



# Owning Our Army Ethic

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PHOTO: U.S. Army Soldiers silhouetted in the early morning sun as they search a village during Operation Syme in Tikrit, Iraq, 28 October 2008. The Soldiers are assigned to the 101st Airborne Division's Company B, 1st Special Troops Battalion, 1st Brigade Combat Team. Operation Syme was an air assault operation targeting insurgent fighters in the desert areas west of Tikrit. (U.S. Army, SFC Kevin Doheny)

**O**PERATIONAL ADAPTABILITY REQUIRES every professional Soldier to understand his or her situation in depth and context. In the midst of complexity and uncertainty, the character of warfare may change, yet the fundamental duty of the Army and its Soldiers to employ force with competence and character in defense of the Nation and its interests does not change. The duty of the Army endures across all contexts along the spectrum of conflict.

For this reason, anything that separates the actions of the professional Soldier from his duty leads to professional failure. This potential separation between actions and duty is why the Army articulates its own codes and culture. However, this self-regulation does not mean that the codes and culture of the profession are self-justifying.<sup>1</sup> Rather, we must justify these codes and culture by ensuring they satisfy our duty as an Army. Doing this requires that we understand the framework of the Army Ethic. We do not seek in this short paper to describe the *content* (i.e., an exhaustive list of principles or codes) of the Army Ethic in total. Instead, our purpose is to provide a general organizing framework and boundaries for the Ethic in order to guide future dialogue that will deepen our profession's understanding of the components of the Army Ethic.

To fulfill its many duties, the Army has created and adapted unique professional expertise over the last 235 years in four major areas.<sup>2</sup> *Military-technical* expertise tells the Army how to conduct offensive, defensive, stability and support, and other operations at the strategic, operational, and tactical levels. *Political-cultural* expertise tells the Army how to operate in its own and other cultures as well as how it conducts civil-military relations and media-military relations. *Human development* expertise tells the Army how to socialize, train, educate and develop civilians to become Soldiers and then to develop into leaders and stewards of the profession. The final area of expertise and the focus of this paper is *moral-ethical* expertise. Our moral-ethical expertise tells the Army how to employ the rest of our expert knowledge to fulfill the fundamental duty of the profession to fight wars and conduct operations morally, as the American people expect, and as domestic and international laws require. Our moral-ethical expertise is the domain of

the *Army Ethic*. We draw from a previous working definition which states:

The Army Ethic is the collection of values, beliefs, ideals, principles, and other moral-ethical knowledge held by the Army Profession and embedded in its culture that inspires and regulates ethical individual and organizational behavior in the application of land combat power in defense of and service to the Nation.<sup>3</sup>

The goal of this paper is to inform the profession's dialogue about its "values, beliefs, ideals, and principles" according to the moral good they serve.

In simplest terms, the Army is a profession because the society that it serves trusts the institution to use the four areas of expertise outlined above to protect their rights and interests. The Army does so by conducting military operations in a manner that accords with American values and that respects human rights.<sup>4</sup> Providing this protection is the primary duty of the Army to the American people, and understanding this duty thus brings the framework of the Army Ethic into clear view.

Soldiers must satisfy this duty as citizens *and* as representatives of the United States. We do what a private security firm cannot: employ force as representatives of a legitimate and sovereign Nation. We are thereby duty-bound to uphold the values that ground that sovereignty. Conflict and war are human problems. They cannot be overcome solely by technical leverage or wholesale slaughter. In short, conflict defies simplistic solutions and the framework of the Army Ethic must acknowledge a Soldier's complex and uncertain environment and still give clear, principled guidance.

For these two reasons, the current expressions of the Army's ethical commitments are products of the values of the American people, as expressed in their laws and the requirement of winning wars.<sup>5</sup> The Army Values, Soldier's Creed, Warrior Ethos, NCO Creed, Officer Oath of Office, the Soldier's Rules, and other expressions are all products created to address the unique space in which the Army operates. These commitments capture important elements of the Army Ethic. Yet these alone do not completely or consistently express the full framework of the ethic. That is, they may all be necessary but none alone are sufficient. Further, much of our ethic is implicit, ingrained in our Army culture and not made explicit.

**...the framework of the ethic must reconcile possible tensions between action and duty. It does this by providing guidance for both why we fight and how we should fight.**

Because the ethic cannot separate the actions of the professional from the inherent duties of the profession, the framework of the ethic must reconcile possible tensions between action and duty. It does this by providing guidance for both *why* we fight and *how* we should fight.

## Why We Fight: The Army's Duty

To establish a moral basis for the Army Ethic, we need to examine the good that the profession exists to provide. The Army Capstone Concept states that "The aim of Army operations is to set conditions that achieve or facilitate the achievement of policy goals and objectives."<sup>6</sup> Field Manual 1, *The Army*, states the Army is one of the guarantors of "our way of life."<sup>7</sup> While these statements are valid when considering the ethic, we need to look deeper. Defending a "way of life," or achieving objectives, are goals that many organizations could adopt as their purpose. Drug cartels, organized crime, and terrorists could easily make the same factual claims. They too seek to defend their morally bankrupt ways of life. Another view of the Army's purpose is to provide for a "common defense." Again, other organizations that practice collective violence can claim that they act in their "common defense." The defining difference between these organizations and the Army is the moral end it seeks. The Army's use of organized violence seeks to achieve moral purposes through disciplined restraint.

Recognizing this moral duty will move our discussion of the Army Ethic beyond the realm of mere matters of fact into the realm of values. The Army's sole purpose is the defense of the United States as a sovereign nation that protects and respects human rights. This conception of the Army's purpose is the *only* thing that can give the American profession of arms its *legitimate* claim to employ force

and separates it morally from other organizations that practice collective violence without moral justification.

The Army maintains its claims to professional status by serving in “the common defense” of the United States—that is, national defense. This claim requires clarity to avoid a potential error—that of basing the right to national defense on merely *factual* rather than *legitimate* sovereignty. Soldiers volunteer to support and defend the Constitution, not the Army or themselves, and that Constitution creates a sovereign government. However, factual sovereignty alone is not enough to ground the Army Ethic. The fact that a government is in power does not generate a duty to die or kill in its defense; otherwise, any warlord’s army would be a legitimate army. In fact, the United States was founded on the rejection of factual sovereignty as the colonists rebelled to vindicate a collective moral right to political autonomy by challenging the factual sovereignty of King George III based on moral grounds. They rejected the tyranny and instituted a new government that recognized that people have certain inalienable rights and that governments exist to protect these rights.<sup>8</sup>

Simply put, the moral basis for the Army is more than the simple protection of power, but the protection of a power worthy of defense.<sup>9</sup> The sovereignty of the United States is legitimate, as opposed to merely factual, because it protects and respects human rights through political institutions.<sup>10</sup> In sum, this conception of the sovereignty of the United States is consistent with its founding principles and generates a moral duty to defend the country. The military shoulders the burden of this duty.

However, the United States values and protects human dignity and human rights not only of the citizens and Soldiers of the Nation but also of all human beings. The broader application of these values to all people further justifies the Nation’s use of force to protect others.<sup>11</sup> The Army, to fulfill its duty to the United States, must therefore respect human rights in all that it does. Only by doing so can it maintain its legitimacy as a profession and steward the political legitimacy of the United States.<sup>12</sup> Thus, the Nation’s legitimate right to sovereignty is the first moral basis for the Army Ethic.<sup>13</sup> That is, the Army fights to make abstract rights become concrete.



U.S. Army, PFC Sarah De Boise

U.S. Army CPT John Karcher makes some new friends in Mosul, Iraq, 21 July 2008.

The discussion so far establishes the basis of the Army Ethic: *the role of the United States and the purpose of the U.S. Army*.<sup>14</sup> The moral duty of the profession discussed above frames what the ethic says about *how* we fight in two ways—a moral conception of civil-military relations and an account of the principled use of force consistent with human rights.

## How We Fight: Servants of the People

The role of the Army as a profession that protects the legitimate sovereignty of the United States informs the profession's idea of proper civil-military relations, which has both a legal and a moral basis.<sup>15</sup> The military's subordination to civil authority is addressed by numerous laws and regulations. However, this legality is not what gives subordination its moral basis. Its moral basis stems from the source of the Army's professional authority and the purpose the Army serves.

All Soldiers swear to support and defend the Constitution. However, the Constitution alone is not the direct proximal source of the Army's authority. Soldiers are not charged with interpreting the Constitution, nor are they solely responsible for deciding when to resort to the use of force. The source of military authority flows from the Constitution, through elected and appointed officials, to the officers they appoint, and finally to those Soldiers entrusted with executing orders.

There is a dynamic relationship between all of these entities and the people of the country. The people have the power to hire and fire the political leaders who maintain authority over and control the funding for the military. Subordinating a standing professional army to the people through the Constitution is central to how the government protects and respects the human rights of citizens. The military respects the rights of citizens and the authority of the Constitution by fulfilling its functions in accordance with the guidance, laws, and regulations passed by those with the constitutional authority to do so. Thus, being subordinate to civilian authority has moral force for the Army. To do otherwise would violate the duty of the Army and thereby be self-defeating for a professional Soldier.<sup>16</sup>

While subordination to civil authority is a moral requirement of the profession, it is imperative

***“Army Soldiers are themselves citizens, and the Army bears duties to those citizen-soldiers.”***

that as a profession we do not discharge our duty through simple obedience. This brings up two critical points. First, the Army willingly serves subordinate to the authority of civilian government, yet it is not *controlled* by that authority. A definitional fact of any true profession is that it maintains a trust relationship with and reciprocally is granted legitimacy and sufficient autonomy by the client it serves to practice discretion in ethically employing its expertise. If the Army were to be *controlled* by an external source, it would thus cease to be a *profession*.

Flowing from this, the second point related to obedience is that our duty also entails a burden of professional candor. Army professionals are experts on the principled use of force consistent with human rights. Therefore, we bear a duty to the citizens of the United States and their representatives to candidly advise national policy and strategy on the conduct of military operations. Most importantly, the Army must provide candid feedback on policies that might violate human rights as such violations hazard the legitimacy of the United States and the rights of its citizens. Proper candor is one of advising, not advocating, and must be done in a manner that does not challenge the ultimate authority of civilian officials.

Finally, Army Soldiers are themselves citizens, and the Army bears duties to those citizen-soldiers. This includes all aspects of training, fielding, and employing the force: effective training, sharing of risk, care for families, and protection against sexual or religious harassment, among many other matters. Most importantly, the Army is the Soldiers' primary advocate ensuring any sacrifices they may make are warranted or required to fulfill the Army's duty to the American People. Thus the Army Ethic has both internal as well as external components and applications related to civil-military relations.



U.S. Navy, Mass Communication Specialist 1st Class Lynn Friant

Members of a Human Terrain Analysis Team (HTAT) survey an Iraqi man in Basra Province, Iraq, 7 July 2010.

From this discussion we now offer the second foundation of the Army Ethic: *The role of civil-military relations in the United States*.

Finally, since the use of military force always entails moral cost with death or injury of Soldiers and the destruction of property, the final piece of the framework for the Army Ethic is an account of the principled use of force during military operations. This account is, at its base, an account of the ethics of killing and use of force, which is our next point of discussion.

## How We Fight: Recognizing the Paradox

The Army Ethic needs to guide the Army in operations along the full spectrum of conflict by giving a clear account of how and when adversaries become liable to military force. Because all humans have rights, this requires explaining why, in the pursuit of national policy or the protection of other peoples' rights, basic human rights—like the right to life—can sometimes become forfeit. This creates a paradox because the Army ultimately serves to protect human rights and interests through

collective violence, yet it must take actions that inevitably destroy or threaten the very human dignity the Nation has charged it to protect. To face such paradox, the ethic must provide guidance in two ways.

First, it must demonstrate how moral reasoning is both integral to operational design and is key to achieving *operational adaptability* based on the moral relationship of the operation's goal to the actions that constitute that operation. Such reasoning tells the Army and the Soldier what the moral action is in a given operational context (*knowing*). Second, it must provide the moral framework necessary to link the traditional martial virtues and warrior identity to the source of moral value these aim to defend: the supreme dignity of the individual human being. The ethic must explain how to translate moral knowledge into actions on the part of Soldiers and the Army (*doing*). Knowing what to do is the first step in a clear discussion of the moral context of armed conflict. Human rights are the basic unit of moral value in war. This creates a paradoxical tension because in defending rights the Army has to also destroy or threaten the dignity

such rights protect. Soldiers' understanding of the relationship between the goal of a military operation and the ethical restriction on the actions that constitute that operation will allow them to manage the paradox of their profession.<sup>17</sup> Helping Soldiers achieve this understanding should be a primary role of leaders at all levels.

The only goal that can morally justify the use of military force is the pursuit of a better state of peace: the vindication of the wrongs that caused the conflict while respecting rights in a way that does not cause future conflict. The *Army Capstone Concept* reflects the ultimate goal of the military citing that "National security guidance requires the military to be prepared to defend the homeland, deter or prevent the use or proliferation of WMD, win the nation's wars, deter potential adversaries, protect the global commons (sea, air, space), develop cooperative security, and respond to civil crises at home and abroad."<sup>18</sup>

Our Army Ethic must address four basic duties of the Army while planning, executing, and assessing operations. They are a clear understanding of:

- The moral value of the goal of the operation.
- The threat posed by the enemy in a given operation.
- The permissible moral cost (inclusive of friendly force, enemy force, and noncombatants) in the pursuit of the operation.
- A developed view of how the operation is going to achieve a better state of peace.

In short, managing the transitions of armed conflict requires moral reflection and knowledge.

Threats to a better state of peace can come from across the spectrum of conflict. Therefore, the goals of military operations will vary based on these threats. Notably, as threats decrease in intensity, the ethics of armed conflict become more restrictive. That is, at lower levels of intensity, warfare becomes more of an exercise of restraint than of maximizing combat power. In low intensity conflicts a *battle* may be won through force, but the *war* can often only be won through gaining the support of the populace.

Therefore, restrictions on military force must guide military planning and produce a judgment of who is liable to military action. Based on the relationship between the goal of an operation and its moral limits, liability is also a central factor in determining the correct operational design and

tactical actions that support operational success. Liability requires meeting three principles:

- *Necessity* states that the enemy must be the sort of threat that only responds to military action.
- *Discrimination* is the requirement to purposely target only non-innocent persons and property.
- *Proportionality* is the requirement that the moral value of the goal achieved by the military action or operation is sufficient to offset the harm of the operation to friendly forces, enemy forces, and noncombatants.

Commonly, we think that there is a fundamental tension between the traditional martial virtues, the warrior identity, and an account of military ethics based on human rights. This is mistaken. The psychological resources required to perform military action in a moral way can ground the virtues traditionally required of effective Soldiers. The psychological resources for moral action include factors such as self-command, empathy, and moral pride as well as moral identity, moral courage, moral confidence, and a sense of moral ownership.<sup>19</sup> We suggest that if Soldiers have a clear grasp of the three principles noted in the paragraph above, they will understand and internalize the just nature of the conflict.<sup>20</sup> That understanding will allow them the ability and confidence to better discriminate between right and wrong actions and apply empathy toward the innocent while combating with full vigor those that threaten the peace. Both are often required in complex operational contexts.

Properly grounding the martial virtues and the warrior identity in the moral discourse of military ethics will accomplish three important goals. First, it is a solid buttress in the human dimension of conflict and prepares soldiers for the moral burdens of enduring conflict. Second, it empowers the individual Soldier to take the right actions quickly and without excessive dependence on higher control. In short, by placing the individual in charge of moral actions, proper moral grounding supports decentralized, effective action. Finally, such grounding will foster martial virtues and a warrior identity that values human rights and dignity, which as noted earlier is a primary purpose of the United States Army.

As the Army moves forward into future conflicts, it will continue to rely on an all-volunteer force. The framework of the Army Ethic must provide a consistent theory of military ethics that grounds the

martial virtues in more general moral concepts and lessens any gap between the Army and the society it serves and which provides its recruits. It will also serve to hedge “military moral exceptionalism” by placing the martial virtues in the service of the same moral goods that American society and its government serve.

Flowing from this discussion we now offer the third foundation of the Army Ethic: *The nature of military professional ethics.*

## The Relationship of Army Culture and Leadership and the Army Ethic

The Army Ethic cannot be just an abstract document; it must be embodied in Soldiers and leaders and integrated into the culture of the Army. Army culture is the confluence of four intertwined influences:

- The evolving values of the American people.
- The influence of international laws.
- The functional imperatives of an effective military force.

- The pride, esprit, and ethos required for members of the profession to willingly sacrifice themselves in subordination to the will of the Nation, perhaps with the ultimate sacrifice.

Existing Army artifacts such as the Army Values, the Soldier’s Rules, oaths of office, and other military imperatives all work together in the ethic as part of the institutional culture. Yet these artifacts of our culture can be better integrated and reinforced through a deeper understanding of how they relate to one another and other less explicit aspects of the Army Ethic to create a web of beliefs that form the Army’s culture. We need to do this as an Army through future dialogue.

Finally, leader’s responsibilities to the Army Ethic are paramount and are three-fold:

- To develop all Soldiers with military competence and moral character.
- To police the Army’s Ethic within each level of command.
- To constantly conform Army culture and climate to its own ethical core to reinforce the tenets of the profession.



U.S. Navy, MCS1 Lynn Friant

Members of a Human Terrain Analysis Team (HTAT) survey Iraqi men in order to gather information for a full atmospheric survey in Basra province, Iraq, 7 July 2010.

As a profession, the Army must be self-regulating, and that falls on the shoulders of leaders at all levels. If the Army fails to self-regulate its ethic, it is quite justifiable that those external to the profession must do so on its behalf, which degrades the autonomy and the legitimacy of the profession.

Flowing from this discussion we now offer the fourth and fifth foundations of the Army Ethic: *The profession and its ethic as the core of institutional culture*, and *The relationship between the profession and its ethic and leadership*.

## Conclusion

In 2008, Chief of Staff General George Casey launched a campaign to discuss and refine our Army Ethic. He charged the Army to reconnect with institutional responsibilities to promote and promulgate that professional moral foundation.<sup>21</sup> One of the first requirements will be to better articulate a framework for the Army Ethic and a strategy of how we inculcate

and regulate it in our Army professionals. This short paper attempted to provide some thoughts to generate future discussion toward that end and provided a general framework that might drive a more deliberate attempt to “populate” this framework with the more specific values, beliefs, ideals, and principles associated with each of the foundations of the Army Ethic that we proposed.

After reflection on a decade of war and anticipating the future of conflict, one thing is clear: while the character of warfare may change, the nature of the duty of the Army is unchanged. The Army fights to protect the Constitution and thereby the rights of the citizen. As a professional army, we have an obligation to maintain our professional ethic by taking control of our codes and culture and the self-regulation of our members to ensure we satisfy our duty. We do this by ensuring *how* we fight is faithful to *why* we fight. We own our profession by fulfilling both our profession’s duty and its ethic. **MR**

*The ideas in this article are drawn from a team comprised of the three authors and eight others (alphabetically listed) who have been working together to advance a conceptualization of the Army Profession and its Ethic: LTC Mark Fairbrother, Mr. Chuck Grenchus, Dr. David Luban, COL Tony Pfaff, LTC Brian Reed, Dr. David Rodin, Dr. Pauline Schilpzand, and Dr. Don Snider. Any errors in this paper, however, are those of the authors alone.*

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## NOTES

1. Field Manual (FM) 1, *The Army* (Washington, DC: U.S. Government Printing Office [GPO], 2005), claims, “Professions create their own standards of performance and codes of ethics to maintain their effectiveness.” 1-11.

2. Don M. Snider, *The Future of the Army Profession* (New York: McGraw-Hill, 2002), chap. 1, 523-36.

3. Remarks by COL Sean Hannah, lecture to Master Army Ethics Trainer Course, West Point, 22 July 2010.

4. A definition of human rights is contentious. To avoid controversy, the human rights in this paper are “thinly” conceived. This means the rights that matter most in military operations are a small set of basic human rights consisting of the rights against torture, rape, unjustified killing, arbitrary imprisonment, access to basic subsistence, and personal liberty. This conception of human rights is both consistent with the founding of the United States and defensible as objective moral goods which serve as a founding source of the Army Ethic.

5. Anthony Hartle, *Moral Issues in Military Decision Making* (Lawrence: University Press of Kansas, 2004) 29.

6. TRADOC Pam 525-3-0 *The Army Capstone Concept* (Washington, DC: GPO, 21 December 2009), Foreword, i.

7. FM-1, pages 1-21, 2-2, 2-13, 4-13.

8. See the Declaration of Independence for a list of the rights the colonists felt the sovereign had violated.

9. “This I or He or It (The Thing) that Fights” Chris Case and Bob Underwood, unpublished manuscript.

10. A. Altman, and C. Wellman, *A Liberal Theory of International Justice* (New York: Oxford University Press, 2009), 3. Altman and Wellman explain in fine detail the arguments for and implications of sovereignty based on the protection of human rights.

11. Providing a full account of the justified use of force in defense of others (non-U.S. citizens) is not the focus of this paper. For a more thorough discussion see the forthcoming Center for the Army Profession and Ethic (CAPE) White Paper on the Army Profession.

12. Case and Underwood. The strength of this account is that it establishes a normative feedback loop for military operations.

13. The United States’ right to sovereignty is predicated on its citizens’ right to political autonomy. For a complete discussion of this relationship, see the forthcoming CAPE White Paper.

14. These foundations of the Army Ethic were developed by conferees at a conference on the Army Ethic conducted by the CAPE and the Department of English and Philosophy, USMA, in May 2010, and further refined by the three authors along with Dr. Don Snider, COL Tony Pfaff, LTC Mark Fairbrother, LTC Brian Reed, and Dr. Pauline Schilpzand.

15. See Civil-Military information paper on Center for the Army Profession and Ethic (CAPE), <<https://www.us.army.mil/suite/page/611545>>.

16. Center for the Army Profession and Ethic (CAPE) White Paper.

17. Case and Underwood.

18. Army Capstone Concept, 9.

19. Jonathan Glover, *Humanity: A Moral History of the Twentieth Century* (New Haven, CT: Yale University Press, 2000) 22-27. Glover’s terms for the moral resources are “respect,” “sympathy,” and “moral identity.” The terms in this paper are, arguably, consistent with Glover’s use and more immediately relevant to developing a military moral psychology.

20. Sean T. Hannah and Patrick Sweeney. Chapter 4 in Don Snider and Lloyd Matthews, eds., *Forging the Warriors Character* (New York: McGraw-Hill, 2008): 65-90.

21. In 2008 General Casey established the Army Center of Excellence for the Professional Military Ethic (ACPME) and later designated it as the Army Force Modernization Proponent charged with advancing the Army Ethic and character development across DOTMLPF. The ACPME has now expanded its mission to include all topics of the Army profession. It has been moved under TRADOC and the Combined Arms Center and renamed the Center for the Army Profession and Ethic (CAPE).