War Tradition gives credible voice to character-enhancing topics. The inner life of Armed Forces members, addressing issues of conscience, humility, moral struggle, one's "moral core," love, forgiveness, human weakness, courage, reconciliation, revenge, justice...are key areas related to and included within character development and Just War concerns.<sup>77</sup> Rigid mindsets fostering "zero-defect perfection" or an "over-idealized sense of good soldiering" can lead to excessive shame and deep guilt when character breaches occur.<sup>78</sup> Wise leaders would incorporate such issues within their soldier-level discussions and character-building sessions.

Character within the leader or led "is not innate or automatic. You have to build it with effort and artistry... You won't even achieve enduring external success unless you build a solid moral core. If you don't have some inner integrity, eventually your...scandal, your betrayal, will happen."<sup>79</sup> Within the Armed Forces, character marks the moral qualities, ethical standards, persistent courage and inner principles of right conduct possessed by those who lead. "Our leaders, then, are...going to have to have maximum amounts of initiative...critical thinking skills...[and] character, so they make the right moral and ethical choices in the absence of supervision under intense pressure in combat."<sup>80</sup>

Character development, a matter of the mind and heart as much as technique and direction, depends in part on the makeup of the leader. Eugene B. Sledge's memory of his company commander during World War II is instructive:

*"Our company commander represented stability and direction in a world of violence, death, and destruction...the loss of [Captain Haldane] at Peleliu was like losing a parent we depended upon for security—not our physical security, because we knew that was a commodity beyond our reach in combat, but our mental security."*<sup>81</sup>

The character insights of West Point plebes in Professor Elizabeth D. Samet's English class are enlightening: "They seemed to understand that courage isn't simply a matter of leading charges: sometimes it consists in speaking up, sometimes in stoic silence, sometimes in forging ahead, sometimes in circumspection, and sometimes in nothing less than preserving our own humanity."<sup>82</sup>

Character-building leaders are self-aware, knowing and continually assessing their strengths and weaknesses, and motivations for decision-making.<sup>83</sup> They recognize, especially as they are granted higher rank, how they are "in danger of being corrupted by their own aggressive actions."<sup>84</sup> The genuine humility of the Armed Forces leader, and ability to listen to peers, subordinates and superiors alike, is essential to the character maturation of all.

The Just War Tradition can help foster such moral strength. The mandates given by and for those we lead—to "not compromise my integrity, nor my moral courage;"<sup>85</sup> to know that "at the heart of moral conduct... is a sense that our actions, whether in peace or war, are constrained; by respect and reverence for others;"<sup>86</sup>

to realize that what draws our recruits to join “may be less out of an interest in violence than a longing for the kind of maturity and respect that often come with it;”<sup>87</sup> and to work out the notion of our military’s “conception of honor rooted in inner virtue...in conscience, integrity, and doing what is right”<sup>88</sup>—are charges rooted in the Tradition and are noble responsibilities for us all to fulfill.

## Implications

*“Military leadership is an endlessly interesting subject. Few human activities carry such a heavy triple burden—physical, intellectual and spiritual.”<sup>89</sup>*

The following outcomes of this renewed emphasis on traditional Just War thought and practice benefit both the Armed Forces and civilian communities. By fusing the Tradition within tactical/operational training and deployments, trust and the human dimension of Soldiering are recognized and reinforced. The attendant benefits to the greater public at-large build wider trust and confidence within our citizenry for military undertakings and action.

### 1. Greater Public “Buy-In” for Direction and Policy.

*“...helping Soldiers figure out what war will do to them morally, and thereby to the network of relationships and communities within which each of them lives...should be...as much a subject of professional military education and training for combat as any other.”<sup>90</sup>*

Clear articulation of the moral underpinnings of strategy and practice, and the attendant impact on the military member “on-the-ground,” are Just War concerns. “Figuring out” the ethical implications of policy and action leads to greater moral integration within the soldier and within the parent society. This “moral attachment...[the] affirmation of our commitments to [the] larger community, the embrace of an ideal that attracts...draws...animates...inspires us” further adheres military aims to civilian concerns.<sup>91</sup>

When the Just War Tradition teams with valued military applications of discipline and the power of example, greater community alignment with policy can occur. The result is true moral strength, something “...formed over long periods of time...often hidden, humble, and unobtrusive, [this] good character evolves through disciplined practices and morally significant relationships.”<sup>92</sup> Such commitment, empowered by the example of leaders and led alike, is carried out by military members daily, leading to greater public “buy-in” for direction and policy and for the betterment of us all.

The focus of our training and care, and the product we send back into society—Sailors, Coastguard, Soldiers, Airmen and Marines—strengthened by the Tradition, contribute to greater public “ownership” and endorsement of strategy and approach. A military that intentionally exercises “...our nation’s greatest strength during military operations abroad—our nation’s strong tradition of respect for basic human rights” contributes as well to the high Armed Forces regard by citizens at home.<sup>93</sup> In embodying a “sacred trust,” the “...protection of the weak and unarmed...the very essence and reason of [the Soldier’s] being” is to build cohesion within the “fabric” of society.<sup>94</sup> And, military members concerned about the aftereffects of conflict—issues such as care for the most vulnerable (displaced persons, children, the infirm, refugees), respect for the environment, embracing a “healing-mindset” regarding reintroduction of warriors back into society—foster admiration from a grateful public and deeper respect for courses of action to be employed.<sup>95</sup>

Lastly, this public “buy-in” is fortified by the Tradition’s realities applied to “going-to,” “during,” and “after-war.” Treating the thought and practice of Just War patriarchs such as Augustine and Aquinas who “...shared a moral presumption against war and killing and saw these as a last and unfortunate resort” may curb the appeal of “saber-rattling” military and public servant civilian leaders.<sup>96</sup> Seeking to unmask and remove ethical blinders within war not only builds professionalism, but leads to greater civilian respect for and support of the

war effort.<sup>97</sup> Wars remembered not for “military victory...but for the quality of the peace that followed” are wars that can maintain legitimacy in the eyes of the public.<sup>98</sup>

## 2. Enhanced Military Credibility

*“Good leaders are humble leaders. They are servant leaders. It is not about themselves. It’s never about you. It’s about the cause. It’s about the people you serve.”<sup>99</sup>*

It takes restraint, discipline and humility to embody Just War principles while maintaining a “warrior’s edge.” Such leaders of character “know who they are.” In possessing ethical maturity and substance, these leaders are seen by the American public at large as trusted agents and trustworthy representatives of our Nation. Armed Forces members who possess qualities of “restraint, temperance, respect...soft self-discipline...inner cohesion...calm, settled, and rooted [dispositions]...”—all traits integrated within the Just War Tradition—build the reliability of our military institutions at large.<sup>100</sup> When leaders “radiate a sort of moral joy”<sup>101</sup> and sense of shared humanity in the management and enforcement of their duties, the reputation of our Armed Forces, and confidence in its overall mission, increases.

Two significant recent examples of the public embrace of Just War principles by senior Army leaders serve to illustrate this institutional credibility. LTG Sean MacFarland, while serving as senior military commander in Iraq, stated in response to “carpet-bomb ISIS” threats by political candidates, “We are bound by the laws of armed conflict and at the end of the day it doesn’t only matter whether or not you win, it matters how you win...”<sup>102</sup> Then, General Mick Nicholson, upon taking command of forces in Afghanistan, traveled to Kunduz where a recent “friendly fire” bombing decimated a Doctors Without Borders Hospital. “As commander, I wanted to come to Kunduz personally...to deeply apologize for the events which destroyed the hospital...I grieve with you for your loss and suffering, and humbly and respectfully ask for your forgiveness.”<sup>103</sup>

This grounding of one’s own inner person, an internal sense of moral clarity and resultant “...calm, settled, and rooted” profession-of-arms disposition, can lead to increased flexibility and adaptability in carrying out mission specifics.<sup>104</sup> Brigade Commander Colonel Pat Work, 2<sup>nd</sup> BDE Combat Team, 82<sup>nd</sup> Airborne Division, spoke of his recent Iraq deployment to partner with Iraqi Security Forces to retake Mosul: “To be successful in this type of mission, it requires one characteristic in particular. ‘When it comes to advising...there’s a humility we need to have.’”<sup>105</sup> Combat-proven LTG H.R. McMaster, an officer who embodies the moral depth required of the Armed Forces Profession, could be adaptable in carrying out his duties as National Security Advisor in an often unpredictable environment. On his final day in the White House, to the credit of his integrity, adaptability and sense of appreciation by the Nation-at-large, it was said, “McMaster leaves, broadly speaking, with his dignity intact.”<sup>106</sup>

The competence within and calling of the Armed Forces member, stemming from Just War concerns and a shared moral language, contribute to this increased admiration for the military profession. The high aspirations found within being a member of the Armed Forces profession, “...a vocation, a higher calling, to serve others, to sacrifice self, one’s own ambition and desires, something greater than one’s own contributions...” can be reinforced by means of adhering to principles within the Tradition.<sup>107</sup> “Moral discipline...the inner capacity for restraint—an ability to inhibit oneself in one’s passions, desires, and habits within the boundaries of a moral order...” leads to personal character that is deep and lasting.<sup>108</sup> When applied to and embedded in the real world of soldiering—in field training, deployments, and combat—such moral authority garners exceptional respect from the larger society.

Providing opportunities and training to embed Just War values (such as temperance, courage, prudence, justice...) within our forces, and speak to the reality that “our military needs to pay more attention to conscience” also bolsters the credibility of our Armed Forces.<sup>109</sup> Finding one’s “North Star” requires examining one’s desires and intentions--an examination that moves beyond legal compliance and is more

directly tied to the values and language of the Just War Tradition.<sup>110</sup> Integrating Service values with Just War concerns is one way to integrate this conscience-recognizing-enterprise. “Forming faithful consciences” whether through faith, philosophic, humanist, behavioral health/medical or psychological communities, is an additional process by which Just War values engage with and increase stature in the larger community.<sup>111</sup>

### 3. Fewer Spiritually Injured Personnel

*“...[S]oldiers’ knowledge that they have behaved in a professional, disciplined, moral manner when confronting the enemy is one of the most important factors to prevent post-traumatic stress and various dysfunctions that come with it.”<sup>112</sup>*

Spiritual injury, the “soul damage” that can occur as a result of significant trauma experienced by military members within war, is related to moral injury, wherein an Armed Forces member breaks “the Geneva Convention of the soul.”<sup>113</sup> Spiritual harm can affect one’s relation to their Higher Power, leading to identity conflict and resultant questions about forgiveness, doubt, suffering, hope and connection. Guilt, regret, grace, ambition and perfectibility are “inner-self” concepts that we can acknowledge and wrestle with when integrating Just War interests within our operations.<sup>114</sup>

Despite careful planning and attentive execution, “...the world of war is not a fully comprehensible, let alone a morally satisfactory place.”<sup>115</sup> Notwithstanding our best intentions, “...wars are human enterprises and all human enterprises are flawed, reflecting the limitations and the weaknesses and the disordered loves of the human agents who operate them.”<sup>116</sup> At the conclusion of “horrific and grisly” battlefield events, units press on, “often losing sight of the individuals who were most affected by the incidents.”<sup>117</sup> In training and deployments, simply acknowledging this rushed and intense environment, and voicing—at appropriate times—the morally disrupting aspects of war may positively impact soldiers’ lives for the better.

Employing the language of the Just War Tradition helps military members “understand why it is morally right for them to fight.”<sup>118</sup> The value of respect for humanity, both in oneself and others (to include the enemy), can protect military members “from the dehumanization that naturally follows descent into the maelstrom of war.”<sup>119</sup> Recognizing the “discomfort of many soldiers’ consciences” and addressing these ethical concerns with moral language may lead to fewer spiritually and morally injured Armed Forces members.<sup>120</sup>

### 4. Strengthened “Why We Fight” Integration

*“Although soldiers do not get to choose their deployments, they do deserve to know their deployments are morally justified and how to act morally within them.”<sup>121</sup>*

“Moral authority matters.”<sup>122</sup> Knowing the reason, cause, and purpose for going to war—so much a part of the Just War Tradition—can positively affect the morale and “fighting spirit” of those who carry out our war plans. To preserve a soldier’s sense of “agency or control...it is vital that troopers understand how the risks they take and sacrifices they make are contributing to the achievement of objectives worthy of those risks and sacrifices.”<sup>123</sup> This sense of understanding of the purpose behind both the strategic and tactical mission, clearly and straightforwardly articulated and communicated, can strengthen and sustain the Armed Forces member who fights on-the-ground.<sup>124</sup>

While it may be true that “Sovereigns...alone make the call whether war is rightly warranted...” and “what must concern the soldier is to obey his ruler and, at the same time, to wage war with the right intent and inner disposition—free of hatred, rage, revenge, battle-lust, savagery, or any other dark, corrupting passion or disturbance of soul...” confidence that the war “is rightly warranted” reinforces disciplined soldier conduct within war.<sup>125</sup> “...[A]ny nation or military that desires to truly honor its warriors must place perceptions of ‘what is right’ at the forefront of its deliberations on when and how to wage war.”<sup>126</sup>

Yet, too often, the “why” of going into a particular conflict or engagement is either too expansive to be achievable or too poorly explained to be meaningful for those on-the-ground.<sup>127</sup> Such ambiguity or obscurity in going to war may lead to more conflicted consciences and less confident Armed Forces members.<sup>128</sup> Whether going to war is seen as just or unjust can determine the amount of “soulful struggle of conscience” a soldier undergoes.<sup>129</sup> Possessing morally grounded justification for going to war (“why we fight”) can lead to greater soldier-level courage, assurance and trust within and after war.

## Conclusion

*“At the end of an [Armed Forces member’s] service, no matter how short or long, the reward will be the satisfaction of knowing that character, competence, and leadership made a difference in his or her own life, the lives of troops led, and the lives of fellow citizens.”<sup>130</sup>*

The sense of satisfaction described in this concluding paragraph from *The Armed Forces Officer* speaks to a feeling of fulfillment that can be ennobled and solidified by means of the Just War Tradition. Yes, there are significant difficulties in implementation. I realize our “plates are full” with an excessive amount of priorities and duties as Officers and Noncommissioned Officers/Petty Officers of our Armed Forces.

In writing this paper, I’ve looked back over nearly thirty years of serving as a Chaplain in the United States Army. My first eight-and-a-half years were with Light Artillery and Infantry units. Later, I was Deputy Division Chaplain for a Heavy Mechanized Division and then a Division Chaplain in combat with the 10<sup>th</sup> Mountain Division (Light Infantry). Whatever the assignment, I felt training to be essential. All the while, I considered the Just War Tradition to be important. Yet seldom, outside of individual counseling settings, did I observe or take responsibility for the Tradition making intentional inroads into training or unit-level activities. I regret this.

Now, reflecting back after being retired four-and-a-half years, and reading some of the Just War resources that remained “on the shelf” during my active duty time, I see the Tradition as offering so much. The welfare of individual Armed Forces members of whatever creed, religious or ethnic background, stands to profit from insights gained. Unit bonding is strengthened. And, the ties of our military to the Nation are fortified.

Even in the “rush” of our leadership positions within Battalions, Brigades and Divisions, in the forward-looking, energizing, fast-paced military environment, we can attempt to insert Just War concerns into plans and operations. Leaders over company-level training “lanes” can include opportunities for moral reflection after significant events or as part of their After Action Reviews. Exercise directives and mission briefings could cover the broader ethical framework, and how the operation at hand engages larger National interests and objectives. CMTC rotations could clearly have Just War considerations woven throughout their scenarios. Officers could utilize unit Medical, Staff Judge Advocate and Religious Support Team personnel to offer Just War insights, examples and training experiences to enliven unit ethical development. In these and other intentional ways we can engrain the Tradition within our forces. And, in so “reflecting the best in us,” we keep our moral compasses pointing “true North” and are strengthened and sustained.

## End Notes

1 Adapted from President Barack Obama, Letter to author, 1 DEC 2016.

2 Lt. Paddy Bury, "Pointing North," unpublished paper, May 2009. Quoted in Nigel Biggar, *In Defence of War* (Oxford: Oxford University Press, 2014), 89. See also Patrick Bury, *Callsign Hades* (London: Simon and Schuster, 2010), 234-235.

3 David D. Corey and J. Daryl Charles, *The Just War Tradition—An Introduction*, (Intercollegiate Studies Institute: Wilmington, Delaware, 2012), 7.

4 Ibid., 184.

5 Office of General Counsel, *Department of Defense Law of War Manual*, June 2015; International and Operational Law Department, U.S. Army Judge Advocate General's Legal Center and School, *Department of Defense and Law of Armed Conflict Deskbook*, Fifth Edition, June 2015.

6 Legal prescriptions speak to the lowest "rung" in the "ladder" of ethics and morality. "What could be done," which the law parses, is less laudatory than "What should be done," (moral elements of a decision at hand) or "values, traditions and principles that speak to our highest, most noble aspirations as a people," (ethics). As Michael Walzer writes, "Moral argument is especially important in wartime because...the laws of war are radically incomplete" (Michael Walzer, *Just and Unjust Wars—A Moral Argument with Historical Illustrations*, Second Edition, New York: Basic Books, 1992), 288.

See also Brian Orend, *The Morality of War*, (Toronto: Broadview Press, 2006, 61, "Just war theory is thus *even more demanding than international law...since, quite often, morality sets itself a higher standard than law*" (author's italics). Columnist David Brooks, addressing a different ethical concern, nonetheless speaks to this legal, moral hierarchy: "Legal conflict is a clumsy tool to manage the holy messiness of actual pluralistic community. The legal system does not deal well with local and practical knowledge, the wisdom to know when a rule should be applied and when it should be bent. It does not do well with humility, tolerance and patience—virtues that are hard to put into rule and can be achieved only in a specific situation." David Brooks, "How Not To Advance Gay Marriage," *New York Times*, 4 DEC 2017, A27.

7 Corey and Charles, 4.

8 Phil Klay, *Redeployment*, (New York: Penguin Press, 2014), 145.

9 Richard M. Swain and Albert C. Pierce, *The Armed Forces Officer*, (Washington, D.C.: National Defense University Press, 2017), 52.

10 Bury, *Callsign Hades*, 257.

11 Biggar, 90.

12 David Finkel, *The Good Soldiers*, (New York: Farrar, Straus and Giroux, 2009), 249.

13 Pete Kilner, "How Leaders Can Combat Moral Injury in Their Troops," *ARMY Magazine*, May 2017, 24.

14 As quoted in Bury, *Callsign Hades*, 75.

15 Klay, 141.

16 Jack L. Tilley and Dan Elder, *Soldier for Life*, (Temple, Texas: NCO Historical Society, 2015), 29.

17 Ibid., 69. See also Douglas Pryer, "Moral Injury and Military Suicide," *Cicero Magazine*, 3 JUN 2014, <http://ciceromagazine.com/features/moral-injury-and-the-american-soldier>. "Better it would be, I have often

felt, to keep such memories at a distance, as if they were islands with submerged, dangerous reefs safely viewed only from afar.”

18 Bury, *Callsign Hades*, xi.

19 Douglas Pryer, “Review Essay, God is Not Here—A Soldier’s Struggle with Torture, Trauma, and the Moral Injuries of War” by Bill Russell Edmonds, *Military Review*, September-October 2015, 134-135. Pryer continues: “Doctrine does not mention conscience...Technology enables service members to kill our nation’s enemies at increasingly greater distances and thereby avoid the fact that they are killing human beings.”

20 Walzer, 282. We could add “invincible, hypersonic weapons” and “Star Wars” laser technology to this category as well.

21 E.B. Sledge, *With the Old Breed*, quoted in Dwight Garner, “Hell in the Pacific, and Much Worse—E.B. Sledge’s account of being a Marine in World War II is unforgettable and harrowing,” *New York Times*, 21 April 2017, C28.

22 Anna Fels, “The Point of Hate,” *New York Times*, 14 April 2017, A23.

23 Douglas Pryor, “Moral Injury and the American Soldier,” *Cicero Magazine*, 2 June 2014, <http://ciceromagazine.com/features/moral-injury-and-the-american-soldier>.

24 Robert Emmet Meagher, *Killing from the Inside Out—Moral Injury and Just War*, (Eugene, Oregon: Cascade Books, 2014), 129.

25 Ibid., 128.

26 Ibid., 129.

27 Ibid., 132.

28 David Brooks, *The Road to Character*, (New York: Random House, 2015), 56.

29 See Walzer, *Just and Unjust Wars*, xxviii and 20: “The moral world of war is shared not because we arrive at the same conclusions as to whose fight is just and whose is unjust, but because we acknowledge the same difficulties on the way to our conclusions, face the same problems, talk the same language. It’s not easy to opt out, and only the wicked and the simple make the attempt” (xxvii). “...one of the things most of us want, even in war, is to act or to seem to act morally...because we know what morality means...I am going to assume...that we really do act within a moral world; that particular decisions really are difficult, problematic, agonizing, and that this has to do with the structure of that world; that language reflects the moral world and gives us access to it; and finally that our understanding of the moral vocabulary is sufficiently common and stable so that shared judgments are possible” (20).

30 Daniel M. Bell, *Just War as Christian Discipleship—Recentering the Tradition in the Church rather than the State*, (Grand Rapids, MI: Brazos Press, 2009), 14.

31 The expansive nature of this ethos and the calling’s burden-of-obligation is seen in the following from Swain and Pierce, *The Armed Forces Officer*: “...a professional *ethos* is the collective and *internal* sense of what each member must *be* as a member of the profession. It is felt more than known” (25). “Only the true warrior ethos can moderate war’s inevitable brutality” (Les Brownlee and Peter Schoomaker, ‘Serving a Nation at War: A Campaign Quality Army with Joint and Expeditionary Capabilities,’ *Parameters* (Summer 2004), 12-13 quoted on page 9). “Like the priesthood, the profession of arms is a *vocation*, a higher calling, to serve others, to sacrifice self, to be about something larger than one’s own ambitions and desires, something grander than one’s own contributions and even one’s own life” (17).

32 *Field Regulations, United States Army, 1923*, as quoted in Swain and Pierce, *The Armed Forces Officer*, 77.

33 U.S. Army, Marine Corps, *Counterinsurgency Field Manual, U.S. Army Field Manual No. 3-24, Marine Corps Warfighting Publication No. 3-33.5*, (University of Chicago Press: Chicago and London, 2007), 240.

34 *Ibid.*, 241.

35 James B. Stockdale, *A Vietnam Experience—Ten Years of Reflection*, (Hoover Institution: Stanford, 1984), 121. Vice Admiral Stockdale continues, “A leader must aspire to a strength, compassion, and a conviction several octaves above that required by society in general.”

36 Kayla Williams, *Love My Rifle More Than You—Young and Female in the U.S. Army*, (W.W. Norton: New York, 2005), 142.

37 *Ibid.*, 253-254.

38 *Department of Defense Law of War Manual*, 40.

39 *Ibid.*, 50.

40 *Department of Defense Law of Armed Conflict Deskbook*, 10. Rear Admiral Louis Iasiello, Chaplain Corps, U.S. Navy, outlines seven helpful principles/criteria that could set the moral parameters for the post-combat phase of war: “...a healing mind-set, just restoration, safe-guards for the innocent, respect for the environment, post bellum justice, the transition of warriors [mind-body-spirit reintegration], and the study of the lessons of war” (Louis Iasiello, “Jus Post Bellum—The Moral Responsibilities of Victors in War,” *Naval War College Review*, Vol. LVII, No. 3/4, Summer/Autumn 2004, 40.

41 See Swain and Pierce, *The Armed Forces Officer*, 52. On this moral erosion over time within combat, see also Paolo G. Tripodi and David M. Todd, “Casualties of Their Own Success: The 2011 Urination Incident in Afghanistan,” *Parameters*, 47(3), Autumn 2017, 65-78.

42 Biggar, *In Defence of War*, 118. Nigel Biggar provides the context for the carefulness, callousness and compassion needed: “To be successful, a military commander must be sufficiently callous to spend the lives of his troops. Such callousness can accompany carefulness. But can it also accompany compassion...? In one...sense, the answer has to be negative; for ‘compassion’ connotes a certain emotional identification, an entering into the suffering of others, which is exactly what a commander must callous himself against, if he is to order his troops to risk or spend their lives...This callousness, however, is perfectly compatible with having such sympathy for the plight of front-line troops before battle, or for the plight of the wounded afterwards...” 118.

43 Pete Kilner, “When ‘Moral Compasses’ Need Calibration,” *ARMY Magazine*, JUN 2017, 24.

44 *The Noncommissioned Officer and Petty Officer*, (National Defense University Press: Washington, D.C., 2013), 22.

45 *Ibid.*, 22.

46 Wollom A. Jensen and James M. Childs, Jr., *Moral Warriors, Moral Wounds—The Ministry of the Christian Ethic*, (Eugene, OR: Cascade Books, 2016), 117.

47 *Ibid.*, 117.

48 See unpublished paper, “Agents of Grace—Armed Forces Chaplaincy and the Just War Tradition,” by Kenneth L. Sampson, (DEC 2017), 1.

49 Though not addressing specific Just War concerns, Pete Kilner’s “Serving the Empire—Soldiers Deserve to Know How Deployments Support the Constitution,” (*ARMY Magazine*, MAR 2018, 34-35) infers a similar “big picture” approach in integrating national principles to orders for Armed Forces members on the ground.

50 In my judgment, it is debatable whether “simple rules” or guidelines “are best because they are easy to understand, less difficult to follow and allow fewer moral errors” by Armed Forces members. See Micah Chapman, “World Renowned War Theorist headlines Ethics of War Conference,” (*Pointer View*, 16 NOV 2017), 4.

51 Swain and Pierce, 29.

52 Iasiello, 39.

53 Meagher, 94.

54 James Mattis, “Acceptance Speech,” *Marine Corps University Foundation 2014 Semper Fidelis Award Dinner*, 22 FEB 2014.

55 Iasiello, 39.

56 Stockdale Institute, <https://www.usna.edu/Ethics/index.php>; CAPE, <http://cape.army.mil>; Leavenworth Symposium, <http://www.cgscfoundation.org/events/ethics-symposium>.

57 Chaplain (LTC) Bill Harrison, “What is Moral Injury?—Unit Ministry Team Role?” slide presentation, Operational Religious Support Leader Training, USAREUR, 15 March 2017, 12.

58 U.S. Army, Marine Corps, *Counterinsurgency Field Manual*, 240.

59 See Tripodi and Todd, *Casualties of Their Own Success: The 2011 Urination Incident in Afghanistan*, 77.

60 Iasiello, 41.

61 Swain and Pierce, 87.

62 Jensen and Childs, 137.

63 Orend, 144.

64 *Department of Defense Law of Armed Conflict Deskbook*, 51.

65 U.S. Army, Marine Corps, *Counterinsurgency Field Manual*, 239.

66 Swain and Pierce, 87. The authors quote S.L.A. Marshall’s 1950 edition of *The Armed Forces Officer*, 141.

67 Pete Kilner, “How Leaders Can Combat Moral Injury in Their Troops,” *Army Magazine*, May 2017, 24.

68 *Ibid.*, 24.

69 Nancy Sherman, *Afterwar—Healing the Moral Wounds of Our Soldiers*, (Oxford University Press: New York, 2015), 47.

70 Tripodi and Todd, *Casualties of Their Own Success: The 2011 Urination Incident in Afghanistan*, 76. “[T]he scout snipers...had moved into an ‘us-them’ frame, in which ‘us’ were only the members of the platoon and ‘them’ were not only the enemy but also fellow marines who did not approve of the sniper’s conduct.”

71 Bell, 15.

72 A sample includes The Yellow Birds, by Kevin Powers (2012); Tribe—On Homecoming and Belonging by Sebastian Junger (2016); The Good Soldiers by David Finkel (2009); Thank You for Your Service by David Finkel (2013); Redeployment by Phil Klay (2014) and God is Not Here—A Soldier's Struggle with Torture, Trauma, and the Moral Injuries of War by Lieutenant Colonel Bill Edmonds, (2015).

73 U.S. Army, Marine Corps, *Counterinsurgency Field Manual*, 243.

74 See “How Leaders Can Combat Moral Injury in Their Troops,” (May 2017, 24-25); “When ‘Moral Compasses’ Need Calibration,” (June 2017, 24-25); “Know Thy Enemy—Better Understanding Foes Can Prevent Debilitating Hatred,” (July 2017, 22-23); “Divergent Ethics—Facing a Foreign Partner Who Has a Different Moral Code,” (August 2017, 24-25); “Bending the Rules—Ambiguous Standards, Falsified Records Cause Ethical Harm,” September 2017, 26-27); “Moral Misconceptions—Five Flawed Assumptions Confuse Moral Judgments on War,” November 2017, 43-44); “Is Loyalty Overvalued?” (December 2017, 34-35), *ARMY Magazine*.

75 Major General Errol R. Schwartz, words at his retirement ceremony, District of Columbia National Guard Armory, 19 MAR 2017, Arthur Mondale, “Private to major general: D.C. Guard past commander reflects on career impacts on Soldiers, Airmen, Cadets,” *Pentagram*, 1.

76 Bell, 172. Dr. Bell continues: “Right intent arises from and is sustained by character. Consider the centrality of drill and repetition, particularly under stressful conditions, to good military training, as well as the importance of being steeped in military tradition and culture. The point is to mold the character of soldiers so that certain dispositions and actions becomes almost a second nature.”

77 See Brooks, *The Road to Character*, index, 287-300.

78 See Nancy Sherman, *The Untold War—Inside the Hearts, Minds, and Souls of Our Soldiers*, (Norton and Company: New York, 2010), 63, 69, 147. See also Jensen and Childs, *Moral Warriors, Moral Wounds*, 130, “From the standpoint of faith is a question of how the principles that embody love of neighbor can best be served when, in fact, they cannot be perfectly served...we recognize that the practice of the Christian ethic does not operate with the certitude of moral perfection but rather with the assurance of God with us with grace for the way.”

79 Brooks, 12.

80 General Mark Milley, Chief of Staff of the Army, Remarks to the Association of the United States Army, (2016), Washington, D.C. October 2016, as quoted on the cover of *Army White Paper—The Army's Framework for Character Development*, 28 AUG 2017.

81 Eugene B. Sledge, *With the Old Breed at Peleliu and Okinawa* (Presidio Press: New York, 1981), 140-141, as quoted in Swain and Pierce, *The Armed Forces Officer*, 92.

82 Elizabeth D. Samet, *Soldier's Heart—Reading Literature Through Peace and War at West Point*, (Farrar, Straus and Giroux: New York, 2007), 214.

83 See unpublished remarks by Lieutenant General (Retired) William B. Garrett III, University of North Georgia, Alumni Weekend Military Awards Review, 23 APR 2017.

84 Brooks, 148.

85 Portion of the NCO Creed, quoted in Richard Bobitaille, “Saved at the Stalag—NCO Risked His Life for Other Prisoners,” *ARMY Magazine*, FEB 2018, 22.

86 Sherman, 85.

87 Sebastian Junger, *Tribes—On Homecoming and Belonging*, (Hachette Book Group: New York, 2016), 38.

88 Sherman, 74.

89 Thomas Ricks, “War Stories—Military History—New perspectives on My Lai and Dunkirk; the life of Hannibal; and the rise and fall of Communism,” *The New York Times Book Review*, SUN, 12 NOV 2017, 37.

90 James M. Dubik, Foreward, in Sherman, *Afterwar*, xvii.

91 Swaine and Pierce, 34.

92 Peter W. Marty, “An Undivided Life,” *Christian Century*, 2 AUG 2017, 3.

93 Douglas Pryer, “Moral Injury and Military Suicide,” *Cicero Magazine*, 3 JUN 2014, 7, <http://ciceromagazine.com/features/moral-injury-and-military-suicide>.

94 General Douglas MacArthur, confirming the death sentence for Japanese General Yamashita, quoted in *Department of Defense Law of Armed Conflict Deskbook*, 9.

95 See Iasiello, *Jus Post Bellum—The Moral Responsibilities of Victors in War*, 41-45, 48-50.

96 Meagher, 108.

97 See Tripodi and Todd, *Casualties of Their Own Success: The 2011 Urination Incident in Afghanistan*, 66.

98 Tim Collins, *Rules of Engagement*, (Headline Book Publishing: London, 2005), 166.

99 General Mark Milley, remarks 30<sup>th</sup> annual General Douglas MacArthur Leadership Award Ceremony, Pentagon, 15 JUN 2017, reported by David Vergun, “Soldiers wise to learn from MacArthur, says CSA,” Army News Service, 15 JUN 2017.

100 Brooks, xvi.

101 Ibid.

102 News Transcript, Department of Defense Press Briefing by Lieutenant General Sean MacFarland, Commander, Combined Joint Task Force-Operation Inherent Resolve, 1 Feb. 2016. <https://www.defense.gov/News/Transcripts/Transcript-View/Article/647924/departement-of-defense-press-briefing-by-gen-macfarland-via-teleconference-in-th>.

103 Mujib Marshal and Najim Rahim, “U.S. Commander in Afghanistan Apologizes for Bombing of Hospital,” *New York Times*, 22 MAR 2016.

104 Brooks, xvi.

105 John Amble, “Brigade Commander Discusses the Fight for Mosul at Modern War Institute Event,” *Pointer View*, 1 FEB 2018, 4. Adaptability also included an expansion of the “Advise and Assist” nature of working closely with partner Forces: “It’s actually all six ‘A’s of ‘A and A,’ ...In addition to advising and assisting, ‘you have to ‘accompany,’ which is important in order to ‘assure’ the partnered force. You also need to ‘anticipate’ their needs, and to do that you need to be ‘agile,’ [Colonel Pat Work] said.”

106 Quote by LTC (RET) John Nagl, in Mark Landler, “For McMaster, Pomp Under Bittersweet Circumstances,” *New York Times*, 6 APR 2018.

107 Swain and Pierce, 17.

108 James Davidson Hunter, *The Death of Character: Moral Education in an Age Without Good or Evil*, (Basic Books: New York, 2000), 16, quoted in Swain and Pierce, *The Armed Forces Officer*, 34

109 Douglas Pryer, *God is Not Here*, 135.

110 See James M. Dubik, *Just War Reconsidered*, (University Press of Kentucky: Lexington, Kentucky, 2016), 67, “Justice in war demands more than compliance.”

111 See Bell, *Just War as Christian Discipleship*, 116.

112 H.R. McMaster, “Remaining True to Our Values—Reflections on Military Ethics in Trying Times,” (*Journal of Military Ethics*, 2010), 9:3, 183-194, DOI: 10.1080/15027570.2010.510850, 192.

113 See “The (Twin) Wounds of War” by Chaplain (Colonel) Timothy S. Mallard, Providence Journal, Fall 2015, Issue 5, <https://providencemag.com/2017/02/twin-wounds-war-spiritual-injury-moral-injury>. Chaplain Mallard identifies twelve markers of spiritual injury (Loss of God in Relationship, God’s Providence and/or Sovereignty, Suffering, Forgiveness, Paralyzing Doubt, Excessive Sorrow, Justice and Reconciliation, Truth or Faith Claims, Identity—Meaning—Purpose, Theology of the Body, Hope—Eternal Life, Connection with Others). See also Larry Dewey, *War and Redemption—Treatment and Recovery in Combat-related Posttraumatic Stress Disorder*, (Ashgate Publishing: Burlington, VT, 2004), Chapter 4, “The Burden of ‘Breaking the Geneva Convention of the Soul,’” 75-95.

114 See Sherman, *Afterwar*, 18-21.

115 Walzer, 327.

116 Biggar, 325.

117 Tilley, 41.

118 Kilner, “How Leaders Can Combat Moral Injury in Their Troops,” 24.

119 Kilner, “Know Thy Enemy,” 22.

120 Ibid.

121 Pete Kilner, “Serving the Empire—Soldiers Deserve to Know How Deployments Support the Constitution,” *ARMY Magazine*, MAR 2018, 34.

122 Ibid., 35.

123 McMaster, “Remaining True to Our Values,” 192-193. The resultant embedded discipline can lead to “achievement” of soldiers in battle marked by similar restraint. “It is almost certainly true that [soldiers] fight best when they are most disciplined, when they are most in control of themselves and committed to the restraints appropriate to their trade.” (Walzer, *Just and Unjust Wars*, 308).

124 This confidence in going to war can also counteract debilitating moral and spiritual injury: “deployed troops want ‘assurance that wars will be justified on moral or even prudential grounds...’ Such assurances may not be forthcoming during deployment with the result that ‘deep resentments may fester, and veterans may become re-traumatized as they live through new wars that they believe are unjustified or unnecessary.’” (Nancy Sherman, *Afterwar*, 47 as quoted in Jensen and Childs, *Moral Warriors, Moral Wounds*, 108).

125 Meagher, 96.

126 Pryer, “Moral Injury and the American Soldier,” 4.

127 See Dubik, *Just War Reconsidered*, 174. “At times, American war aims have been clear but so expansive as to be not achievable or at least not achievable by the ways and means applied. At other times, they have been absent or at least opaque to the common citizens.” See also James N. Mattis, “The Meaning of Their Service,” Remarks for the fourth annual salute to Iraq and Afghanistan Veterans at the Marines Memorial Club, San Francisco, 16 APR 2015, <http://www.ruthfullyyours.com/2015/04/18/the-meaning-of-their-service-general-4star-ret-u-s-m-c-james-n-mattis>. “For the veterans of the Iraq and Afghanistan wars—poorly explained and inconclusive wars...the question of what our service meant may loom large in your minds.” Additionally, see Robert Gates, *Duty—Memoirs of a Secretary At War*, (Alfred A. Knopf: New York, 2014), 567-568: “In December 2006, my goals in our wars were straightforward and I think relatively modest, but they still seemed nearly unattainable...in Iraq, I hoped we could stabilize the country in such a way that when U.S. forces departed, the war there would not be viewed as a strategic defeat for the United States, or as a failure with global consequences; in Afghanistan, I sought only an Afghan government and army that were strong enough to prevent the Taliban from returning to power and al Qaeda from returning to use the country again as a launching pad for terror. These goals were more modest than President Bush’s...”

128 Some Armed Forces members looking for the “why?” of a conflict or war at hand may look to other-than-just means to justify the cause. See Tim Collins, *Rules of Engagement*, 433. “What I found particularly ironic in modern Iraq was that the young fighters on both sides were motivated to a large extent by identical outrage...Both the insurgents...and many of the GIs fought out of a need for vengeance, the cycle of retaliation gathering pace with every fresh killing.” Some soldiers step back into rock solid foundations. See also Williams, *Love My Rifle More Than You*, 77. “I memorized the code of conduct: ‘I am an American, fighting in the forces which guard my country and our way of life...I will never forget that I am an American, fighting for freedom, responsible for my actions, and dedicated to the principles which made my country free...’” Yet without specific application of Just War principles to the cause at hand, dissolution can occur. Williams continues: “The more we know about what brought about this war in the first place, the harder and harder it gets. It was a year of my life. And what...for? What was it all about? Not having an answer for that makes it hard. Makes it feel dirty...” (282).

129 See Sherman, *The Untold War*, 46. “[S]truggle, largely inside...a soulful struggle with conscience...worry about whether being betrayed or manipulated by leadership...how [one] can serve honorably...”

130 Swain and Pierce, 150.



# Fighting Bad Wars Better: Reconsidering the Human Terrain System

by Molly J. Schaefer

*“The nation that will insist on drawing a broad line of demarcation between the fighting man and the thinking man is liable to find its fighting done by fools and its thinking done by cowards.”<sup>1</sup>*

*“[Rommel] fought a bad war well, not only militarily, but also morally.”<sup>2</sup>*

In 2005-6, largely as a response to the persistent threat of improvised explosive devices in Iraq, the Department of Defense (DoD) launched a new initiative to get to the root of the human networks that perpetuated this weapon. The Human Terrain System (HTS) thus emerged, aiming to integrate a particular set of academics into the military decision cycle so that military actions could better account for the society entangled with conflict. In teams of five to nine, anthropologists, social scientists, and regional experts were embedded with Brigade Combat Teams (BCT) and tasked with mapping the so-called human terrain, then advising commanders as they navigated it. Reports on the efficacy of the program ranged from life-saving to unethical; proponents argued that kinetic actions decreased as a result of improved cultural understanding, while critics questioned the sheer nature of the endeavor. Perhaps the loudest critique came from the Society for Applied Anthropology citing a lack of Institutional Review Board (IRB) procedures despite the use of human subjects for research purposes. The anthropology community, including some anthropologists who themselves served on Human Terrain Teams (HTT), largely condemned the program, arguably leading to its dissolution in 2014.

The program’s adversaries produced strong arguments, though. A similar initiative launched during the Vietnam War. Civil Operations and Rural Development Support (CORDS) addressed the idea that the war would be won or lost as a result of the people. However, much of the data produced through CORDS was subsumed by the CIA-led Phoenix Program, which tactically exploited otherwise neutral data points. Unsurprisingly, contemporary observers drew parallels between the Human Terrain System and its predecessor. Inconsistent positions on classification of the program and its information furthered the shroud as well as the divide with academic anthropology. By the time the Human Terrain System came to a close, the very scholars who could have comprised the teams denounced them. Meanwhile, the DoD described the program’s closure by explaining that commanders no longer needed civilian anthropologists to provide human terrain guidance.

By addressing one ethical quandary, the DoD is left with another. Scholarly research protocol demands ethical treatment and consent of anyone affected by the research; this is undebatable. However, wars begin and end with no such obligations, despite the irreparable impact on the societies interwoven with the conflict. War, by its nature, brings brute force directly into contact with fragile communities, yet efforts to understand the impact of this collision are deemed unethical. I argue that the Human Terrain System may have been imperfect, but the concept deserves reconsideration. We have an ethical obligation to our own soldiers as well as the populations affected by war to academically and practically explore the consequences of our actions. Letting the Human Terrain System’s unfavorable legacy skew new approaches, like the Phoenix Program skewed it, would only deepen the challenge of developing cultural understanding.

The aim of this paper is to reframe the discussion of how to best account for human terrain within a broader discussion of culture, expertise, and statecraft. I begin with an overview of the Human Terrain System program, followed by a synopsis of the debate over its ethical soundness. Admittedly, my treatment of the debate emphasizes the black-and-white nature it has assumed. However, this apparent dichotomy illustrates the necessity for a reconsideration of the Human Terrain System, which I offer in the following sections. I propose three alternative lenses through which to view the debate and the system itself: *jus ad bellum* versus *jus in bello*, professors at war, and the administrative integration of HTTs. I will explore each in turn and conclude with suggestions for future programs. While the HTS initiative may have been relatively trivial in funding and duration, its lack of success raises broader questions on the integration of civilians into warfare as well as the intersection between war and academia. It illustrates incongruencies between the ethics of war and the ethics of research, and perhaps most importantly, it highlights how these differences within our own culture undermine our collective ability to engage cultures foreign to us.

## Program Overview

Even before the Human Terrain System galvanized into a program of record, dialogue on the military's pervasive cultural and social ignorance was well underway. Wars in Iraq and Afghanistan revealed that "commanders lacked means by which to gain cultural and social understanding of the local people and their perspectives" and "no system was in place to provide continuity of situational awareness/cultural knowledge to successive iterations of units in the same operational areas."<sup>3</sup> The HTS aimed to address these gaps through the following tasks:

1. Collect and analyze operationally relevant socio-cultural information to support Brigade understanding of security environment;
2. Provide focused socio-cultural research to fill knowledge gaps;
3. Contribute to development of operational courses of action planning with special focus on non-lethal alternatives;
4. Archive and preserve it and provide socio-cultural knowledge base continuity at unit Relief in Place/Transfer of Authority.<sup>4</sup>

Notably, these were not tasks to simply assign to existing staff; instead, they demanded a specific form of expertise. As Chris Sims explains, Civil Affairs units were focused on projects rather than people. "They were therefore an evaluation and monitoring asset that, while in theory was grounded in sociocultural analysis of the area of operations to prioritize requirements and efficacy, in practice was largely assessment conducted at a more abstract level."<sup>5</sup> Psychological operations, on the other hand, focused on messaging the population, but did not conduct any concerted information collection that could influence or shape thinking and planning within the BCT.<sup>6</sup> Finally, the intelligence cell focused on threats via threat identification, personality focus, and targeting data.<sup>7</sup> This matrix of information, intelligence, and interaction with the population still left a gap; the HTS was designed to fill it by focusing on the population, conducting social science field research, and providing cultural and societal perspectives. In sum, the HTS aimed at a population perceptions-based approach to complement the work of other staff sections.

To build these teams, the DoD (through contractor BAE Systems) recruited social scientists, casting a wide net in search of anthropologists, sociologists, social psychologists, cultural geographers, political scientists, and a special focus on expertise related to the Middle East or Central Asia.<sup>8</sup> Neither BAE Systems nor the DoD knew exactly what they needed; "HTS managers were working from a 'best guess' about what might work in Iraq and Afghanistan."<sup>9</sup> The effects of this ambiguous recruiting process manifested in theater. Former Human Terrain Team leader Bill Darley explained that his team of eight was a true anomaly in Iraq, boasting seven Arabic speakers (three of whom were native speakers), a robust academic and experiential base, and a collective desire for meaningful engagement with the province; most teams instead relied

on interpreters, often had at least one member who rarely left the security of the base, and accordingly produced little of value to the command.<sup>10</sup>

The recruiting issue undeniably affected the efficacy of the teams downrange, but an important backstop to any academic or linguistic shortcomings was the Research Reachback Center (RRC) at Fort Leavenworth, Kansas. The RRC “provides comprehensive, multidisciplinary, and timely social science-based research and analysis, accessible across multiple domains to support requests for research by commanders, staffs, and their human terrain teams.”<sup>11</sup> Accordingly, any questions the HTT felt unable to answer independently could be sent back to Kansas for more detailed analysis. Notably, the RRC capitalized on a vast network of academic institutions to maximize insight into the situation under review.

In theory, the HTS presented a powerful tool to inform the conduct of counterinsurgency operations by intersecting scholars and practitioners and drawing from a diverse pool of knowledge. In practice, the program quickly fell subject to scrutiny that would lead to its premature demise. This scrutiny forms the foundation of a consequential debate that continues to present.

## The Debate

At the most superficial level, literature and commentary on the topic fall into two main categories—advocates and opponents. Perhaps unsurprisingly, military members generally fall into the former category while social scientists generally fall into the latter. Proponents include Colonel Martin Schweitzer, whose brigade combat team hosted one of the first Human Terrain Teams as a proof of concept in northern Afghanistan. Testifying before Congress, Schweitzer articulated the life-saving impact of the team:

Prior to using the human terrain teams in Afghanistan, the previous five combined operations with the Afghan national army resulted with about 30 or 40 enemy killed, and...about 15 to 20 civilians were also killed...The five operations we did with the human terrain teams, that we spent just under 6 months, had a total of zero civilian casualties, zero enemy casualties, over 100 Taliban detained, over about 50 cumulative foreign fighters during those five operations.<sup>12</sup>

Coupled with conceptual support proffered by the program’s architects, Schweitzer’s statistics seemed to validate the program’s optimistic launch. Yet, within the same Congressional forum where Schweitzer touted the tangible (yet arguably counterfactual) benefits of social scientists in war, points of confusion, if not contention, were already apparent. For instance, Dr. Andre van Tilborg, then-Deputy Undersecretary of Defense, Science and Technology, Department of Defense, opens with a Sun Tzu reference—“know your enemy”—and then discusses the initiatives that go toward learning “as much as possible about the behavioral, social and cultural aspects of our adversaries and of the indigenous populations in which U.S. and coalition forces operate.”<sup>13</sup> While framing culture as a means to understand the operational environment, his phrasing is problematic, because it implies that the only foreigners we want or need to study are adversaries and their population-based support networks.

Adding to the vast space for misinterpretation, Assistant Deputy Undersecretary of Defense John Wilcox stated that “human terrain mapping enables the entire kill-chain.”<sup>14</sup> Skeptics of the neutrality of the program immediately used this statement to substantiate their concerns. As David Price describes in his book *Weaponizing Anthropology*, “the Pentagon, White House, and military contractors painted pictures of Human Terrain Teams as armed social workers” whose misapplication toward counterinsurgency “perverts the discipline’s potential.”<sup>15</sup> Drawing parallels with CORDS did little to help the program’s image, even as advocates aimed to highlight the benevolent intent: “A key feature leading to the success of CORDS was an effective information collection and reporting system that focused on factors essential for the promotion of security, economic development, governance, and the provision of needed government services down to the hamlet level.”<sup>16</sup> This expression aligns well with Schweitzer’s more contemporary analysis: “Not only did

we reduce the risk to our soldiers, but we reduced the risk significantly to the communities that we operated within. Subsequently, we were able to assist linking the people of Afghanistan to their government at an incredibly accelerated rate.”<sup>17</sup>

All this being said, reducing the dialogue to “advocates” and “opponents” creates a false dichotomy; rather, there are at least three overlapping lenses through which to view this debate and meaningfully examine its components. The following effort to reframe the debate is designed to provoke a new avenue of discussion so that military, social science, and political decision-makers can find better success with needed human terrain navigation in future international conflicts.

### **Lens I—*Jus ad bellum* and/or *Jus in bello***

Any discussion on ethics and war benefits from a foundation in just war theory, and more specifically, a clear delineation between *jus ad bellum* (the justice of war or the decision to go to war) and *jus in bello* (justice in the practice of war). In other words, the ethical demands before and during war are distinct, even if equal in necessity. This is a critical consideration for the HTS debate. In the words of anthropologist Hugh Gusterson, “anthropology is, by many measures, the academy’s most left-leaning discipline, and many people become anthropologists out of a visceral sympathy for the kinds of people who all too often show up as war’s collateral damage.”<sup>18</sup> This frames the debate well; if anthropologists find war inherently loathsome, it stands to reason that they would similarly see it as unethical.

However, this line of thinking dangerously conflates *jus ad bellum* and *jus in bello*. As Dan Cox explains, “the U.S. military does not have the ability to veto a political decision to go to war or abscond from any order to engage overseas. Having said this, the U.S. military does have a great say in how a campaign will be conducted and HTS was designed to play an integral role in ensuring that a campaign is conducted as morally and unobtrusively as possible.”<sup>19</sup> Arguing against the HTS on the grounds that the wars in Iraq and Afghanistan were “bad” does nothing to inform or guide the conduct of those left to fight them. Instead, it deters qualified social scientists from participating, thereby undermining the feasibility of initiatives such as the HTS; this ultimately deprives soldiers of insightful analysis that could make the difference between life and death.<sup>20</sup>

Through his critique of the HTS, anthropologist David Vine offers what may be the right solution.

Anthropologists... should not now throw their skills and support behind failed strategies searching for a military solution that will only guarantee continued warfare and keep troops and civilians in harm’s way; they should throw their skills and support behind work to find the political, diplomatic, and economic solutions that are the only way to bring peace to Iraq, Afghanistan, and the world.<sup>21</sup>

Vine’s commentary draws out the fact that anthropological, and really all social science, expertise can positively influence the entire spectrum of statecraft; that is, diplomatic, informational, and economic means *as well* as military means. Although most anthropologists and surely Vine himself may disagree that the military must always remain a viable option, the point is that social science belongs in all instruments of national power, and across the continuum of conflict, not just during international militarized crises. The ethical conduct of statecraft would surely benefit from social science expertise, but isolating the conversation to anthropologists in war cuts off this conversation. The HTS debate lends to such isolation, focusing in on the role of social scientists in a specific program that supported particular conflicts; however, considering HTS through the lens of just war theory, we can visualize the potential for more suitable application of this type of expertise both *ad bellum* and *in bello*. Perhaps with such broad and consistent expertise, the prevalence of so-called “bad wars” (and wars in general) would decrease, as would misconduct in those we ultimately fight.

## Lens II—Professors at War

The concept of sending academics to war proved perplexing to many. Three attributes of the program seemed to illustrate the incongruous nature of professors and war. First, academics by nature strive to remain neutral to their subjects; by committing to the scientific method and diligently mitigating biases, readers can expect reliable—scholarly—analysis. Without this neutrality, even rigorous research becomes suspect. Second, research involving human subjects demands special ethical protocols, which the nature of combat confounds if not precludes. Finally, somewhat merging the first two points, some members of HTTs were armed (by choice). However, any efforts to remain neutral and/or to obtain consent to research were arguably skewed by the presence of a weapon.

The neutrality of social scientists in (or even related to) war has a long history dating back to the First World War. However, the most prominent examples include Project Camelot, CORDS, and the Phoenix Program, all from the Vietnam-era. Although detailed discussion of these programs exceeds the scope of this paper, their legacy deserves consideration. Each program aimed to capitalize on social science expertise to facilitate understanding of other countries and operative groups therein. Although not all data was collected for the purpose of exploitation, enough was exploited to effectively sever any benign ties between social science and the military. That critics of HTS would draw parallels with the earlier programs comes as no surprise, but assuredly undermined any hope that the contemporary crew would enjoy assumed neutrality.

Adding to the perception of non-neutrality, one of the strongest critiques of the HTS was a general disregard for the professional ethics of social science as a discipline. The anthropological community's particular code of ethics has unpleasant history of intersecting with the military, specifically regarding Project Camelot in 1964. The idea to “use anthropologists and sociologists’ research to develop counterinsurgency tactics to quell uprisings (democratic or otherwise) in Latin America” met with harsh rebuke from leaders in the field.<sup>22</sup> Arguably, this effort violated the primary commitment to “first do no harm.”<sup>23</sup> Despite evolving verbiage, the foundation of social science ethics remains keeping the welfare of the subjects first.

The typical mechanism for ensuring ethical treatment of human subjects (which, to be clear, includes populations studied by HTTs) is an institutional review board (IRB). This process validates that research protocols include sufficient consent from the subjects and mitigates research bias. HTTs almost categorically did not conduct IRBs; in some cases, their work seemed exempt to it, and in others, the process would have been too cumbersome for the setting and timelines. Whether the Human Terrain Teams were legally required to carry out IRB protocols prior to engaging remains debated.<sup>24</sup> However, even if a legal loophole existed, the anthropology community fundamentally disagreed with it.

Finally, the decision by some HTT members to carry weapons cast yet another shadow on the program's neutrality and ethical interaction with their research subjects. As an example, these excerpts from the HTS frequently asked questions site drew sharp critique from anthropologists:

### Will I have to carry a weapon?

Military personnel assigned to an HTT are required to carry weapons at all times. No civilian member of an HTT is required, by the U.S. Army, the Training and Doctrine Command, or HTS to carry a weapon. Carrying a weapon is a personal decision, made by the individual HTT member. Weapons issued to civilians are for self-defense only, and are issued at the discretion of the BCT commander depending on the security situation. As part of their pre-deployment training, all civilian members of the HTT must zero, qualify, and be proficient in the use of weapons in order to guarantee their own security in the hazardous environment in which they operate.

### If an HTS researcher carries a weapon, doesn't that imply voluntary informed consent is not possible?

In an environment where most of the population is armed, an assumption that the presence of weapons automatically carries with it the threat of coercive force is simply incorrect. Local Iraqi and Afghan nationals who live in a war zone are smart enough to differentiate between combat forces and personnel who conduct non-combat functions.<sup>25</sup>

While these issues undeniably undermined the reputation of the HTS, they are arguably issues with execution of the program, rather than indicators of a flawed concept.

### **Lens III—Administrative Expedience or Espionage?**

A final lens that deserves special consideration ties into the idea of poor execution. HTT's were typically assigned to intelligence cells within brigade combat teams. Adding to the perception that HTT's were exploitative intelligence collectors rather than neutral social scientists, this assignment seemed to reinforce the idea. Anthropologist Roberto J. González argued, "it appears HTS has two faces: one designed to rally public support for an increasingly unpopular war, and the other to collect intelligence to help salvage a failing occupation. It is far more likely that HTS was created as an espionage programme."<sup>26</sup> Schweitzer's testimony tells a different story; he writes, "let me tell you what an HTT is not. The team is not an intelligence-gathering tool which is used to target individuals. My staff is uniquely organized to run the targeting process and link intelligence systems to time-sensitive targeting. The HTT is sourced to its social scientist and is not qualified or trained to provide targeting support."<sup>27</sup>

This is an appropriate point to interject archival evidence of the work HTT's actually conducted; analysis of this material helps to illustrate how teams and their expertise were employed in practice. As a case study, consider the work of Human Terrain Team IZ13, the anomaly example mentioned earlier. Team IZ13 served under the 1-82 Advise and Assist Brigade in Anbar Province, Iraq; the material under analysis was largely produced in 2010. The scope of this project does not afford comprehensive examination of their work, so I will focus on three key contributions.

First and foremost, the HTT integrated with the surrounding population quickly and easily. As previously discussed, seven of eight team members were fluent in Arabic and could thus interact directly with locals (ranging from citizens in the marketplace to provincial leadership). Removing the requirement for an interpreter immeasurably enhances interactions, which in this case, enabled one HTT member to enjoy a consistent audience with the Provincial Governor. This relationship ultimately enabled a direct line of communication between the Governor and the Division Commander. Moreover, these types of relationships and interactions enabled the team to intimately understand so-called atmospherics. In other words, they "knew normal." They could insightfully guide command teams on meaningful changes in the collective attitudes in the province. Unfortunately this type of intimate interaction breeds suspicion. In fact, senior leaders initially balked at learning of the close relationships between HTT civilians and key Iraqi leaders; this stands in contravention to the Army's methodology for key leader engagements, which almost categorically exclude any civilian staff. This particular team mitigated the friction, yet again, they seemed to be the exception rather than the norm.<sup>28</sup>

Second, and as a result of the well-established understanding of the local operational environment, the HTT was able to inform recurring staff processes. Notably, as part of 1-82 AAB's ongoing mission analysis, the staff conducted bi-weekly updates using the PMESII framework (Political, Military, Economic, Social, Infrastructure, and Information). The HTT was responsible for the Social working group, and produced reports capturing such concepts as overall social cohesion, perceptions toward U.S. forces, second and third order effects of humanitarian aid, the impact of tribalism, and the status of women, to name a few.<sup>29</sup> In addition to recurring reports, the team conducted specific research on the request of the Brigade

Commander. Topics included the Sunni religious structure,<sup>30</sup> corruption,<sup>31</sup> public notaries,<sup>32</sup> friction between the Iraqi Army and Iraqi Police,<sup>33</sup> and even perceptions on U.S. training courses.<sup>34</sup> In keeping with the program's original framework, this process seemed to validate that HTTs supported the collective staff, rather than augmenting intelligence operations.

Finally, the HTT facilitated socio-cultural continuity as 1-82 AAB transitioned out of Iraq. A 90-page handbook of social and cultural dynamics in Anbar awaited the 1-82's replacement, replete with leadership structures, key figures, and advice for interaction.<sup>35</sup> Of course, no handbook can recreate interpersonal relationships, which may well have been the crux of HTT IZ13's success during their tour.

The examples serve to illustrate that the HTT offered a unique form of information; they were not merely an extension of the brigade's intelligence cell. In fact, in certain cases, the teams were assigned to the S7/information operations. However, the cases of intelligence-HTT intersection, coupled with a general suspicion of social scientists in war apparently offered enough ammunition for critics like Roberto Gonzáles, who promulgated the idea that the HTS was an espionage program. Any U.S. government efforts to refute that idea were taken as a cover up, and surely contributed to the program's closure.

### **Reconsidering our Approach to Human Terrain**

What should we make of this debate? Reframing the initiative and its implementation helps to isolate its components and better articulate strengths and weaknesses, but does it offer a way ahead? In my view, a looming question remains. What (and whom) is it that we need to understand? Much of the criticism of the program stems from the fact that the HTS appeared to be a mechanism for targeting adversaries; accordingly, their practical focus on non-combatants led to dissonance in word and deed. Unfortunately, some of the strongest testimony in favor of the program perpetuates that incongruence. Perhaps the real issue is a perceived divergence between ethics in war and ethics in research; are there, and should there be, two separate standards?

In reconsidering the integration of social scientists into military affairs, I offer two points. First, war is but one outcome of international relations, just as the military is but one instrument of national power. To capitalize on the full—and appropriate—potential of the social sciences, we need better integration throughout the spectrum of statecraft. Isolating social science, whether by drawing a line between scholars and practitioners, or by integrating academia only after war has begun, we lose the opportunity for expertise in the period *ex ante*. Effective integration of cultural expertise can facilitate better understanding and anticipation of adversaries' behaviors, but equally important is our nuanced understanding of partners and allies. Academically informed international relations help to identify areas of common interest and even mitigate ostensibly conflicting interests; ideally, better information avoids war altogether.

My second point, however, assumes that despite its awful cost, war will still occur. In that case, it remains incumbent upon the military not only to follow the laws of war, but to prosecute war in the most efficacious and ethical manner feasible. This demands cultural empathy, if not expertise. Aldous Huxley warns us of vincible ignorance—that which one does not know and realizes it, but does not regard as necessary to know. Accepting that war is both chaotic and catastrophic should be a motive to gain greater control over its implications, rather than a motive for academics to recuse themselves of the affair altogether. Inarguably, the U.S. will continue to fight wars that the public (and perhaps even administrations) view as bad. However, we can still fight them better, but only with the careful collaboration between scholars and practitioners.

In sum, the Human Terrain System succumbed to its wounds because of an overly narrow focus on *jus in bello* and an under-emphasis on *jus ad bellum*; it failed to account for the ethical norms of social science, thereby preventing the social science community (namely anthropology) from endorsing the program; and it deliberately obscured any hope of academic neutrality by placing the program under the umbrella of

intelligence. These are fair critiques that must be addressed in future programs. However, future programs there must be. The answer to the culture question is not to further divide scholars and practitioners, but to facilitate their seamless exchange of knowledge toward the ethical conduct of statecraft, whether it includes war or not.

## End Notes

- 1 Sir William Francis Butler, *Charles George Gordon*, London: MacMillan, 1889, 85 (ebook).
- 2 Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 2<sup>nd</sup> edition. New York: Basic Books, 1977, 38.
- 3 William Darley, *Introduction to the Human Terrain System*, Power Point presentation.
- 4 Ibid., slide 17.
- 5 Chris Sims, *The Human Terrain System: Operationally Relevant Social Science Research in Iraq and Afghanistan*. Carlisle Barracks: United States Army War College Press, 2015, 3.
- 6 Ibid., 3.
- 7 Darley, *Introduction*, slide 19.
- 8 Sims, 166.
- 9 Ibid., 166.
- 10 William Darley, personal communication, 16 April 2018.
- 11 Darley, *Introduction*, slide 22.
- 12 Martin P. Schweitzer, *Role of the Social and Behavioral Sciences in National Security before House Armed Services Committee Terrorism and Unconventional Threats Subcommittee and the Research and Education Subcommittee of the Science and Technology Committee*, 110th Cong. (24 April 2008) (statement of Col. Martin P. Schweitzer, U.S. Army Commander, 4/82 Airborne Brigade Combat Team), accessed 4 April. 2018, <https://www.gpo.gov/fdsys/pkg/CHRG-110hhr44412/pdf/CHRG-110hhr44412.pdf>.
- 13 Andre van Tilborg, in Ibid.
- 14 John Wilcox, quoted in David Vine, “Enabling the Kill Chain,” *The Chronicle of Higher Education* 54(14): B9. See also Precision Strike Association “Winter Roundtable 2007 Final Program,” presentation 1 February 2007. Accessed April 9, 2018, <http://www.dtic.mil/dtic/tr/fulltext/u2/1011368.pdf>.
- 15 David Price, *Weaponizing Anthropology*, Oakland: AK Press, 2011, 397 (ebook).
- 16 Jacob Kipp, Lester Grau, Karl Prinslow, and Don Smith. “The Human Terrain System; A CORDS for the 21<sup>st</sup> Century,” *Military Review*, September-October 2006, 11.
- 17 Schweitzer, 6.
- 18 Gusterson, “When Professors go to War”.
- 19 Dan G. Cox, “Human Terrain Systems and the Moral Prosecution of Warfare,” *Parameters* (Autumn 2011): 19.
- 20 Darley, personal communication, April 17, 2018.
- 21 David Vine, “Enabling the Kill Chain,” *The Chronicle of Higher Education* 54(14): B9.
- 22 Price, 323 (ebook).
- 23 Ibid., 358 (ebook).
- 24 Thomas Strong. “Human Terrain and the IRB Puzzle,” *Savage Minds: Notes and Queries in*

*Anthropology (Blog)*. October 18, 2007. Accessed April 9, 2018, <https://savageminds.org/2007/10/18/human-terrain-and-the-irb-puzzle>.

25 Department of Defense, Human Terrain System Frequently Asked Questions, <http://humanterrainsystem.army.mil/faqs.html>.

26 Roberto J. González, “Human Terrain: Past, Present, and Future Applications,” *Anthropology Today* 24 (2): 21-26.

27 Schweitzer.

28 Darley, personal communication, 16 April 2018.

29 William Darley, “Brief PEMSII Assessment of Anbar Province, Iraq—Social,” 16 July 2010.

30 Muna Molyneux, “The Sunni Religious Structure,” HTT IZ13 Report, Ramadi, Al-Anbar, November 2010.

31 Nathaniel Rabkin, “The Virtue of Necessity: An Interview Concerning Corruption in the Anbar-Based Iraqi Security Forces,” HTT IZ13 Report, 12 January 2011.

32 Mike Albin and Muna Molyneux, “Quick Look Short Report—Public Notary in Fallujah,” HTT IZ13 Report, 14 October 2010.

33 Joseph Diaz and Mohamed Saaty, “Survey of IA/IP Friction—Camp Tarik and Fallujah,” HTT IZ13 Report, 15 November 2010.

34 Nathaniel Rabkin, “How Do Anbar Police See US Training Courses?” HTT IZ13 Report, 3 February 2011.

35 Martin Fox and William Darley, eds. “Anbar Socio-Cultural Continuity Book,” HTT IZ13 Report, June 2010.

# Ethics of Fiscal Responsibility in Overseas Contingency Operations Funding: Appropriate or Mismanagement?

by Greg A. Suguitan and O. Shawn Cupp

## Introduction

To be winners, there must be losers. In 2010, Goldman and Sachs found itself in front of U.S. Congress for profiting at the expense of its clients during Wall Street's financial crisis. This trusted financial institution lured customers into billion-dollar deals knowing they were likely to go wrong claiming their actions were justified so that they could do right by the company's shareholders. Goldman and Sachs, an organization known to cultivate a culture of ruthlessness for profit, was the center of gravity responsible for millions of Americans losing their jobs, their homes, their lives and bringing the national economy to its knees. In some sense, the U.S. government is no different than Goldman and Sachs. As stewards of the national trust, it is necessary for politicians and military leaders to acknowledge the operational and ethical shortcomings of discretionary defense spending between the Department of Defense (DoD) base defense budget and overseas contingency operations (OCO) budget. Currently, it does not seem there is an obvious solution to avoid the misuse of government funds; however, we can seek to improve our fiscal responsibility by exploring our ethical behavior. It is imperative to remain ethical at all levels of service to protect our nation's most important client—the American people.

## Our Foundation

Much like Goldman and Sachs, the U.S. government can be viewed as a subject of professional admiration and public scorn both at the same time. The extreme sophistication in the government accounting system and excessive complexities of the environment we operate in as military servicemembers and political government officials distort the borders of right or wrong and how we are engaged to act and make decisions at critical points. It is fascinating that our ethics are commonly among the first to be abandoned when it is believed the decision needed to be made for the greater good of the people. Our commitment to serving our nation is founded on the values, principles, ideals, and codes of conduct guarded by our profession and are deeply implanted into our ethos. As leaders in government, we inherit the duty to maintain the strength to lead ethically while serving our nation. While ethics are supposed to serve as the foundation for our power and existence, we continue to fail to adequately govern our actions and threaten the trust and confidence of the American people. We continue to lie to ourselves and deliberately violate our ethics in the short run and pay will dearly for it years into the future and risk not having enough funds for an impending war with our near-peer competitors.

The framework of fiscal responsibility lacks a precise definition, measurement, and management. We draw our elucidations about what it could mean but have not taken the time to find out what it actually means. For example, the White House webpage doesn't define it but implies that we move closer to it by writing an earmark-free bill, launching a funds-tracking website, cutting the deficit, and eliminating waste and gimmicks in the budget. However, there's no mention of how close all of that gets us to true "fiscal responsibility."<sup>1</sup> A better method to understand fiscal responsibility is to determine if the federal debt is

decreasing, if the budget is balanced, is the debt ratio on target and sustainable, and if the U.S. dollar is steady with a healthy and robust economy.<sup>2</sup> No one seems to be opposed to being fiscally responsible; however, its lack of definition and individual interpretation creates a basis to violate its ethics.

## **The OCO Problem**

A contingency is commonly defined as “a future event or circumstance that is possible but cannot be predicted with certainty.”<sup>3</sup> The dirty little nonsecret of U.S. defense budgeting is the shell game known as the overseas contingency operations (OCO) fund. Ostensibly established for emergency funding needs arising from the wars in Iraq and Afghanistan, it now serves as a cover for spending on systems and platforms outside the strict caps that sequestration imposed on the base budget.<sup>4</sup> The United States DoD spent approximately \$1.7 trillion in OCO categorized funding.<sup>5</sup> Over the period from just after 9/11 attacks until today, this funding comprises a substantial amount of the DoD budget. These operations encompass a wide variety of activities, such as combating insurgents and training the military forces of other nations. Since 2010, DoD requested, and Congress authorized and appropriated, separate accounts of OCO base requirements and Operations and Maintenance (O&M) OCO provisions as part of the regular budget cycle.

OCO officially was created in 2001 shortly after the attacks of 9/11. Before then, it started as a transfer fund or emergency fund where monies were reallocated from government programs already appropriated for the fiscal year. These programs were prioritized as less of an importance and received little to no immediate funding needs. Funds were transferred into a consolidated account that also received contributions from partnered nations. The account was an instrument funded by an omnibus budget to cover incremental costs to any contingency operations that were not subject to defense spending limits. Any funds not used were returned or applied toward the support of humanitarian and recovery relief efforts. In many cases, funds were never recovered or used for those purposes. Based upon the political realities of that period, it was decided that accounting for wartime costs would be conducted separately from the standard federal budget process. Since then, two other administrations and the DoD continue to use this practice. But is this an appropriate and transparent budgeting process? What is the “true cost” of combat operations since 1991 to present? What are the long-term consequences of continuing this accounting practice? Is this an ethical dilemma that DoD and Presidential administrations use to keep the “true cost” of overseas operations away from the American public?

Since OCO is not subject to the Budget Control Act of 2011, this budgeting and accounting measure is a “loophole.”<sup>6</sup> It seems that Congress and DoD can continue to place more costs into OCO. In fact, many of the U.S. Government Accountability Office (GAO) reports attesting to this as circumstance. For example, “DoD does not separately report execution data for base and OCO obligations, although OCO specific obligations are presented separately in DoD’s annual budget justification materials and the DoD’s Cost of War reports.”<sup>7</sup> In other words, the base budget has OCO added to it. The numbers in Table 1 demonstrate this activity from Fiscal Year 2001 to the Fiscal Year 2018. (See Table 1 on page 177.)

In 2016, Rep. Mac Thornberry, a Texas Republican and chairman of the House Armed Services Committee, proposed a bold strategy that, whether intended as such or not, would restore some truth to defense spending.<sup>8</sup> He sought to shift \$18 billion in OCO funds to the 2017 base budget to pay for more troops, ships, planes, helicopters, and vehicles that service leaders included in their “unfunded wish lists.”<sup>9</sup> This proposal would keep the Congressionally-approved base budget for the year intact; however, just barely cover contingency operations expenditures for less than a year. By doing so, it would only be a “Band-Aid fix” to the problem placing the new Trump administration to seek even more funding, which again, is exempt from sequestration.

In 2013, during President Barack Obama’s second term, sequestration set a strict limit on the federal budget-making room to question our ethical responsibility for individual interests. Congress, for example,

<b>Fiscal Year</b>	<b>Base Budget (in billions)</b>	<b>OCO (in billions)</b>	<b>Total Budget (in billions)</b>	<b>% of Total Budget OCO (in billions)</b>
2001	\$287.4	\$22.9	\$316.2	7%
2002	\$328.2	\$16.9	\$345.1	5%
2003	\$364.9	\$72.5	\$437.5	17%
2004	\$376.5	\$90.8	\$467.6	19%
2005	\$400.1	\$75.8	\$478.9	16%
2006	\$410.6	\$115.8	\$534.5	22%
2007	\$431.5	\$166.3	\$600.9	28%
2008	\$479.0	\$186.9	\$665.9	28%
2009	\$513.2	\$145.7	\$666.3	22%
2010	\$527.9	\$162.4	\$691.0	24%
2011	\$528.2	\$158.8	\$687.0	23%
2012	\$529.9	\$115.1	\$645.0	18%
2013	\$527.5	\$87.2	\$614.8	14%
2014	\$526.6	\$88.5	\$615.1	14%
2015	\$497.3	\$63.0	\$560.4	11%
2016	\$524.7	\$58.6	\$580.3	10%
2017	\$523.5	\$82.5	\$606.0	13%
2018	\$628.8	\$65.2	\$694	10%
2019	\$686.1	\$88.9	\$716	12%

**Table 1. OCO as a percentage (%) of Total DoD Budget.<sup>10</sup>**

continues to refuse to consider another round of base realignments and closures (BRAC) despite a significant number of unneeded installations.<sup>11</sup> That is because those resource-sucking bases and activities represent jobs—and votes—back home. Pentagon leaders sent Capitol Hill a report showing the Defense Department is paying to operate 22 percent more installation and infrastructure than needed. Shutting them down ultimately would save \$2 billion a year, they estimate.<sup>12</sup> Legislators continue to tap O&M funds rather than increase military readiness, end steep cuts to military end strength, and replace stressed aging equipment. These politicians find it very easy to abandon their morals and steal from the taxpayers to keep unneeded installations open and exploit OCO funding. Congress debates over whether to give troops a 2017 pay raise of 1.6 percent or a half-percentage more, 2.1 percent—about \$11 a month to an E-4. And they scramble for a legislative fix to spare 63,000 military widows from losing thousands of dollars in federal assistance checks in 2017.<sup>13</sup> For Rep. Thornberry, his tactics for his proposed spending confirms it falls in line with his personal agenda and blatant mishandling of the OCO budget.

In another case, it was found that a geographic combatant command “primarily used OCO appropriations to operate its headquarters, although some of the costs were determined to be enduring and were expected to continue after the end of contingency operations.”<sup>14</sup> Even though ethics is stressed all the way to the core of our nation’s culture, there is always some way it will be interpreted differently and applied to our duties especially when it suits us. The Trump administration continued this dubious practice of the previous White House administration and used OCO to fund non-contingency military projects overseas. One of the largest projects known at the moment benefiting from OCO funding is a new Army barracks in Cuba costing approximately \$115 million followed by a \$60 million project at the Muwaffaq Salti Air Base in Jordan ambiguously described as “Supporting Facilities/Utilities” as a budget request.<sup>15</sup> Among these two leading OCO expenses, more projects started in the base defense budget but oddly placed into OCO. An Aircraft Parking Apron Expansion in Djibouti—\$13.4 million, Consolidated Squadron Operations Facility in Qatar—\$15 million, a dormitory in Turkey—\$25.9 million are among examples of the additional overseas developments that take away OCO means to support military operations if conflict occurs; however, it is far from being thought of as a contingency.<sup>16</sup>

### **Ethical Spending Dilemma**

It is difficult to maintain the public’s trust and confidence when there is an absence of transparency. Transparency cannot be gained when the system is circumvented. We are taught to internalize ethics and practice it every day to help guide our actions and decision-making process and prevent ourselves from escaping the borders of morality. It may seem easy in theory, but in the reality of Ben Carson, Secretary for the Department of Housing and Urban Development (HUD), instead of upholding the trust of the American people that he serves and is subordinate to, he chose to operate in a wasteful, extravagant lifestyle at the public’s expense. Amidst a proposed cut to the HUD’s operating budget of approximately \$6.8 billion that is almost equal to the Public Housing Capital Fund and Community Development Block Grant program, low-income residents would be vulnerable to eviction.<sup>17</sup> According to federal procurement records, HUD signed a contract to pay an Indiana-based furniture seller \$165,000 for “lounge furniture” intended for its Washington, D.C., headquarters. This is in addition to a separate \$31,000 paid for a dining set consisting of a hardwood table, dining chairs, and a hutch for Carson’s offices, far exceeding the cap of \$5,000 for annual furniture expenses.<sup>18</sup> It may seem traditional for any new employee to redecorate or revive their workplace, but just because they can doesn’t mean they have to. The military involved in actual overseas contingencies often find scraps to construct makeshift furniture and live in canvas-made tents fortified by bags of dirt or sand. There was apparently a lack of oversight and leadership in the HUD organization for not reporting to Congress on their spending.

Fiscal responsibility and unethical behaviors can be further scrutinized when examining the ethical lapses and other matters of Edward Scott Pruitt, Administrator of the United States Environmental Protection Agency (EPA), who currently faces political backlash for his excessive spending of government funds to maintain his lavish lifestyle. Those who hold positions of authority with inherent power are inclined to behave selfishly, irrationally, and beyond reason continuously. Pruitt is a well-spoken individual who has a reputation for holding very prominent positions of power. Before his appointment as Chief of the EPA, he earned himself a juris doctorate, founded a law practice, elected as a senator for the State of Oklahoma, Republican Whip, and Oklahoma Attorney General. Despite his success, skating media reports mounted as Pruitt demoted, reassigned, and isolated ranking officials within his department for questioning his position as head of the agency and his spending habits. Members of Congress to include White House Chief of Staff, John F. Kelly, demanded his resignation for gross misconduct and disrespect to the American taxpayers. CNN reported, Pruitt reassigned his lead security agent on his detail after refusing to drive him through congested Washington, D.C. traffic with lights and sirens to help avoid arriving late for meetings and flights.<sup>19</sup> Pruitt submitted proposals for a \$1,000 membership to a private jet company, two desks totaling almost \$70,000, including one that is bulletproof. He took frequent expensive trips both internationally and

to his home in Oklahoma, costing taxpayers thousands of dollars. His trips mainly consisted of leisure time, and she showed favoritism to two of his top staff aides by endorsing hefty raises.<sup>20</sup> His ethics were obviously non-existent when the wife of an energy lobbyist from Williams & Jensen rented a condo to him on Capitol Hill at a steep discount of \$50 a month just to gain his support following budgetary cuts on a Chesapeake Bay cleanup program.<sup>21</sup> In his February 2017 Senate appointment, he said, “I seek to listen, learn, and lead with you to address these issues we face as a nation and believe in the promotion and protection of a strong and healthy environment are among the lifeblood of priorities of the government, and that the EPA is vital to that mission.”<sup>22</sup> His surmountable series of ethically questionable spending practices and sense of entitlement proved to the American people that he is yet another appointed government employee to place the security of the nation at risk.

Although it may seem that our ethics are frequently ignored, there are cases where it triumphs one’s interest. The U.S. government emphatically states through the website of its Office of Personnel Management that “employees have a responsibility to report waste, fraud, and abuse.”<sup>23</sup> To ensure an efficient and honest government, there are programs in place to allow the people who work in the government to report, free from retaliation, when fraud, waste, or abuse occurs.<sup>24</sup> All too often, when people decide to take the risk by reporting wrongdoing, they not only aren’t protected but are attacked by the very government whose interests they seek to protect.<sup>25</sup> In the case of the HUD furniture purchase, the chief administrative officer and long-time employee was demoted and replaced when she refused to procure beyond the legal furniture expense of \$5,000 and was retaliated against when she exposed another budget shortfall. In a similar case, an esteemed field grade officer deployed to Iraq was responsible for training the Iraqi Army. He faced an ethical predicament when he discovered inconsistencies of funds and weapons being transferred to contractors and the Iraqi Army. There were no actions taken after reporting it to his commanding officer. He proposed to report it further up the chain of command, but his intentions left him being relieved of his duties and redeployed back to the U.S. His suspicions of his commanding officer to cover up the situation found its way to the news media outlets and damaged his career.<sup>26</sup>

## **The Conclusion**

A fundamental reason the U.S. government and its military share is to protect the American citizens and the homeland. We jeopardize this fundamental when we distance ourselves from our ethics. There is always going to be a lingering suspicion of others whenever someone tries to game the system to emerge as winners risking an unscathed outcome. Fiscal responsibility provides a framework to guide our actions in making choices, our responsibilities and duties, providing funds for appropriate requirements, and creating transparency for the American public. A continuous information campaign directed at the American public about how their taxpayer dollars are being protected is essential. Continuing to exploit the loopholes in the base budget, the defense budget, and OCO will only send our country into a more substantial deficit, making it more challenging to defeat our adversaries in future conflicts. Our ethics must remain whole and unbroken. It provides us with purpose and direction when clear guidance seem non-existent, and it must be preserved as our nation’s values, and beliefs depend on it. It is a pillar of our government and why we continue to be the most superior nation in the world.

## End Notes

- 1 Steve Conover. "What Does 'Fiscal Responsibility' Mean?." March 29, 2012. Accessed April 22, 2018. <http://www.aei.org/publication/what-does-fiscal-responsibility-mean>.
- 2 Ibid.
- 3 "Off-Budget, Not Out of Mind." U.S. News & World Report. June 20, 2017. <https://www.usnews.com/opinion/economic-intelligence/articles/2017-06-20/the-overseas-contingency-operations-account-is-just-a-pentagon-slush-fund>.
- 4 Defense News. "BRAC, OCO and Truth In Budgeting." Defense News. August 08, 2017. Accessed March 17, 2018. <https://www.defensenews.com/opinion/intercepts/2016/04/26/brac-oco-and-truth-in-budgeting>.
- 5 U.S. Government Accountability Office, (GAO-18-202R), Defense Budget, Defense Budget: Obligations of Overseas Contingency Operations Funding for Operation and Maintenance Base Requirements, 10 January 2018, Washington, D.C.
- 6 Mindy R. Levit and Marc Lobonte (2012). Congressional Research Service, The Budget Control Act of 2011: The Effects on Spending and the Budget Deficit When the Automatic Spending Cuts are Implemented.
- 7 U.S. Government Accountability Office, 1.
- 8 Defense News.
- 9 Ibid.
- 10 Budget figures obtained for FY 2001-FY 2017 from FY 2014 National Defense Budget Estimate Overview and the FY 2017 National Defense Budget Estimate Overview.
- 11 Defense News.
- 12 Ibid.
- 13 Ibid.
- 14 U.S. Government Accountability Office, (GAO-17-68), Overseas Contingency Operations, OMB and DoD Should Revise the Criteria for Determining Eligible Costs and Identify the Costs Likely to Endure Long Term, January 2017, 2.
- 15 "Off-Budget, Not Out of Mind." U.S. News & World Report. June 20, 2017. <https://www.usnews.com/opinion/economic-intelligence/articles/2017-06-20/the-overseas-contingency-operations-account-is-just-a-pentagon-slush-fund>.
- 16 Ibid.
- 17 Luis Sanchez. "HUD Spending \$165K on 'lounge Furniture' for Office: Report." The Hill. February 28, 2018. Accessed April 17, 2018. <http://thehill.com/homenews/administration/375975-hud-spending-165k-on-lounge-furniture-for-office-report>.
- 18 Ibid.
- 19 Rene Marsh, Sophie Tatum, and Gregory Wallace. "Pruitt Faces Renewed Questions over Cost of Security Detail." CNN. April 08, 2018. Accessed April 22, 2018. <https://www.cnn.com/2018/04/07/politics/epa-pruitt-security-detail/index.html>.
- 20 Theodoric Meyer, Eliana Johnson, Anthony Adragna, Andrew Restuccia, Jennifer Palmieri, Corey

Brettschneider, Jack Shafer, and Gil Troy. "Lobbyist Whose Wife Rented to Pruitt Lobbied EPA despite Denials." POLITICO. April 21, 2018. Accessed April 22, 2018. <https://www.politico.com/story/2018/04/20/pruitt-condo-lobbyist-leaving-firm-543508>.

21 Ibid.

22 "EPA's Administrator." EPA. April 19, 2018. Accessed April 22, 2018. <https://www.epa.gov/aboutepa/epas-administrator>.

23 Daniel L. Davis. "Protect Military Whistleblowers." The Hill. February 01, 2016. Accessed April 17, 2018. <http://thehill.com/blogs/congress-blog/homeland-security/259705-protect-military-whistleblowers>.

24 Ibid.

25 Ibid.

26 "Looking The Other Way." CAPE News. Accessed April 17, 2018. <http://cape.army.mil/case-studies/wcs-single.php?id=38&title=looking-the-other-way>.



# Transparency of Military Activities—An Aspect of Conflict in Russia and Its “Near Abroad”

by Mark R. Wilcox

The purpose of this paper is to examine openness and transparency of military activities in Europe. Once viewed as a virtuous norm that contributed to the end of the Cold War, transparency has, to an extent, become a weapon wielded by Russia on one side and NATO on the other in the context of hybrid warfare on Russia’s periphery. The Russian approach can be characterized as one of “managed transparency,” which preserves the patina of responsible behavior of a great power in Europe while allowing for control of a part of the narrative in a competitive environment.

Openness and transparency regarding military forces and activities have been seen, since the later years of the Cold War, as a virtue. Theoretically, this makes perfect sense. Rationalist explanations for conflict identify information asymmetries as a cause for states to engage in conflict behavior. Transparency and the sharing of “private information” about military forces and activities through various means would therefore limit the potential for conflict.<sup>1</sup> A lack of transparency, on the other hand, has appeared as a vice. A constant complaint by the United States about China’s military development, for example, is that it has not been transparent. Likewise, the United States and NATO chided Russia last year for a perceived lack of transparency regarding the Zapad (West) 2017 exercise in Russia and Belarus.

Beginning with the Stockholm Document of 1986, the two sides in the Cold War in Europe exchanged information on military forces and activities and hosted observers at major exercises in an arguably successful effort to reduce tensions and prevent conflict.<sup>2</sup> The codification of measures in the Vienna Document on Confidence- and Security-Building Measures in Europe (adopted in 1990 and revised in 1992, 1994, 1999, and 2011), the Treaty on Open Skies and arms limitation treaties like the Treaty on Intermediate Range Nuclear Forces (INF) and the Treaty on Conventional Arms Control in Europe (CFE) institutionalized norms of transparency.

As conflicts emerged in Europe in the wake of the end of the Cold War—especially in Chechnya and Kosovo—military transparency initially fared well, yet began to lose some of its cachet. The United States hosted observers to the Implementation Force (IFOR) for the General Framework Agreement on Peace in Bosnia-Herzegovina under the provisions of the Vienna Document. Two visits to the IFOR took place in 1996 and 1997, the first to staging and support areas in Hungary and the second in Hungary and at Tuzla, Bosnia-Herzegovina. At the same time, the United States and NATO allies pilloried Russia for neither providing notification nor hosting observers to their deployment and operations in Chechnya. Moscow eventually relented and hosted a visit to Grozny. By 1999 and NATO’s Operation Allied Force in and around the former Yugoslavia, the United States’ enthusiasm for military transparency had waned and the Russians (and their ally Belarus) seized the opportunity. After receiving inspections under the CFE Treaty in Hungary and Italy, as well as similar events under the Vienna Document in Macedonia, the United States convinced the Macedonian and Albanian authorities to deny requests for inspections and visits under the Vienna Document, eliciting righteous indignation on Moscow’s part and chagrin from some NATO allies. While the codified norms of openness and transparency did not change, the application of the norms became less rigorous.

The Russians dealt a significant blow to openness and transparency when they suspended their implementation of the CFE Treaty in 2007, citing as rationale a host of sins by the United States and NATO, (e.g. NATO enlargement and ballistic missile defense in Europe). Moscow ceased providing information on its armed forces to treaty partners, including the United States and other NATO countries, and no longer accepted inspections of its armed forces.<sup>3</sup> Russia gained an asymmetrical information advantage, because they deprived NATO allies of information on their armed forces while they continued to be able to receive information on NATO forces through Belarus, their ally, which continued to participate fully in the treaty.

Beginning in early 2013, however, the Russians engaged in a transparency charm offensive. The Russians carried out this offensive in Vienna at the meetings of the Organization for Security and Cooperation on Europe (OSCE) and Brussels in the NATO-Russia Council. In a series of statements and a presentation to the Forum for Security Cooperation (FSC) of the OSCE, the Russians aimed to set the bar for openness and transparency in military affairs. “[I]n keeping with... established good practice,” “as a sign of good will,” the Russian delegation reported on the results of training in 2012, activities of the Russian navy, exercises with foreign partners, and even preparations for the annual Victory Day parade in May.<sup>4</sup>

What was going on in 2013? Why the charm offensive with regard to openness and transparency of military affairs? Several complementary explanations come to mind. First, the Russians had been pushing for years to expand the regime of confidence- and security-building measures (CSBMs) beyond what was already captured in the Vienna Document 2011, for example, to apply them specifically to so-called rapid-reaction forces. Given the deadlock over the CFE Treaty and conventional arms control in general, Moscow likely viewed CSBMs as a way to push for greater transparency—perhaps leading to new limitations—regarding the forces of the United States and NATO nations. Second, the deliberate highlighting of the activities of naval forces supported a long-standing Russian quest to include such forces in arms control regimes and CSBMs—a campaign the United States had consistently resisted. Third, the Russians might have been conducting a strategic communications offensive to convey two messages: the Russian armed forces were serious about military reform, especially in light of the shortcomings that were apparent in the war against Georgia in 2008; and no one should doubt the ability of the Russian armed forces to carry out their tasks in defense of the country. This latter explanation—a strategic communications effort—gained additional credence with the Russians’ approach to exercises later in 2013.

The large-scale so-called “snap inspection exercise,” which took place in the Eastern Military District in July 2013, exemplified the Russians’ embrace of openness and transparency. Noteworthy was the attention the Russian authorities devoted to explaining their adherence to transparency regimes associated with the Vienna Document 2011 and the Shanghai agreement on CSBMs in the Russia-China border region. The Ministry of Defense (MOD) notified the Chinese and other “neighbors” about this very large exercise (160,000 troops, 5000 tanks and armored combat vehicles, vessels of the Pacific Fleet, 130 aircraft).<sup>5</sup> The Russian delegation, “as a sign of good will to ensure the openness of the exercise” described to the FSC the specific steps taken by the MOD “...to ensure maximum openness...in order to avoid any misunderstanding on the part of foreign partners.”<sup>6</sup> Four hours before the start of the exercise on 12 July, Moscow sent a message to all OSCE states about the exercise, even though it was taking place outside the area of application for the CSBMs of the Vienna Document.<sup>7</sup> They followed with another notification on 13 July that clarified the numbers of forces involved in the exercise. On 14 July, Deputy Defense Minister Anatoly Antonov<sup>8</sup> briefed military attachés in Moscow and asked them “to use the information they had received to provide an objective briefing for the senior officials of the defense ministries of the countries they represent.”<sup>9</sup> Finally, the MOD began providing information to the media beginning on 15 July.

In explaining the transparency measures, the Russians emphasized their voluntary character and the expectation that they would foster trust. They also placed these measures in the larger context of the ongoing reform and restructuring of the Russian armed forces. Perhaps having learned a lesson from observing the

reaction to the opacity of China's military buildup, Moscow made it clear that "The Russian Ministry of Defense intends to continue to do everything possible to increase the degree of openness in the process of reforming and developing the armed forces."<sup>10</sup>

The transparency of the large-scale exercise in the Central and Eastern MDs was consistent with Defense Minister Sergey Shoygu's pursuit of publicity for his leadership of reform and development of the armed forces. Shining a public spotlight on the progress of military reforms was, however, not without risk. This risk might explain the venue for the July 2013 exercise. In the assessment of Russian commentator Alexander Golts, it would have been "more convenient" to hold the exercise in the European part of Russia. However, in that case, the Russia would have had to invite observers in accordance with the Vienna Document, "and Putin wanted to avoid a situation where Russian troops would embarrass themselves and the country in the eyes of fastidious foreigners."<sup>11</sup> Notwithstanding this risk, the Russians showcased a large-scale exercise in the western portion of Russia later in 2013.

The Russians used exercise Zapad (West) 2013, which took place on the territory of Russia and Belarus in late September, to further their military transparency agenda. In a series of meetings in Vienna, Brussels and Washington, officials from the MOD and the Ministry of Foreign Affairs (MFA) described transparency consistent with commitments under the Vienna Document and touted voluntary measures above and beyond the requirements. Shoygu placed transparency regarding Zapad 2013 squarely in the context of broader Russian efforts at openness when he participated in a meeting with Minister of Foreign Affairs Sergey Lavrov and their American counterparts in Washington on 9 August 2013. He invited observers from the U.S. to the exercise and indicated that opportunities to observe unannounced, or snap inspections would be broadened.<sup>12</sup> Because it involved "snap" inspections that were unannounced to the troops involved, Zapad 2013 was not subject to prior notification to other countries. What was becoming apparent in late 2013 was that the Russians would exploit this loophole, along with careful management of the number of troops and equipment involved in exercises, to begin to control the transparency agenda.

In providing notifications to OSCE participating States and assessing the need to invite observers to Zapad 2013 (both are based on the scale of the exercise), the Russians took pains to clarify the numbers of forces. Belarus announced on 9 June that the numbers of troops, tanks, armored combat vehicles, artillery systems and air sorties "did not exceed the level subject to [observation of] certain kinds of military activity outlined in various contexts and agreements in the arms control area." The Chief of the Russian General Staff, General Valery Gerasimov noted on 25 July that Russia and Belarus could conduct an exercise of less than 10,000 troops without notification (Zapad 2013 involved 13,000). Gerasimov added, "However, since we invited the military attachés of foreign countries, including NATO countries, to our exercise this...number may change, on the side of being increased."<sup>13</sup> The Russian General Staff Chief seemed to be engaging in some media spin—or, perhaps cooking the books—in order to demonstrate Russia's adherence to their commitments to openness and transparency. Having made the decision to invite observers, the Russians elected to adjust their reporting on forces involved in the exercise to reflect reality.

Deputy Defense Minister Antonov used a meeting of the NATO-Russia Council (NRC) on 24 July 2013 to promote Moscow's military transparency campaign by contrasting Zapad 2013 with an upcoming NATO exercise. Antonov reminded the NRC that Russia had voluntarily notified OSCE states of the large-scale exercise that had taken place in the Eastern and Central MDs (outside the area of application for CSBMs). In a more targeted shot at NATO, Antonov contrasted the detail he was providing on Zapad 2013 with a lesser amount of information allies had offered on the upcoming exercise Steadfast Jazz two months earlier.<sup>14</sup> The Russians also used two meetings of the OSCE FSC to further promote the goodness and uniqueness of the openness and transparency surrounding Zapad 2013.<sup>15</sup> Following Zapad 2013 and moving into 2014, the crisis in Ukraine took center stage and a new phase of the competition over openness and transparency of military activities began.

In the run-up to Russia's seizure of Crimea and intervention in the conflict in Eastern Ukraine, NATO allies and Ukraine invoked numerous transparency measures—overflights under the Open Skies Treaty, on-the-ground inspections under the Vienna Document, and political consultations—to ferret out and publicize Russian military activity. By the time of the conflict in Ukraine in 2014, transparency had evolved into a tool (or a weapon) to be wielded in the competition between Moscow and Washington (joined by NATO).

The battle over military transparency initially centered on Western concerns about Russian exercises near Ukraine that appeared as a prelude to military intervention, much as an exercise had preceded the war in Georgia in 2008. Another “snap inspection,” in February 2014, drew Western attention and a Russian reaction. Antonov met with military attachés on 26 February to dispel concerns about the snap inspection in the Western MD. He told them the snap inspection was being carried out in compliance with the Vienna Document. “I would like to draw particular attention of the attachés of the member states of the OSCE that the Russian Federation strictly observes the 2011 Vienna Treaty [sic]. Notifications to capitals would follow. The briefing to attachés was not required but was a “goodwill gesture.”<sup>16</sup> The same day, Shoygu reinforced the benign nature of the snap inspection. Meeting with military commentators and experts, he asserted that the exercise was “in no way connected to events in Ukraine” and that it was “No violation of international law, everything is proceeding in accordance with the Vienna Document 2011.” The consistent message from the Russian MOD was that Russia was fulfilling its commitments to transparency during the snap inspection in the Western MD.<sup>17</sup>

The Russians offered as an example of their willingness to support transparency—even measures beyond those required by existing agreements—a request by Ukraine to conduct an extraordinary observation flight under the Open Skies Treaty. Once again, Antonov took the lead as Russia's spokesman, citing the extraordinary and historic nature of the request, which, although not obligated to do so, the Russians agreed to allow.<sup>18</sup> Although the flight eventually took place 20-23 March (delayed from the original request for 17-21 March), the Russians found themselves on the defensive and having to counter Ukrainian allegations that they were not fulfilling the terms of the Open Skies Treaty. The head of the International Cooperation Department of the Russian MOD, Sergei Koshelev blamed Ukraine for not having followed treaty procedures. Nonetheless, “guided by the principles of guaranteeing transparency of military activities,” Russia agreed to the flight with the proviso that Ukraine pay in advance for expenses. When Ukraine was unable to make the payment, Russia declined to allow the overflight.<sup>19</sup> The flight eventually took place once payment issues were resolved, with one inspector each from the U.S. and Canada joining the Ukrainian crew.

The Russians also wove the conduct of inspections on the ground into their transparency narrative. Russian representatives described how three Vienna Document inspections had taken place on Russia's territory in March 2014 (the full quota Russia was obliged to accept in the calendar year). As if to emphasize the Russians' extraordinary commitment to CSBMs, Antonov noted that an Open Skies Treaty overflight by Germany and the U.S. and a Vienna Document evaluation visit to an airborne regiment in Pskov by a team from Estonia, France, and Belgium were occurring at the same time.<sup>20</sup>

This flurry of activity in the implementation of CSBMs was taking place at the same time Russia faced allegations that it was massing forces on Ukraine's eastern border. Shoygu, in a telephone conversation with U.S. Secretary of Defense Chuck Hagel, countered the assertion of the “massive deployment” of Russian forces by drawing attention “to the extreme transparency of our military activity in regions adjoining the Ukrainian border. Neither overflights under the Open Skies Treaty nor inspections by the Ukrainians in the Western and Southern MDs had uncovered “undeclared military activity, let alone activities, threatening the security of Ukraine.”<sup>21</sup>

Shoygu's and Antonov's statements notwithstanding, aside from the extraordinary Open Skies overflight by Ukraine, the Russians seemed to be significantly less interested in pushing voluntary transparency measures than had been the case during the large-scale exercises in 2013. The tone of the Russians' comments pointed

to a waning enthusiasm for military transparency or, at least, a more reactive than proactive approach to transparency measures. By the end of March 2014, the Russians had acknowledged that “exercise” activity had been taking place in the regions adjoining Ukraine,<sup>22</sup> although openness and transparency regarding this activity was noticeably absent. A report from the MOD about a meeting Shoygu conducted on 31 March covers a number of topics in detail—to include military preparations for the 9 May Victory Day parade—yet makes no mention of any military activities in the Western or Southern MDs near Ukraine.<sup>23</sup>

The Russians correctly asserted that a significant number of military transparency events had taken place during the crisis period in Ukraine. The results and findings of these visits, inspections and overflights, however, are not generally publicly available so it was difficult to discern whether Russia was really complying with its commitments. A review of statements by the U.S. and NATO allies, as well as Ukraine, in OSCE forums and elsewhere hinted at shortcomings in Russian implementation of transparency measures. Russia’s refusal to attend a meeting in Vienna requested by the United States, in accordance with the Vienna Document, to address concerns over Russian military activities around Ukraine, seemed to confirm that voluntary transparency measures had fallen out of favor in Moscow. Antonov, commenting on the meeting, reiterated that Russia was strictly fulfilling its obligations, as shown by the number of Vienna Document and Open Skies inspections hosted to date.<sup>24</sup>

The Russians attempted to recapture the transparency initiative on 15 July, when the MOD announced they would invite attachés from, among others, the U.S., Germany, France, Netherlands, Belgium, Ukraine, the PRC and Japan, to visit Donetsk in the Rostov region of Russia to become familiarized with the true situation, i.e. Ukrainian artillery attacks on Russian territory. According to Antonov, “We see this measure as yet one more gesture of good will by the Russian side, a confirmation of our line of openness with regard to military activity, as yet one more attempt to provide a wide slice of world society the real state of affairs in the Russia-Ukraine border region.”<sup>25</sup>

Upon hearing of this initiative from the Russian delegation in Vienna, the U.S. Ambassador to the OSCE was skeptical. “I’m sure they will see whatever the Russian Federation wants them to see... So while this is a modest ‘gesture,’ it comes very late in the game.”<sup>26</sup> The ambassador’s skepticism seems to have been borne out. In a statement to the FSC on 23 July, the Dutch delegation strongly criticized the Russian-hosted visit by the attachés. “I’m afraid to say that the Russian organizers missed a great opportunity that day. Even after several requests by the military attachés to see an exercise area close by to verify that no troops were present, the inspection request, the results of which could have supported the Russian claims, was consistently refused by the Russian host.”<sup>27</sup> The Russians were talking a good game, but when it came time to play, they were found wanting. It seemed that transparency of military activities might not have been their game. Or, perhaps, they just play by different rules.

The most recent round of this military transparency game took place in 2017 and centered on military exercises conducted by Russia and NATO. Most attention focused on the exercise Zapad (West) 2017,<sup>28</sup> which took place in mid-September in Belarus and Russia. This exercise caused significant concern among Russia’s neighbors because of the already-tense situation with Russia and the purported scale of the maneuvers. NATO allies, particularly those bordering on Belarus, exhorted Moscow and Minsk to demonstrate transparency in the preparations for and conduct of the exercise. Allies and the Russians used a meeting of the NATO-Russia Council on 13 July to voluntarily exchange information about Zapad 2017 and an upcoming NATO exercise, Trident Javelin 2017. NATO Secretary General Jens Stoltenberg, while praising this exchange of information, emphasized the need for Russia to adhere to the Vienna Document and provide the “mandatory transparency, inspections and observation of the exercise.”<sup>29</sup> Russian Ambassador to NATO Aleksandr Grushko said after the NRC meeting that if the number of forces involved met the threshold for observation, then observers would be invited.<sup>30</sup> Belarus eventually invited observers from a select group of countries for “distinguished visitor days,” and NATO sent three observers.

NATO spokeswoman Oana Lungescu criticized the controlled and limited nature of this visit, commenting that “Russia and Belarus are...choosing a selective approach that falls short [of the Vienna Document standard]. Such avoidance of mandatory transparency only raises questions about the nature and purpose of the exercise.”<sup>31</sup> By August, it was evident that the Russians were going to minimize the transparency, inspections and observation Stoltenberg had emphasized, while simultaneously protecting their transparency credentials. Belarus notified other OSCE states that 12,700 troops would participate in Zapad, a number that placed the exercise just under the threshold of 13,000 that would have triggered the requirement to host observers. A commentary in a Polish newspaper noted that the Russians had “used a similar ploy during the Kavkaz [Caucasus] 2016” exercise, in that instance notifying 12,500 troops. An article in *NATO Review*, under the heading “Fudging the Numbers,” went so far as to suggest that the Russians had intentionally underestimated the size of the exercise so as to skirt requirements for transparency.<sup>32</sup> The Russian approach had become one of “managed transparency,” whereby they spoke glowingly about how open and transparent they were, hosted small groups of observers or provided briefings to in-country military attachés or the press, yet avoided meeting the commitments for prior notification, provision of information, and the observation regime set out in the Vienna Document.

Going into 2018, both Russia and NATO touted their own transparency and questioned the other’s commitment to openness. When General Curtis Scaparrotti, the Supreme Allied Commander, Europe and General Gerasimov met in Baku, Azerbaijan on 19 April of this year, both sides reported that discussions had included transparency and an increase of confidence measures.<sup>33</sup> Over the course of about five years, however, Russia and NATO had developed different concepts of openness and transparency of military activities. For the Russians, the standards to which they had committed themselves—those of the Vienna Document—seemed to have lost their usefulness. Perceiving the political value of military predictability, openness and transparency in the competition with NATO in Europe, Moscow therefore adopted a managed approach to transparency, one which allowed them to claim to behave like a responsible power yet better control the narrative about the use of the military instrument of power. Once a virtue, transparency was becoming another weapon of hybrid warfare in Europe.

## End Notes

1 James D. Fearon, “Rationalist Explanations for War,” *International Organization* 49 (no. 3), 1995.

2 On the Stockholm Document of the Conference on Confidence- and Security-Building Measures and Disarmament in Europe (CDE), the process of its negotiation, and its antecedents, see John Borawski, *From the Atlantic to the Urals: Negotiating Arms Control at the Stockholm Conference*, Washington, D.C.: Pergamon-Brassey’s (1988) and John Fry, *The Helsinki Process: Negotiating Security and Cooperation in Europe*, Washington, D.C.: U.S. Government Printing Office (1993).

3 Former Georgian President Mikheil Saakashvili and Russian military analyst Andrey Illarionov directly linked Moscow’s suspension of implementation of the CFE Treaty to the 2008 war in Georgia. Rick Fawn and Robert Nalbandov. “The Difficulties of Knowing the Start of War in the Information Age: Russia, Georgia and the War Over South Ossetia, August 2008.” *European Security* 21:1, 57-89, <https://doi.org/10.1080/09662839.2012.656601>, accessed 26 April 2018. A. Illarionov. “The Russian Leadership’s Preparation for War, 1999-2008,” in S.E. Cornell and S.F. Starr, eds., *The Guns of August 2008*. Armonk, NY: M.E. Sharpe (2009), 49-84.

4 The journals of the meetings of the OSCE FSC can be found on the website of the OSCE, [osce.org/fsc](http://osce.org/fsc). The statements by the Russian delegation were as follows: On 30 January 2013, “in keeping with...established good practice,” the Russian delegation described the results of the armed forces’ 2012 training year and outlined the goals and major training events for 2013. A week later, “[i]n line with the established tradition and as a sign of goodwill,” the Russians went beyond their commitments under the Vienna Document 2011 by reporting to the FSC about the activities of the Russian Navy during an exercise in January 2013 and throughout 2012. The Russians continued this pattern of reporting on military activity that fell below the threshold set in the Vienna Document on 20 February, when “on the basis of information from the Ministry of Defense of the Russian Federation and as a sign of goodwill” they described a series of exercises in 2013 in which the Russian armed forces and foreign forces participated. On 13 March, again based on information from the Ministry of Defense and “as a sign of goodwill,” the Russians offered a lengthy account of the expanded meeting of the Collegium of the Ministry of Defense that had occurred on 27 February. The Russians went over the top, however, on 15 May, when “as a sign of good will,” they reported on “the day-to-day activities of the Russian armed forces,” to include a joint naval exercise with the Norwegians and reorganization of the Airborne Forces, as well as an accounting – by military district – of the participation of the armed forces in parades commemorating Victory Day that May. By the Russians’ reckoning, “More than 38,000 military personnel, around 850 pieces of military equipment and 68 planes and helicopters were involved in the parades.”

5 “Five Thousand Tanks and Armored Combat Vehicles Have Been Concentrated at the Ranges of the Far East and Siberia During the Course of Exercises,” Interfaks-AVN Online, 15 July 2013. Open Source Center translation.

6 FSC Journal 730, 17 July 2013, Annex 7.

7 Per Annex I to the Vienna Document, the area of application for CSBMs includes “Europe,” so the portion of Russia east of the Urals is outside this area.

8 Anatoliy Antonov is now the Russian Ambassador to the United States.

9 FSC Journal 730, 17 July 2013, Annex 7.

10 Ibid.

11 Aleksandr Golts, “Some Military Dreams Never Come True,” *The Moscow Times Online* in English 23 July 2013, Open Source Center.

12 “U.S. military officials agree to attend Russia’s West-2013 exercises—Shoigu,” Interfax in English, 12 August 2013, Open Source Center.

13 “General Staff: The Number of Servicemen Involved in Zapad 2013 Exercise Could Increase,” RIA Novosti Online in Russian 25 July 2013, Open Source Center Translation.

14 NATO Secretary General Rasmussen discussed with Foreign Minister Lavrov transparency of ZAPAD 2013 and STEADFAST JAZZ on the margins of the UN General Assembly meeting on 24 September 2013. At a meeting of the FSC on 11 December 2013, responding to a briefing by the Polish representative on STEADFAST JAZZ, the Russian delegation took issue with the scenario—a defense against a threat from the East. “Is it really appropriate today to talk seriously about any threat of attack on NATO countries in this region? Such scenarios are not only absurd, but also send the wrong signal to the public, generating a search for an enemy in the tradition of the Cold War” (FSC Journal 746, 11 December 2014, Annex 1).

15 On 18 September, just prior to the start of the exercise, the Belarusians informed delegations about the notifications Minsk and Moscow had sent to OSCE participating States on the OSCE network on 8 August. Belarus, “acting in a spirit of goodwill and guided by the principles of openness and transparency,” also invited the neighboring states Latvia, Lithuania, Poland and Ukraine to send observers to the exercise (FSC Journal 733, 18 September 2013, Annex 2) (according to a Polish analysis, 60 observers attended the exercise—Anna Maria Dyer, “The Russia-Belarusian ‘West 2013’ Military Exercise: An Alliance against External Enemies?” *PISM Bulletin* no. 102 (555), 27 September 2013). At the FSC meeting on 30 October, Russia and Belarus delivered detailed presentations on Zapad 2013. The Russians discussed the exercise in the larger context of unannounced snap inspections of their forces. They highlighted the voluntary transparency measures they had offered—“there has been nothing like this to date in our experience of cooperation with NATO” (FSC Journal 738, 30 October 2013). Consistent with other Russian statements on exercises and transparency, the Russian delegation explained that such exercises would continue, Russia would meet its arms control obligations, and “transparency measures will be improved and decided upon on the basis of practical usefulness” (FSC Journal 738, 30 October 2013). The Belarusian statement echoed the Russians’ points, although focusing specifically on the phase of the exercise that had taken place in Belarus. In particular, the Belarusians explained that military attachés from 22 countries, as well as observers from neighboring states (34 total personnel) had attended the exercises.

16 “Russia Adheres to Vienna Document in Snap Drill—Defence Ministry,” Interfax 26 Feb 2014. Open Source Center translation.

17 On 12 March, Antonov discussed two VD 2011 inspections that had been carried out during the “active phase” of the exercise, one by a Latvia-Germany team in the Pskov region 1-3 March and the other by a Swiss-Finnish team in the Moscow region 2-3 March. He emphasized that “despite the complex military-political situation around Ukraine and the growing activity of NATO countries near the Russian borders, today there is no problem with the organization of the work of inspection groups in Russia” (MOD Release 12 March 2014, see end note xv).

18 “Kommentariy Anatoliya Antonova v svyazi s zayavleniem i.o. ministra oborony Ukrainy o provedenii Vooruzhenymi Silami RF voennykh ucheniy u vsotchnykh granits Ukrainy” [Commentary of Anatoly Antonov in connection with the declaration the Minister of Defense of Ukraine on the conduct by the Armed Forces of the RF of military exercises along the eastern borders of Ukraine,” Ministry of Defense of the Russian Federation, 12 March 2014, [http://function.mil.ru/news\\_page/country/more.htm?id+11908757](http://function.mil.ru/news_page/country/more.htm?id+11908757), accessed 12 March 2014.

19 “Nachal’nik Glavnogo upravleniya mezhdunarodnogo voennogo sotrudnichestva Minoborony Rossii prokommentiroval zayavleniya ukrainskikh vlasey o nevypolnenii Rossiiskoy Federatsiey obyazatel’st po Dogovoru no otkrytomy nebu” [The Chief of the Directorate of International Military Cooperation

commented on the Declaration of Ukrainian Authorities on the Nonfulfillment by the Russian Federation of Obligations under the Open Skies Treaty], Ministry of Defense of the Russian Federation, 14 March 2014, [http://function.mil.ru/news\\_page/country/more.htm?id+11909340](http://function.mil.ru/news_page/country/more.htm?id+11909340), accessed 15 March 2014.

20 “Kommentariy zamestitelya Ministra Oborony Anatoliya Antonova otnositel’no zaprosa Ukrainy o provedenii nablyudatel’nogo poleta nad territoriyey Rossii” [Commentary of Deputy Minister of Defense Anatoly Antonov regarding the request of Ukraine to conduct an observation flight over the territory of Russia], Ministry of Defense of the Russian Federation, 17 March 2014, [http://function.mil.ru/news\\_page/country/more.htm?id+11909525](http://function.mil.ru/news_page/country/more.htm?id+11909525), accessed 20 March 2014.

21 “Ukrainiskaya inspeksionnaya gruppa provedet monitoring pogranichnikh payonov v Belgorodskoy i Kurskoy oblastiakh” [A Ukrainian Inspection Team will Carry Out Monitoring of Border Regions in the Belgorod and Kursk Regions], Ministry of Defense of the Russian Federation, 19 March 2014, [http://function.mil.ru/news\\_page/country/more.htm?id+11909952](http://function.mil.ru/news_page/country/more.htm?id+11909952), accessed 20 March 2014.

22 The Russian news agency Itar Tass reported on 31 March that a battalion of the 15<sup>th</sup> Motorized Rifle Division had ended an exercise in the Samara region (Itar Tass 3-31-2014). Defense Minister Shoygu told U.S. Secretary of Defense Hagel as early as 20 March that Russian troops the U.S. was seeing were massing for exercises (American Forces Press Service 3-27-2014).

23 Ministry of Defense of the Russian Federation Press Release, 31 March 2014.

24 Ministry of Defense of the Russian Federation Press Release, 9 April 2014.

25 “Minoborony Rossii priglasilo zarubezhnykh voennykh spetsialistov oznakomit’sya s istinnym polozheniem del v naselennykh punktoakh Rstovskoy oblasti, nodbergshikhhsya obstrelu s territorii Ukrainy” [The Ministry of Defense of Russia invited foreign military specialists to become familiar with the true state of affairs in populated areas of the Rostov region that have fallen under fire from the territory of Ukraine], Ministry of Defense of the Russian Federation, 17 July 2014, [http://function.mil.ru/news\\_page/country/more.htm?id+11969374](http://function.mil.ru/news_page/country/more.htm?id+11969374), accessed 17 July 2014.

26 “Right of Reply to Russian Federation on the Situation in Ukraine, As Delivered by Ambassador Daniel B. Baer to the Permanent Council,” 15 July 2014, [http://osce.usmission.gov/jul\\_15\\_14\\_ror\\_rf.html](http://osce.usmission.gov/jul_15_14_ror_rf.html), accessed 15 July 2014.

27 FSC Journal 767, 23 July 2014, Annex 1.

28 The Russians generally conduct a major exercise in each of the four military districts (West, South, Central, East, which are also operational-strategic commands) on a four-year cycle. The ZAPAD (West) exercises in 2013 and 2017 provide bookends for this study.

29 “Press Point by NATO Secretary General Jens Stoltenberg following the Meeting of the NATO-Russia Council,” 13 July 2017, [www.nato.int/cps/en/natohq/opinions\\_146220.htm](http://www.nato.int/cps/en/natohq/opinions_146220.htm), accessed 13 July 2017.

30 “RF i Belorussiya mogut priglasit’ nablyudateley NATO na ucheniya ‘Zapad-2017’” [RF and Belarus Could Invite NATO Observers to Exercise West-2017]. TASS, 13 July 2017, [tass.ru/mezhdunarodnaya-panorama/4411871](http://tass.ru/mezhdunarodnaya-panorama/4411871), accessed 13 July 2017. “Robin Emmott, “Russia Tells NATO to Stop ‘Demonising’ Planned War Games,” Reuters, 13 July 2017, [www.reuters.com/article/us-russia-nato-idUSKBN19Y1WC](http://www.reuters.com/article/us-russia-nato-idUSKBN19Y1WC), accessed 13 July 2017.

31 Lorne Cook. “NATO Sending 3 Monitors to Russia Wargames but Wants More,” AP, 30 August 2017, [washingtonpost.com/world/Europe/nato-sending-3-monitors-to-russia-war-games-but-wants-more/2017/08/30/1c190588-8d6c-11e7-9c53-6a169beb0953\\_story.html/utm\\_campaign=New%20Campaign&utm\\_medium=email&utm\\_source=Sailthru&utm\\_term=.552b12ee6fa4](http://washingtonpost.com/world/Europe/nato-sending-3-monitors-to-russia-war-games-but-wants-more/2017/08/30/1c190588-8d6c-11e7-9c53-6a169beb0953_story.html/utm_campaign=New%20Campaign&utm_medium=email&utm_source=Sailthru&utm_term=.552b12ee6fa4), accessed 30 August 2017.

32 Antoni Ryczynski. “Russia Practices War with NATO,” Warsaw *Gazeta Polska*, 20 September 2017, Open Source Enterprise translation. The article in *NATO Review* analyzes Russia’s large-scale military-district-level exercises from 2008-2017. The author concludes, “A look at ...exercises conducted since 2008 highlights how Russia adapts its *reporting* on their size based on whether they fall within the Vienna Document’s zone of application or not. The numbers of troops reported by Russia as participating in exercises in the Central and Eastern Military Districts—which are not governed by the Vienna Document—matches expectations for the force requirements for strategic warfare. In the case of the Western and Southern Military Districts, Russia simply compartmentalizes its large-scale exercises into chunks small enough to evade Vienna Document requirements. Dave Johnson, “ZAPAD 2017 and Euro-Atlantic Security,” *NATO Review*, 14 December 2017, <https://www.nato.int/docu/review/2017/Also-in-2017/zapad-2017-and-euro-atlantic-security-military-exercise-strategic-russia/EN/index.htm>, accessed 14 December 2017.

33 SHAPE Public Affairs Office, “NATO Supreme Allied Commander Europe, General Scaparrotti Meets with Russian Chief of General Staff, General Gerasimov,” 19 April 2018, <https://shape.nato.int/news-archive/2018/nato-supreme-allied-commander-europe--general-scaparrotti-meets-with-russian-chief-of-general-staff--general-gerasimov>, accessed 20 April 2018. “Hachal’nik general’nogo shtaba VS RF vstretilsya s verkhovnym glavonokomanduyushchim o’bedinennymi vooruzhennymi salami NATO” [Chief of the General Staff of the AF RF Met with the Supreme Commander of NATO Forces], Ministry of Defense of the Russian Federation, 19 April 2018, [https://function.mil.ru.news\\_page/country/more.htm?id=12172028@egNews](https://function.mil.ru.news_page/country/more.htm?id=12172028@egNews), accessed 20 April 2018.

# The Need for “Objective E”

by Robert G. Young

*If it is important to objectively assess training readiness levels (“Objective T”) before sending a unit into combat, how much more important to assess ethical readiness?*

This paper presents two sample models for evaluating an individual’s ethical readiness (“Objective E”). The first model relies on The Army Ethic; the second, the Ranger Creed. It concludes with four implications for the reader and the Army to consider moving forward.

## Objective T and Objective E

The Army’s previous force generation construct (ARFORGEN) deliberately chose to increase the readiness of specific units (manning, equipping, and training levels) to meet their projected deployments. The Army’s new force generation model, Sustainable Readiness (SR), is designed to generate trained and ready units to meet known operational requirements while simultaneously creating the adequate depth necessary to remain optimally postured to deploy rapidly for unforeseen surge contingencies.<sup>1</sup> There are risks inherent in maximizing the number of units available given finite resources. This maximization also creates the obvious challenge of how to assess (measure and quantify) those units’ readiness.

While personnel and equipment readiness are largely a function of math and science, training is far more difficult to assess. Lieutenant General Joseph Anderson, Deputy Chief of Staff, G-3/5/7 for the Army, described the results of a review of how units generate and report training readiness:

“Greater objectivity and less subjectivity is necessary to more accurately assess unit training readiness...The new Objective T-rating will provide greater granularity to the training readiness of units across the Army by blending the art of command with the scientific metrics of unit training at the individual and collective levels.”<sup>2</sup>

Field Manual (FM) 7-0, *Train to Win in a Complex World* (5 October 2016), provides the doctrinal foundation for planning, preparing, executing, and assessing Army training. This FM also provides an *objective task evaluation criteria matrix*, as seen in Figure 1 on page 194, that enables leaders to evaluate unit task proficiency more accurately and more objectively.

Similar to the Army’s task evaluation criteria matrix, below is the first of the two sample models for evaluating an individual’s ethical readiness.<sup>3</sup> The first model (See Figure 2 on page 194.) uses the *identity* and *actions* that correspond to the three distinct roles of “Trusted Army Professionals” from The Army Ethic: Professionals of Character, Competent Professionals, and Committed Professionals. The second model (See Figure 5 on page 205.) predominantly relies on the Ranger Creed (See Appendix A on page 210.).

In order to better understand the logic and utility of the *Objective E* assessment matrixes, the following is a brief explanation. As in FM 7-0, these matrixes follow the Army operations process (*plan, prepare, execute, and assess*) across the top row.

- Under the *plan* and *prepare* phases are two columns: *operational environment* and *identity*. The operational environment (Combat, Field, Garrison or Off-duty) is where and/or when the *identity* to the immediate right (2<sup>nd</sup> column) is most relevant.

Plan and Prepare				Execute						Assess
Operational Environment			Training Environment (L/M/C)	% Leaders present at training/authorized	% Present at training/authorized	External evaluation	Performance measures	Critical performance measures	Leaders performance measures	Task assessment
SQD and PLT	CO and BN	BDE and above								
Dynamic (single threat)	Dynamic and complex (4 + OE variables and hybrid threat)	Dynamic and complex (all OE variables and hybrid threat)	Proponent establishes training environment standards	≥85%	≥80%	Yes	≥90% GO	All	≥90%	T
				75-84%			80-90% GO		80-90%	T-
Static (single threat)	Dynamic (single threat)	Dynamic and complex (all OE variables and single threat)		65-74%	75-79%	No	65-79% GO	<All	80-90%	P
				60-64%			60-74%			51-64% GO
	Static (single threat)	Dynamic and complex (< all OE variables and single threat)	<60%	<60%	<51% GO		<80%			U
				<div style="display: flex; justify-content: space-between; align-items: center;"> <span>← Task Dependent</span> <span>Task Independent →</span> </div>						
BDE	brigade		OE	operational environment	T	fully trained				
BN	battalion		P	practiced	T-	trained				
C	construction		P-	marginally practiced	U	untrained				
CO	company		PLT	platoon	V	virtual				
L	live		SQD	squad						
<p>Note: The percentages used in this figure are for illustration only. See the collective task's published training and evaluation outline for the applicable percentages.</p>										

Figure 1. Objective Task Evaluation Criteria Matrix.

Plan and Prepare		Execute			Assess		
Operational Environment	Identity	Actions	Feelings	Rating			
Combat, Field Garrison Off-Duty				Occupation Profession Calling	T, T-, P, P-, U		
C, F, G, O	Army Professional	<ul style="list-style-type: none"> <li>- Obey the laws of the Nation and all legal orders</li> <li>- Reject and report all illegal, unethical, or immoral orders or actions</li> <li>- Demonstrate character in <i>all aspects of one's life</i></li> <li>- Recognize the intrinsic dignity and worth of all people, treating them with respect</li> <li>- Lead by example, demonstrate courage, do right</li> <li>- Candidly express professional judgment to subordinates, peers, and superiors</li> </ul>	<ul style="list-style-type: none"> <li>• Law-abiding</li> <li>• Whistleblower</li> <li>• Integrity</li> <li>• Respectful</li> <li>• Leader</li> <li>• Honest</li> </ul>				
C, F, G						<ul style="list-style-type: none"> <li>- Perform duties, leading and following with discipline</li> <li>- Strive for excellence, putting need of others above own, and accomplish mission as a team</li> <li>- Accomplish the mission (courageously risking one's life/justly taking the lives of others)</li> <li>- Life-long learning and professional development, meet/obtain required certifications</li> </ul>	<ul style="list-style-type: none"> <li>• Obedient</li> <li>• Selfless</li> <li>• Completion</li> <li>• Achievement</li> </ul>
C, F, G, O						<ul style="list-style-type: none"> <li>- Embrace and uphold the Army Values and standards</li> <li>- Accountable to each other and the American people</li> <li>- Wisely use resources</li> <li>- Ensure the Army is well led and well prepared</li> <li>- Care for Soldiers, Army Civilians, and Families</li> <li>- Strengthen the essential characteristics of the Army Profession, reinforcing the bond of trust</li> </ul>	<ul style="list-style-type: none"> <li>• Conscientious</li> <li>• Responsible</li> <li>• Stewardship</li> <li>• Readiness</li> <li>• Guardianship</li> <li>• Ownership</li> </ul>
Indicates where/when Identity is relevant	The Army Ethic is used to define Identity and Actions associated with being an Army Professional.	Key Tasks (Actions) to be executed/performed in keeping with the Identity in the column to the left.	Feelings – when Actions are performed to standard	C - indicates recognition that one is fulfilling their purpose in life when performing those Actions.			
T=Actions and Feelings align 100% of the time and Identity is viewed as a calling, T-=Actions and Feelings align 100% of the time and Identity is viewed as a profession.		P=Actions executed 100% of the time. Feelings align ≥75% of the time or Identity is viewed as an occupation. P-=Actions executed 100% of the time. Feelings align <75% of the time.	U = Actions executed < 100% of the time.	T, T-, P, P-, U			

Figure 2. Objective E Assessment Matrix (Based on the Army Ethic).

- The *execute* phase has only one column—*actions*. These are the tasks/behaviors to be performed in concert with that respective *identity*.
- The *assess* phase has two areas for assessing that *identity*. The first column under the *assess* phase is *feelings*. These *feelings* are the anticipated intellectual and/or emotional outcome(s) of performing those *actions* to standard for that *identity*.
- The last two columns of the *assess* phase are under the sub-heading of *rating*. The first of these evaluates the individual’s attitude concerning that *identity* based on the corresponding *actions* and *feelings*. The individual determines what term: *occupation*, *profession* or *calling* best characterizes their reason for fulfilling the *identity* of that row.
- The final column is the T through U rating.

T = *Actions* and *Feelings* align 100% of the time and *Identity* is viewed as a *calling*.

T- = *Actions* and *Feelings* align 100% of the time and *Identity* is viewed as a *profession*.

P = *Actions* executed 100% of the time. *Feelings* align  $\geq 75\%$  of the time or *Identity* viewed as an *occupation*.

P- = *Actions* executed 100% of the time. *Feelings* align  $< 75\%$  of the time.

U = *Actions* executed  $< 100\%$  of the time.

While it is obviously beyond the scope of this paper to fully examine the topic of objectively assessing training readiness levels, let alone all of the challenges associated with objectively assessing ethical readiness levels, it does depict a framework that can be used as the basis for further discussion of “objectively” assessing ethical readiness levels. These matrixes could also be used as a tool for receiving feedback from subordinates, peers, and supervisors; as an instrument to drive future self-development; or as the basis for an improved model.

## The Army Ethic

Any discussion of evaluating an *Army Professional’s* ethical readiness needs to start with an understanding of that title and the *Army Ethic*. ADRP 1 modified the previous definitions when it was released on 14 June 2015—the Army’s 240<sup>th</sup> birthday. It states, “An Army professional is a Soldier or Army Civilian who meets the Army Profession’s certification criteria in character, competence, and commitment.” ADRP 1 defines the Army Ethic as, “The evolving set of laws, values, and beliefs, embedded within the Army culture of trust that motivates and guides the conduct of Army professionals bound together in common moral purpose.” Those thirty words summarize the 438 words that comprise the entire Army Ethic.

The majority of the Army Ethic explains that “Trusted Army Professionals” are *Professionals of Character*, *Competent Professionals*, and *Committed Professionals*. (See Figure 3 on page 196.) In what seems like wishful thinking, the preface to ADRP 1 says that the Army Ethic is “the heart of the Army Profession, inspiring and motivating our shared identity as trusted Army professionals.”

Before introducing the Army Ethic, the first chapter of ADRP 1, “discusses the nature of professions, explains why the Army is a profession, and introduces the essential characteristics of the Army Profession.”<sup>4</sup> It then seems to describe why mere words are not enough to produce a professional, “Simple or strict compliance with laws and regulations rarely generates a deeper understanding of why a standard of conduct is prescribed and is considered right and good.” It then declares, “The Army Ethic provides the moral dimension that aids in understanding why we live by and uphold established moral principles.”<sup>5</sup> That last statement begs the question, whose “established moral principles”?

## **The Heart of the Army**

The Army Ethic includes the moral principles that guide our decisions and actions as we fulfill our purpose: to support and defend the Constitution and our way of life. Living the Army Ethic is the basis for our mutual trust with each other and the American people. Today our ethic is expressed in laws, values, and shared beliefs within American and Army cultures. The Army Ethic motivates our commitment as Soldiers and Army Civilians who are bound together to accomplish the Army mission as expressed in our historic and prophetic motto: *This We'll Defend*.

Living the Army Ethic inspires our shared identity as trusted Army professionals with distinctive roles as honorable servants, Army experts, and stewards of the profession. To honor these obligations we adopt, live by, and uphold the moral principles of the Army Ethic. Beginning with our solemn oath of service as defenders of the Nation, we voluntarily incur the extraordinary moral obligation to be trusted Army professionals.

### **Trusted Army Professionals are**

#### **Honorable Servants of the Nation—Professionals of Character:**

We serve honorably—according to the Army Ethic—under civilian authority while obeying the laws of the Nation and all legal orders; further, we reject and report illegal, unethical, or immoral orders or actions.

We take pride in honorably serving the Nation with integrity, demonstrating character in all aspects of our lives.

In war and peace, we recognize the intrinsic dignity and worth of all people, treating them with respect.

We lead by example and demonstrate courage by doing what is right despite risk, uncertainty, and fear; we candidly express our professional judgment to subordinates, peers, and superiors.

#### **Army Experts—Competent Professionals:**

We do our duty, leading and following with discipline, striving for excellence, putting the needs of others above our own, and accomplishing the mission as a team.

We accomplish the mission and understand it may demand courageously risking our lives and justly taking the lives of others.

We continuously advance the expertise of our chosen profession through life-long learning, professional development, and our certifications.

#### **Stewards of the Army Profession—Committed Professionals:**

We embrace and uphold the Army Values and standards of the profession, always accountable to each other and the American people for our decisions and actions.

We wisely use the resources entrusted to us, ensuring our Army is well led and well prepared, while caring for Soldiers, Army Civilians, and Families.

We continuously strengthen the essential characteristics of the Army Profession, reinforcing our bond of trust with each other and the American people.

**Figure 3. The Army Ethic.**

The intent at this point is not to critique or evaluate the Army Ethic per se, but it makes some assertions that warrant deeper discussion. The Army Ethic states, “Today our ethic is expressed in laws, values, and shared beliefs within American and Army cultures.” A recent military example of “laws, values, and shared beliefs” and the debasement of “established moral principles” was on display when military lawyers for a Schriever Air Force Base colonel argued that a half-dozen adultery charges against him should be thrown out. The major who was defending the colonel told Air Force judge Colonel Wes Moore, “that the military’s definition of adultery as sex between a man and a woman violates the colonel’s rights under the 14<sup>th</sup> Amendment, which mandates equal protection under law.”<sup>6</sup> According to the article, “That’s because the military’s adultery law requires ‘sexual intercourse’ as an element of guilt, which the Pentagon defines as an act between a man and a woman. A homosexual man or woman couldn’t commit adultery as defined.”<sup>7</sup> So much for “shared beliefs” and “established moral principles.”

In what was then a mandatory reading for CGSOC students when Ethics was last taught as a block (AY16), Dr. Daniel M. Bell, Jr. explained that,

“Relativism within the ranks presents a significant challenge to the exercise of moral leadership within the military... Recognizing the moral value of respect and the reality of diversity, including moral diversity, creates a dilemma: How can one recognize and respect moral diversity while at the same time asserting one particular moral standard? The default answer may be simply to follow orders....”<sup>8</sup>

This appeal to “shared beliefs” and “established moral principles” seems to take us right back to the admonition of ADRP 1, “Simple or strict compliance with laws and regulations rarely generates a deeper understanding of why a standard of conduct is prescribed and is considered right and good.” If the last decade has demonstrated anything, it is that *shared beliefs* and *established moral principles* are not always shared, nor well established.

### Why “Objective E”

The 2015 Army Capabilities Needs Analysis (CNA) determined that Army publications still did not address specific actions across the Total Force that provide for the development and assessment of character.<sup>9</sup> ADRP 1 defines character in two ways:

“Intrinsically, character is one’s true nature including identity, sense of purpose, values, virtues, morals, and conscience. Character, in an operational sense, is an Army professional’s dedication and adherence to the Army Ethic, including Army Values, as consistently and faithfully demonstrated in decisions and actions.”<sup>10</sup>

That same CNA also determined that the Army did not have a deliberate, holistic approach to develop and assess character within the process of leader development.<sup>11</sup> One could argue that the revised officer evaluation report (OER) is intended to assess the operational aspects of the rated officer’s character. The new form has sections for narrative comments for each of the six Army Leader Requirements, the first of which is character.<sup>12</sup> While that instrument may assess, in some limited way, aspects and attributes of the *operational character* of the rated officer, it in no way can, nor is it intended to, unearth “one’s true nature including identity, sense of purpose, values, virtues, morals, and conscience” or *intrinsic character*.

The Army assesses training readiness through two types of evaluations; internal and external. *External evaluations* (EXEVALs) are unit proficiency evaluations that provide commanders an objective way to evaluate their unit. The Army puts such a premium on EXEVALs that they are now the only way an Army unit can be validated as fully trained (T) or trained (T-).<sup>13</sup> One of the obvious challenges of assessing *intrinsic character* (or ethical readiness) is the hidden nature of it. Basketball Hall of Fame player and Coach John Wooden described the problem this way, “Be more concerned with your character than your

reputation, because your character is what you really are, while your reputation is merely what others think you are.”<sup>14</sup> This suggests that an EXEVAL of one’s ethical readiness or intrinsic character is, at most, uncovering a reputation.

Aside from the hidden nature of intrinsic character (identity, sense of purpose, values, virtues, morals, and conscience), there is a second aspect that makes it virtually impossible to adequately and accurately externally assess—that is to develop the appropriate conditions in which to test it. It has been said, “Adversity doesn’t build character—it merely reveals it.” Like assessing the size of an iceberg, the unseen mass below the surface is always more significant than the mound of ice above.

In his 2017 Command Training Guidance (CTG), the Commander of U.S. Army Forces Command (FORSCOM), General Robert B. Abrams, incorporated the “Safety Pyramid” into the topic of Risk Management.<sup>15</sup> (See Figure 4 below.) If this theory is true in matters of safety, how much truer in the area of ethics and intrinsic character?

So, what are the implications of an “Ethics Pyramid”? We have all seen and suffered because of the catastrophic (Class A) ethical failures of Army senior leaders: General (R) David Petraeus, General (R) William Ward, Lieutenant General Ron Lewis, Major General (R) James Grazioplene, Major General David Haight, Major General Wayne Grigsby, Major General Joseph Harrington, and Brigadier General Jeff Sinclair, to name just a few. Given these, how many Class B, C, D and Below, and Near Miss ethical failures are occurring, and what test or actions could be implemented or administered to uncover them? This is not to imply that ethical crashes are merely accidents. It is instead to suggest that if we are not preventing the Class A accidents by our most certified, and supposed “stewards of the profession,” how many more B, C, and D mishaps are occurring without any mitigation? Imagine the benefits of an assessment tool that could prevent both the minor and the more disastrous events.

Army Doctrine Publication (ADP) 1, *The Army*, reminds the field that, “The failure of individual Army professionals to make the right decision can be devastating, particularly in an omnipresent information environment. The Army Values shape and bind Soldiers’ and Army Civilians’ discretionary judgments.”<sup>16</sup> To paraphrase a famous quote: when it comes to focusing on ethics, the Services are willing, but the flesh is weak.<sup>17</sup> Unfortunately, and in spite of all of the time the Army spends talking about ethical matters, it

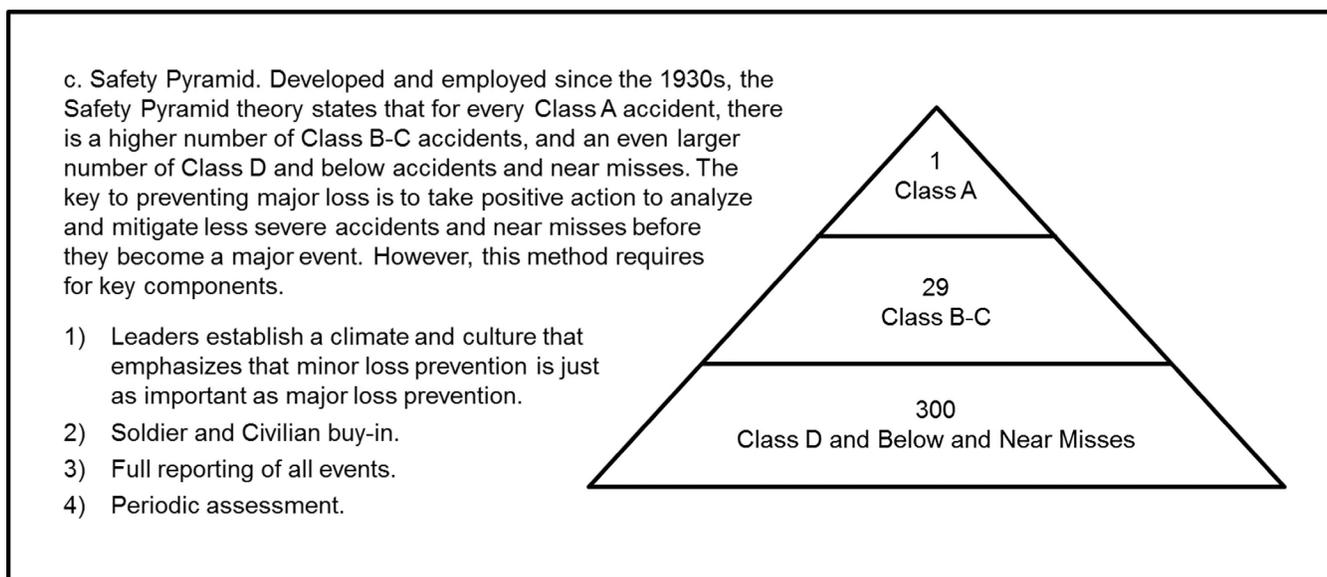


Figure 4. The Safety Pyramid<sup>18</sup>

is only getting weaker. In fact, the ethical problem has become so acute that the just-released report *Top DoD Management Challenges—Fiscal Year 2018* lists “Ensuring Ethical Conduct” as one of the top ten challenges facing the DoD.<sup>19</sup>

According to that report, there was a 13 percent increase in complaints alleging misconduct by senior officials from FY 2015 to FY 2017. The most common allegations involved personal misconduct including improper relationships, improper personnel actions, misuse of government resources, and travel violations. Concerning the category of personal misconduct, the report concludes that there has been a steady trend in substantiated allegations of improper relationships and sexual misconduct.<sup>20</sup> If “certified professionals” and the “stewards of the profession” are having these problems, it certainly suggests that the external operational character evaluations and certifications currently employed, and which led to their promotions, are entirely inadequate.

Although the only way to rate training as a T or T- is with an external evaluation (EXEVAL), it may well be that the only way to adequately and accurately assess character is to conduct an *internal evaluation*. According to FM 7-0, “Internal evaluations are conducted by unit leaders...they evaluate the unit’s ability to perform specific tasks or activities.”<sup>21</sup> The weight the Army places on an external evaluation to determine that a unit is objectively assessed “T” may be inappropriate when assessing intrinsic character. This is exemplified by another Coach Wooden quote, “The true test of a man’s character is what he does when no one is watching.” Said another way, any man who knows his actions are being assessed may be merely acting until the audience or evaluators are absent.

Even though the *Objective E* matrix may be the preferred instrument for an individual to conduct a self-assessment or internal evaluation of their ethical readiness, because of the inherent and hidden nature of character, those who lack it most are the same ones least suited to conduct an internal assessment of it. Not unlike physical training, one will only get out of it what they put into it. If the *Objective E* assessment is used to honestly evaluate *actions*, it can be a powerful stimulus for self-development and understanding areas that represent vulnerabilities.

### **Identity, Actions, and Feelings**

*Identity, actions, and feelings* are the primary categories of the *Objective E* assessment matrix. The logic of their order, source, relevance, and application follows.

#### Its Source (*Identity, Actions, and Feelings*)

While on a cruise in the Caribbean, I came across a book in the ship’s library with the word “*Resilience*” emblazoned on its spine. At the time (CGSOC AY 16), “*Resilience*” was also the title and subject of the C132 Class which we would be teaching shortly—how could one not read a book with the same title? The book was written by Eric Greitens, a former Navy SEAL and presently the Governor of Missouri.<sup>22</sup> Before becoming a SEAL, Greitens attended Duke University and earned a doctorate as a Rhodes Scholar at the University of Oxford.

The complete title of the book is *Resilience: Hard-Won Wisdom for Living a Better Life* (2015). It is a series of letters written to Greitens’ former SEAL compatriot who is trying to cope with PTSD and find purpose and direction for his life after military service. Greitens weaves in ancient and modern philosophers, as well as his own wisdom, to present very persuasive ideas to his struggling friend and, by extension, the reader. The section that offered the most powerful thinking about self was the section about *Identity, Actions, and Feelings*.

Greitens argues that if our *feelings* dictate our *actions*, they ultimately determine our *identity*. For example, if an individual *feels* like a loser, and uses drinking (*actions*) to drown his sorrows, it won’t be long until he

has established himself as both a drunk and a loser (*identity*). Conversely, Greitens argues that if we get our *identity* straight, and let it dictate our *actions*, then there will be positive and productive *feelings* consistent with that *identity*.

#### Its Relevance (*Identity, Actions, and Feelings*)

The Army puts an important premium on the idea of identity. The Army defines *identity* as, “One’s sense of self; perceptions of one’s roles and purpose in life.”<sup>23</sup> This is important because when *identity* is linked to one’s purpose, it creates an unstoppable combination.

In a section entitled *Membership in The Army Profession*, ADRP 1 states:

“Being an Army professional starts with developing and sustaining a professional identity... Identity refers to one’s self-concept. Soldiers and Army Civilians first identify with being members of the Army Profession. Their shared identity as trusted Army professionals is progressively formed and strengthened as they live by and uphold the Army Ethic as they perform their duties and accomplish the mission.”<sup>24</sup>

#### Its Application (*Identity, Actions, and Feelings*)

*Identity* may be exactly as the Army defines it, “One’s sense of self; perceptions of one’s roles and purpose in life,”—but *identity* is most often defined by one’s relationship to external things. It is my relationship with my parents that makes me a son. It is my relationship with my wife that makes me a husband. It is my relationship with my kids that makes me a father. *Identity* can even be defined by former relationships; for example, *widow* describes a woman who lost her husband, *veteran* describes somebody who served their country, and *gold star mom* describes a mother who lost her child in combat. The *Objective E* model recognizes the power of *identity* and of executing *actions* that align, especially when in fulfillment of one’s *calling*.

### **Occupation, Profession, or Calling**

In order to complete the *Objective E* assessment, after reviewing the *Actions* and *Feelings* of the corresponding *Identity*, the individual then determines whether the term *occupation*, *profession* or *calling* best characterizes their reason for fulfilling that *identity*.

#### Its Source (*Occupation, Profession, or Calling*)

Dr. Charles C. Moskos, Jr., a Professor of Sociology at Northwestern University and presenter at the U.S. Army War College, promoted this paradigm in his 1977 piece in *Parameters*. (It was also republished in the 2010-11 edition.) Moskos writes, “Terms like *calling*, *profession*, or *occupation* suffer from imprecision, both in popular and scholarly discussion. Nevertheless, they each contain core connotations which serve to distinguish them from one another.”<sup>25</sup>

Moskos’ basic hypothesis was that the all-volunteer American military was, to its detriment, moving towards an organizational format more and more resembling that of an *occupation*.<sup>26</sup> He selected those terms because they represent a continuum in the level of commitment and because of his concern the then recently implemented all-volunteer Army would move away from being (the) service.

#### Its Relevance (*Occupation, Profession, or Calling*)

Moskos contended that the philosophy advanced, and largely adopted, by the Gates Commission in 1970 to further the all-volunteer Army was an occupational model. Moskos writes, “Instead of a military system

anchored in the normative values of a *calling*—captured in words like ‘Duty,’ ‘Honor,’ ‘Country’—[the Commission] explicitly argued that primary reliance in recruiting an armed force should be on monetary inducements guided by marketplace standards.”

Moskos argued the Army as an *occupation* “implies that priority inheres in self-interest rather than in the task itself or in the employing organization.” In essence, Moskos believed removal of the draft as the price of citizenship, coupled with the necessary enticements for voluntary enlistment, would make the military more like a job or *occupation* than a *calling*.

Moskos described a *profession* as “legitimated in terms of specialized expertise, i.e., a skill level formally accredited after long, intensive, academic training.” Particularly for the officer corps—citing “the multitiered military education system for officers—as typified by the service academies, command schools, and the war colleges—is patterned after the professional model.”<sup>27</sup>

Moskos described a *calling* as serving “a purpose transcending individual self-interest in favor of a presumed higher good.” He said, “members of a *calling* generally regard themselves as being different or apart from the broader society and are so regarded by others.” The Army, in ADRP 1, uses *calling* in similar fashion, most often describing Army service as a “noble calling.” Both ADRP 1 and Moskos put the emphasis on the organization as having rendered the *call* and the individual responding to it. ADRP 1 explains the relationship this way, “To be an Army professional is to answer a calling that is much more than a job. It means to be motivated primarily by the intrinsic value of service rather than material benefits such as pay and vacations.” (Emphasis added.)

Terms like Military *Occupational Specialty* (MOS) obviously reflect the more *occupation* like nature of what the typical enlisted person does. As of this writing, the Army’s official recruiting website (goarmy.com) is announcing, “Some jobs offer cash bonuses up to \$40,000 for qualified applicants who enlist for a specific term of service.”<sup>28</sup> The concept (and necessity) of enticing enlistees with occupational opportunities, as well as educational and monetary incentives, requires balance. Consider this Italian general’s *call*:

“I offer neither pay, nor quarters, nor food; I offer only hunger, thirst, forced marches, battles and death. Let him who loves his country with his heart, and not merely with his lips, follow me.”

—Giuseppe Garibaldi<sup>29</sup>

Moskos and Garibaldi (as well as the U.S. Marines) are all on to something—making service too soft, offering substantial enlistment and retention bonuses, and generous benefits may all attract and retain applicants, but it will come at a cost—and more than just monetary. Clearly, a *call* that goes forth with large sums of money and generous benefits can cloud the message in the minds of those that are contemplating pursuing Soldiering or the “service” as a *calling*.

#### Its Application (*Occupation, Profession, or Calling*)

There are *professional* bowlers, basketball players, and bass fishermen. The title of *professional* (and *Army Professional*) seems to be a woefully inadequate *identity* to fully recognize all that is expected and required of a Soldier. ADRP 1 explains that,

“Certification in the Army has two purposes. For the Army Profession, certification demonstrates to the American people that the Army is qualified to perform its expert work. For Army professionals, certification also provides motivation and a sense of accomplishment. Examples include an earned rank or credential, selection for a leadership assignment or successful completion of training.”

Most certainly, the long list of aforementioned, ethically-challenged Generals met the *professional* certifications mentioned above, but to what end? In many ways, it is the prestige, power, and perks associated with their positions that produced their problems. In most cases, they let their *feelings* dictate their *actions*, thereby failing to live up to the appropriate *identity*. As previously mentioned in the *identity* discussion, it is often what is going on inside of the man that matters the most. Again, this all underscores the premise that the best way to effectively and accurately assess character is to conduct an internal evaluation.

For the purposes of *Objective E*, the term *calling* is used irrespective of the *occupation*, *profession*, the title or nature of the work (blue collar, white collar, menial labor, volunteer, etc.), or the type of organization. Instead, *calling* is based on how the individual regards his attachment to the activity. *Objective E* relies on the Merriam-Webster dictionary's primary definition for *calling*, i.e. "a strong inner impulse toward a particular course of action especially when accompanied by conviction of divine influence."<sup>30</sup> This distinction is important as it cements the individual's *raison d'être* with his *identity*. In other words, it is not that the *calling* is "noble" that matters; it is the attitude of the *called* to that *identity* that counts.

This means that it is one's mindset, or motive, for serving that provides the conviction for the *calling*, no matter how menial the *occupation*. This is equally true whether or not it is considered by most to be a professional or a vocational field. The plumber, mechanic, or carpenter who regards his trade as his *calling* is likely far more committed than the one who considers it merely as an *occupation*. Similarly, if the work is regarded as a *profession* that typically requires a *calling*, such as medicine or the clergy, simply practicing that *profession* does not make it one's *calling*. This is why *Objective E* requires the individual to assess his attitude towards service in terms of *occupation*, *profession* or *calling*. If one knows that he is doing what he is *called* to do, then, and only then, is it a *calling*.

This is particularly important when the operating environment requires what the Army Ethic calls *Professionals of Character*. It takes a certainty that only comes from knowing that one is carrying out their *calling* when they "reject and report illegal, unethical, or immoral orders or actions." It takes the courage and confidence that comes from *calling* to "lead by example and demonstrate courage by doing what is right despite risk, uncertainty, and fear; we candidly express our professional judgment to subordinates, peers, and superiors." The conviction and clarity that comes from carrying out a *calling* is not concerned about personal comfort or career.

The Army may very well be a "*Noble Calling*," but that does not mean that it is a *calling* for everyone currently serving as an *Army Professional*.

## **The Ranger Creed**

The Ranger Creed,<sup>31</sup> (See Appendix A on page 210.) and the organization it was instrumental in creating, are respectfully offered as an example of "getting it right," especially since it was all done with intention and by deliberate design. For these reasons, that Creed is used as the basis for the *identity*, *actions*, and *feelings* that form the bulk of the second *Objective E* assessment matrix.

### Its Source (*The Ranger Creed*)

Before considering the Creed of the modern-day Ranger, it is instructive to understand the context that was the impetus for the resurrection of Ranger units. The Army was in a post-Vietnam malaise. Many historians, commentators, and Soldiers who knew the Army at that time describe it as a truly despondent force. Drug and race problems were rampant. Discipline within the entire force was lacking.<sup>32</sup> In late 1973, General Creighton Abrams saw the reactivation of the Rangers as a way to reestablish standards, first within that unit, and then throughout the Army. To implement his vision, General Abrams issued this guidance<sup>33</sup> now known as the Abrams Charter:

“The battalion is to be an elite, light, and the most proficient infantry battalion in the world. A battalion that can do things with its hands and weapons better than anyone. The battalion will contain no “hoodlums or brigands” and if the battalion is formed from such persons it will be disbanded. Wherever the battalion goes, it must be apparent that it is the best.”<sup>34</sup>

In early 1974, Lieutenant Colonel Kenneth Leuer, the reactivated 1<sup>st</sup> Ranger Battalion’s first commander, received additional guidance from General William DePuy, the Training and Doctrine (TRADOC) commander, about the need for a creed: “Abe wants you to create a Creed that will serve as the guiding light for the Rangers to train, fight and live by.”<sup>35</sup>

According to Colonel (Ret.) Keith Nightingale, a plank holder in the 1<sup>st</sup> Ranger Battalion,

“LTC Leuer determined that the device of a Creed was such a necessary and fundamental part of the evolving Ranger experience that it must be established during the formative period... [and] ...this Creed must be so compelling and so clear as to attach the individual to the unit and to define the system of standards and quality necessary for the First Ranger Battalion.”<sup>36</sup>

### Its Relevance (*The Ranger Creed*)

The primary reasons that the Ranger Creed has worked so well is first, as Colonel Nightingale noted, “It is simple, clear and unambiguous and that is both its strength and its glory.”<sup>37</sup> The second and equally important reason is that every Ranger candidate is required to study it and be prepared to recite it whenever called upon to do so. This continues throughout their tenure in the Rangers. Every Ranger knows that he can be called to the front of any formation, be it squad, platoon, company, or battalion, for PT, accountability, or a ceremony, and be required to recite a specific stanza or the entire Creed at any time. No Ranger is willing to risk embarrassing himself by not knowing every single word exactly as written.

Upon the establishment of the third Ranger battalion and the Regimental headquarters in 1984, Chief of Staff of the Army General John Wickham was even more explicit in his vision and intent for the newly expanded organization: “The Ranger Regiment will draw its members from the entire Army—after service in the regiment—return these men to line units of the Army with the Ranger philosophy and standards.”<sup>38</sup> It is in the spirit of the Abrams Charter and Wickham’s commendation that the Ranger Creed is used in the *Objective E* model. The Creed is an essential element of the modern-day Ranger’s success and is integral to understanding the Ranger philosophy that establishes each individual Ranger’s *identity* and *actions*. Again, quoting Colonel Nightingale, “The Ranger Creed has grown from a memorized set of stanzas...to a near universal guide to life, duty and performance for any person exposed to its words.”<sup>39</sup>

As mentioned previously, the Army defines *identity* as, “One’s sense of self; perceptions of one’s roles and purpose in life.”<sup>40</sup> This is essential since *identity* linked with one’s purpose (and *calling*) in life creates an unyielding arrangement. Dr. Daniel M. Bell, Jr., in the previously cited piece entitled, *Clashing Moral Civilizations: Why is Relativism a Threat to the Military?* explains why the clarity of the Ranger Creed is able to produce that kind of unity in the Rangers.

“In a sense, the military is a moral community that recognizes one can arrive at the particular moral commitments it embodies from a variety of paths. Some Soldiers come to it from a religious background, some from a familial background, some from independent reflection, etc... Moral leadership in the military starts from the moral foundations articulated in the creeds, codes, and so forth. The challenge of such leadership is to assist Soldiers in moving from mere compliance, following the moral rules out of fear or merely for the sake of career advancement, to commitment, to the internalization and ownership of that moral vision such that it becomes part of their identity.”<sup>41</sup> (Emphasis added.)

The Ranger Creed has provided inspiration for nearly three generations of modern-day American Rangers. The Ranger Creed is all about the individual establishing his *identity* as a Ranger. What the Rangers have figured out is how to go from creeds to deeds.

#### Its Application (*The Ranger Creed*)

The Army white paper titled *The Army's Framework for Character Development*, in summarizing what is essentially an argument on the role of “nature versus nurture,” concludes, “. . .beyond this understanding of factors affecting character, there is no consensus in the literature regarding what must be done within education, training, and experience to inspire, motivate, and enable people to make decisions and take actions that are consistent with an ethic.”<sup>42</sup> The White Paper goes on to explain, “Given this lack of consensus, the Army’s intent to provide for character development, through deliberate integration of culture, climate, and identity, is breaking new ground.” While it may be new ground at the Army enterprise level, what must be done within education, training, and experience to inspire, motivate, and enable people to make decisions and take actions that are consistent with an ethic has been tested and proven over time by the Rangers and their Creed.

Perhaps what is most important and effective about the Ranger Creed is its succinctness. It is both uncomplicated and comprehensive in describing the *identity* and *actions* a Ranger is to embody. There is an incredible intangible that comes from the individual mindset of every Ranger completely internalizing the first and last stanzas of the Ranger Creed. “Recognizing that I volunteered as a Ranger, fully knowing the hazards of my chosen profession, I will always endeavor to uphold the prestige, honor, and high esprit de corps of my Ranger Regiment.” The first stanza clearly addresses the *identity* obtained by volunteering to join the organization and the obligation to steward and safeguard its reputation and esprit once there. This is not simply a “*shared identity*”—this is “shared destiny.”

The last stanza reminds every member of the Rangers that he shares in an individual obligation to complete their mission, even if alone. “Readily will I display the intestinal fortitude required to fight on to the Ranger objective and complete the mission, though I be the lone survivor.” This obligation for every individual to achieve the organization’s objectives and mission, no matter what the personal cost, creates an organization far greater than the sum of its parts. The Ranger Creed produces a *Unity of Purpose* and *Unity of Effort* that is incalculable.

#### **The “Objective E” Assessment Matrix**

##### Its Source (*Objective E assessment matrix*)

This is the *Objective E* assessment matrix that employs the Ranger Creed for its *identity* and *actions*. Some of the *actions/tasks* may seem imprecise or hard to objectively assess, e.g. this from the Ranger Creed, “*I will always keep myself mentally alert, physically strong, and morally straight.*” As the mission essential task list (METL) evaluation guide for the new Security Force Assistance Brigade (SFAB) explains, “*Because all possible forms of acceptable personal conduct and behavior cannot be translated into quantifiable objective task standards...evaluators must attempt to form mature opinions on these while the unit is performing its tasks.*”<sup>43</sup> A similar application of these standards must be applied when evaluating the *actions* listed in the *Objective E* assessment matrix.

##### Its Relevance (*Objective E assessment matrix*)

This matrix also offers the additional *identities* of Patriot, Husband, Father, Son, and Christian for illustrative purposes. In these cases, that *identity* is determined by the relationship of the assessed individual to others, be it another individual or an organization.

Plan and Prepare		Execute		Assess	
Operational Environment	Identity	Actions	Feelings	Rating	
Combat, Field Garrison Off-Duty				Occupation Profession Calling	T, T-, P, P-, U
C, F, G, O	<b>R-</b> <i>Recognizing that I volunteered as a Ranger, fully knowing the hazards of my chosen profession,</i>	<i>I will always endeavor to uphold the prestige, honor, and high esprit de corps of my Ranger Regiment.</i>	<ul style="list-style-type: none"> <li>Honorable</li> <li>Belonging</li> <li>High Morale</li> </ul>	C	
C, F, G	<b>A-</b> <i>Acknowledging the fact that a Ranger is a more elite soldier who arrives at the cutting edge of battle by land, sea, or air,</i>	<i>I accept the fact that as a Ranger my country expects me to move farther, faster and fight harder than any other soldier.</i>	<ul style="list-style-type: none"> <li>Obligated to excel</li> <li>Excitement</li> <li>Special/elite</li> </ul>	P, C	
C, F, G, O	<b>N-</b> <i>Never shall I fail my comrades.</i>	<i>I will always keep myself mentally alert, physically strong and morally straight and I will shoulder more than my share of the task whatever it may be, on hundred percent and then some.</i>	<ul style="list-style-type: none"> <li>Sharp, ready</li> <li>Physically fit</li> <li>Clean, guilt free</li> <li>Generous, helpful</li> </ul>	O, P, C	
C, F, G, O	<b>G-</b> <i>Gallantly will I show the world that I am a specially selected and well-trained soldier.</i>	<i>My courtesy to superior officers, neatness of dress and care of equipment shall set the example for others to follow.</i>	<ul style="list-style-type: none"> <li>Respectful</li> <li>Sharp, ready</li> <li>Steward</li> <li>Role model</li> </ul>	P, C	
C, F, G, O	<b>E-</b> <i>Energetic...</i>	<i>Energetically will I meet the enemies of my country. I shall defeat them on the field of battle for I am better trained and will fight with all my might. Surrender is not a Ranger word. I will never leave a fallen comrade to fall into the hands of the enemy and under no circumstances will I ever embarrass my country.</i>	<ul style="list-style-type: none"> <li>Brave</li> <li>Tough, well trained</li> <li>Reliable, loyal</li> <li>Love (Brotherly)</li> <li>Accountable</li> </ul>	P, C	
C, F, G, O	<b>R-</b> <i>Readily will I</i>	<i>display the intestinal fortitude required to fight on to the Ranger objective and complete the mission though I be the lone survivor.</i>	<ul style="list-style-type: none"> <li>Indomitable Courage</li> <li>Mission focused</li> <li>Fearless</li> </ul>	C	
C, F, G, O	<b>Rangers</b>	<i>Lead the Way!</i>	<ul style="list-style-type: none"> <li>Steward, Pride</li> </ul>	C	
These Identity, Actions, and Feelings below are not related to the Ranger Creed by directly influence the individual's performance as a Ranger					
C, F, G, O	Patriot	Support and defend the Constitution and the Country	<ul style="list-style-type: none"> <li>Patriotism &amp; Freedom</li> <li>Secure, Honorable</li> </ul>	C	
C, F, G, O	Husband	Love, Honor, Cherish	<ul style="list-style-type: none"> <li>Loved, Complete</li> <li>Love (Paternal), Pride</li> </ul>	C	
C, F, G, O	Father	Material provider, teach, discipline, legacy building	<ul style="list-style-type: none"> <li>Love (Paternal), Pride</li> </ul>	C	
C, F, G, O	Son	Honor and care for parents	<ul style="list-style-type: none"> <li>Reliable, Belonging</li> </ul>	C	
C, F, G, O	Christian	Love God, Love my neighbor, Obey the scriptures	<ul style="list-style-type: none"> <li>Love (Agape), Peace, Joy, Self-control</li> </ul>	C	
Indicates where/when Identity is relevant	The Army Ethic is used to define Identity and Actions associated with being an Army Professional.	Key Tasks (Actions) to be executed/performed in keeping with the Identity in the column to the left.	Feelings – when Actions are performed to standard	C - indicates recognition that one is fulfilling their purpose in life when performing those Actions.	
T=Actions and Feelings align 100% of the time and Identity is viewed as a calling. T-=Actions and Feelings align 100% of the time and Identity is viewed as a profession.		P=Actions executed 100% of the time. Feelings align ≥75% of the time or Identity is viewed as an occupation. P-=Actions executed 100% of the time. Feelings align <75% of the time.	U = Actions executed < 100% of the time.	T, T-, P, P-, U	

Figure 5. Objective E Assessment Matrix (Based on the Ranger Creed).

Another important consideration is that *identity* can transcend location or Operational Environment (*Combat, Field, Garrison, and Off-Duty*). For example, one is always a husband and father (as long as his wife and kids are alive) whether he is deployed in combat, on an FTX, in garrison, or on a four-day pass with his family. On the other hand, *actions* contrary to the *identity* can negate it. If one is committing adultery or not supporting his minor children, he is not really a “husband” or “father” but instead an “adulterer” or “dead-beat Dad.” In those cases, *actions* redefine *identity*.

In what might be called the paradox of proximity, there is a certain irony that it is easier to be a specific *identity* when the corresponding *actions* are not immediately required. It is easy to be a Soldier when you are home on leave. It is easy to be a parent when the kids are with the grandparents. It is easy to be a husband on the honeymoon. But those are not times when it really counts. It is harder to be a Soldier, husband, and father when you are headed back to theater for another six months after an all too short ten-day R&R—and especially while your wife is weeping and your kids are clinging to your legs crying, “No Daddy, don’t leave us, no...please don’t go!”

### Its Application (*Objective E* assessment matrix)

The framework as set forth in the *Objective E* matrix, and the examples of Husband, Father, Son, and Christian, can help an individual more comprehensively evaluate and assess their ethical readiness and motives for serving. Ensuring *actions* correspond to *identity* is not always easy—nor does the system always reward the whistle-blower or the man who holds the ethical line when things are going south. But in the end, being able to look at the man-in-the-mirror, knowing he chose the right *action*, is its own reward.

### **The Bottom Line**

(1) As mentioned earlier, these matrixes can be used as a tool for feedback from subordinates, peers, and supervisors; as an instrument to drive future self-development; or as the basis for a more improved model. One way that *Objective E* may be particularly effective is for the individual to candidly complete the self-assessment and then have a trusted peer, mentor, or advisor challenge them on their intrinsic character (one's true nature including *identity*, sense of *purpose*, values, virtues, morals, and conscience) and performance of the respective *actions*. This can provide accountability and a means to encourage and monitor self-development.

(2) The Army Ethic and the idea of “*shared identity*” is probably inadequate to “*motivate our commitment as Soldiers and Army Civilians who are bound together to accomplish the Army mission.*” Any attempt to establish an overarching “Army Ethic” that applies to both is probably incapable of addressing the extraordinary obligations of a Soldier or too demanding for a large number of Army Civilians. If the Army is serious about encouraging and expecting ethical conduct, it must demonstrate it with deeds and actions and not merely lip-service. Soldiers and Army Civilians must be required to memorize, internalize, and uphold their respective creeds. Having them, but not requiring the aforementioned, is likely to only breed cynicism.

(3) For many, if not most people, it is those *identities* that transcend *Army Professional* that provide the most meaningful purpose for their lives (e.g. Patriot, Husband, Father, Son, Christian, etc.). The Father of our Country aptly demonstrated this in his July 1776 General Order to our fledgling Army: “The General hopes and trusts that every officer and man will endeavor to live and act as becomes a Christian soldier defending the dearest rights and liberties of his country.”<sup>44</sup> General Washington conveyed and commended the importance of *identity*, *actions*, and *purpose* all in one simple order. The Army might be wise to recognize, acknowledge, and accept the wisdom of our founding fathers and the historical foundation of our Army. AD RP 1-03 states, “Religious support undergirds and fortifies the Warrior Ethos, especially in operations overseas [and] provides for the religious, ethical, and moral needs of the Soldiers, family members, and authorized civilians...at all levels.”<sup>45</sup> While there may not be *shared beliefs* anymore, those who fought to establish and found this Nation certainly understood and encouraged *established moral principles*.

(4) Finally, *Objective E* is not presented as a panacea. It is designed to help understand, assess, and improve intrinsic and operational character, and thus enhance ethical readiness. The mere exercise of thinking through the *identities*, *actions*, and *feelings* one deems important is beneficial. (A blank *Objective E* matrix is at Appendix B on page 211.) This process should also enhance an organizational environment of ethical readiness and lead to positive peer pressure, thereby promoting the execution of appropriate *actions*. It is also intended to prevent the personal and professional pain, moral injury, and embarrassment to our Army that occurs from failing to make the right discretionary decisions. Most importantly, *Objective E* is offered as a means to help Soldiers and Army Civilians enjoy the *feelings* that only come from a lifetime of having honorably and courageously executed the appropriate *actions* of their individual *identity*.

## End Notes

- 1 Department of the Army, TC 4-0.01. *Sustainment Training Strategy and Guide*. June 2017, para 3-1. Retrieved 19 November 2017 from [http://www.apd.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/ARN3911\\_TC%204-0x01%20FINAL%20WEB.pdf](http://www.apd.army.mil/epubs/DR_pubs/DR_a/pdf/web/ARN3911_TC%204-0x01%20FINAL%20WEB.pdf).
- 2 LTG Joseph Anderson, Deputy Chief of Staff, G-3/5/7, *Maintaining the Edge: Balancing Commitments in An Era of Change*, 1 OCT 2015. Retrieved 24 January 2018 from <https://www.army.mil/article/156473>.
- 3 Note: The *Objective E* assessment matrix could be considered a hybrid of the *objective task evaluation criteria matrix* and the *training and evaluation outline* (T&EO). The T&EO is the Army's source for individual and collective task training standards and consists of the major procedures (steps or actions) a unit or individual must accomplish to perform a task to standard.
- 4 Department of the Army, ADRP 1, *The Army Profession*, 14 June 2015, vii.
- 5 Ibid., para 1-17.
- 6 Tom Roeder, "Schriever Air Force Base colonel wants adultery case tossed, claims law discriminates against heterosexuals," *Colorado Springs Gazette*, June 28, 2016. Retrieved 1 December 2017 from <http://gazette.com/schriever-air-force-base-colonel-wants-adultery-case-tossed-claims-law-discriminates-against-heterosexuals/article/1579086>.
- 7 Ibid.
- 8 Dr. Daniel M. Bell, Jr., "Clashing Moral Civilizations: Why is Relativism a Threat to the Military?" (Produced by and for CGSC for AY16 Ethics block, Reading E105RB), 3.
- 9 The Army Capabilities Needs Analysis FY15—GAP #501028 (2015). In MEMORANDUM (ATFC-DC) FOR: General Daniel B. Allyn, Vice Chief of Staff, United States Army, SUBJECT: Capabilities Needs Analysis Fiscal Year 15 Results, (7 Dec 2015), Encl 2, Tab B Mission Command COE CNA FY15 Results Memorandum.
- 10 Department of the Army, ADRP 1, para 5-14.
- 11 The Army Capabilities Needs Analysis FY15—GAP #501028.
- 12 See [https://armypubs.army.mil/pub/eforms/DR\\_a/pdf/DA%20FORM%2067-10-1.pdf](https://armypubs.army.mil/pub/eforms/DR_a/pdf/DA%20FORM%2067-10-1.pdf) for an example.
- 13 Department of the Army, FM 7-0 *Train to Win in a Complex World*, 5 October 2016, para 3-49.
- 14 John Wooden, Retrieved 24 January 2018 from [https://www.goodreads.com/author/show/23041.John\\_Wooden](https://www.goodreads.com/author/show/23041.John_Wooden).
- 15 General Robert B. Abrams, *FORSCOM Command Training Guidance (CTG)—Fiscal Year (FY) 2017*, 16 JUN 2016.
- 16 Department of the Army, ADP 1, *The Army*, (Including Changes 1 and 2, 2012). para 2-12.
- 17 See <https://www.biblegateway.com/passage/?search=Matthew+26%3A40%2D41&version=NIV> for actual quote. (Matthew 26:40-41).
- 18 Abrams.
- 19 *Top DoD Management Challenges—Fiscal Year 2018*, 20 November 2017. Retrieved 24 January 2018 from <http://www.dodig.mil/reports.html/Article/1377306/top-dod-mangement-challenges-fiscal-year-2018>. Note: The ten challenges were not listed in any order of importance or magnitude since all are deemed to be critically important.

20 *Top DoD Management Challenges—Fiscal Year 2018*, 20 November 2017.

21 Department of the Army, FM 7-0, para 3-48.

22 Note: Since the decision was made to use this *identity, actions, feelings* framework in the model, it was revealed that Greitens acknowledged he had an extramarital affair in March 2015 with an unidentified woman (but denied a claim that he tried to blackmail her into silence). If anything, this ethical violation reinforces the merits of the *Objective E* model that requires *actions* match the *identity* to be considered a T or T-. It also supports the need for an *internal evaluation/assessment* (an “external evaluation” could not have uncovered this until nearly two years after the event.).

23 Army White Paper, *The Army’s Framework for Character Development (Integrating Character Development within Leader Development Strengthening the shared identity of Trusted Army Professionals)*, Center for the Army Profession and Ethic, 28 August 2017. Retrieved 29 November 2017 from <http://data.cape.army.mil/web/repository/white-papers/armys-framework-for-character-development-white-paper.pdf>.

24 Department of the Army, ADRP 1, para 5-21.

25 Charles C. Moskos, “The All-Volunteer Military: Calling, Profession, or Occupation?” *Parameters, Journal of the US Army War College* 7, no. 1 (1977). (It was also reprinted in the Winter 2010-11 edition of *Parameters*.)

26 *Ibid.*, 23.

27 *Ibid.*, 24.

28 Army’s official recruiting website GoArmy.com. Retrieved 24 December 2017 from <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories.html>.

29 Retrieved 24 December 2017 from <https://www.biography.com/people/giuseppe-garibaldi-9306762>.

30 Retrieved 24 December 2017 from <https://www.merriam-webster.com/dictionary/calling>.

31 The complete Ranger Creed in its entirety is included in the *Objective E* matrix at Figure 5 on page 205. Bold text is used to highlight *identity* and *actions*. The Ranger Creed is also presented in its entirety at Appendix A on page 210.

32 LTC Kent T. Woods, U.S. Army, *Rangers Lead the Way: The Vision of General Creighton W. Abrams*, Strategy Research Project, U.S. Army War College, 7 April 2003. Retrieved 8 December 2017 from <http://webcache.googleusercontent.com/search?q=cache:r73HBPlzx2YJ:www.dtic.mil/cgi-bin/GetTRDoc%3FAD%3DADA415822+&cd=3&hl=en&ct=clnk&gl=us&client=firefox-b-ab>.

33 Woods, 7.

34 Retrieved 23 December 2017 from <https://www.goarmy.com/ranger/about-the-rangers/ranger-battalions.html>.

35 Colonel (Ret.) Keith Nightingale, *The Ranger Creed*, May 8, 2016. Retrieved 8 December 2017 from <https://www.linkedin.com/pulse/ranger-creed-keith-nightingale>.

Note: (Colonel (Ret.) Nightingale was a plank holder in the 1<sup>st</sup> Battalion.

36 *Ibid.*

37 *Ibid.*

38 Woods, U.S. Army, *Rangers Lead the Way: The Vision of General Creighton W. Abrams*, 13.

39 Nightingale.

40 Army White Paper, *The Army's Framework for Character Development*.

41 Bell, 8.

42 Army White Paper, *The Army's Framework for Character Development*, 3.

43 Infantry Security Force Assistance Brigade Standardized METL Handbook, United States Army Maneuver Center of Excellence, June 2017, 2.

44 George Washington, *General Orders*, 9 July 1776. Retrieved 25 January 2018 from <https://founders.archives.gov/documents/Washington/03-05-02-0176>.

45 Department of the Army, ADRP 1-03, *The Army Universal Task List*, (Washington, D.C., 02 October 2015).

## **Appendix A—The Ranger Creed**

Recognizing that I volunteered as a Ranger, fully knowing the hazards of my chosen profession, I will always endeavor to uphold the prestige, honor, and high esprit de corps of my Ranger Regiment.

Acknowledging the fact that a Ranger is a more elite soldier, who arrives at the cutting edge of battle by land, sea, or air, I accept the fact that as a Ranger, my country expects me to move further, faster, and fight harder than any other soldier.

Never shall I fail my comrades. I will always keep myself mentally alert, physically strong, and morally straight, and I will shoulder more than my share of the task, whatever it may be, one hundred percent and then some.

Gallantly will I show the world that I am a specially selected and well trained Soldier. My courtesy to superior officers, neatness of dress, and care of equipment shall set the example for others to follow.

Energetically will I meet the enemies of my country. I shall defeat them on the field of battle for I am better trained and will fight with all my might. Surrender is not a Ranger word. I will never leave a fallen comrade to fall into the hands of the enemy and under no circumstances will I ever embarrass my country.

Readily will I display the intestinal fortitude required to fight on to the Ranger objective and complete the mission, though I be the lone survivor.

**RANGERS LEAD THE WAY!**

## Appendix B – Blank *Objective E* Assessment Matrix

Plan and Prepare		Execute		Assess	
Operational Environment	Identity	Actions	Feelings	Rating	
Combat, Field Garrison Off-Duty				Occupation Profession Calling	T, T-, P, P-, U
Indicates where/when <i>Identity</i> is relevant	The Army Ethic is used to define <i>Identity</i> and <i>Actions</i> associated with being an Army Professional.	Key Tasks ( <i>Actions</i> ) to be executed/performed in keeping with the <i>Identity</i> in the column to the left.	<i>Feelings</i> – when <i>Actions</i> are performed to standard	C - indicates recognition that one is fulfilling their purpose in life when performing those <i>Actions</i> .	
	T= <i>Actions</i> and <i>Feelings</i> align 100% of the time and <i>Identity</i> is viewed as a <i>calling</i> . T-= <i>Actions</i> and <i>Feelings</i> align 100% of the time and <i>Identity</i> is viewed as a <i>profession</i> .	P= <i>Actions</i> executed 100% of the time. <i>Feelings</i> align ≥75% of the time or <i>Identity</i> is viewed as an <i>occupation</i> . P-= <i>Actions</i> executed 100% of the time. <i>Feelings</i> align <75% of the time.	U = <i>Actions</i> executed < 100% of the time.	T, T-, P, P-, U	

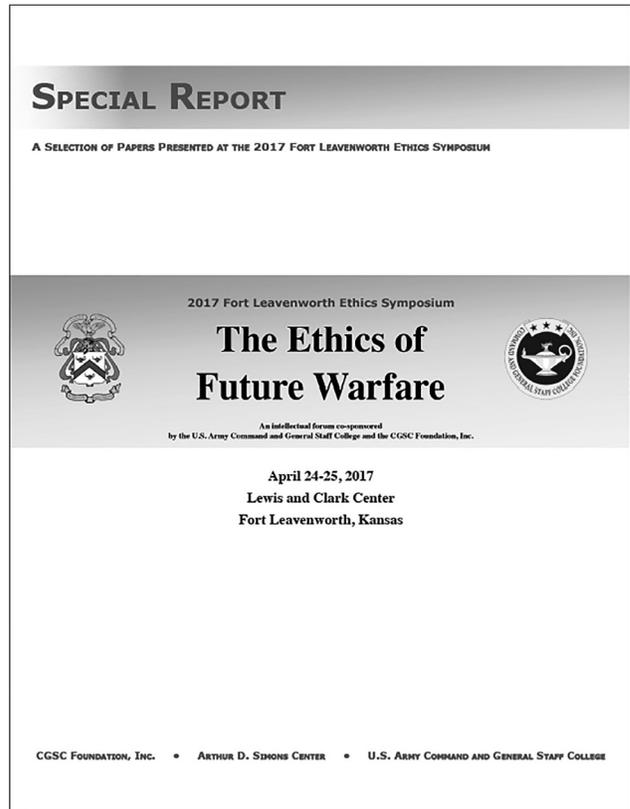


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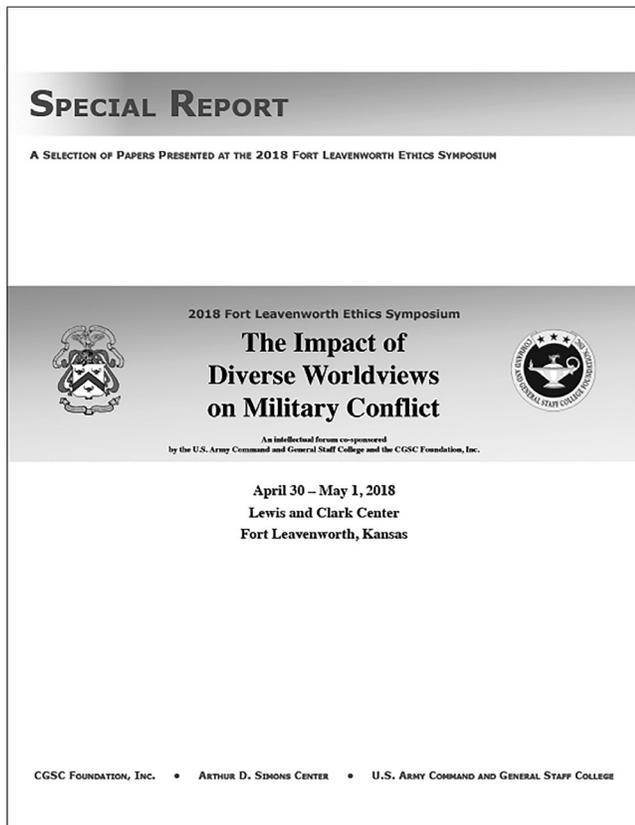
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