

EXECUTIVE SUMMARY

JOINT SERVICES CONFERENCE ON PROFESSIONAL ETHICS

JSCOPE XV

28-29 JANUARY 1993

"THE ETHICS OF MILITARY INTERVENTION"

and

"CURRENT ETHICAL ISSUES AFFECTING THE PROFESSION"

PRELIMINARIES

The majority of the papers delivered at JSCOPE XV fell within the scope of the second topic ("Current Ethical Issues. . .") listed above while only two deal with "The Ethics of Military Intervention." The conference was very well attended with 134 preregistered participants plus a large number of additional conferees who joined us for the Friday morning presentations on "Homosexuality and Military Service" and "Post Tailhook, A Clash of Two Cultures."

Lieutenant General Paul G. Cerjan, USA, President of the National Defense University welcomed all participants to the conference, remarking on the timeliness of the topics. He urged the participants to carry their ethical concerns back to their respective organizations and to share widely the findings in the papers.

THE PAPERS

Our paper summaries here will be brief since copies of most of the papers delivered at the conference were made available to all participants. Others wishing to acquire a particular paper should contact one of the attendees, the author of the paper, or their representative on the JSCOPE Executive Board (listed later on in this report). There are no copies of the presentations of the panel members for the "Post Tailhook" discussion. Also there are no materials available from the workshops held Friday afternoon dealing with ways to teach about relativism and egoism in military ethics classrooms.

Professor Nicholas Fotion, Visiting Professor this year at the United States Air Force Academy, led the opening discussion of his paper entitled, "Last Resort." He maintained that as a just war condition, "last resort" is flawed and in need of replacement by another standard which he called "non-hasty resort." "Last resort" suffers from a number of difficulties: it presumes that war is the least desirable

option available; it may postpone indefinitely any effective correction of international wrongdoing; it may be de facto pacifism disguised as just war theory; it may cause many to pay a very heavy price in life and other human rights while waiting for other options to work.

The second paper pursuing the theme of "The Ethics of Military Intervention" was delivered by **Professor Kenneth W. Kemp** from the University of St Thomas (MN). In his paper, "The Oil Factor and the Justice of Second Gulf War," Dr. Kemp provides a counter-argument to those who maintain that the real reason for American participation in the war against Iraq was to secure an oil supply. If true, this contention would be disturbing because it would violate the just war condition of "right intention." In discussing the nature of intentions, Dr. Kemp points out that "one can intend more than one thing at the same time" and that "the criterion of right intention only requires the presence of certain intentions" (like correcting a moral evil) and that "it does not require the absence of all others." He further deals with the consistency argument concerning intervention in the Gulf but non-intervention in other serious trouble spots.

Major Stephen Parshley and **Captain Bryan Keifer**, both on the faculty at West Point, authored the paper, "Reduction in Force Means a Reduction in Values," which was presented by Major Parshley. Essentially they hold that current reduction in force policies affecting military officers are unfair, irrational, and ineffective. After spelling out the expectations of the public for performance and values of military officers they suggest that current reduction in force policies subvert those expectations and values. In exchange for selfless service, loyalty, dedication, discipline, etc., officers should enjoy the loyalty and support of the Congress and the public. Current policies which terminate officers without cause will guarantee that some officers will remain committed only when it is in their own interest. Major Parshley and Captain Keifer recommend that reductions be based on competence rather than economics, that regular officers all be allowed to serve until retirement with perhaps some being offered early retirement, that regular commissions only be offered after four or five years of service to those who are competent and committed to a career, and that we should modify the "up or out" promotion system. These and other recommended changes could restore fairness to the reduction in force process and create a better and smaller military.

Major Tim Challens, also of the West Point faculty, made an exciting audio-visual presentation in support of his thesis that some military training places a harmful emphasis on the use of anger and hatred. In his "Blood-Letting and Goat-Getting," he uses historical examples to illustrate that anger "goes too far, takes away our control, and has unwanted consequences." Anger is evoked often to deal with fear, but it is a poor substitute for courage. In the long run, excessive stress on developing anger through military training can lead to undesirable moral character. After a philosophical and psychological analysis of the emotion of anger, Major Challens recommends strongly that anger no longer be inculcated in military training programs.

Padre (Capt Eric T. Reynolds of the Canadian Forces and the College Militaire Royal de Saint-Jean delivered a paper entitled, "A Prolegomenon to the Teaching of Ethical Issues in a Military College Environment." He pursued the thesis that those responsible for teaching military ethics must understand the complexities introduced by current social changes including challenges to the military mission itself. He urged the fostering of ethical creativity and competence and a balancing in the curriculum of the technical materials with the more comprehensive liberal arts courses, attention to individuality balanced against the needs of the collective good, and transmission of traditional values balanced against the accommodation to social changes. He stressed the importance of developing ethical competence in all those educated in military institutions because without such competence our military leaders will be at best, merely mediocre.

Captain William H. Rhodes of the Air Force Academy faculty presented the paper, "Can Moral Character Be Taught?" Following Aristotle he distinguished between the intellectual virtues and the moral virtues. Making use of Kohlberg's hierarchy of moral reasoning skills, he provides some empirical evidence that persuades him that moral reasoning skills can be taught. He points out the habitual nature of the moral virtues themselves and the difficulty of discerning a clear correlation between moral reasoning skills and actual moral behavior. He notes the varying rates of moral development in different students, the critical role of choice in exercising the moral virtues, the role of injunctions as well as habits, the critical necessity of moral role models, and the sensitivity surrounding reward and punishment systems meant to inculcate moral habits. He concludes that there may be no clear empirical evidence regarding the teaching of the moral virtues through habituation but that asking for such evidence may be asking for more than "the nature of the subject admits."

The after-dinner address on the 28th of January was "Ethical Concerns for Physicians Deployed to Operation Desert Storm," an empirical study compiled and presented by **Major Brian S. Carter, M.D.**, of the Army Medical Corps and Fitzsimmons Army Medical Center. Dr. Carter surveyed 600 military physicians (360 responded) who were deployed to the Persian Gulf Area during Operation Desert Storm. Issues covered included familiarity with the 1949 Geneva Convention concerning care of enemy wounded and civilian populations, disagreements with medical need as the sole determinant for care in a triage scenario, views on whether enemy prisoners of war should receive care only after Allied Forces were treated, supply and resource allocation issues, and the moral utility of medical efforts during war. Many of these ethical issues were seen to be parallel to those observed in clinical practice in the United States including access to care and triage, balancing goods and harms, resource allocation, and the definition of medical futility.

Friday morning's papers attracted additional conferees and observers because of their relevance to the events of the day. **Commander E.T. Gomulka**, CHC, USN, Deputy Chaplain of the U.S. Marine Corps presented his "Position Paper on the DOD Policy on Homosexuality." In his extremely well researched and documented paper, Chaplain Gomulka provided a sensitive treatment of the issues associated with the DOD policy on homosexual conduct. He noted that written policy focuses on behavior rather than sexual orientation and the many specific statements he documented clarified many misconceptions held by conferees. He provided facts regarding a number of publicized cases of homosexuals who were discharged from the military, revealing a number of media distortions. He discussed analogies with the integration of blacks and women in the military pointing up the disanalogies and he considered problems with the arguments that foreign militaries have accepted homosexuals. He provided a number of serious questions for consideration; shared recent information about the number of homosexuals in the U.S., revealed comparative data on the conduct of heterosexuals and homosexuals (average number of partners, attempted suicides, alcoholism, contraction of sexually transmitted diseases, AIDS statistics, and life-expectancies), concluding with honest concerns about the overall impact on the moral climate of the services if the policy were to be changed.

The next session involved a presentation on "Post Tailhook, A Clash of Two Cultures" prepared and delivered by three panel members: **Ch Capt Robert W. Duke**, USN; **Ch Cdr William P. Dillon**, USN; and **Dr. Paul E. Roush**, U.S. Naval Academy. These discussants provided up-to-the-minute facts about the "Tailhook" episode, the continuing investigations, pending charges, the ethical issues associated with it, and current Navy programs established to deal with those issues. The spirited discussion which followed the presentations was marked by both sensitive concern and vigorous emotional involvement.

The last session marked a departure from the normal pattern of the conference's Friday afternoon conclusion. We divided into three workshop groups and each discussed ways of dealing with ethical relativism and ethical egoism in military ethics classrooms. The three workshops were led by **Professor Nicholas Fotion** (currently Visiting Professor at the USAF Academy), **Colonel Kenneth Wenker**, USAF Academy, and **Colonel Mal Wakin**, USAF Academy. Response to these two-hour workshops were sufficiently positive as to generate numerous requests to make them a permanent feature of JSCOPE conferences.

In general, all sessions were marked by spirited, interested discussions. We are indebted to the authors of the papers who worked so diligently to prepare their work with our particular audience in mind. They've helped us all with excellent materials to assist in the task of teaching military ethics.

THE BUSINESS MEETING

Agenda items included term expirations on the Executive Board for the Air Force and Navy representatives, selection of the dates and topics for next year's conference, and transferring the leadership of the conference from Colonel Wakin at the Air Force Academy to Colonel Tony Hartle at West Point. After elections, the members of the Executive Board for 1993 are:

Colonel Anthony Hartle, USA Representative and Chairman
Colonel Mal Wakin, USAF Representative
Ch Cdr William Dillon, USN Representative
Lt Col Scot McKenzie, USMC Representative
Cdr Fred Rosa, USCG Representative
Lt Cdr Steve Dore, Canadian Forces Representative
Dr. Frances Harbour, Civilian Representative
Ch Capt Michael F. Burt, USN, NDU Representative and
Coordinator

It was agreed that Colonel Hartle would chair the Executive Board, issue the annual call for papers, and chair the annual program. Administrative files and general correspondence mailing lists will remain in the Department of Philosophy and Fine Arts at the Air Force Academy.

The dates for JSCOPE XVI are 27-28 January 1994 and the location will again be the National Defense University. The perennial theme, "Current Ethical Issues Affecting the Profession" was reaffirmed and after reviewing several proposals for the special theme, the conference voted for the topic, "Where Do the Moral Rules Come From and How is This Relevant for Military Ethics?" The call for papers on this theme and the perennial topic will be issued about June 1 with a response deadline of October 1.

Dr. Fred Kiley of the NDU Press announced the pending publication (about one month) of a set of JSCOPE papers in the volume, Ethics and National Defense, The Timeless Issues. This volume features 12 papers from past JSCOPE conferences and will be mailed to those conference members of our current mailing list when it is released by NDU Press.

THANK YOU

All members of JSCOPE are indebted to **Lieutenant General Paul G. Cerjan**, President of NDU, for hosting JSCOPE XV, and for his participation and encouragement. The local arrangements were marvelously orchestrated by **Chaplain Michael Burt** and his gracious assistant, **Ms Barbara McTigue**. Without their detailed preparations we could not operate in the Washington, D.C. area--our genuine thanks to each of you. Thanks also to each of the presenters who enriched us and better prepared us for our tasks as teachers and practitioners. And thanks to each participant; it remains our great privilege to work with a wonderful group of congenial, dedicated professionals.



DEPARTMENT OF THE AIR FORCE

THE DEPARTMENT OF PHILOSOPHY AND FINE ARTS

USAF ACADEMY, COLORADO



1 December 1992

Dear JSCOPE Members and Colleagues

We have an excellent program of papers assembled for our annual conference on 28 and 29 January 1993 at the National Defense University (NDU). The response to our call for papers was gratifying. We plan to hand out a copy of each complete paper when you arrive and pick up your registration materials. Thanks to each of you for your continuing interest and active participation.

Attached are the details for this year's meeting including the necessary general information, the agendas, and a registration form. Please respond as soon as possible to Chaplain Burt at NDU so we can make the necessary food and housekeeping arrangements. Please give some thought to the theme you would like for next year's conference.

I am anxious to be with you again and look forward to another stimulating session on issues of interest to us all.

Sincerely

MALHAM M. WAKIN, Colonel, USAF
Chairman, JSCOPE Executive Board

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1. General Information
 2. Agenda
 3. Registration Form
 4. Mailing List Update

ETHICS OF MILITARY INTERVENTION

JSCOPE XV
28-29 JANUARY 1993

A JOINT SERVICES CONFERENCE ON PROFESSIONAL ETHICS

presented by

THE NATIONAL DEFENSE UNIVERSITY

General Information

1. **PURPOSE:** To explore a number of issues in military ethics by discussing the papers prepared to foster that exploration. Also to share materials and information about programs for teaching military ethics.
2. **SPONSOR:** National Defense University, Fort Lesley J. McNair, Washington, D.C.
3. **LOCAL ARRANGEMENTS CONTACT:** Chaplain, Capt Michael F Burt (or Ms McTigue), National Defense University-NDU-CS-CH, Ft McNair, Washington, D.C. 20319-6000; DSN: 667-9430/9431; Commercial Phone: 202-287-9430/9431.
4. **PROGRAM CHAIR:** Colonel Mal Wakin, HQ USAFA/DFPFA, USAF Academy, Colorado 80840-5701; Autovon 259- 4070; Commercial Phone 719-472-4070.
5. **TIME:** Begins at 0800, 28 January 1993 and ends at 1500, 29 January.
6. **PLACE:** All conference sessions except the dinner and address on Thursday evening will be held in the DeWitt Auditorium of Theodore Roosevelt Hall (National War College).
7. **FINANCES:** Each conferee will have to pay for lodging, meals, and travel to and from Washington, D.C. Please note that orders should be written for Washington, D.C., not for Ft McNair because of difficulties with statements of non-availability. Those conferees who desire to attend the JSCOPE dinner on Thursday evening will be asked to pay an additional \$20.00 which includes the \$2.50 registration fee for the conference. Those not attending the dinner will pay the \$2.50 registration fee upon arrival at the conference.