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**LOYALTY: A Military Ethicist looks at the Problem of Conflicts**

by

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In a world where hard ethical decisions involve conflicts of values, the military commander is not uniquely involved in such conflicts, but he is more openly involved than most people.<sup>1</sup>

Loyalty has been considered one of the primary military virtues ever since mankind first organized for combat. But in addition to being a primary military virtue, loyalty is also an extremely complex one, containing within itself a number of possible internal conflicts. The reason for this is that every person has, not a single loyalty, but rather a packet of loyalties, some of which may, from time to time, conflict with one another. Even the most single-minded soldier must, occasionally, sense one or more of these conflicts within himself, and to the extent that they remain unresolved, he may find himself not only a less efficient soldier, but possibly a psychological casualty as well. There may also be conflicts between different soldierly virtues, conflicts which are difficult to resolve. But far more likely are conflicts between

<sup>1</sup> Roger Shinn, "Ethical Aspects of the Exercise of Command", Speech to the Command Chaplain's Conference, U.S. Army, 26 July 1973, reprinted in "The Military Chaplain's Review" DA Pam 165-100, Winter 1974

different forms or objects of loyalty. It is necessary for the commander, the soldier and the military ethicist to be aware of these conflicts and be prepared to deal with them in our own lives, as well as the lives of those whom we may command or counsel.

In this paper I will examine some of the different types of loyalty demanded of the soldier. We will then look at some areas of conflict between military and personal loyalties, and also between certain types of loyalty and other military virtues. The final section will propose a scale roughly modeled on the work of ~~Leonard~~ <sup>Lawrence</sup> Kohlberg indicating a developmental level for loyalty choices.

In almost any hierarchical structure, the first principle of loyalty is loyalty upwards, or loyalty to the senior. Within the military this is absolutely necessary because, in the final analysis, the commander is responsible for all that his troops do or fail to do. But although loyalty upwards is a necessity, it is not an infallible rule. Since 1749, countries following the British practice have had a singular exception included in their requirement for obedience to the superior's order, that is that the order must be a lawful order.<sup>2</sup> However, in the usual British style, the precise definition of what exactly a "lawful order"

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<sup>2</sup> G.F.C. Stanley, "Obedience to Whom? To What?" Limits to Loyalty, Edgar P. Dentan III, ed. (Wilfred Laurier Univ. Press, Waterloo, ON, 1980) p. 6

was, was left to be determined.<sup>3b</sup> American military law, when it was codified, followed the same general format, and, as in Britain, left the courts with the task of definition. Two cases relatively early in the history of interpretation fleshed out the definition. The first was The U.S. vs Jones in 1813 which declared in a case of privateering against a neutral vessel that: "Any doctrine to the effect that a military or civil officer could command an inferior to violate the laws of the United States was 'alarming and unfounded...repugnant to reason and to the positive law of the land'"<sup>4</sup> Later, in 1851, the Chief Justice of the Supreme Court declared in the case of Mitchell vs Harmony that "a military officer could not plead in defense of an unlawful act that he did it under the order of a superior officer."<sup>5</sup>

When Canada passed its National Defence Act in 1950, the Code of Military Service Discipline appended to the Act specified that the soldier, sailor, or airman was a citizen first, and required to obey the laws which applied to all Canadian Citizens, whether civilian or military. He or she was then additionally charged to obey the "lawful" orders of military superiors, thus continuing the traditional phraseology begun by the British in

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<sup>3</sup> Queen's Regulations and Orders, Article 103.16, Note F is the Canadian definition. See Endnote b <sup>3</sup> <sup>3</sup>

<sup>4</sup> cited, Ibid, p. 7

<sup>5</sup> ibid, p. 7-8

1749.<sup>6</sup>

That the process of defining the term "Lawful" in "Lawful Order" was not an easy one can be shown by the fact that neither the United States nor Great Britain would admit that "violations of the recognized rules of war" ordered by governments or commanders were War Crimes until 1944 when they issued an agreed statement in anticipation of the possibility of conducting trials of enemy "war criminals". The key phrase of the statement is:

Members of the armed forces are bound to obey lawful orders only, and ...cannot therefore escape liability if, in obedience to command, they commit acts which both violate unchallenged rules of warfare and outrage the general sentiment of humanity...."<sup>7</sup>

It would be well to note that this had been the German law since 1872, and that following the First World War, it was specifically enforced by the German Supreme Court in the case of the shooting of the survivors of the Canadian Hospital Ship "Llandoverly Castle" during that conflict.<sup>8</sup>

Following the Nurnberg Trials at the conclusion of World War Two, there can be no question of any military member of a western power using as a defense in a war crime the idea that "he was only following orders". And I think it is also clear that

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<sup>6</sup> Ibid., p. 7

<sup>7</sup> Ibid., p. 9

<sup>8</sup> Ibid., p. 8

obedience to, and therefore loyalty to a superior is tempered always in our law by the fact that his orders must be in accord with the laws of our respective countries.<sup>9</sup>

The second major military principle of loyalty is "loyalty down", or, if you will, "loyalty to the troops". One of the first things that is, or should be, drilled into the heads of both junior officers and new NCO's is the fact that one of our primary responsibilities as leaders and commanders, is the care of our troops. In our Canadian regimental system it is one of the most ancient traditions that all of the troops will be fed before the officers receive their food. There are practical reasons for this, but there is also a basic leadership concept involved too, the responsibility of the leader to care for his people.<sup>10</sup> If we take this idea into other areas, it becomes the responsibility of the leader or commander to insure that in whatever circumstances exist, the people with whose lives he is charged are taken care of to the best of his ability, before he

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<sup>9</sup> In a discussion of my paper with LCol S. Labbe, CO, 3R22eR, he pointed out that a recent decision of a British court had held that a commander could not be held responsible for all that his troops do if he had made every effort to insure that his orders were carried out. The case involved the conviction of a soldier in Ulster for having exceeded the rules of engagement and used excessive force.

<sup>10</sup> LCol Labbe suggests that there is a profound difference between "caring for the soldier" and spoiling him. It is one thing to see that he is well and properly fed but quite another to transport ice cream and pizza to the field in the tropics. (Interview, 16 Nov 87)

meets his own requirements.<sup>11</sup> It is as General Eisenhower said in his biographical work Crusade in Europe:

In any long and bitter campaign morale will suffer unless all ranks thoroughly believe that their commanders are concerned first and always with the welfare of the troops who do the fighting.<sup>12</sup>

One of the things which came out loud and clear about combat unit cohesion problems during the Viet Nam war was that many of the front-line troops had a very strong impression that their commanders were caring for themselves before they cared for the troops.<sup>13</sup> It must be said however, that it is difficult for men to perceive loyalty downward when they have little opportunity to get to know their officers or their senior NCO's. The kind of cohesion reported of certain groups of Wehrmacht troops by Janowitz and Shills is a factor of stability and long service together with the resultant development of a sense of caring.<sup>14</sup> Unfortunately, in many modern military units a commander and even senior NCOs scarcely have the time to become known to the troops

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<sup>11</sup> One of my readers suggested the following : "Does giving priority to loyalty down jeopardize the higher mission? I believe that, whenever the answer is NO!, loyalty down should prevail; that is the essence of the regimental system. It also makes for slow promotion and sometimes early retirement." Letter, LCol G.A. Bordet to the author, 6 Jul 87.

<sup>12</sup> D.D. Eisenhower, Crusade in Europe (Garden City, Doubleday, 1948) p. 210, quoted in Shinn, op.cit., p.72

<sup>13</sup> R.A. Gabriel & P.L. Savage, Crisis in Command (New York, Hill & Wang, 1978) pp. 12,14,16

<sup>14</sup> M. Janowitz & E.A. Shills, "Cohesion and Disintegration in the German Wehrmacht in W.W. II", Public Opinion Quarterly, vol 12 (1948), pp.280-315

before being moved to another job.<sup>15</sup> And it is difficult for a commander to show his people his care for them if he has no time to build the kinds of relationships in the unit and with the people that would enable him to do so.<sup>16</sup>

But loyalty up and down are only two factors of an extremely complex skein. Discussion of some of the other loyalties which affect our military lives will follow.

In Canada, one speaks of loyalty to the Sovereign, while in the United States it is loyalty to the Constitution. These are two different loyalties, though closely related. Both lie in the realm of loyalty to a higher authority, the distinction being that in the one case it is loyalty to a person, while in the other it is loyalty to law or to an idea.

A Canadian officer's commission is granted to him or her specifically recognizing their "Loyalty, Courage, and Integrity",

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<sup>15</sup> LCol Labbe told me an interesting story about Gen J.V. Allard during the campaign in Italy. While commanding the "Van Doos", he tailored the missions assigned to his company commanders on the basis of his knowledge of the personality of the individual. He recognized the differences among his soldiers and built on them. The result of this was that his subordinates developed a love for him that exists to this day.

<sup>16</sup> This also directly relates to the ability to show loyalty upward because if a soldier has not developed trust in his superior, it is very difficult for him to develop more than a "pro forma" loyalty to him.

or, in the case of chaplains, their "Loyalty, Piety and Integrity". In either case "Loyalty" and "Integrity" are key requirements demanded of the officer. Yet it is precisely these two elements which can create the most profound conflicts of loyalty. Dr. George Stanley, one of Canada's premier military historians, cites two classic examples of this type of conflict in the cases of William Douglas-Home of the British Army and Pierre Chateau-Jobert of the French Army, in his article in the collection Limits of Loyalty.<sup>17</sup> The cases of some of the German officers who participated in the July 20th Plot against Hitler could also be cited in this regard. At what point does one's loyalty to the sovereign or the state, and loyalty to one's own moral code [which is what I believe is the essence of integrity] demand a decision. The question is an extremely difficult one to answer, but it has come up with some degree of regularity for military people throughout history. As Shinn says in his address to the U.S. Army Chaplains:

The man in the chain of command turns over some of his rights of judgement; he must act on the judgments of his superiors, even though his own judgement differs. What he cannot turn over to anyone else is his conscience and his integrity.<sup>18</sup>

I believe one can say that it is precisely this question of loyalty to whom and to what, which, when it was not answered

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<sup>17</sup> Stanley, op. cit., pp. 3-5, 19-22

<sup>18</sup> Shinn, op. cit., p. 73



adequately, led to some of the activities committed by certain military members of the National Security Council and catalogued by the Tower Commission and subsequent Congressional Investigations. At what point does one's oath to "support and defend the Constitution" become changed to fulfill what one conceives to be the desires of one's commander, even when that commander is the President. I am not trying to take a cheap shot at any of the individual's involved. I am raising a question of conflict of loyalty in its hardest form; for, if my understanding is correct, the military officers involved believed that they were doing what was right for the United States, even though what they were doing had been specifically prohibited by an act of Congress which the Constitution grants to have authority in the area in which they were exercising their activities.<sup>19</sup>

Another major area of conflict of loyalty lies between one's loyalty to one's profession and one's loyalty to one's spouse and family. These conflicts are not solely military but they are certainly common among us, and are among the more painful ones for us to decide on a day-to-day basis. At what point do I decide that my loyalty to my family and my loyalty to my profession can no longer exist in the tension which has been

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<sup>19</sup> Accounts found in TIME, 9 March 87, pp. 16-41; Newsweek, 9 March 87, pp. 25-37; Maclean's, 9 March 87, pp. 18-21, 24-26. Also in many subsequent issues of the same magazines for accounts of the Congressional Investigations.

demanded of them for however long I have been married and in the military. When does the family come first? When does the profession? And even if I was "married" to the profession before I married my spouse, this is a conflict which does not easily disappear and is found among those with even the highest ranks and longest experience.

Another conflict of loyalty has again arisen among military persons, namely, the conflict posed by religious beliefs. In particular this conflict has been generated by the growing "peace orientation" in many churches and the sometimes uninformed attack upon those who serve in various military forces in both Canada and the United States. Historically, the organized churches have generally supported those who served in the military forces of democracies on the basis that those military forces were being used in accordance with the principles of just war doctrine which had been promulgated by the churches. In recent years, many questions have been raised concerning the usage of military force in our countries, some brought on by Viet Nam, others by the nuclear arms race with the Soviet Union. The reaction to some of these inquiries has been to challenge all use of military force for any reason. Most of these questions have been looked at in the discussion papers prepared for, or written as a result of, the issuance of a major pastoral letter by the United States

Conference of Catholic Bishops.<sup>20</sup>

Two final areas of loyalty remain to be examined briefly, loyalty to the regiment, and loyalty to one's peers. In a sense they are connected, but they are quite different. The Canadian Army, following the British tradition, has long been organized on a regimental basis. Regiments are living entities, having histories, having traditions closely connected with the persons who form them. As a chaplain who has had the privilege of serving with several regiments over the years, I can say that each one has its own personality, which is as different as the personalities of two different people. The ties which exist between a soldier and his regiment are very close, as close as those which exist between a person and his family. In fact one often hears the concept of "the regimental family" put forward quite forcefully. A member of the combat arms in the Canadian Army will spend his initial training and first years of service almost exclusively in the regimental family. Only after several years of formation will one normally move into extra-regimental duties, and for non-commissioned members, it is possible to never serve outside the regiment in one's whole career. Because of this one develops a strong sense of loyalty to the regiment, even as one does to one's own family.

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<sup>20</sup> U.S. Conference of Catholic Bishops, The Challenge of Peace: God's Promise and Our Response (Washington, U.S. Catholic Conference, 1983)

The final area of loyalty I wish to consider is loyalty to one's peers. In a sense this develops partly as a result of shared tribulation in the context of the regiment. It is also a natural holdover from our youth, the bond which we formed with our fellows, whether on "the playing fields of Eton" or in an inner city gang, or perhaps a Boy Scout troop. For many Canadian youngsters some of this loyalty to peers may have been fostered by our military cadet corps, and in some ways these groups provide a preparation for later regimental life. Peer loyalty can be a remarkably strong bond, as any long-serving person knows. Most of us have probably witnessed, at one time or another, a group willing to receive punishment as a group rather than giving up one of its members to receive the punishment alone. Glenn Gray touches this type of loyalty in a paragraph from The Warriors:

Soldiers have died, more or less willingly, not for country or honor or religious faith or for any other abstract good, but because they realized that by fleeing their post and rescuing themselves, they would expose their companions to greater danger. Such loyalty to the group is the essence of fighting morale. The commander who can preserve and strengthen it knows that all other psychological or physical factors are little in comparison. The feeling of loyalty, it is clear, is the result, and not the cause, of comradeship. Comrades are loyal to each other spontaneously and without any need for reasons. Men may learn to be loyal out of fear or from rational conviction, loyal even to those they dislike. But such loyalty is rarely reliable with great masses of men unless it has some cement in spontaneous

liking and the feeling of belonging.<sup>21</sup>

All of these forms of loyalty can issue in conflicts of some kind or another, where decisions must be made either between loyalties or conflicting satisfactions of the demand for loyalty. In making decisions regarding such conflicts of loyalty, it is possible to point out certain general principles of ethics to make such a decision. One of those principles has been stated well by Colonel M.M. Wakin in his article Ethics in Leadership:

Our rule of action is that we are justified in violating our universal moral obligations only when they conflict with a higher obligation and when we cannot fulfill both at once.<sup>22</sup>

One of the most common ethical quandaries within the military, recognized by everyone who has ever held a responsible position, is the conflict between loyalty to the commander and loyalty to the troops. If we accept the premise that our loyalty to the superior is a primary moral obligation, an assumption I believe would be accepted in most military forces, the conflict of loyalty between the orders of a superior and our responsibility to our troops must be simple to decide.<sup>23</sup> The

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<sup>21</sup> Glenn Gray, The Warriors, 2d ed. (New York, Harper, 1970) p. 40

<sup>22</sup> M.M. Wakin, "Ethics in Leadership", War, Morality and the Military Profession, (Boulder, Westview Press, 1978) p. 214

<sup>23</sup> LCol Labbe pointed out to me the fact that based on his own experience of serving with British and American forces as well as the Canadians, that there is a profound difference in the way the three armies handle the disagreement of subordinates. In

superior's wishes must be carried out. Yet there may be some problems in this. Perhaps the superior's order is given on the basis of incomplete or even erroneous information. Perhaps to accomplish this mission truly unacceptable casualty rates must be envisioned and sustained. An example of this would be some of the actions of the First World War where British and French troops were deliberately sacrificed with no accomplished purpose. Yet during the same war, under the same conditions, General Sir Arthur Currie won battles because, although he carried out his superior's orders to attack, he insisted that the attack must be properly prepared and have some chance of success.<sup>24</sup> It should be noted that Currie was not popular among his British counterparts, but he was well-respected by his troops. There are numerous cases in the history of warfare which parallel my example.<sup>25</sup> The simple sacrifice of troops to take an objective

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the British and Canadian army it is a matter of loyalty for a subordinate to disagree if he believes that something is mistaken. In fact, it would be taken as an act of disloyalty if he did not. In the American army however, Col Labbe found a tendency among subordinates to swallow their disagreement and simply accept the direction of the commander. This may be a result of the fact that in both the former armies it would be normal for an individual to serve for an extended period in the same unit, with the expectation that he would continue to return to that unit in the future. He would, therefore, be a known quantity in a way which would be impractical in the context of the American system. (Interview with LCol Labbe, 16 Nov 87)

<sup>24</sup> D.J. Goodspeed, The Armed Forces of Canada, 1867-1967 (Ottawa, Directorate of History, 1967) p. 57. See also D. Morton, A Military History of Canada (Edmonton, Hurtig, 1985) p. 142

<sup>25</sup> LCol Paul Corriveau called my attention to an incident in Italy when the commander of a battalion of the R22eR manoeuvred in such a way as to postpone H Hour until darkness

seldom wins either a battle or a war. Currie's arguments with his commander, Field Marshall Haig in regard to the utilization of Canadian troops not only protected them but directly affected the successful outcome of a number of battles. Most of us will probably not be involved in such choices at the level of armies. Nevertheless, our small battles for our troops at a local level, at platoon, company and battalion, may well have a great deal to do with how those troops respond when faced with the ultimate test of combat.

The second conflict of loyalties which is very common, and with which I deal frequently as a chaplain, is the conflict between the demands of the profession and the demands of the family. One does not have to be in the military very long to discover conflict between duty and family, whether in terms of time off or leave, the necessity to make another move, or the fact that a spouse may finally have achieved a certain degree of success in employment when your orders arrive, sending you off to a place where he or she will have to start all over at the bottom. Most married military personnel are familiar with what I mean. Dudley Pope, the naval historian and novelist says that Lord St. Vincent, the First Lord of the Admiralty during the Napoleonic Wars, was convinced that any naval officer who married

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because he felt that his commander was sending his unit to butchery. Interview with Commandant, Ecole du Combat R22eR, 27 Aug 1987.

was lost to the service.<sup>26</sup> The problem has not changed, indeed it has been augmented by the increasing numbers of dual income families, and even dual military career families in our forces.<sup>27</sup> The career manager's problem meeting their needs is not merely doubled but multiplied by geometric factors.

But ordinary traditional families create some of the same problems as well. Difficulties arise when children require special education or medical facilities. If the spouse has a profession, there are differing licensing requirements in different localities. A serving member may need to take into consideration family requirements which change or interfere with career patterns. And it is hiding one's head in the sand to assume that somehow we can turn the clock back to the days when women followed the path of "Kinder, Kirche, und Kuche".<sup>28</sup> In an interesting and important article on the "How To" of being a working battalion commander's wife, Peggy Cope points out conflicts which can be seen on almost any military base today,

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<sup>26</sup> Mentioned in passing on several occasions in Dudley Pope's series of stories about "Ramage".

<sup>27</sup> In the Canadian Forces there are some 5000 military personnel married to each other out of a total effective strength of 85,000.

<sup>28</sup> According to a recent StatsCan summary, only 17% of all families in Canada are traditional, single income earned by male member, with female in a homemaking situation. Over 60% of all families were either dual income or single mother situations with a substantial percentage of these being under the StatsCan poverty level.



when many are involved in dual career families.<sup>29</sup> These include attitudes of seniors in the military hierarchy and in the "wive's hierarchy" as well as those of juniors whose lives may be affected. There are compensations however, and in a world where family patterns are changing radically, the fact that some "senior spouses" are seen in non-traditional roles may be helpful to those below them who may not be in a non-traditional role by choice.

Another conflict of loyalties exists sometimes between what one might call the needs of the regiment and the needs of the wider force. In a recent talk to senior officers of my brigade, the Director of Land Requirements, (the senior buyer of Army equipment in the Canadian Forces) suggested that one of the major problems in the area of purchasing Army equipment in Canada is that while the Navy and the Air Force usually manage to fix upon a single purchasing goal, whether it be a CF-18 or new frigates, the Army has a tendency to push forward a number of competing ways to spend a limited number of purchasing dollars, and when these competing ideas come through the system, the politicians have a tendency to pick the goals that are agreed upon rather than the ones which seem to have competition.<sup>30</sup> The question

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<sup>29</sup> Peggy Cope, "The Working Battalion Commander's Wife" Leader's Wives Speak Out (Carlisle Barracks, Army War College, ND) pp. 41-46

<sup>30</sup> Speech by Col. R. Dallaire to senior officers of 5GBC at BFC Valcartier on 4 Mar 87.

that needs to be examined in such a situation is how the competing needs of various regiments and the needs of the broader command can best be satisfied with the least amount of competition. Regimental needs must be met because the regiment is our basic building block, but they cannot be placed ahead of the broader needs of brigade and command.

A final area of conflict which I would like to examine is that between one's duty to the government and one's own personal integrity. From time to time, military members find themselves in situations in which they cannot resolve a conflict between what they perceive as their duty to the government, as symbolized by their commission, and their own sense of personal integrity. One such case illustrative of this was the position of several senior naval officers during the period of the integration of the forces in the late 60's. A number of senior officers decided that their perception of their integrity or beliefs demanded that they leave the forces rather than to accept what they believed was a disastrous political step, the unification of the Canadian Forces.<sup>31</sup> Whether they were correct or not is for historians more competent than I to judge, but they do represent in a special way, a certain demand which all of us may find placed upon us, namely, the question of what to do when integrity is challenged by a policy in a way in which we can find no

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<sup>31</sup> One of these was RAdm Jeffrey Brock, as detailed in his multi-volume autobiography. Others are cited in Gabriel & Savage, Op. cit., pp. 112-113

compromise. Another illustration, again from Naval history, is the problem which was presented to senior naval staff by the passover of Captain Hyman Rickover for Rear Admiral which would have resulted in his immediate retirement. In an unprecedented step in modern times the U. S. Senate took the position that they would not give their consent to any promotion list which did not carry Captain Rickover's name. Had Captain Rickover not been promoted, the program which he directed so ably for many years which resulted in the modern nuclear navy, would probably have been delayed or side-tracked.

The foregoing brief discussion of conflicts provides a lead in for a look at a kind of Kohlbergian ladder of decisions on questions of loyalty for military personnel.<sup>32</sup> Admittedly this ladder is somewhat personal, but I believe it reflects the kinds of decisions on matters of loyalty which I have seen being made over some thirty years of military life.

The first, or lowest level of decision-making on loyalty is that of the person who always decides upon the basis of the commander's wish. One might call this level the "Yes sir, three bags full, sir" level. The individual really exercises no decision-making but abrogates that responsibility and takes the path of least resistance and perhaps, least cost. Normally we find this response at the lowest level among our personnel. I do not believe that this response will exist in a pure form for very

long, because as soon as the individual gains a certain amount of experience in the military, he or she will at least begin to consider some possibility of a loyalty conflict.

The second level arrives with the recognition that at least sometimes a person will have to make a positive choice between conflicting loyalties, say, for example, between loyalty to the Commander and loyalty to one's peers. This is what I referred to earlier when the group accepts punishment rather than surrendering one of its members. I believe that this was somewhat more common in the past, when group life was stronger because the modern emphasis on exercising individual rights has a tendency to break down this type of cohesion. But one only has to look as far as a group of pre-teens to see it in action, or in a truly cohesive section or crew who have lived, trained, drank, and suffered together, and who know the meaning of the kind of comradeship that was described by Glenn Gray in the passage cited above.

Several years ago, the U.S. Army Ethics Task Force developed a tool for instruction in applied ethics which was called the "Ethical Decision-Making Model". That tool has been incorporated into materials used by a number of military ethics teachers, including myself. At the third level of the ladder, which is where I believe most of our people will stand, we find the use of this tool on a conscious or unconscious basis in examining

conflicts in loyalty. Decisions on courses of action will be taken after a process of reasoning which involves the learned values of family, community, nation and culture, ideal and actual military values and civil and military law. When conflicts between loyalties arise, the individual will make his or her decision on a course of action only after all of these factors have been, at least fleetingly, considered. One might add here, that the usefulness to the military of some formalized ethical instruction is precisely because it emphasizes and sharpens this kind of discriminating tool for our personnel. With larger numbers of people able to make conscious ethical decisions, the likelihood of a repetition of a Mi Lai incident is reduced. Ideally all our people, whether officer or non-commissioned members, whether line or specialist, would be in a position to suggest how, in particular cases, such a use of the ethical decision-making model might relate to a situation, thus alleviating some of the loyalty conflicts that arise in any military command.

The next level of development expands the process found in the last from the simpler conflicts of commander-junior, into the more complex areas of conflicts between family, regiment, vocation and profession. Normally, in my experience, this type of conflict does not arise in the earliest stages of one career but rather when one has both increasing experience and increasing responsibility. They bring with them the real possibility of

serious cost. For the most part, given that there is some serious professional disagreement, one will often find some possibility for compromise, and if not compromise, perhaps reconsideration of position. Unfortunately, this is not always the case, which brings us to the final stage in our ladder of development.

The highest stage is the one I reserve for the "whistleblower", the individual whose sense of loyalty and integrity is so developed that he or she is willing to bear whatever consequences may occur rather than to sacrifice their integrity to the system. Classic cases may be pointed to in the procurement of weapons systems, but there are also a number of other situations which relate to combat and command, like that of William Douglas-Home and, while there might be disagreement from some, the situation of some of the German officers who participated in the July 20th plot against Hitler. Wherever such cases occur they share one thing in common, the willingness to pay the price, a price which has been very high at times. And often vindication comes only in the history books.

Problems of loyalty are critical questions to the practitioner of the art of leadership. It is important for those in leadership and command positions, as well as military ethicists, to recognize the fact that conflicts of loyalty will nearly always be present to some extent in the lives of members

of our military. The military leader has traditionally had the job of "directing and inspiring subordinates to set aside their personal interests and loyalties [such as wellbeing and life] for the cause of the greater good."<sup>32</sup> The task of that military leader has been greatly complicated by the changes in our society and its structures since the end of World War II. Some of these changes have directly impinged upon the ability of the leader to influence the led. By bringing some of the areas of conflict in the concept of loyalty to the fore, it is my hope to assist those leaders, and particularly those in more junior positions, to understand the difficulties of their task.

In Plato's world of Ideals, perhaps there is a military leader who can at all times and in all places exercise his command in such a way as to always be able to convince his subordinates not only of the greater good of his direction, but also that he has fully taken into consideration their needs and desires as well. But in the real world to which all of us are subject, at least from time to time, the pressures of our egos, the pressures of higher headquarters to meet objectives, and the reluctance of subordinates to carry out the spirit as well as the letter of our orders will continue to be problems which often bear the name of loyalty. If having read this paper has in any way assisted in developing a better understanding of that highly complex idea which we call loyalty and the relationships between

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<sup>32</sup> From a critique of this paper by LCol T.J. Guiler, SSO Arty at FMC HQ.

its parts, then it will have accomplished its purpose.

a. I would like to thank a number of people who took the time to read and comment on my paper, thus improving it immeasurably. They are Lcols S. Labbe, L. Majeau, P. Corriveau, T.J. Guiler, and G. Bordet and BGen J. Gervais and LGen J. Fox. Nevertheless, I bear full responsibility for what has been written.

b. " A command, in order to be lawful must be one relating to military duty, i.e., the disobedience of which must tend to impede, delay or prevent a military proceeding. A superior officer has the right to give a command for the purpose of maintaining good order or suppressing a disturbance or for the execution of a military duty or regulation or for a purpose connected with the welfare of troops or for any generally accepted details of military life. He has no right to take advantage of his military rank to give a command which does not relate to military duty or usage or which has for its sole object the attainment of some private end.