

THE RIGHT WAY

A PROPOSAL FOR AN ARMY ETHIC

The Tao is the way of humanity and justice; 'laws' are regulations and institutions. Those who excel in war first cultivate their own humanity and justice and maintain their laws and institutions. By these means they make their governments invincible.¹

- Sun Tzu as interpreted by Tu Mu

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N TU MU'S 800 CE commentary on Sun Tzu, the critical word *Tao*, literally "the right way," translates variously. But the pertinent translation is "moral influence." Sun Tzu recognized the importance of morality so he placed moral influence first in order of war priorities. Since his *The Art of War* focused on war strategy, one can infer that "those skilled in war" refers to generals and strategic leaders charged with "cultivat[ing] their own humanity and justice and maintain[ing] their laws and institutions," thereby, "mak[ing] their governments invincible."²

So how does it happen 1,200 years later, though aware of Sun Tzu's significant ideas, the U.S. Army lacks the proper moral foundations upon which to operate? Despite high-profile moral blunders of the last decade, the Army still has not focused its efforts to prevent war crimes.³ These crimes are distressing symptoms of an even greater cultural shortcoming. The Army profession lacks a formal institutional ethic and a means of peer-to-peer self-governance. Textual artifacts, such as the Army Values and formal operational law, imply but do not dictate an institutional ethic. Ultimately, the Army's leadership must champion such an ethic—both to protect institutional and individual honor and to further mission success.

Unethical conduct can frustrate efforts to win a war. It can also kill chances to win the peace. War crimes also erode the public's trust in the Army. Morally wrong actions call the Army profession into question. In the end, to achieve war aims the Army must act in accordance with a set of moral principles as much as it must respect the "principles of war." The war machine as a whole must meet public expectations.

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PHOTO: Chinese terracotta warriors and horses, a collection of 8,099 life-size figures located near the Mausoleum of the First Qin Emperor, Xian, China (Wikipedia, Maros Mraz.)

Efficacy and Expectations: The Moral Battlefield

The ultimate goal of war is to achieve a better peace.⁴ War waged in an immoral manner rarely ends well. Victims of injustice often refuse to seek an accord with their enemy, preferring to die on the battlefield than to suffer injustice off the field. Philosophers and politicians have formulated laws of war in the hope of avoiding unending war and chaos perpetuated by immoral conduct.

The Just War Tradition is part of Army professional military education, so this article addresses only the details most pertinent to an institutional ethic. Generally, the ethics of Just War theory consist of two parts, the justice in declaring war, *jus ad bellum*, and the justice in waging war, *jus in bello*. Because *jus ad bellum* is the responsibility of political leaders (the National Command Authority), it falls outside the scope of this article. On the other hand, *jus in bello* pertains primarily to the military, whose ways and means must achieve the political ends. According to Professors Joseph Nye and David Welch, "the principles of *jus in bello* are (1) observe

the laws of war, (2) maintain proportionality, and (3) observe the principle of noncombatant immunity."⁵

In 1863, the *Lieber Code* became the Union's Civil War conduct guide, and the precursor to the Geneva and Hague Conventions. The Army trains soldiers on these conventions, expects compliance, and punishes violations of the conventions. Furthermore, soldiers must disobey orders that countermand these laws and conventions. One Department of Defense document, *Armed Forces Officer*, reinforces this point: "You . . . must follow superior direction or rules unless faced with a clear operational, legal, or moral reason to refuse or deviate." For loyal soldiers, disobeying even an illegal, immoral, or unethical order is difficult but nonetheless *required*.

Atrocities only perpetuate war. In *On War*, Carl von Clausewitz noted:

It had ceased to be in harmony with the spirit of the times to plunder and lay waste the enemy's land It was rightly held to be unnecessarily barbarous, an invitation to reprisals, and a practice that hurt the enemy's subjects rather than their government—[it] was ineffective.⁷



The signing of the First Geneva Convention by some of the major European powers in 1864, Charles Edouard Armand- Dumaresq (1826–1895), oil on canvas, American Red Cross Museum Collection.

Noted strategist B.H. Liddell Hart also appealed to reason remarking:

The more brutal your methods the more bitter you will make your opponents, with the natural result of hardening the resistance you are trying to overcome. . . .[it is wise] to avoid extremes of violence which tend to consolidate the enemy's troops and people behind their leaders.⁸

Today, the narratives of Abu Ghraib and Guantanomo motivate America's foes to fight. Enemies recall offenses against their culture, people, and ideology in the same way Americans remember Pearl Harbor and 9-11. Ethical battlefield conduct enables achievement of the ends of war. Respect for moral conduct keeps faith with the American public and represents their interests.

The Army operates on behalf of the American people, and the public typically holds confidence in the military. Americans also have a relatively high tolerance for military missteps. However, Stjepan Mestrovic, a specialist on the subject of war crimes, suggests that recent war crimes are less accepted because they are misattributed to "aberrations perpetrated by a derelict few, rather than the inevitable results of institutional failures." Public support for the military depends on the military's good faith efforts to maintain that trust.

War crimes damage Americans' faith in their soldiers and in the wars their soldiers are fighting. Minimizing this damage must be a top priority for the military at large if it is to achieve a lasting peace in conflicts abroad.

Morality and the Profession

Beyond the ends of wartime efficacy and retention of public trust, the Army needs an institutional ethic to safeguard the Army profession. Sociology Professor Magali Larson suggests that a profession requires the following characteristics: "professional association, cognitive base, institutionalized training, licensing, work autonomy, colleague control . . . and a code of ethics." The autonomy America's political leadership and public grants to the Army depends on having an explicit ethic, living by it, and enforcing it by means of self-policing.

What does it mean if the Army does not have those things? Not having an ethic constitutes an institutional and individual crisis for the profession. In 2010, the Army launched the Army Profession Campaign to reevaluate the profession of arms after ten years of war. Senior leadership recognized that sustaining the Army's professional character is critical to maintain its moral legitimacy, its public trust, and support for its global missions. Early on, the campaign team identified the tenets of the Army Profession as:

- Trust
- Trustworthiness.
- Honorable Service.
- Esprit de Corps.
- Military Expertise.
- Stewardship.¹¹

The concept of "stewardship" may encompass the notion of self-policing, but only if there is a clear and coherent ethic to police and a method by which to police it. Currently, neither exists.

Relevance of ethics. The best known explicit professional ethic is the medical profession's Hippocratic Oath, which speaks to the specialized knowledge doctors have, their relationship with their client-patients, and the self-governing obligations of the medical community. This ancient oath has been modernized, so medical professionals still adhere to a relevant code. ¹²

The professions of law and divinity are strengthened by similar codes. Many other occupations that aspire to be professions have codes of ethics and means of self-government. Many other nations also field military forces bound by detailed professional ethics. The Army should benchmark these other organizations and military forces to create their own.

While it may seem obvious that a code of ethics would benefit any organization, there are objections to adopting such a code. Some skeptics suggest that professional codes are "pointless, unnecessary, and possibly pernicious." One critic suggests that no special delineation is required for professionals because *all* people have the same rights and duties as moral persons. Another argues that codes are so infrequently used or so poorly constructed that they are detrimental. 15

Andrew Olson of the Center for the Study of Ethics in the Professions affirms that formulating a proper code of ethics is difficult. The code's drafters must create a philosophically sufficient and comprehensive ethic while leaving it open-ended enough to account for unforeseen situations. The ethic must also be appropriate and understandable. ¹⁶ Part of the Army's problem is poor moral education. Although it claims to be a profession, it currently *fails to prioritize* ethical education and governance. It therefore lacks one of the basic criteria of professionals.

Artifacts like the Constitution, the Declaration of Independence, the Uniform Code of Military Justice, the Soldier's Creed, Soldiers' Rules, the aforementioned Army Values, and the Joint Ethics Regulation (JER) imply but do not dictate a concrete professional military ethic. Only the little-known JER contains a "Code of Ethics for Government Service."

Individually, these artifacts are often confusing, contradictory, and insufficient. Even in the aggregate, current doctrinal materials say little about ethical issues, or they issue mixed signals. For example, the Soldier's Creed overemphasizes kinetic battle and is counterproductive in the current operating environment. With the exception of the 2007 late arrival of the *Soldier's Rules*, the Army provides few guidelines for soldiers interacting with noncombatants. This shortcoming is critical given the nature of the last ten years of conflict. None of these documents are properly nested within an institutional ethic, nor do they complement one another.

An Army Profession Campaign product, the *Army: Profession of Arms* pamphlet, validates the importance of an "Army Ethic," but admits such an ethic "has not been fully codified." The pamphlet further highlights the proliferation of disparate ideas, filling eight pages with competing textual artifacts. ¹⁹

Review of the Army's current training reveals the meager ethical education offered to our soldiers. This training is often outsourced to lawyers and chaplains, but commanders would lend greater authority to this training. The training content is minimal and dependent on each instructor's knowledge, proficiency, and authority. After soldiers reach their field units they rarely receive annual ethical training. If soldiers are to deploy, they receive only superficial check-the-block refresher classes. Considering the importance of ethical conduct in the current war, these shortfalls should cause concern.

Recent Army-wide efforts provide some evidence of progress in training. The Center for the Army Profession and Ethic (CAPE), founded in late 2007, now acts as the proponent on matters related to the profession and military ethics. Further, CAPE trains Profession and Ethic Trainers.²⁰ While CAPE leads the Army Profession Campaign and increases awareness of ethical issues in the force, it remains a small and marginal effort.

Importance of peer-to-peer self-governance. Even if the Army had a comprehensive Army Ethic, and ensured every soldier understood it, there would still be transgressions, and there would still be bad actors in the ranks. Navy captain and philosophy professor Dick Couch remarks that troops inculcated in the schoolhouse remain susceptible in garrisons to the influences of the "moral pirates," who subvert others by their proximity and power.²¹

The investigation into the 5-2 Stryker Brigade atrocities cited "weak leaders" as *the* factor in the unit's discipline failure.²² The leaders certainly failed, but what about the soldiers? Some platoon members disapproved of the ongoing crimes, some even tried to report the wrongdoing, but some also perpetrated similar crimes later. Why did none of the soldiers prevent or report the atrocities?

Without an Army Ethic, and a self-policing force, one should not be surprised when indiscretions are overlooked. Nontoleration for unacceptable behavior and self-policing are critical to the Army's status as a profession. The institution requires a code of ethics focused on self-policing. Indeed, self-governance should become a defining characteristic of not just the code, but of the Army as a whole.

The U.S. Military Academy (USMA) Honor System serves as an exemplar for the construction, promulgation, and enforcement of an Army ethic. The famous Honor Code—"A Cadet will not lie, cheat or steal, or tolerate those who do"—is a long-standing, defining characteristic of the academy.²³ Briefly, the strength of the USMA code resides in five principles that underpin its credibility.

Why did none of the soldiers prevent or report the atrocities?

First, the Honor Code remains a cadet-created work-in-progress. The Code's "practices of implementation became established, and only later were those practices to be codified in officially written form."24 Second, the code applies to all cadets from the moment they enter the system. USMA recognizes that cadets, like the Army's soldiers, come from diverse backgrounds. USMA also understands that new cadets are still young enough to learn and internalize a sense of honor. Third, cadets are everyday guardians of the code. Cadets learn and grow within the system; they frequently confront the difficulties of ethical decision making. Fourth, the nontoleration clause, "or tolerate those who do," challenges cadets to maintain their personal honor and police their peers. Cadets must subordinate loyalty to one another in favor of loyalty to higher principles. "In keeping with this impartial outlook, any cadet will report any other cadet, or even himself, for a violation of honor."25 Historian Lewis Sorley notes that professions demand such high standards:

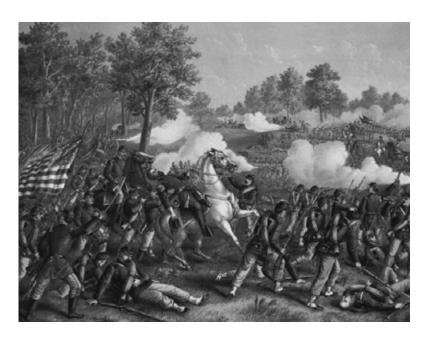
Every pursuit worthy of being considered a profession understands the necessity for its members to establish admirable standards of conduct...and to uphold those standards, both as individuals and corporately. With such aspirations come obligations, very demanding ones.²⁶

The nontoleration clause is the demand on that aspiration; the clause remains "integral to the spirit of the Code and essential to its viability."²⁷

The final lesson from the USMA Honor Code is simple; cadets who violate the code usually face expulsion. There is little sympathy for misconduct: "It is no part of the function of West Point to become a reformatory of morals."²⁸

Couch reinforces the necessity of "passionate intolerance;" ignoring immoral conduct is a moral abandonment, no different from physical abandonment of the soldier on the battlefield.²⁹ Couch suggests a powerful "Righteous Rule" whereby service members who "deviate from the standards of moral conduct will be summarily removed from the unit ... *in shame*."³⁰

For an Army ethic to be effective, it must be backed by an organizational commitment to nontoleration for violations. Such nontoleration demands omni-directional governance beyond chain-of-command enforcement. Akin to the USMA Honor



In 1863, the *Lieber Code* became the Union's Civil War conduct guide, and the precursor to the Geneva and Hague Conventions. *Battle of Wilson's Creek*, 1893, Kurz and Allison.

System, an Army ethic—as a system—must support, not supplant, regulations and the Uniform Code of Military Justice.

An Army ethic must affirm the organizational effort to self-police, but such an ethic also requires enablers, like day-to-day reinforcers and tools for ethical decision making. Any rubric will do, but soldiers deserve some test or aid in resolving ethical dilemmas. This type of internal questioning is expected of knowledgeable professionals, endeavoring to live by a code.

Excerpts from the Proposed Army Ethic

The following working draft for a proposed "Army Ethic" aims to buttress Army professionalism. This proposal stems from a compilation of sources; many are reproduced here nearly verbatim. I have omitted quotation marks, and sources are paraphrased for simplicity and clarity. Endnotes reflect the sources.

Purpose. The purpose of the Army Ethic is to codify the moral context within which the Army defines its mission and derives its motivation. The Army Ethic contextualizes the institution and its purpose: To serve the nation and remain fully responsive to the needs of the people.³¹

Membership. The membership of the Army Profession subject to this ethic consists of officers, enlisted soldiers, government service and contract employees and, to the extent possible, retired nonacting professionals. The Army Profession is comprised of soldier and civilian experts skilled in the ethical design, generation, support, and application of land combat power, serving under civilian authority, entrusted to defend the Constitution and the rights and interests of the American people.³²

Who we are. The authors of the Declaration of Independence rooted the fledgling United States in moral ideals. These ideals became the moral foundation of the nation and its principles, laws, and institutions. The values in the Constitution later became prerequisites to securing domestic welfare, tranquility, and the common defense.³³ The national purpose necessitates elements of individual freedom, as set forth in the Constitution and the Bill of Rights, conditions under which a free and democratic system can thrive. The Constitution affirms our determination to fight if necessary to defend our way of life.³⁴

The people of the United States expect their country to serve as an exemplar of freedom, fairness, equality, and dignity in the world.³⁵ This expectation requires its security to emanate from the justness of our cause, the force of our example, and the tempering qualities of humility and restraint.³⁶ The U.S. military must operate within this moral context. Means connect to ends.

Why we fight. The origins of the Army predate formation of the United States. Citizen-soldiers established the militia in 1636 to defend the colonial settlements in case of attack.³⁷ The nation assumed command of the Troops of the United Provinces of North America on 14 June 1775.³⁸ The Army today defends the nation's political sovereignty, territorial integrity, and way of life, including its basic values and institutions.³⁹ The role of military power is to deter an attack on the nation. When deterrence fails, the military must win a lasting, sustainable peace without destroying the institutions of our civilization in the process.⁴⁰ We fight, when necessary, to defend the integrity and vitality of our free society.⁴¹



U.S. Army SGM Ronald L. Russ records responses to questions as soldiers participate in a focus group in support of the Army-wide Profession of Arms Campaign at Fort Bragg, NC, 8 April 2011.

How we fight. The military profession possesses an ethical purpose, and its actions must remain consistent with the ethical outcomes it seeks. The American way of war has been typically more humane than the way of our enemies, and history has demonstrated American willingness to show kindness, humane conduct, and acts of chivalry in even the bitterest struggles. ⁴² The nation's founders were determined not only to win their wars, but also to do so in a way consistent with their moral principles and their core belief in human rights.

How we train. A code of military ethics goes hand in hand with education and training in the development of military virtues in producing an ethical soldier. ⁴³ There is a proposed publication that describes and details the Army Ethic and the Army's ethical training program At the heart of this publication is the proposition that the Army incorporates ethics into all training as a primary, rather than a secondary, concern.

How we decide. If we expect a moral military, we must have a thinking military. The following rubric can help soldiers to choose the harder right:

- What are the relevant facts of the situation?
- What are the alternatives available?
- Who will be affected?
- What moral and ethical principles of the Army Ethic are involved?
- How would these principles be advanced or violated by each alternative action?⁴⁴
- How would I feel if I, or someone I cared about, were on the receiving end of this action?⁴⁵

How we maintain. Ethical violations of standards of conduct impair the trust and confidence placed in officers by superiors and subordinates, and undermine the public's respect for the Army. All violations of the laws of war and the Army Ethic must be reported to the appropriate authorities. No one should be allowed to remain in the profession who cannot support the Army Ethic or who cannot comprehend the reasons for it. 47

Keeping the promise. There is a special relationship of loyalty and trust between the Army and the nation. The American people desire and expect dedication from the members of the U.S. armed forces. Putting the needs of the nation and the Army before their own, soldiers forego some of the rights enjoyed by those outside the armed forces. In return, soldiers must always be able to expect fair treatment and to

be respected as individuals. They should also expect that their families will be sustained and rewarded by commensurate terms and conditions of service.⁴⁸

This mutual obligation forms the military covenant between the nation and the Army's soldiers. It establishes an unbreakable common bond of identity, loyalty, and responsibility that sustains the Army. The promise is the basis of a code that determines what society expects of its military professionals, a sacred trust.

Principles of the Proposed Army Ethic

Presented here are principles supporting the concepts under the previous subhead. Principles are at the core of all moral action.

Principles of honor.

- I always render honorable service to the United States and the Army. I will obey and support lawful and moral authority, and reject and report illegal or immoral orders.⁵⁰
- I recognize that honor requires ethical conduct, moral behavior, honesty, integrity, and trust. I understand that ends, no matter how worthy, never justify unethical means. ⁵¹ I do not bring shame to my country and Army through unethical or illegal actions.
- I do not lie, cheat, or steal, nor tolerate those who do. I pursue honor and truth regardless of personal consequences. I am dedicated to fairness and justice.⁵²
- I accept full responsibility for my actions and the actions of those in my charge.⁵³ I train them and expect them to be honorable.
- I always remember and honor the brave men and women who have served before and who have paid the ultimate price for our freedom and the honor and integrity of our Army.⁵⁴

Principles of duty.

- I always place duty, service, and allegiance to nation before self.
- I am duty-bound to support and defend the Constitution; I uphold the laws and regulations of the United States.⁵⁵ I always adhere to the principle that subordinates the military to civilian authority.⁵⁶ I am nonpartisan and avoid conflicts of interest in my professional life.⁵⁷
- I am prepared to do my duty and, if necessary, to make sacrifices or to risk my life to protect the security and people of the United States.⁵⁸

- I am a steward of the Army profession. I display dedication, initiative, and discipline while fulfilling my mission.⁵⁹ I develop and maintain my professional knowledge and skill. I do my utmost to ensure that my fellow soldiers and I are trained and equipped to carry out our duties.⁶⁰ I am a good steward of U.S. resources.
- I am a defender of those who cannot defend themselves. I am committed to putting the lives of my fellow Americans and all noncombatants on the battlefield before my own.

Principles of courage.

- I always demonstrate physical, mental, and moral courage in the face of adversity.⁶¹
- I am courageous, but not reckless.⁶² I endanger myself and my comrades only to the extent required to carry out the mission.⁶³ I share risk, endure hardships, and face danger with my comrades.⁶⁴
- I show courage in restraint, even when doing so involves personal danger.⁶⁵
- I persevere with courage, determination, and strength of character.⁶⁶ I condition myself to act correctly in the presence of danger and fear.⁶⁷ I do not quit.
- I demonstrate moral courage, even at the risk of ridicule or danger. I insist on maintaining the highest standards of decency and behavior at all times.⁶⁸

Principles of commitment.

- I am committed to defending the United States of America. I serve whenever and wherever I am needed, whatever the difficulties or dangers may be.⁶⁹
- I am committed to the U.S. military. I understand that loyalty is a commitment not only to a cause but also to those who share that cause. I recognize that loyalty is reciprocal, based on mutual trust and respect.
- I am committed to my unit. I take pride in our unit, our discipline, our military expertise, and our training.⁷⁰
- I am committed to the welfare of my fellow soldiers, based on common purpose, equality, trust, tolerance, and friendship.⁷¹ I will never leave a fallen comrade. I will not fail those with whom I serve.⁷²
- I recognize when loyalty and honor are in competition, wrong-doing cannot be condoned or covered up. I am committed to honor as my highest military principle.⁷³

Even in the midst of mortal combat, I will treat my honored foe with dignity and respect.

Principles of respect.

- I always respect the dignity of all persons.⁷⁴ I treat others with respect for their core human rights and according to the laws of war.
- I recognize the supreme value of human beings regardless of their origin, religion, nationality, gender, status, or position.⁷⁵ I demonstrate tolerance and esprit de corps and, by my conduct, win the respect of others.⁷⁶
- I uphold the international laws, conventions, and regulations of armed conflict.⁷⁷ I use force only to the extent necessary and only in a way that will maintain my humanity.⁷⁸ Even in the midst of mortal combat, I will treat my honored foe with dignity and respect. I avoid the use of force motivated by hate, revenge, or pleasure. I use force only under duress or when it is necessary to defend a community on the basis of the rule of law.⁷⁹
- I do not harm human beings who are noncombatants or detainees, and I do all in my power to avoid causing harm to their lives, dignity, and property.
- I do not tolerate unethical or illegal conduct. I do my best to prevent violations of either the Law of War or the Army Ethic and report all violations to the appropriate authority.⁸⁰
- I always remember that I am an American, a defender of the republic, a member of a time-honored profession, responsible for my actions, and dedicated to the virtues of honor, duty, courage, commitment, and respect.⁸¹

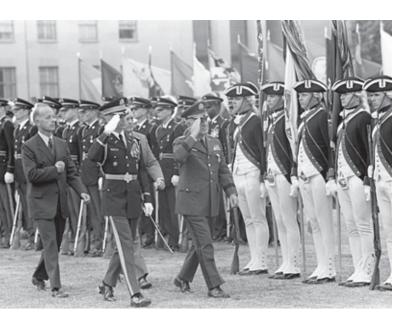
Breaking the Cycle of Moral Cynicism

The Army decried the 5-2 Stryker crimes as "repugnant to us as human beings."⁸² But it is not enough to condemn those actions. The Army must prevent future crimes by providing soldiers

with the right tools and processes. To correct this problem, the Army, or the Department of Defense as a whole, should adopt some version of this ethic or prepare an alternative. Past efforts to construct an Army code of ethics failed; perhaps there was no pressing need. Given the events of the last ten years, the current need is clear.

Iraq exemplifies the lasting impact of these indiscretions. In late 2011, the U.S. still desired to maintain "advise and assist" forces in Iraq. Unfortunately, Iraqi leaders agreed to allow U.S. soldiers to remain but declared that those troops should not be granted immunity from Iraqi law. This was unacceptable for the U.S., and necessitated an immediate departure. So what caused this change? The Iraqi government cited dissatisfaction with U.S. adjudication of war crimes cases, including atrocities at Abu Ghraib. Old crimes create new complications.

Instead of being "invincible" in Sun Tzu's tradition, the nation is vulnerable. Strategic efforts, like staying in Iraq to maintain the peace, were derailed because of tactical failures like Abu Ghraib. Moral influence, as Sun Tzu saw it, is absolutely required to ensure victory.



Incoming U.S. Army Chief of Staff GEN Creighton W. Abrams, right, accompanied by Secretary of the Army Robert F. Froehlke; COL Harvey H. Perrett, Jr., commander of the troops; and Secretary of Defense Melvin R. Laird inspect the troops during the armed forces full honor arrival ceremony for Abrams, Arlington, VA, 16 October 1972. (DOD)

The Army's strategic leaders must recognize the danger of an amoral organization and rebalance the force from an ethical perspective. One soldier spoke of the 2006 rape-murders at Mahmudiyah:

If people continue to treat this like a mysterious event that came out of nowhere, and we don't change how we lead soldiers and we don't honestly look at what caused this to happen, it's going to happen again. I mean, this isn't the only time. It's just the most notorious time.⁸³

Sadly, his prediction was correct. The 5-2 Stryker killings followed Mahmudiyah and the list of crimes grows longer. Marines urinating on corpses. Afghanistan leaders claiming U.S. abuse of prisoners. A drunken sergeant allegedly murdering 17 civilians. Predictably, senior officials condemned the "bad apples . . . those few who do stupid things."⁸⁴ The cycle continues unabated.

Until the Army changes course, U.S. forces will continue to risk winning the battle but losing the war. There can be no "better peace" of grand strategy when friends, foes and noncombatants, embittered by war crimes, remain. The American people lose faith when military actions are not in line with their expectations. Our soldiers deserve better. General Creighton Abrams noted:

The Army is and always will be people. Our people are really good. It is a rare man who wants to be bad, but a lot of men are not strong enough to be good all by themselves, and a little help is enough.⁸⁵

The people *are* really good. Nevertheless, they must be armed with strength of character. Soldiers must "know what is right, and have the courage to do what is right." ⁸⁶

A new Army Ethic is not a panacea. In fact, an ethic alone offers little potential beyond the current ill-founded bumper sticker neologisms. But an explicit ethic, in conjunction with appropriate training, renewed focus on ethical conduct, committed nontoleration, and enforcement would create moral progress. The Army Ethic can provide the motivation to fight and the means to fight morally.

The American people deserve an Army refined under a moral institutional framework that best serves public interests. American fighting forces deserve the knowledge and moral influence to "cultivate their own humanity and justice and maintain their laws and institutions [and] make their government invincible."87 Sun Tzu's lessons

remain true. The stakes for the profession and those who serve it are high. With resolve, the U.S. Army will learn the lesson and pursue "the right way." MR

NOTES

- 1. Sun Tzu, The Art of War, trans. Samuel Griffith (New York: Oxford University Press, 1963), 88.
- 2. LTC Peter Fromm et al., also used this quote to frame an argument in Peter D. Fromm, Douglas A. Pryer, and Kevin R. Cutright, "War is a Moral Force: Designing a More Viable Strategy for the Information Age," Joint Force Quarterly, no. 64 (1st Quarter 2012): 42.
- 3. Seymour Hersh, Chain of Command: From 9/11 to Abu Ghraib (New York: Harper Collins, 2004); Jim Frederick, Black Hearts: One Platoon's Descent into Madness in Iraq's Triangle of Death (New York: Crown Publishing, 2010); Craig Whitlock, "Members of Stryker Combat Brigade in Afghanistan Accused of Killing Civilians for Sport," 18 September 2010, http://www.washingtonpost.com/wp-dyn/ content/article/2010/09/18/AR2010091803935.html> (15 August 2011).
 - 4. B.H. Liddell Hart, Strategy, 2nd ed. (New York: Meridian, 1991), 353
- 5. Joseph S. Nye, Jr., and David A. Welch, Understanding Global Conflict and Cooperation: An Introduction to Theory and History, 8th ed. (New York: Longman,
- 6. Department of Defense, "Responsibility, Accountability, and Discipline," Armed Forces Officer (National Defense University Press and Potomac Press, 2007), 61-71; Strategic Thinking: Selected Readings Core Curriculum (Carlisle, PA: U.S. Army War College, 2011), 297.
- 7. Carl von Clausewitz, *On War*, ed. and trans. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1976), 590-91.
- 9. Luke Mogelson, "A Beast in the Heart of Every Fighting Man," 27 April 2011, http://www.nytimes.com/2011/05/01/magazine/mag-01KillTeam-t.html? r=1&pagewanted=print> (17 October 2011).
- 10. Magali Sarfatti Larson, The Rise of Professionalism: A Sociological Analysis (Berkeley: University of California Press, 1978), 208.
- 11. U.S. Department of the Army, TRADOC Center for the Army Profession and Ethic, Army: Profession of Arms 2012: After More than a Decade of Conflict (Fort Monroe, VA: Headquarters U.S. Army Training and Doctrine Command (TRADOC),
- October 2011), 17-29.
 12. "The Hippocratic Oath," 20 August 2003, http://h2g2.com/dna/h2g2/ A1103798> (18 December 2011).
- 13. John Ladd, "The Quest for a Code of Professional Ethics: An Intellectual and Moral Confusion," Ethical Issues in Engineering, ed. Deborah G. Johnson (Englewood Cliffs, NJ: Prentice-Hall, 1991), 130-36, in Illinois Institute of Technology, "The Function and Value of Codes of Ethics," http://ethics.iit.edu/index1 php/Programs/Codes%20of%20Ethics/Function%20and%20Value%20of%20 Codes%20of%20Ethics> (11 December 2011).
- 15. Heinz C. Luegenbiehl, "Codes of Ethics and the Moral Education of Engineers," Business and Professional Ethics Journal 2 (1983): 41-61, in Ethical Issues in Engineering, ed. Deborah G. Johnson (Englewood Cliffs, NJ: Prentice-Hall, 1991), 137-54, found in Illinois Institute of Technology, "The Function and Value of Codes of Ethics.
- 16. Andrew Olson, "Authoring a Code of Ethics: Observations on Process and Organization," https://ethics.iit.edu/index1.php/Programs/Codes%20of%20Ethics/ Authoring%20a%20Code%20of%20Ethics> (22 January 2012).
- 17. Steven S. Debusk, "The Warrior Ethos Revisited: Implications for the Future" (Carlisle Barracks, PA: U.S. Army War College, 2011), 17-18.
- 18. U.S. Department of the Army, TRADOC Center for the Army Profession and Ethic, Army: Profession of Arms 2011: The Profession After 10 Years of Conflict (Fort Monroe, VA: Headquarters TRADOC, October 2010), 2.
 - 19. Ibid., 29-37.
- 20. Center for the Army Profession and Ethic. http://cape.army.mil/index.html (17 October 2011).
- 21. Dick Couch, A Tactical Ethic: Moral Conduct in the Insurgent Battlespace (Annapolis, MD: Naval Institute Press, 2010), 54
 - 22. Mogelson.
- 23. Lewis Sorley, Honor Bright: History and Origins of the West Point Honor Code and System (New York: McGraw-Hill, 2009), 12.
 - 24. Ibid., 23.
 - 25. Ibid., 48.
 - 26. Ibid., 76.
 - 27. Ibid., 79.
 - 28. Ibid., 35. 29. Couch, 8
 - 30. Ibid., 102-109.
- 31, U.S. Department of the Army, Field Manual [FM] 1, The Profession of Arms (Washington, DC: U.S. Government Printing Office [GPO], 14 August 1981), 24, found in Carl H. Builder, The Masks of War: American Military Styles in Strategy and Analysis

- (Baltimore, MD: Johns Hopkins University Press, 1989), 20.
- 32. U.S. Army Office of the Chief of Public Affairs, America's Army: The Strength of the Nation: The Army Profession, DVD (Washington, DC, 2011).
- 33. Christopher R. Colbert, "National Character vs. National Security: Conflict in the Making?" (Carlisle Barracks, PA: U.S. Army War College, 2011), 5.
- 34. National Security Council, A Report to the President Pursuant to the President's Directive of January 31, 1950, NSC 68, 7 April 1950, 5,
- 35. Barack H. Obama, "Remarks by the President on National Security," 21 May 2009, (17 January 2011) in Colbert, "National Character vs. National Security," 5.
- 36. Barack H. Obama, "Inaugural Address," 20 January 2009, (17 January 2011) in Colbert, "National Character vs. National Security." 5.
- 37. Army National Guard, The Story of the Army National Guard (ARNG 98-106) (Washington, DC: National Guard Bureau, 1998), 3; and R.S. Hunter, D.M. Gordon, D.L. Smith, and A.L. Gordon, 2003 National Guard Almanac: Family Member Edition (Falls Church, VA: Uniformed Services Almanac, 2003), 148. 38. FM 1, *The Army*, 1-2.
- 39. Clay T. Buckingham, "Ethics and the Senior Officer: Institutional Tensions," Parameters (Autumn 1985): 23-32 reprinted in Strategic Leadership: Selected Readings Core Curriculum (Carlisle Barracks, PA: U.S. Army War College, 2011), 282.
 - 40. Sorley, 95. 41. National Security Council, A Report to the President, 12.
 - 42. Couch. 24-25.
- 43. Richard A. Gabriel, To Serve With Honor (New York: Prager, 1987), 173.
- 44. Larry R. Donnithorne, The West Point Way of Leadership: From Learning Principled Leadership to Practicing It (New York: Currency, 1993), 65-67.
- 45. Chapter 1, The Cadet Honor Code, http://www.west-point.org/publications/ honorsys/chap1.html#106 (4 December 2011).
- 46. Harold Lord, ed., How the Army Runs: A Senior Leader Reference Handbook 2011-2012 (Carlisle, PA: U.S. Army War College, 2011), 456.
 - 47. Gabriel, *To Serve With Honor*, 209.
- 48. The Airborne Network: Utrinque paratus, "The Military Covenant," (7 December 2011).
- 49. Ibid.
- 50. Canadian Government, "Canadian Government Statement of Defense Ethics," http://ethics.iit.edu/indexOfCodes-2.php?key=12_205_1480 (6 February 2012).
- 51. U.S.Department of Defense, "Character: Nobility of Life and Action," 284. 52. Chief of Defence Staff, Duty with Honour: The Profession of Arms in Canada 2009 (Kingston, Ontario: Canadian Defence Academy Press, 2009), 33.
- 53. Michael P. Manning, "A Codified Joint Professional Military Ethic: The Cornerstone of 21st Century U.S. Military Transformation," (Newport, RI: Naval War College, 15 September 2010), 18-19.
 - 54. U.S.Department of Defense, "Character: Nobility of Life and Action," 288 55. Manning, "A Codified Joint Professional Military Ethic," 18. Also from U.S.
- Department of Defense, Joint Ethics Regulation 1-6, 5500.7, 154. 56. German Bundeswehr, "Self Conception," http://cape.army.mil/repository/ ProArms/2010-12-08%20Self%20Conception%20German%20Army.pdf> (15 Janu-
- 57. Matthew Moten, "The Army Officers' Professional Ethic—Past, Present, and Future," Strategic Studies Institute (Carlisle, PA: U.S. Army War College, February
- 58. Royal New Zealand Air Force, "RNZAF Mission Statement," http://www. airforce.mil.nz/about-us/rnzaf-mission-statement.htm> (18 December 2011). Also from German Bundeswehr, "Self Conception."
 - 59. Chief of Defence Staff, Duty with Honour, 32.
 - 60. Royal New Zealand Air Force, "RNZAF Mission Statement."
 - 61. Manning, "A Codified Joint Professional Military Ethic," 18.
- 62. Psalm B.C. Lew, "Preparing Values-based Commanders for the 3rd Generation Singapore Armed Forces," in *Military Ethics*, eds. Jeff Stouffer and Stefan Seiler (Kingston, Ontario: Canadian Defence Academy Press, 2008), 125.
- 63. Israeli Defense Forces, "Doctrine," http://www.idf.il/1497-en/Dover.aspx (18 December 2011).
- 64. Richard A. Gabriel, The Warrior's Way (Kingston, Ontario: Canadian Defense Academy Press, 2007), 179. 65. British Army, Values and Standards of the British Army (Ministry of Defense,
- January 2008).10. 66. Canadian Government. "Canadian Government Statement of Defense Ethics."
- http://ethics.iit.edu/indexOfCodes-2.php?key=12_205_1480 (6 February 2012).
 - 67. FM 100-1, 26, quoted in Hugh A. Kelley, "A Proposal for the United States

Army Ethic" (Carlisle Barracks, PA: U.S. Army War College, 1984), 23.

- 68. British Army, Values and Standards of the British Army, 10.

- 101c., 8.
 170. Lew, 125.
 171. FM 100-1, 24, quoted in Hugh A. Kelley, "A Proposal for the United States Army Ethic," 20. Also from Royal Australian Army, "Traditions and Values," http://www.defencejobs.gov.au/army/LifeStyle/traditionsAndValues.aspx (22 January 2012).
 172. John W. Brinsfield, "Army Values and Ethics: A Search for Consistency and Relevance." Parameters 28, no. 3 (Autumn 1998): 81.
 173. LIS. Department of Defences Unite Ethics Regulation 1.6: 5500.7, 183. and
- 73. U.S. Department of Defense, Joint Ethics Regulation 1-6, 5500.7, 153, and British Army, Values and Standards of the British Army, 14.
 74. Canadian Government, "Canadian Government Statement of Defense Ethics."
 75. Israeli Defense Forces, "Doctrine."

 - 77. Canadian Government, "Canadian Government Statement of Defense Ethics."

- 78. Peter Kilner, "A Moral Justification for Killing in War," Army 60, no.2 (February, 2010): 60.
- 79. Dieter Baumann, "Military Ethics: A Task for Armies," Military Medicine 172, no.
- 1 (December 2007): 37-38. 80. U.S. Department of the Army. *The Soldier's Blue Book*, Pamphlet 600-4 (Fort Monroe, VA: Headquarters United States Army Training and Doctrine Command, 1 October 2010), 16-17.
 - 81. Moten, 5, 13.
 - 82. Mogelson.
 - 83. Frederick, 349.
- 84. Andrew Tilghman, "Officials Troubled Over Behavior of U.S. Troops," 3 May 2012, http://www.militarytimes.com/news/2012/05/military-panetta-discipline-problems-050312w (17 May 2012).
 - 85. Brinsfield, 72.

 - 86. Sorley, 157. 87. Sun Tzu, 88.

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