# ETHICS *in* OPERATION

Defence Ethics Program
Programme d'Éthique de la Défense

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## OPENING ADDRESS

## LAW, ETHICS AND PSYCHOLOGY PERSPECTIVES

## OPERATIONS PERSPECTIVE:  STRATEGIC OVERVIEW

## MEDIA PERSPECTIVE

## UN/NGO PERSPECTIVE

*Major-General Keith G. Penney*
*Chief Review Services*

**CRS Remarks**

**Ethics Conference Introduction**

Welcome. I know this is a busy time for all and I appreciate that you have taken the time to join us for two days for what we hope will be a <u>broad</u> look at the ethical issues which today's military operations present. We will be looking at the issues from the viewpoints of a wide variety of stakeholders.

The initial emphasis of our ethics program, some five years ago, was the protection of resources. However, over the past few years the dialogue in ethics sessions has focused more on the ethical dilemmas related to operations than strictly the protection of resources. Our peacekeeping survey last year revealed that cultural differences, aspects of roe, and the stress or trauma situations present our deployed personnel with challenging dilemmas. These dilemmas can have both an immediate and sometimes long-term effect on our personnel and the institution. We believe it to be a worthwhile investment to focus our activities this year on the operational environment.

In addition to the survey we have conducted a variety of focus groups as well as visited personnel in all three environments, primarily within the various theatres of operation. Col Maillet will be sharing the results of these sessions with you later today. New initiatives and though that we might want to delay the conference until our work was developed further. Decided against delays because there is a need to increase the dialogue around the issue of ethics in operations.

What are we trying to achieve over the next few days?

- A better understanding of the ethical issues which today's operational missions present.

- Open and frank dialogue of the issues and sharing of ideas.

- Framing of suggestions to improve our ability to deal with ethical challenges in future operations.

**Format**

- Presentations, then table discussion, followed by comments and questions

- Unclassified forum but respect privileged platform for speakers

- Respect privacy (no cases under review)

- I realize that some of the issues tabled and comments made will be controversial.  There are no easy solutions and indeed no clear right and wrong answers in many cases.  I would simply ask that we respect each other's right to contribute.

At the conclusion of the conference we will consolidate your suggestions for improvement and feedback the highlights to you.  But primarily this conference is about awareness and sharing of information.

**Why are these two days important?**

- Because it is about us
- About the environment more of our people are living in.
- About life and death issues
- About how we are coping and how we can do better in the future.

We have many educate, experienced and dedicated speakers who are eager to present their views.  To make the most of these two days I encourage you to debate the issues at your table and to engage our presenters with your questions.  The more interaction the more learning.

Included in your conference package you will find administrative details.

# DAY 1
## OPENING REMARKS
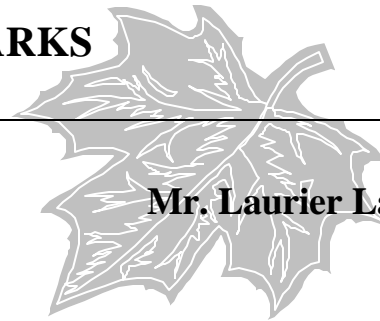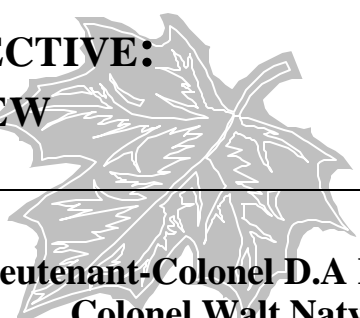
**Mr. Laurier Lapierre**

*Mr. Laurier Lapierre*
*Chairman of the board, Telefilm*

*"The Canadian Ethical Imperatives"*

# OPERATIONS PERSPECTIVE:
## FIELD OVERVIEW

**Lieutenant-Colonel D.A Fraser**
**Colonel Walt Natynczyk**
**Colonel Dwight Davies**
**Captain(N) Jacques Gauvin**
**Padre Robert Lauder**

# 1. Lieutenant-Colonel David Fraser

## "Reflections on Command, the Ethical Challenges"



REFLECTIONS ON COMMAND
THE ETHICAL CHALLENGES

LCol David Fraser

*Always do right. This will gratify some people, and astonish the rest.*
**Mark Twain**
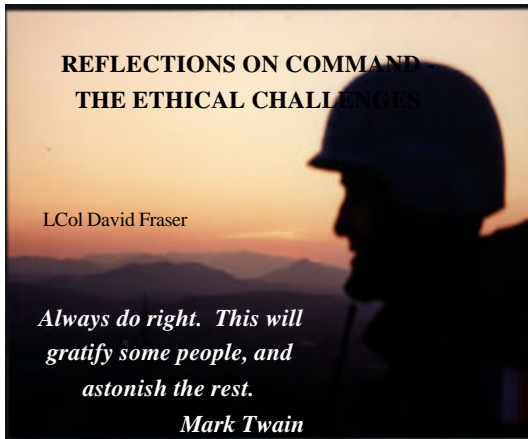


THE ENVIRONMENT

- Climate of uncertainty
- time constraints
- inevitability of confusion and disorder
- control of subordinates
- different cultures, and values



AIM

- Describe the role of ethics during my command with 2PPCLI both in garrison and on operations.



SCOPE

- the environment
- command style
- challenges
- reflections

## COMMAND STYLE

- Meaningful, purposeful, objective oriented
- intelligence, integrity, vision
- communication
- treat soldiers like soldiers

## COMMAND STYLE ( cont)

- devolution of responsibility
- discipline
- teamwork
- honesty, integrity
- loyalty
- accountability
- balance

## CHALLENGES

- To drink or not to drink?
- Loyal to yourself or the organization ?

*I cannot trust a man to control others who cannot control himself.*

*General Robert E. Lee*

## REFLECTIONS

- Positive
- Negative
- What to do differently?
- Advice

## 2. *Colonel Walt Natynczyk*
### *Chief of Staff J3 Operations*

3. *Colonel Dwight Davies*
*3 Wing Commander Bagotville*

*"Ethics in Action, an Air Commander's View"*

## Ethics in Action

### An Air Commander's View

by Col D.A. Davies

## Overflight

- "The Estimate"
- A Practical Guide
- Ethics in Action
- Wrap

## "The Estimate"

- Task: prep estimate to deploy aircraft
- Process: team of experts
- Mission:
  - Threats
  - Unfamiliar procedures
  - Terrain
  - Weather

## "The Estimate"

- Estimate: Strongly recommend NO
- Air Force wants to send
  - Want estimate to recommend SEND
- NOW WHAT DO YOU DO!!

## A Practical Guide

- My Presentation :
  – Not a theoretical discussion
  – Practical approach
- Practical ETHICS :
  – Deciding to do a "Right" thing, despite pressures to do otherwise
- Inherently "Right" things
- Press to test

## A Practical Guide

- Ethics versus orders, rules and regs
  – Obey orders, rules, regs pretty good
  – events not covered, situations not forseen
- "Obey orders" is inadequate
- Touchstone:
  – a test or criterion for determining genuiness or value

## A Practical Guide

- Ethical Touchstone:
  – "can I sleep comfortably with this decision"
- Give it best shot, choose a "right" thing
  – personnal risk, courage

## Ethics in Action:1

- Pilot planning Guide
  – ROE, SPINS, multitude of pubs
  – essential for effective planning of msn
  – Must be approved by DCDS
- Resubmitted weeks prior to combat
  – despite repeated requests: no approval
- Orders: NOT ISSUE WITHOUT APPL

## Ethics in Action:1

- Two Days to combat
  - Pilots must train with the pub
  - Essential to their safety and effectiveness
  - No approval
- WHAT DO YOU DO?? "Press to test"
  - Follow orders = risk to your pilots = ethical?
  - Remember touchstone!

## Ethics in Action:1

- My decision:
  - ISSUE PILOT GUIDES
  - Inform DCDS of action taken /rationale
- Follow orders is legal, but is it ethical?
  - withhold essential tools and thus increase risk to pilots flying combat missions.
- Immediate approval then granted

## Ethics in Action: 2

- Urosevac Barracks: Legal military target



## Ethics in Action:2

- Same barracks, days later

## Ethics in Action:2

- Strategic: "Increasing Airstrikes Daily"
- Operational: No new targets app'd
- Tactical: Risk pilots lives to bounce the rubble ,"Urosevac Beach"
- Personally: within one day of refuse further missions
- Remember the touchstone

## "The Estimate"

- Changed estimate?
- Refused to change?
- My reaction
- Follow on events

## Conclusion

- Follow orders pretty good guide
- When feel the "press to test"
  - remember the touchstone
  - choose to do a "right thing"
  - sleep better!

## 4. *Captain(N) Jacques Gauvin*
### *Special Project Office to the CMS on Naval Readiness and Sustainment*

*"Ethics from the Pointy End"*

## ETHICS IN OPERATIONS:

- PEOPLE ARE EMPOWERED TO CHALLENGE
- THEY MUST BE ENGAGED IN THE DECISION PROCESS
- MID DEPLOYMENT DIVERSION RESULTING IN STRESS

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## ETHICS IN OPERATIONS:

- ETHICS OF INTERVENTION VS RIGHTS OF SOVEREIGN NATION

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## ETHICS IN OPERATIONS:

- ETHICS OF INTERVENTION VS RIGHTS OF SOVEREIGN NATION
- RULES OF ENGAGEMENT - NATIONAL DISCREPANCIES

7

## ETHICS IN OPERATIONS:

- ETHICS OF INTERVENTION VS RIGHTS OF SOVEREIGN NATION
- RULES OF ENGAGEMENT - NATIONAL DISCREPANCIES
- INDIVIDUAL ACTION VS SHIP ACTION

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HMCS ATHABASKAN
OPALLIED/DETERMINED FORCE
JUNE 1999
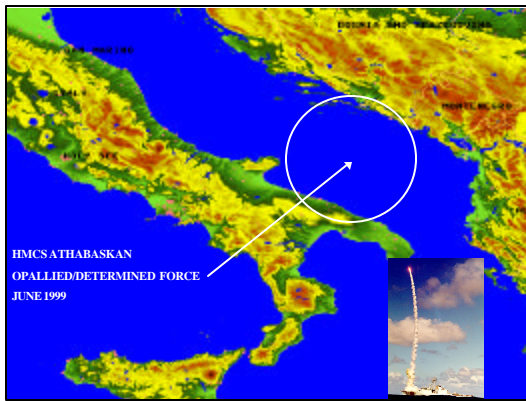
ETHICS IN OPERATIONS:

- INSENSITIVITY OF OVER-THE-HORIZON ENGAGEMENTS

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ETHICS IN OPERATIONS:

- INSENSITIVITY OF OVER-THE-HORIZON ENGAGEMENTS
- TIMELY NATIONAL POLICY ON REFUGEES

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ETHICS IN OPERATIONS:

- INSENSITIVITY OF OVER-THE-HORIZON ENGAGEMENTS
- TIMELY NATIONAL POLICY ON REFUGEES
- IRAN-IRAQ WAR, THE FRENCH EXPERIENCE

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ETHICS IN OPERATIONS:

- YOUR CONSCIENCE WILL POINT THE WAY

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## 5.  Captain R.A. Lauder
## MARLANT Chaplains Team

*"And Love Your Neighbour as Yourself"*

*"Effective soldiers, sailors and airmen are ethical soldiers, sailors and airmen. Courage, good judgement, truthfulness and self-control are incompatible with cruelty and brutality".*  We have come a long way in the last four millennia, since the Hittites attacked Egypt, paying their huge armies with rights of plunder.  I am reminded of the Old Testament story of the Israelites entering the Promised Land, and God expressing anger that not all of their opponents were killed as directed.  In contrast, we Canadians have come to be very proud of our high ethical standards.  We delight in sharing of our abundance with those less fortunate.   We like to believe that we are what Jesus would call "good trees bearing good fruit".  Yet the reality is never as simple as our expressed good wishes.  We are challenged to suggest better ways of dealing with ethical questions regarding operations.  I propose that common instruction, leadership by example and open communication are the three keys.  I have been moved be a careful reading if the Ethics and Operations Project Interim Report.  I cannot help but go back to Bosnia last September when every step, even on roadside gravel, seemed a gift, and people returning home could not walk on their lawns.  I remember people's faces as we mourned our second death, and tried not to think what disasters awaited on hairpin winter turns through the hills.  I recall too well conversations with sailors this year who

hold their breath when even seaweed is spotted floating past their ship, whose lives were changed forever by SWISSAIR Flight 111 recovery efforts.  Our hearts go out to all involved with the Egyptian disaster.  I winced at a film clip of a well in East Timor, and prayed that no Canadians would be asked to haul out those body parts.  I am relieved but saddened to know that the Halifax Operational Behavioural Sciences Centre was swamped with clients in its first three weeks of operation.  Many Canadians who joined the Forces to serve their country are finding their view of life to be profoundly altered.

Many continue to claim no confidence that their leaders are looking out for them.  Some just decide to look after themselves, believing that no one else will do so.  In small group discussions on ethical dilemmas, I am often shocked to find that no one sees the dilemma, or that "not getting caught" equals "innocence".  I think of the verse in James which reads, "*Behold, the ships also, though they are so great and are driven by strong winds, are still directed by a very small rudder...*".  We cannot assume that we all share a common moral standard, for we do not.  There is a clear need for elementary ethical instruction at all levels, to provide us all with a common vocabulary on moral issues.  There is a clear need for leadership to be seen out front guiding the way with a firm hand on the tiller.

I find the Trilemma Model to be intriguing, -this idea that law, ethics and psychology are constantly struggling to inform our moral choices in the changing environment of fear, trauma, weather, remoteness, family, career and commitment. When I see "law" I read "legal imperative" and I think of a Code and simple obedience. This compares well to the ten commandments – "thou shalt" or " thou shalt not".

Is this not Kohlberg's early stage of moral development where compliance depends on punishment? The second point of the triangle is psychology, for which I read "social imperative". Here we are informed by our family of origin, our friends and by reason. Is not "social identification" the middle stage in Kohlberg's model? We act based on social values. The third point is ethics, the "moral imperative". Principles are the operative factor here, not a code. This equates to the statement of Jesus in Luke that to "Love God" and to "Love your neighbour as yourself" is to summarize the Law and the Prophets. Surely this suggests the highest levels of Kohlberg's moral development. It is easy to see how the features of law, psychology and ethics would need to be constantly adjusted to maintain a healthy balance, and how direct orders or social pressures could seem to outweigh the moral imperative and result in an unfortunate decision. I challenge others to take a closer look at the Trilemma Model.

Chaplains play a unique role in operations, and have the potential to significantly affect ethical decisions. When a chaplain deploys operationally, they immediately begin to cultivate relationships internally, externally and laterally. A few minutes spent looking at these lines of influence may enhance their usefulness to the command structure. Chaplains tend to be see as a non-threatening presence, and quickly get to know the members of the unit internally. Chaplains also tend to cultivate relationships laterally with colleagues in other units, both in the area of operations and at home. Ties to other chaplains in the field can be very useful, as are internal relationships, which are based on a different kind of authority. But perhaps the most useful ties which a chaplain develops are the external ones – to members of the local communities in which the unit is deployed. Chaplains respond to civilian social issues and encourage the participation of others. Some recent examples are "Boots for Bosnia", shoe box gifts for impoverished children are the active support of two schools and an orphanage, all in an operations area. Through these relationships, the chaplain is educated in any competing cultural values, and ethical advice to Commanders can be offered based on this information. It is significant to note that when the military and the Non-Governmental Organizations finally withdraw, it is connections to the community through these social and physical structures which remain as a testimony. *"Do nothing from selfishness or empty conceit, but with humility of mind let each of you regard one another as more important than himself; do not merely look out for your own personal interests, but also for the interests of others"*. Philippians 2:3-4.

It is in this context that I base my recommendations for action. The first need to be met is basic education. Everyone assumes that they carry with them the means of ethical decision-making, but even the most cursory discussion soon hits a vacuum. Once this is recognized, I have found CF members to be hungry for moral "tools". I recommend that an elementary, common means of ethical instruction be incorporated into the training cycle of every unit, with the goal of making moral reasoning as common an everyday activity as tying our shoes. The result of this program would not only be an increased awareness of ethical risks in operations, but would also cultivate better management of ethical issues.

The second recommendation is to strongly encourage visible leadership by example. The exercise of due diligence to protect a subordinate may be normal, but it must be transparent and recognized to motivate. Leaders must actively seek a speedy and supportive resolution to all concerns regarding their people, the mission, the military or the country. Junior members of the CF must be consistently reassured of respectful support.

The third recommendation is open communication through all rank levels. All members must have access to mission risk factors and be granted the opportunity to commit to the mandate. If concerns are raised, they must be quickly and appropriately addressed. All must have involvement in the active reduction of risks, and be assured that they will receive excellent care if they become a casualty.

In conclusion, there is no doubt that we want to be ethical people. We just do not know how. Military members must be given the tools, the examples, and the voice in order to function ethically in operations. Ethical discussion must become a normal part of life. Informed and ethically motivated leaders must be seen to be leading in order to inspire confidence and dedication. All must have a voice in the expression of ethical concerns in a safe environment. When these goals are achieved, then we shall be living up to our own expectations and those of all Canadians. Then we shall truly love our neighbours as ourselves.

Thank You.

# MEDICAL ETHICS PANEL THEME: "THE MISSION AND MEDICAL ETHICS: IS THERE A CONFLICT"

**Colonel Sharon Hnatiuk**
**Lieutenant-Colonel Hilary Jaeger**
**Dr. John Williams**
**Colonel Michael Capstick**

## *1. Colonel Sharon Hnatiuk*
### *Moderator, Special Advisor, ADM(HR-Mil)*

## 2.  Lieutenant-Colonel Hilary Jaeger
## Canadian and Staff College

### *"Military Physicians:  Living a Dilemma"*

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**MILITARY PHYSICIANS:**

LIVING A DILEMMA

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**OUTLINE**

- **HIERARCHIES OF OBLIGATION**
- **ARENAS OF CONFLICT**
- **POLICY CHANGES**
- **OPTIONS FOR DEALING WITH CONFLICTING OBLIGATIONS**

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**HIERARCHY OF OBLIGATIONS - TRADITIONAL MILITARY**

- **Mission comes first**
- **Group cohesion and morale second**
- **Individual well being third**

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**HIERARCHY OF OBLIGATIONS - CANADIAN SOCIETY (?)**

- **Individual Rights  -  most important**
- **Interest Groups - close behind**
- **Mission?  What a quaint, almost Victorian, concept ...**

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## THE CO

- Definitely lives in the Military world
- Is held responsible for many things but primarily for accomplishment of the mission
- Individual well being is important, but primarily because of that individual's place in the unit and their contribution to mission success.

## THE MO

- Works for the CO
- Has a responsibility to uphold the ethics of the profession
- Has a responsibility to conform to CF policies
- As a CF officer, is also concerned with 'MISSION'

## ARENAS OF CONFLICT

- Sick Leave and Light Duties
- Confidentiality
- Right to Refuse Treatment
- Universality of Service
- Ambiguity/Uncertainty/Change

## RECENT POLICY CHANGES

- Delegated Medical Acts
- Approval of Sick Leave and Light Duties
- Release of Medical Information

## OPTIONS FOR COPING

- Educate MOs and Commanders to analyse the conflicts they experience
- Reinforce to members the unique demands of military service
- Revert to the 'good old days'
- Status Quo
- Ethical model matching orientation of BOTH Commanders and Medical Officers to the Spectrum of Conflict - Spelled out in policy!

## MATCHING OBLIGATIONS TO THE SPECTRUM OF CONFLICT

- In wartime, the mission comes first
- In garrison, the individual comes first - to a point. There remains a point beyond which deference to the rights of an individual is incompatible with maintenance of a disciplined military force
- In OOTW, ???

## AND NOW FOR SOMEONE COMPLETELY DIFFERENT...
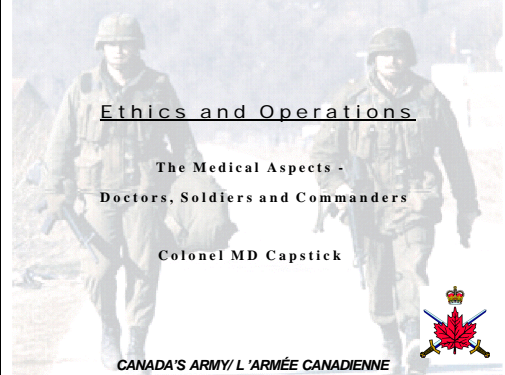
### 3. Doctor John Williams
### Canadian Medical Association Director of Ethics

*"Medical Ethics and the Military Physician"*

## *4. Colonel Michael Capstick*
## *Director of Land Personnel*

### *"The Medical Aspects-Doctors, Soldiers and Commanders"*
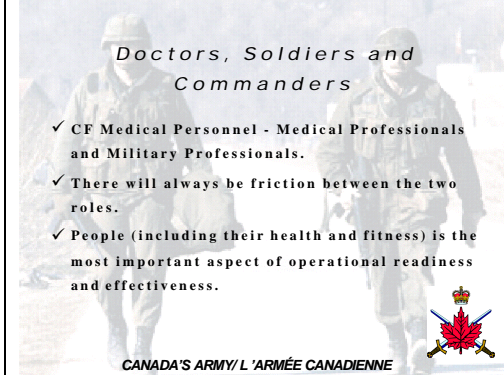


Ethics and Operations

The Medical Aspects -
Doctors, Soldiers and Commanders

Colonel MD Capstick

CANADA'S ARMY/ L 'ARMÉE CANADIENNE
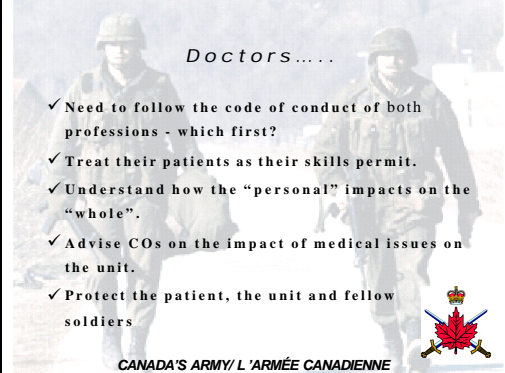


Doctors, Soldiers and Commanders

✓ CF Medical Personnel - Medical Professionals and Military Professionals.
✓ There will always be friction between the two roles.
✓ People (including their health and fitness) is the most important aspect of operational readiness and effectiveness.

CANADA'S ARMY/ L 'ARMÉE CANADIENNE



Doctors…..

✓ Need to follow the code of conduct of both professions - which first?
✓ Treat their patients as their skills permit.
✓ Understand how the "personal" impacts on the "whole".
✓ Advise COs on the impact of medical issues on the unit.
✓ Protect the patient, the unit and fellow soldiers

CANADA'S ARMY/ L 'ARMÉE CANADIENNE



Commanders...

✓ Must protect the confidentiality of medical advice/information.
✓ Insist on open communications with MO.
✓ Know the state of health of the soldiers and how problems impact on OPRED.
✓ Ensure that a medical situation does not place other soldiers at risk.

CANADA'S ARMY/ L 'ARMÉE CANADIENNE

## Commanders (Cont'd)...

✓ Insist that soldiers follow medical direction and treatment - for their own well-being.

✓ Provide support for ill/injured soldiers and their families.

✓ Challenge pers policies that seem arbritrary or unfair.

✓ Remember - The CO, not the MO, is responsible for health and fitness.

*CANADA'S ARMY/ L 'ARMÉE CANADIENNE*

## Soldiers….

✓ Need to maintain level of fitness.

✓ Report illness/injuries.

✓ Follow medical orders/advice to get well.

✓ Ensure that illness/injury does not place fellow soldiers at risk by keeping chain of command informed.

*CANADA'S ARMY/ L 'ARMÉE CANADIENNE*

## Conclusion

✓ Co-operation is essential.

✓ COs need information to exercise their responsibilities and perform their duty.

✓ MOs need to know that the CO is willing to do what needs to be done.

✓ Mos/CFMS - Quality and Continuity of Care

✓ Each soldier must report and follow med dir

*CANADA'S ARMY/ L 'ARMÉE CANADIENNE*

# ETHICS AND OPERATIONS PROJECT RESULTS

**Colonel Paul Maillet**
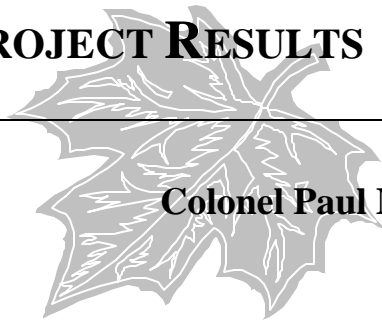
*Colonel Paul Maillet*
*Director of Defence Ethics*

**"All DND wanted was to hire a soldier, but inside the soldier suit, they got a human being, with a variety of needs and many with a family to support.**

**"Balancing operational effectiveness, with the ethic of care and respect for people, is the challenge of the current rights-based social revolution."**

*ETHICS AND OPERATIONS PROJECT*

AIM:

- To better deal with the ethical issues associated with operations.

BACKGROUND:

- EAB sub-committee formed.
- Ethics and Peacekeeping survey.  1998.  Case for action.
- Pearson Peacekeeping Center Symposium in Cornwallis on ethics and peacekeeping. 1998.

WORKSHOPS (1999):

- Law, Ethics and Psychology workshop in Defence Community
- Project workshop with Dept of Philosophy University of Ottawa
- Army Ethics and operations workshops     - Bosnia
- Air Force Ethics and operations workshops - Cold Lake
- Navy Ethics and operations workshops      - Halifax
- Senior Level Interviews

LINES OF INQUIRY:

- What are the ethical issues and concerns?
- How do we make ethical decisions in operations?
- What do we do well? What could we do better?
- Awareness, dialogue and to practice moral reasoning.

FOLLOW-UP:

- Visit to Lessons Learned Center in Kingston.
- Liaison with US JSCOPE and UK Sandhurst efforts.
- Solicitation of Papers and background research.
- 1999 Defence Conference Theme: Ethics and Operations
- Collection of all above reports, papers and proceedings. Will result is the publication of general principles on the subject in the Defence Ethics Handbook
- DEP assistance to environments in development and implementation of tailored approaches.

## *THE CHALLENGE*

*To integrate the imperatives of:*

- *Societal and individual ethics, law and psychology*

*Within the interaction of:*

- *Individual values, ethics and moral development*

- *Situational moral intensity*

- *The organizational ethical climate.*

### *The Ethical Dilemma*

*DEFINITION:*

- *"Right vs right" situation.*

*TYPES:*

- *The Uncertainty dilemma:        The right thing to do is not clear.*

- *The Competing Values dilemma: Two or more values are in conflict.*

- *The Harm Dilemma:        All options cause injury or harm.*

*DEALING WITH DILEMMAS:*

- *"The moral sense of the reasonable person in a deliberative process.*

*STRATEGIES:*

- *Rules and laws, Consequences, Duty of Care, Virtues and values*

### *A General Approach to Moral Development*

### COMPLIANCE MOTIVATION

Act on basis of rewards and punishment, immediate self-interest, equal exchange.

### IDENTIFICATION MOTIVATION

Act on basis of expectations of peers, or those close to you, or society, ie, to uphold laws or rules.

### PRINCIPLES MOTIVATION

Act on basis of rights and values, on universal principles, such as justice and care.

ISSUE: When laws or peers violate principles, individuals motivated by principles will act in accordance with principles.

PROPONENTS: Kelman (compliance, identification, internalization), Kohlberg (pre conventional, conventional, post conventional stages), Bandura (experience, role models), Hoffman (empathy, parental and nurturing influences), Gilligan (care not justice as a supreme value) and others.

### *AN APPROACH TO OBLIGATIONS*

- *CUT-OFF FOR HEROISM*

  *Action which could not normally be demanded or expected in a moral situation. Situations having the potential for extraordinary harm or sacrifice to the agent.*

- ***ROBUST ZONE OF MORAL REQUIREMENT***

  ***The area of moral obligations that are of particular importance or concern to the individual or organization involved.***

- ***CUT-OFF FOR TRIVIALITY***

  ***A group of actions of small consequence, which would overload the zone of moral requirement.***

## THE MORAL REQUIREMENT TO ACT

### Is it really your problem?

- *Need?*

- *Proximity?*

- *Capability?*

- *Last Resort?*

### Duty vs Care

*You are on a peacekeeping mission in a foreign country, war breaks out. You are under strict orders to retreat, and not intervene in the fighting, as delicate peace talks are underway to affect a ceasefire.*

*You and your unit are moving quickly as you have a long ways to go and safety is a big concern. You happen to blunder into a small unit battle between the belligerent factions. Civilians are caught in the crossfire and taking deliberate casualties from one side. To save these people would require strong and immediate use of deadly force, which you have at hand. You survey the terrain and note an easy and safe escape route for your unit.*

*Your orders, the desire to help, the safety of your soldiers and yourself and strong emotions about the cruelty of one side of the conflict, becomes a hot issue among your troops, who are pressing you to intervene.*

### What would you do?

## *The Trilemma*

# LAW

# ETHICS

*Environmental Factors*

*Doing the Right Thing!*

"Respecting the rule of law"
To regulate social affairs.
values
Embodied in laws and regulations

"Respecting ethical imperatives"
Rules, consequences, care,

Embodied in organizational values

OBEDIENCE TO ORDERS
PUNISHMENT MECHANISM
REQUIREMENT
"MANIFESTLY ILLEGAL" DEFENCE

CUTOFF FOR HEROISM
ZONE OF MORAL

CUTOFF FOR TRIVIALITY

## PSYCHOLOGY

"Respecting psychological influences"
"Individual differences, beliefs, pre-dispositions"
Moral development

Encourages

Compliance (Rewards/Punishment)

Encourages

Social Identification

Internal Principles

**OUTCOME OF THE STRESS AND CHOICES ON THE PERSON**

| **Criminal** | **Morally Corrupt** | **Stress Casualty** | **Cynic** | **Morally Functional** |

**OUTCOME ON TASK OR ORGANIZATION**

*Positive or negative effects*

### *THE PSYCHOLOGICAL CASUALTY*
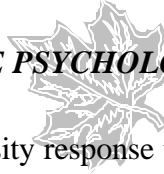
- CASUALTY: Low level or high intensity response to stress, trauma, threat, danger, etc, that interferes with well being or performance. Compounded by helplessness, anger, etc.

- PTSD: Post traumatic stress disorder. The extreme case, the result of stressors that are beyond normal range of human experience.. An anxiety disorder which can make a person physically sick, and dysfunctional.

- THE CAUSES : Individual differences and predispositions, High environmental stressors, trauma or a series of stressful events.

- THE WARNING SIGNS AND THE SYMPTOMS: Various, but may include: guilt, memory loss, flashback, sleep disorders, headaches, nightmares, emotional instability, high blood pressure, increased drug use, marital difficulties, depression, isolation, despair, etc

- ACTION: If you are stressed, talk to your superiors. If you notice it in others, be willing to listen and talk out the situation. Remove yourself or the individual from the stressors, if possible. Seek medical help.

- TREATMENT: Individualized therapy, anti-depressant drugs.

- ORGANIZATIONAL SUPPORT: Provide pre-deployment awareness, Reduce or manage the stressors, be vigilant, take prompt action when symptoms occur.

**Selected issues:**

- **Cultural differences, our ability to respect Canadian cultural norms abroad.**

- **How to maintain impartiality in difficult missions.**

- **How to handle issues of bribery, facilitation payments, inappropriate gifts.**

- **How to deal with corruption, misconduct, abuse of authority .**

- **Dealing with War criminals and human rights abuse.**

- **Difficult Rules of Engagement, mission, mandates, policies that create ethical dilemmas.**

**Recommendations:**

- **Better ethical management of own forces.**

- **Ability to better apply Canadian values abroad.**

- **Improve ethical norms among participating nations. Clearer expectations, avenues for moral voice, better compliance mechanisms, etc.**

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- The mandate, mission, ROE and expectations must be achievable. Should not create ethical dilemmas for those in the field.

- Senior awareness of problems caused by the mandate, which includes political leadership.

- Greater flexibility regarding the application of rules.

- The rule of law was affirmed, but also an element of discretion within its proper application.

- Acknowledge that judgement, rules and values influence tough decisions. Confidence and support from the leadership and the institution.

- Disclosure, dialogue and communication necessary for resolution of issues.

- A proactive method, an institutional process, to identify and deal with ethical dilemmas quickly and efficiently.

- Acknowledge social change and that lower ranks are more likely to question the way things are done, and expect explanations.

- Integration of ethics into all training. Training to improve decision-making in ambiguous areas.

- Training to include stress coping, not just symptom relief. Must better deal with feelings of helplessness, frustration, anger and impotence. Institutional support critical, as is long-term care.

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- Must recognize that the trilemma produces considerable stress on an individual, and dealing with the well-being of the individual and the mission is a complex issue that involves a multi level approach,

- That the department takes reasonable care to minimize its role in creating ethical dilemmas for our soldiers.

- That the individual has sufficient flexibility and personal power to exercise moral judgement;

- That PTSD management involves the identification and reduction of stressors, and the consideration of individual differences.

- That "effective soldiers are ethical soldiers". True courage, good judgement, truthfulness and self control, that fosters trust, and obedience were espoused as being incompatible with cruelty and brutality. The need to cultivate habits, by practicing virtue through the reference to the deeds of virtuous people, and the avoidance of dehumanizing our soldiers or the enemy, were suggested as a means of inculcating virtues.

- That Canada and the UN are increasingly aware that diversity, gender sensitivity and gender issues, besides being an issue of rights, also bring advantages to the function of peacekeeping.

## *ETHICS AND OPERATIONS*
## *SENIOR OFFICER ISSUES*

### *MORAL:*

- *Ethics of intervention vs rights of sovereignty.*

- *Military action in support of humanitarian operations.*

- *Ethics of use of force, causing harm, taking casualties, collateral damage.*

- *Due diligence and national accountability, ie, the Chinese embassy bombing.*

*VOICE:*

- *Media and public right to know vs op security vs care of personnel.*

- *Expressing difficult military voice to government*

- *"Can do" attitudes vs resource or capability limitations.*

*OTHER:*

- *Ethics of mission and care of personnel vs moral authority to command.*

- *Increasing role of legal community in operations.*

- *Dealing with assumptions of opponents as smarter, more ruthless, and playing with a different rule set.*

- *Reliance on technology (Iranian airbus incident), the function of intuition, tactical decisions vice ethics.*

### *ETHICS AND OPERATIONS COMMON ENVIRONMENTAL ISSUES*

- Just cause communication; The clarity of the "just cause" not universal.

- Media impact; Powerful impact of instant criticism.

- Trauma and stress issues.

- Well being and family issues; Long tours, confinement, long work hours, little free time

- Health issues: Toxic substances, disease, and other health risks.

- Diversity and gender issues

- Risk management: High workloads, capability or equipment limitations

- Unit formation issues

- Denial issues

*UNIQUE ENVIRONMENTAL ISSUES*

ARMY: Dealing with belligerent factions, Impartiality, Crime and corruption, war criminals, Mine threat, Alcohol limitations, Reservist issues.

AIR FORCE: Fighter ops Collateral damage, Pilot Independent judgement and support, Logistics and technical support,, trade issues, Unit formation and sustainment, Helicopter detachment ops.

NAVY: Humanitarian disaster response, Sea time and workload, Operational predictability, Career issues, Piracy in foreign waters.

*Ethics and Operations*
*ENVIRONMENTAL WORKSHOPS*

**COMMON REASONING PROCESSES:**

- Care based: "everyone goes home", people come first, prevent harm, take care of yourself.

- Rules based: Follow the ROE, the orders. The legal process in mission activities (airforce). Obey orders number one. We are not thinkers, but doers, whether we disagree or not.

- Consequence based: Mission comes first. "To get the job done". "Make the jets fly". Depends on the situation. Take the greatest chance for survival.

- Value based: Do my duty. "To feel morally justified". Do what is right. Respect and honesty - both ways. The less harm solution.

- Other: Use common sense. Exercise voice if possible. Experience.

**COMMON ENABLERS:**

- Pride and mission as peacekeepers

- Humanitarian assistance

- Professional challenges

- The work environment, camaraderie

- Cultural exposure and adventure

- Recognition

**ETHICS AND OPERATIONS
GENERAL PRINCIPLES**

- *OBLIGATION: The outcome of ethical dilemmas and trauma in operational theatres is recognized as a serious concern. The exercise of due diligence to mitigate any possible negative effects on the well-being of the soldier, the success of the mission, or the image of the CF or Canada, is acknowledged as a strong obligation,*

- *AWARENESS: The ethical and legal expectations and risks in operations, and possible outcomes and options, must be very clear to all participating CF members and supporting senior staffs.*

- *ETHICS MANAGEMENT: The management and handling of ethical issues should be founded on principles of appropriate training, open communication and dialogue, safe disclosure, respect, compliance and prompt institutional support.*

- *STRESS MANAGEMENT: The issues of environmental stressors, ethics, law and psychology, and in particular the worst case outcome, the PTSD casualty, must be dealt with in all phases of an operational deployment.*

- *FLEXIBILITY: Army, navy and air force environmental approaches to ethics should be flexible and tailored to fit the unique risks and the specific operational mission environments involved.*

**ETHICS AND OPERATIONS
IMPLEMENTATION APPROACH**

PRE-DEPLOYMENT PHASE:

- Mandate/ROE issues
- Ethics Risk identification
- Risk Mitigation
- Ethical Decision Making
- Ethics Voice and disclosure mechanisms
- Review ethics/care issues, PTSD awareness
- Ethics awareness and training

DEPLOYMENT PHASE:

- Handling Casework. HQ assistance issues
- Voice and dialogue
- Ethic of care: PTSD handling, Well being issues
- On site Support: psychology, legal, chaplain, MP/NIS, ethics expertise, conflict management skills?

POST DEPLOYMENT PHASE:

- Ethical issue review. Action outstanding?
- Ethic of care issues: PTSD concerns?
- Learning: What to pass on to others?

**Ethics and Operations**

- *Are we headed in the right direction with our proposed operational management principles?*

- *Are we missing anything?*

- *What suggestions or comments would you like to make on how we can better handle ethics in operations?*

# PAPERS AND PRESENTATIONS

**Major (retired) The Reverend Arthur Gans**
**Allan English, RMC**
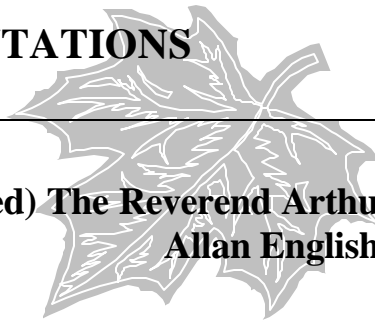
## *Major (retired) The Reverend Arthur Gans*

## *"Sovereignty or Humanity: Effects of International Humanitarian Law on Leadership"*

*Padre Arthur Gans has served in both the United States Army and the Canadian Forces. He is an internationally recognized student of Military Professional Ethics, who has delived papers at both the Joint Services Conference on Professional Ethics and the Canadian Defence Ethics Conference. Padre Gans has lectured at College Militaire Royale, the Royal Military College and the Canadian Forces Command and Staff College. He is a member of the Joint Services Conference on Professional Ethics and the Association for Applied and Practical Ethics. He has written articles, commentary and reviews for the Canadian Defence Quarterty as well as developing materials for the teaching of military ethics. He holds the degree of Master of Theology with first class honours in Ethics from the Toronto School of Theology and Regis College. Padre Gans is semi-retired and living in Winfield, British Columbia.*

When I began writing this paper NATO was 'in the midst of a bombing campaign 'in the former Yugoslavia. Now NATO troops are engaged in a major peacemaking/peacekeeping mission in Kosovo, trying to prevent further ethnic violence from occurring. But it is important to realize that the origin of this meditation on the problems of leadership is found initially in the bombing campaign and is even more emphasized in the present peacemaking/peacekeeping campaign.

In the various legal commentaries on the NATO intervention in Yugoslavia a major fracture can be seen. On the one hand there are those who support the importance of sovereignty as the central idea in International Humanitarian Law. There is good reason for this position dating back to the Treaty of Westphalia in 1648. Briefly stated, from a layperson's point of view, the idea of sovereignty is surnmed up by saying that no one has the right to tell the sovereign what they may do within their sovereign borders. The classic result of this idea is that as long as a nation did its actions within its own borders, the international community, no matter how distressed it might be, would not interfere. Civil wars or other forms of insurrection were dealt with by the country involved and it alone, regardless of "world opinion." I think it is fair to say that until 1945 this idea was nearly universally held, and it is, at least 'in part, a fundamental base of the Charter of the United Nations.

On the other hand, however, there is another idea which is almost as old, but which has been much more recently defined. This idea I have called "Humanity," in part to keep it in a similar word form to the former idea of "sovereignty." Humanity takes its origin from a number of places, not the least being the constitutions, both written and unwritten, of Great Britain, the

United States of America and France. As far back as Magna Charta in 1215 one can find the beginnings of this idea, but it was made explicit in some of the later constitutional writings in Great Britain and both specific and explicit in such documents as the Declaration of Independence, the U.S. Constitution, and the French Declaration of the Rights of Man. These documents put forward the idea that there was something essential in human beings that held the category of "inalienable rights." These rights defined human beings, and, although it took some major time to develop, it was these ideas that eventually brought about the abolition of slavery, the demand for equal rights for women and for minority groups, and so forth.

In the aftermath of World War Two, and in particular, the aftermath of the attempted genocide of the Jewish population of Europe, two documents directly bearing on the idea of "Humanity" were published. The first was the Universal Declaration of Human Rights published and signed by the United Nations 'in 1948. The second was the addition to the body of international humanitarian law of a treaty outlawing genocide and requiring the contracting powers to combat genocide with military force if necessary.

In the after-math of World War Two a great split occurred between the allied nations that had fought 'in Europe. The European continent was divided and two military alliances developed, the North Atlantic Treaty Organization and the Warsaw Pact. NATO developed out of the Western European-North American experience. It became, if you will, the military arm of another movement which was going on at the same time in the economic world, the unification of the economies of Europe into the European Alliance. With the end of the Union of Soviet Socialist Republics and the disintegration of the Warsaw Pact headed by the U.S.S.R., NATO was left as the defacto primary military power on the European contmient. Although many people do not recognize it, NATO is more than a military organization. It has had, from its beg' i g a fundamental philosophical purpose that relates to the question of human rights. One of its founding principles was "Never Again." "Never Again" would western Europe allow the kind of action that took place during the Nazi regime to take place. Genocide was not to be permitted. The U.N. Treaty against Genocide was one element in this, but far more important were the feelings of the Europeans themselves, the people who had lived through the transporting of millions to death and slave labour concentration camps.

Following the death of Marshall Tito, who had governed Yugoslavia since the end of World War Two, the Federated Republics of Yugoslavia began a process of separating into the former ethnically based communities that had existed in their earlier history and been eliminated, first by the Austro-Hungarian Empire and latterly by the power of Marshall Tito. Croatia and Slovenia were the first to go, and with the benefit of hindsight, we should have suspected that the departure would not be a friendly one. Serbia, by far the largest of the former national groups, had, during the past forty-plus years controlled the military of the unified state. They had also had a strong say in all governmental policies. The national army was used to oppose the departure of Slovenia and Croatia and some "ethnic cleansing" took place during this period in the early nineties, particularly in the Krajina region of Croatia. The United Nations intervened in

this area as peacekeepers.' At about the same time problems were also beginning in Bosnia and a U.N. Force was put in there as well.' These forces, and others that followed them conducted their operations under a U.N. mandate and under rules of engagement that were, 'in many ways, quite similar to those that had been drawn up for many previous U.N. operations. When you read the books that I have cited however, you may come to the conclusion which I have, that these rules, drawn up with the idea of sovereignty in mind, may not be adequate for the types of situations which were being encountered by those forces.

Both the Rules of Engagement and the Table of Organization and Equipment of the UN Forces were drafted with the idea that the troops going would not be engaged in combat. They were "peacekeepers." Their job was to prevent combat operations and their weapons were designated as purely defensive, This follows what one might call traditional U.N. policy in these operations, believing in a best case scenario rather than preparing for a worst case one. The problem was that no one told the opposing forces that and they used whatever forces and weapons that were available to them. The result was that the U.N Troops often found themselves on the receiving end of heavy fire designed to push them back and allow for one or the other side to gain a military advantage. This was particularly true in Krajina and in places like Srebenica.

But this paper is not intended as a history lesson on the present Balkan war. It is to look at what I believe is a major problem, if not the major problem facing Canadian troops in this kind of operation. It is to look at the leadership problem that exists in such operations and at the possible results when that leadership problem is not addressed. To do this I believe we must examine both the psychology of Canadians and the problems of international law and rules of engagement.

In previous generations it may not be so, but Canadians of the present generation have been raised with a strong sense of human rights. Some might even suggest that that sense is overdeveloped. No longer will Canadians docilely accept being pushed around, not even by their own government, as the APEC hearings in Vancouver have shown. Our young people have been and are being raised with a basic sense of human rights that is quite well developed, and not even military training can or will remove that. Such training may allow a soldier to accept some treatment that his civilian brother or sister might not but it will not change his or her fundamental requirement for justice. One could say that this is Canadian Psychology 10 1. It is basic to who we are as a people.

One only has to see how Canadians in general respond to various emergencies around the world to understand this. Whether it is taking in refugees, or responding to a natural disaster, or our pride in our participation in United Nations and other organizations peacekeeping operations, we have a basic sense of ourselves as a people who expect others to be treated fairly and justly, with respect for their persons. I do not think that by saying this I am saying anything new. But it does affect how the soldiers, sailors and airmen that you lead will respond to their experiences in combat or near combat. If you have followed the newspapers, and particularly the opinion

sections of those papers over the past few months, since NATO began its operations in the former Yugoslavia, you would have seen some very strong arguments made by a number of commentators concerning the validity of NATO's actions. One example was a column in the Globe and Mail of 18 May by Professor Irwin Cottler of McGill.

> *"Indeed, several recent NATO bombing attacks have arguably violated the basic principles of international humanitarian law, and haven't been validated by the horrific crimes of MrMilosovic or the legality of humanitarian intervention to stop them. As Mary Robinson, the United Nations Commissioner for Human Rights, recently put it: "In the NATO bombing ... large numbers of civilians have been incontestably killed, [and] civilian installations targeted on the basis that they are or could be of military applications."* [3]

Dr. Cottler is quite right 'in pointing out this problem. Where the problem lies is 'in the fact that 'in the aftermath of World War Two, the codes of international law were not rewritten to deal with the problems of air warfare. The codes we have at present cover only two of the three elements, the land and the sea. Aerial warfare has its own particular sets of problems concerning target identification which are quite different from those of the land element. What this failure has done is to, perforce, require the application of land standards, where, for example, targeting can be much more exact, to a different form of warfare entirely.

But let us not forget, in the rush to judgement, that international humanitarian law does have a place for soldiers, sailors, yes, and even airmen. International law does not demand the impossible of those who serve their country in military forces. It does have provision for legitimate mistakes and for a concept of military necessity. It does allow for the fact that in human activity, mistakes will be made, and if a mistake is made, it is not culpable unless there was a deliberate intention to commit that action. It is for this reason that I think that most of the instances of civilian casualties and damage during the present NATO action are licit under the present codes of international law. I do not for a moment think that any pilot 'in NATO has deliberately selected a wrong target has deliberately gone out of his way to bomb civilians or civilian installations. Even the stupidity of the Chinese Embassy bombing was not the fault of those delivering the ordinance but rather of a cumulative error on the part of those who ordered the targeting. The drafters of the military sections of international law were well aware of the possibility of mistakes in the mess that is combat.

The problems of this NATO action however, go beyond the question of bombing and the mistakes that might be made. Many of the people that are opposed to this action do so on the basis that it violates or violated Yugoslavian sovereignty. If one follows a Westphallian definition of legitimate military action, they are right. But if one accepts that there are some actions of governments which cannot and should not be tolerated, then the action is justified. The kind of "ethnic cleansing" ordered by the Government of Yugoslavia in its province of Kosovo is such an action. It was the selection of one group of people to be targeted solely on the

basis of their ethnic and religious background to be removed from an area 'in which they had lived for hundreds of years.  The fact that the Yugoslavian Security Forces also used ethnic cleansing to eliminate a large proportion of the male population of military age, and engaged in rape and theft merely adds to the enormity of the situation.  All of the actions engaged in by these forces during this campaign of ethnic cleansing are specifically prohibited under a number of sections of international law, a fact that Dr Cottler recognizes early 'in his article.

> *The problem for leadership in such a situation is that the effect of accusations of war chimes against members of the Canadian Forces can have a serious effect on both overall morale and combat effectiveness.  And although specific actions may be unintentional, the law of unintentional consequences is always operational in military action.  We have known at least since the strategic bombing surveys conducted after World War Two that air power, in and of itself, is not a weapon of perfect accuracy.  And even the advent of so-called "smart" weaponry cannot eliminate either "the fog of war" nor unintentional consequences.  One of the reasons I have specifically challenged certain statements made by national church bodies on Just War theory is that most such statements are made from a point of view that has no experience in warfare and assumes a kind of perfection.  Such statements can cause members of the Forces to take actions they might otherwise not have taken.  Canadians, and indeed, many others, do not engage in military action without major cause.  And when leaders of the organizations that many of us look to for guidance in matters of ethics and morality denigrate the reasons and claim that they are illegitimate, it causes some of us to question our actions.*

Much has been made by opponents to the NATO action that the NATO powers and, indeed, the world did little when faced with such situations as Turkey's treatment of the Kurds, or the Rwandan genocide.  In some ways they are correct.  Certainly whatever actions that were taken in these cases were extremely limited.  But we know that at least some Canadians were involved in the Rwandan situation and we also know that the commander's requests were unfortunately not responded to positively by the U.N.  Headquarters.  It is partly because of that experience that I believe NATO has taken the position it has in regards to Kosovo.

With all of this as background, I finally come to the advice part of this paper.  It really has two parts, one political and the other military.  Let me look at them 'in order.

Canada is intensely proud of its record in peacekeeping and it should be.  But I believe that the time has come when Canada can no longer simply respond "Ready, aye Ready" when someone, whether it be the United Nations, NATO, or the United States issues a call for participation.  We need to select our Missions carefully to be within the capability of our Forces, and to be within our own moral code.  To ask Canadian soldiers to basically function as witnesses to genocide as they did in Rwanda and to some extent 'in Bosnia and Croatia is to ask them to do something which is dangerous to their overall health and fitness.  If they must be sent

into such situations, the rules of engagement must permit them to take appropriate action to end the genocide and the Tables of Organization and Equipment must provide them with the kinds of equipment needed to ensure their ability to survive. It must be remembered also that being engaged 'in a Just cause is part of what makes those Canadian soldiers such good peacekeepers.

These are basic political decisions, made by the cabinet. But the cabinet's advice comes from the professional military people 'in high ranks. That means that those senior military leaders must be willing, even at the cost of their careers, to say to the cabinet "This decision is wrong." The essential difference between a professional and a bureaucrat is the fact that the professional makes his or her decision on the basis of the right or wrong of it not on the basis of the political expediency of it. Canadian military people have the right to expect their senior leaders to make these decisions in this way as they have done in the past. There are ample precedents in the history of both the army and the navy for this. We often speak of "responsible government" in Canada. In the military, responsible government ought to mean that the leadership takes responsibility for the decisions it makes, even if that responsibility means that one must resign.[4]

Beyond the selection of mission which is largely a political matter, senior military leaders must insist upon proper equipment for combat sustainability for Canadian Forces employed in combat and near combat missions. Let us be perfectly clear about this. The missions that are likely to be given in the future are not traditional peacekeeping missions such as Cyprus became. They are far more likely to be serious near combat and combat missions where peacekeepers will be directly and indirectly under fire. Cabinet must be brought to understand that the cost of the failure to properly equip Canadian troops in the kinds of situations that they have been asked to go 'in recent years is 'bodybags." Combat is an inherently dangerous occupation, but combat against modem forces in less than modem equipment is, frankly, foolish. And no matter how highly skilled our soldiers are, without equipment that is up to the standards of those that they face, they are handicapped. Let's also be realistic and recognize that with our small force we cannot afford to reinvent the wheel. We probably will have to buy much, if not most, of our equipment "off the shelf' from other countries whose defence establishments are large enough to allow them the R&D capability.
But first line equipment is necessary for troops that are going in "harms way." And our professional leadership should not stand for less than the best if we are going to ask men and women to put their lives on the line for Canada.

The final area I would like to mention is the question of Post Traumatic Stress Disorder. Back 'in the dim, dark days of the past we called it "shell shock," or sometimes, "LMF [Lack of moral fibre]." Today we call it Post Traumatic Stress Disorder, and we know that it comes when the human mind is no longer able to process the images that it is receiving. It comes to police, to firemen, and often to soldiers, sailors and airmen. It is as a result of massive overload of the body and mind, to the point where there is a breakdown. One of the kinds of things that can cause it is a major discontinuity between what you believe and what you see and participate in.

This is why it is often found in combat and near combat situations. Human beings according to some recent studies, do not naturally kill their fellow humans. It is a learned behaviour. Depending upon the behaviours, particularly moral behaviours, learned before one learns to kill, the mental conflict can be very extreme.' In severe cases of PTSD the results can be total disability. As someone who worked in some Veteran's Hospitals at one point, I have seen the results. It is for this reason that I regard the choices made by senior leadership on these matters to be so serious.

One of Canada's historians wrote a book the subtitle of which was "The military history of an unmilitary people." Canadians are an unmilitary people. They do not go out looking for a fight. But they do very well when they have become 'involved. It is because we are an unmilitary people that historically we have often found ourselves less than prepared. But being unmilitary should not mean that we send our men and women into battle with less than the best equipment we can provide. It should not mean that we accept Missions that are beyond our capabilities with rules of engagement that demand of Canadian soldiers that they ignore conduct that is absolutely repellant to them and to our society. And unmilitary as we are, we should expect our government to ensure that the missions given to our sons and daughters truly contribute to Canada's position and well-being.

*Endnotes*

1. For some of the story of Canadian participation in this action see S. Taylor & B. Nolan: *Tested Mettle: Canada's Peacekeepers at War* [Ottawa, Esprit de Corps Books, 1998] and J.R. Davis, *The Sharp End: A Canadian Soldier's Story* [Vancouver, Douglas & McIntyre, 1997]

2. Some of the story of this force is told by L. MacKenzie: *Peacekeeper: The Road to Sarajevo* [Vancouver, Douglas & McIntyre, 1993]. See also J.R. Davis, op.cit.

3. "Is NATO within the laws of war when it bombs civilians?" Irwin Cottler [Globe & Mail, 18 May 1999, p. A17]

4. I know the cost of "falling on one's sword." I resigned my commission in the United States Army with 16 years of service over the issue of the area bombing of the cities of Hanoi and Haiphong, and the fact that the two largest medical centres 'in the country were 'in the nuiddle of the target area.

5. Dr. David Grossman, a psychologist recently retired from the U.S. Army, has written an article summarizing his work in this area. It is found in Christianity Todily Volume 42, Number 9, dated 10 August 1998, pp 30-39. Its title is "Trained to Kill"

*Allan English, RMC*

*"Historical and Contemporary Interpretations of
Combat Stress Reaction"*

**Introduction**

The recognition that stress affects those who are called upon to serve their people in combat is almost as old as recorded history. The leaders of the ancient Israelites exempted from their armies those who were about to be married, those who had just built a house, or those who had just planted a vineyard. These people were temporarily excused from combat because their leaders understood that such people would probably feel the effects of the stress of battle more acutely than their comrades. In addition, the Israelites knew that fear could be contagious, and the officers of their army were directed to speak to their soldiers thus: "What man is there that is fearful and fainthearted? let him go and return to his house, lest his brethren's heart faint as well as his heart."[1]

This paper has been written to give members of the Board of Inquiry - Croatia some historical background to contemporary interpretations of stress and the results of stress caused by exposure to combat or intensive operations, commonly referred to as Combat Stress Reaction (CSR).[2] By examining certain themes, such as symptoms, diagnosis, and treatment; noncombat stress; reactions of soldiers to stress; and the reactions of society and health care professionals to CSR, it will be demonstrated that interpretations of CSR have varied over time based on such factors as the nature of the combat environment, attitudes of society towards psychological illness, and the attitudes of health care professionals and researchers towards stress-induced illnesses. This poses problems for those trying to distinguish between environmental (or physical) causes and stress-related causes for symptoms exhibited by those who have been exposed to combat on intensive operations.

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[1] Deuteronomy, Chapter 20, verses 5-8, King James Version.

[2] Combat Stress Reaction (CSR) has been described in a number of different ways. In this essay I shall use the definition most often used in the psychological literature (see note 3 below) and common in the Canadian Forces. In civilian clinical terms, CSR could be diagnosed as either Post Traumatic Stress Disorder or Acute Stress Disorder depending on how long the symptoms take to appear and how long they persist. For a more complete explanation see American Psychiatric Association [APA], *Diagnostic and Statistical Manual of Mental Disorders*, Fourth Edition, (Washington, DC: APA, 1994), 424-31.

There are a number of definitions of CSR, but the most comprehensive definition, and the one that accounts for the most non-physical casualties is: "all soldiers who negotiate evacuation with a reason other than being hit by a direct enemy projectile or explosive are CSR casualties."[3] Since the Board is primarily concerned with the effects of CSR in land warfare, this discussion is restricted to the evolution of CSR in that element.

## Symptoms, Diagnosis and Treatment

The earliest antecedent to CSR in the medical literature can be found in an article by Johannes Hofer published in 1678. He described a disease that afflicted Swiss mercenaries serving in France who exhibited various symptoms described as: dejection, continuing melancholy, incessant thinking of home, disturbed sleep or insomnia, weakness, loss of appetite, anxiety, cardiac palpitation, stupor and fever. Unless the soldiers could be returned home they sometimes died or went mad. Hofer's clear description of these cases led to the acceptance of "nostalgia," based on the most conspicuous symptom, by the medical profession as a recognizable disease of soldiers serving far from their homes. By the 19th century many physicians, believing that symptoms of nostalgia were caused by pathological changes in patients' internal organs, noted alterations in the brain and other structures after death when none existed because, for the most part, they were grappling with problems beyond their capacity to solve.[4] Nevertheless, the diagnosis of "nostalgia" was widely accepted until the First World War, when dramatic changes took place in the diagnosis and treatment of non-physical battle casualties.

At first those who could not cope with mental strain of combat in the British and Canadian armies were categorized as suffering from hysteria, a disease believed to be caused by a lack of will power, laziness, or moral depravity.[5] Casualties were treated as they would have been in a civilian clinical setting. They were evacuated to Britain where, given "rest and sympathy," some had their symptoms disappear, but most ended up institutionalized and became chronic cases.[6] These losses took their toll on both armies but became critical when, after the

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[3] Shabtai Noy,."Combat Stress Reactions," in *Handbook of Military Psychology*, Reuven Gal and A. David Mangelsdorff, eds. (Chichester: John Wiley, 1991), 508.

[4] George Rosen, "Nostalgia: a 'Forgotten' Psychological Disorder,"*Psychological Medicine* 5 (1975), 340-54.

[5] Michael J. Clark, "The Rejection of Psychological Approaches to Mental Disorder in Late Nineteenth-Century British Psychiatry," in *Madhouses, Mad-Doctors, and Madmen,* Andrew Scull, ed. (London: Athlone, 1981), 293-7.

[6] Sidney I. Schwab, "The War Neuroses as Physiologic Conversions," *Archives of Neurology and Psychiatry* 1 (1919), 593; and Arthur F. Hurst, "Hysteria in Light of the War Experience," *Archives of Neurology and Psychiatry* 2 (1919), 565.

first battle of the Somme in July 1916, "several thousand soldiers" had to be withdrawn from battle due to nervous disorders; many of these were permanently lost to the military. A new treatment regime was quickly instituted that by 1918 had evolved to the point where it was very similar to the present-day treatment for CSR near the front line, emphasizing the principles of immediacy, proximity, and expectancy. However, according to Lieutenant-Colonel Colin Russel, a leading Canadian neurologist, those who were evacuated to Britain and Canada were subjected to a variety of treatments aimed at "persuading" them to return to the front or to become productive members of society. The treatments ranged from forceful counselling to electric shocks administered to those less willing to be convinced by words.[7]

These treatments were based on a paradoxical theory of the illness that existed at the time. One the one hand, since the discovery in the late 19th century of bacteria as the cause of many diseases, a new ideology swept the scientific community and the medical profession that held that almost all human afflictions had physical causes. On the other hand, many physicians at the turn of the century believed that any mental illness was caused by a lack of control over the baser human instincts, and that it was their duty to help patients overcome their moral lapses to cure any such illness.[8] These two principles were soon applied to those evacuated from combat with no physical wounds because, as a leading British Army psychiatrist in the Second World War put it, society could not countenance "the idea that the *British* soldier or 'hero'" could possibly show "mental" symptoms because they were "shameful evidence of 'moral weakness.'"[9] Instead it was hypothesized that the concussive force of exploding shells had caused physical damage to the nervous systems of sufferers, and, therefore, they had an acceptable reason to be removed from combat. The new diagnosis "shell shock" was used to provide a suitable label for large numbers of soldiers who suffered from some sort of psychological disorder during the First World War. By the end of the war, even though it was admitted that concussive shock did not produce these disorders, many in the medical profession, trained to believe that almost all illnesses had a physical cause, were convinced that these disorders had an as yet undetermined physical origin.[10]

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[7] Colin K. Russel, "War Neurosis," *Archives of Neurology and Psychiatry* 1 (1919), 34-5.

[8] Andrew Scull, "The Social History of Psychiatry in the Victorian Era," in *Madhouses, Mad-Doctors, and Madmen,* Andrew Scull, ed. (London: Athlone, 1981), 25; and Clark, 274, 295, 297, 300.

[9] Robert H. Ahrenfeldt, *Psychiatry in the British Army in the Second World War* (London: Routledge and Kegan Paul, 1958), 6. Emphasis in original.

[10] H.C. Marr, *Psychoses of the War* (London: Henry Frowde, 1919), 46-7.

During the Second World War the symptoms of those with stress-induced illnesses were similar to those seen in 1914-18, but by 1939 attitudes toward what were called neuropsychiatric (NP) disorders[11] in soldiers had changed significantly. But not necessarily for the better, because the treatments given to those with NP symptoms were actually less effective in returning soldiers to combat than those used in 1918. As in the First World War with the rush to mobilize, neither the British nor Canadian armies paid much attention to the selection, especially for psychological fitness, of recruits early in the war. Therefore, many unfit men ended up in uniform.[12] Despite large numbers of men likely to be susceptible to NP problems, the British and Canadian armies seemed to have forgotten the lessons of the First World War and early in the Second World War planned to evacuate NP casualties to the rear for intensive therapy, with its concomitant low return-to-combat rates.[13] Like its British and Canadian allies, the US Army initially identified NP problems as a clinical, or medical, phenomenon due primarily to a personality defect in the soldier, but because of their delayed entry into the war the American armed forces were able to implement a rigorous selection system.[14] Statistics of their Selective Service organization showed that about 40 percent of all inductees were eventually rejected on emotional, psychiatric or behavioural grounds.[15] Working on the assumption that most of those predisposed to psychiatric breakdown in combat had been weeded out, the US Army based their treatment on civilian models of developmental psychology and Freudian psychiatry. These models tended to

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[11] Many terms were used in the Second World War to denote CSR casualties, including "Not Yet Diagnosed (Nervous)," psychoneurosis, anxiety neurosis, and battle stress. Copp and McAndrew, 22. To avoid having soldiers labelled "psycho," in 1943 senior officers in the US Army insisted that the only term "exhaustion" be used for these casualties. Richard Gabriel, *No More Heroes: Madness and Psychiatry in War* (New York: Hill and Wang, 1987), 39-40, 41.

[12] Terry Copp, "The Development of Neuropsychiatry in the Canadian Army Overseas 1939-1943," in *Canadian Health Care and the State,* David C. Naylor, ed.(Montreal and Kingston: McGill-Queen's Univ. Press, 1992), 68.

[13] Terry Copp and Bill McAndrew, *Battle Exhaustion: Soldiers and Psychiatrists in the Canadian Army, 1939-1945* (Montreal and Kingston: McGill-Queen's Univ. Press, 1990), 47.

[14] Shabtai Noy, "Combat Psychiatry: The American and Israeli Experience," in *Contemporary Studies in Combat Psychiatry*, Gregory Belenky, ed. (Westport, CT: Greenwood Press, 1987), 71.

[15] The Selective Service initially rejected 1,686,000 of 5,250,000 inductees (32 percent) for emotional or educational disorders or deficiencies. Between 1942-45 an additional 504,000 were separated on psychiatric or behavioural grounds, bringing the total to almost 42 percent. Gabriel, 9.

ignore the forward treatment found to be so effective by the end of the First World War, and endorsed hospital-based treatment regimes employing long psychotherapy sessions, often preceded by heavy sedation of the patient, focussing on inner change and growth in the patient.[16] The result was similar to the First World War experience, where very few of those treated in rear facilities ever returned to combat. For example, during the US Army's campaigns in North Africa and Sicily, 35 percent of all nonfatal casualties were diagnosed as "psychiatric"; however, because most of them were evacuated 90 miles or more from the front lines for treatment, no more than three percent were ever returned to combat.[17] Despite the preference of many psychiatrists for their usual hospital-based treatment methods, the manpower crisis of the Northwest Europe campaign (1944-45), with combat units suffering an average ratio of 25 percent of casualties classified NP, finally forced the Allied armies to return to the proven forward treatment methods of the First World War.[18]

Based on its Second World War experience, the US Army accepted that after 35 days of sustained combat, 98 percent of soldiers exhibited "adverse psychiatric symptoms." Therefore, during the Korean War US forces were better prepared to deal with NP casualties, which occurred at about the same rate as in the Second World War. The US Army again validated the concept that unit cohesion and morale was one of the key supports that allowed soldiers to deal with combat stress; however, an individual rotation and replacement program often interfered with the maintenance of group cohesion.[19]

The modern Israeli experience mirrors the experience of the Allies in the Second World War. During the catastrophic early days of the Yom Kippur War in October 1973, the Israeli Defence Forces (IDF) reported that CSR casualties comprised 60 percent of total casualties. As Israeli forces regained the upper hand in the conflict, CSR casualties fell to 30 percent of total casualties. During the 1982 Lebanon conflict, early Israeli successes and a conviction that their cause was just meant that the IDF suffered very few CSR casualties. As the IDF's advance became bogged down, and doubts were expressed about the righteousness of the Israeli action, CSR casualties of 23 percent of total casualties were reported.[20] During the Yom Kippur War,

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[16] Noy in "Combat Stress Reactions," 509; and Allan D. English, *The Cream of the Crop: Canadian Aircrew 1939-1945* (Montreal and Kingston: McGill-Queen's University Press, 1996), 68, 69, 74, 79.

[17] Gabriel, 117-18.

[18] Copp and McAndrew, 58, 81, 114,135, 149-50; and Gabriel, 46.

[19] Gabriel, 121.

[20] Stasiu Labuc, "Cultural and Societal Factors in Military Organizations,"in *Handbook of Military Psychology*, Reuven Gal and A. David Mangelsdorff, eds. (Chichester: John Wiley, 1991), 484-5.

the IDF CSR treatment followed a hospital-based civilian developmental psychology model, similar to the one used by the Allies at the beginning of the Second World War, with the same disappointing results in returning soldiers to combat. After the 1973 War, Israeli CSR treatment was based on the more successful doctrine of forward treatment.[21]

Since the Second World War concepts of social psychology have gradually come to prevail in the treatment of CSR. In the armed forces of western countries CSR casualties are explained as primarily a group phenomenon tied to the collapse of the social network of support (e.g., leadership, cohesion, and morale) found in the unit. Unlike some medical models that predominated in the past that equated CSR symptoms with a psychological disorder based on individual weakness, the social psychology model views CSR symptoms as perfectly normal reactions to the collapse of a group support system designed to help the individual survive in combat. Therefore, this approach focusses on restoring the support systems that permit the individual to function effectively in combat.[22]

However, even if group support systems are not optimal, high CSR casualty rates are not inevitable. Despite the practice of individual replacements that disrupted unit cohesion, the Vietnam War produced relatively few CSR casualties in the American Army. A number of explanations have been advanced for this. One is that if all cases of drug and alcohol abuse (which was quite high),[23] psychosis, and "fragging" were reported as CSR, then the CSR rate would have been much higher.[24] Another reason put forward for the low CSR rate is the relatively small number of combat troops in theatre (at its peak of 565,000 the US Army could only muster 88,000 combat troops) meant that, proportionally, not many American soldiers actually came in contact with the enemy. It is revealing that during the set-piece battles of the Tet offensive launched by North Vietnam in 1968, US forces suffered CSR rates that approached the Second World War and Korean War rates.[25]

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[21] It was found that 70 percent of soldiers who received forward treatment were returned to combat, whereas rear-based treatment returned only 16 percent of similar casualties, Noy in "Combat Stress Reactions," 520.

[22] Noy, in "Combat Stress Reactions," 510; and Gregory Belenky, Shabtai Noy, and Zahava Solomon, "Battle Stress, Morale, Cohesion, Combat Effectiveness, Heroism, and Psychiatric Casualties: The Israeli Experience," in *Contemporary Studies in Combat Psychiatry*, Gregory Belenky, ed. (Westport, CT: Greenwood Press, 1987), 18.

[23] Gregory Belenky and Franklin D. Jones, "Combat Psychiatry - An Evolving Field," in *Contemporary Studies in Combat Psychiatry*, Gregory Belenky, ed. (Westport, CT: Greenwood Press, 1987), 4.

[24] Noy in "Combat Stress Reactions," 508-9.

[25] Gabriel, 122.

In the aftermath of the Vietnam War, when large numbers of Vietnam veterans (estimated at between 500,000 and 1,500,000) reported severe stress-related symptoms after returning home, a new disorder appeared in the medical literature - Post-Traumatic Stress Disorder (PTSD).[26] It has been suggested that the rapid release of Vietnam veterans from the service was responsible for this phenomenon, whereas in the Second World War the slow discharge process either diminished or hid symptoms of PTSD.[27] PTSD appears to be a common form of illness among veterans of Low Intensity Conflicts (LICs), due, some believe, to the highly personal nature of the violence, the uncertainty and ambiguity as to who is a combatant, the necessity of limiting aggressive action, and feelings of guilt over the inability to intervene effectively. Therefore, the prevention and treatment of CSR casualties from LICs may be more complex than treating those from mid- or high-intensity conflicts.[28]

**Noncombat Stress**

When the Korean war settled into a stalemate, the US maintained large forces in the country, nevertheless soldiers were still in a hostile environment deprived of many of the comforts of home. Despite the lack of combat, US forces continued to experience relatively high numbers of "psychiatric casualties." The old symptoms of "nostalgia" reappeared, including secondary reactions of frostbite, alcohol abuse, and complaints of lower back pain and general malaise. A similar situation seems to have existed during the Vietnam War because, with most American soldiers employed in non-combat jobs, the majority of "psychiatric casualties" were of the nostalgia variety, now termed "disorders of loneliness."[29]

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[26] Gabriel, 123; and Noy in "Combat Stress Reactions," 516.

[27] Noy in "Combat Stress Reactions," 509.

[28] Belenky and Jones, "Combat Psychiatry - An Evolving Field," 5; and Belenky and Jones, "Conclusions: The Future of Combat Psychiatry,"in *Contemporary Studies in Combat Psychiatry*, Gregory Belenky, ed. (Westport, CT: Greenwood Press, 1987), 254.

[29] Gabriel, 120-1, 122. Another indicator that something was wrong is found in the statistic that in 1985 among the 14,000 men stationed in Korea no fewer than 12,000 cases of sexually transmitted diseases (STD) were reported.

A study by the Walter Reed Army Institute of Research of a US battalion deployed in the Sinai in 1982 with the multinational force and observers (MFO) noted that the lack of action and the defensive posture of the peacekeeping mission was potentially more stressful than active operations for elite troops. The study concluded that the health of the battalion was worse in theatre than it had been in the US, and that a number of physical illnesses were probably a result of psychosocial stress.[30]

The experience of Canadian peacekeepers since 1947 has been consistent with those of the US MFO battalion. A recent study concluded that those going on peacekeeping missions needed to be carefully screened to avoid taking those who could not cope with the stress of the mission; that maintenance of cohesion and morale in theatre requires more attention; and that while improvements have been made to the personnel support system there is still dissatisfaction among those surveyed with the support they have received.[31]

Researchers in the field Noncombat Stress have concluded that a great deal of study still needs to be conducted in this area. However, it appears that, as with combat stress, high levels of unit cohesion and morale assist soldiers in withstanding operational stress, and that post-deployment stress-related illness should be expected.[32]

**Reactions of Soldiers to Combat Stress**

Prior to the First World War, the most common reaction to the stress of campaigns and battles was desertion. Sometimes it reached "epidemic proportions," as occurred in some campaigns of the French Revolutionary armies at the end of the 18th century, and the Union and Confederate Armies during the American Civil War. For example, Lee's hard pressed Army of Northern Virginia had lost about 20 percent of its effective strength to "stragglers" before the battle at Antietam (1862) and it was reported that among "the thousands of stragglers were a considerable number of men who had simply had enough."[33] This was an accepted reaction to the strain of war and the officers of that time accepted that large parts of their armies would leave

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[30] Joseph M. Rothberg, et al., "Illness and Health of the US Battalion in the Sinai MFO Deployment," *Armed Forces and Society* 11, no. 3 (Spring 1985), 413-4, 421-2.

[31] Franklin C. Pinch, "Lessons from Canadian Peacekeeping Experience," unpublished report prepared for DND, November 1994, viii-xiii.

[32] Tomi S. MacDonough, "Noncombat Stress in Soldiers," in *Handbook of Military Psychology*, Reuven Gal and A. David Mangelsdorff, eds. (Chichester: John Wiley, 1991), 548-9; and Pinch, xi, xiv.

[33] Stephen W. Sears, *Landscape Turned Red: The Battle of Antietam* (New York: Popular Library, 1983), 186, 194, 339.

the ranks when the stress of a campaign became too great. In an apparent return to a pre-20th century model, the US armed forces, particularly the army and navy, have reported that desertion rates have increased by up to 50 percent in the last five years. Just as in previous centuries, when there was no great stigma attached to desertion, some of today's youth are reacting to the stress of military service by abandoning their posts.[34]

The pre-20th century attitude towards desertion changed with the static nature of trench warfare and the more efficient staff organizations of the First World War that could now control troop movements more effectively. Faced with the threat of court martial and even execution,[35] many soldiers withdrew mentally from combat and this spawned the diagnosis of "hysteria," later "shell shock," which quickly replaced that of "nostalgia." Instead of physically leaving the trenches, soldiers developed symptoms that had been seen before, like cardiac palpitations and depression, and some new ones, including psychologically-induced paralysis of limbs and deafness, which allowed the medical system to remove them from combat without the stigma, or penalties, attached to desertion. In fact, once the phenomenon of shell shock was described in the British popular press, large numbers of replacement troops reported the symptoms and were evacuated from the theatre of operations before they had even reached the front line or been under fire.[36]

As with the secondary symptoms exhibited by some soldiers in the First World War, the Korean and Vietnam Wars showed that CSR can be indicated by other illnesses (e.g., frostbite,

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[34] "Statistics show that the Army recorded 1,821 deserters in 1996 and 2,438 in 1998. The latest figure is about double the number of deserters recorded five years ago. Most defecting soldiers are in their first three years of service.The Navy reports the number of deserters increased from 1,737 in 1997 to 2,086 this year, a bump up of 20 percent among an enlisted force of 320,000...Desertion is defined as an intent to permanently stay away, while AWOL means the soldier intended to return." Rowan Scarborough, "US Military Hurt by Rise in Deserters,"*The Washington Times* (1 October 1999), http://www.washtimes.com/nation/nation1.html.

[35] British courts-martial convicted 3000 soldiers for cowardice, and of that number 346 were executed. A considerable number were suffering from war-induced mental illness. Ted Boacz, "War Neurosis and Cultural Change in England 1914-22: The Work of the War Office Committee of Enquiry into 'Shell-Shock,'" *Journal of Contemporary History* 24 (1989), 228. Twenty-two of 25 Canadians convicted of desertion were executed in the First World War, and one was executed for cowardice, while many others had their sentences commuted. Desmond Morton, "Military Medicine and State Medicine: Historical Notes on the Canadian Army Medical Corps in the First World War 1914-1919," in *Canadian Health Care and the State,* David C. Naylor, ed. (Montreal and Kingston: McGill-Queen's Univ. Press, 1992), 50.

[36] "Report of the War Office Committee of Enquiry into 'Shell-Shock,'" Cmd 1734, (London: HMSO,1922), 46.

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alcohol and drug abuse, sexually transmitted diseases, and complaints of lower back pain and general malaise), or its symptoms can be delayed and appear as PTSD.

It is now generally accepted in the literature that the symptoms of CSR will vary according to the combat or operational environment. The chief of research for mental health in the IDF, Shabtai Noy, has suggested that intense combat (termed "massed stress") usually results in dramatic psychiatric symptoms (like those seen in the First and Second World Wars), while exposure to intermittent stress (termed "sporadic stress") usually leads to such problems as substance abuse, depression, anxiety, or amnesia and an increase in administrative removals, whereas exposure to relatively low but constant levels of operational stress (termed "intermediate stress") tends to result in evacuations for fatigue and physical illness (vomiting, digestive system disturbances, lack of appetite, diarrhea, and muscular tremors with no readily identifiable cause similar to symptoms associated with nostalgia over 300 years ago).[37]

Noy argues that, being a reaction to trauma, CSR changes over time. This appears to be true because, as we have seen, there is no simple set of CSR symptoms that can be attributed to all wars, and that soldiers who could not cope with the stress often exhibited whatever symptoms would get them out of combat.[38] The mechanism of this behaviour was explained as early as the First World War, and is still accepted by many today, as an inner conflict within those soldiers placed in situations that are perceived to be a threat to their survival. Some of these soldiers, faced with the choice of "fight or flight," will elect "flight." When prevented from physically leaving the combat environment, these soldiers may exhibit genuine clinical symptoms, caused by their subconscious conflict. The symptoms often take the form of those signs that are accepted either by society or the medical profession as bona fide reasons for being removed from the stressful situation. But how society and the medical profession has interpreted these symptoms has varied over time and between cultures.[39]

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[37] Noy in "Combat Stress Reactions," 510, 522.

[38] Gabriel, 41 42-3.

[39] The effects of culture on the interpretation of the symptoms of mental disorders has generated an ongoing debate in the medical profession. Recent articles in the literature show that the debate continues to be lively. See for example, Peter J. Guarnaccia and Lloyd H. Rogler, "Research on Culture-bound Syndromes: New Directions," *The American Journal of Psychiatry* 156, no. 9 (September 1999), 1322-1327; and Gary J Tucker, "Putting DSM-IV in Perspective," *The American Journal of Psychiatry* 155, no. 2 (February 1998),159-161.

**Society and CSR**

The treatment of CSR casualties has changed, sometimes dramatically, in this century, and some of the reasons for these changes will be discussed here. At the beginning of the First World War, the "manly courage" of its soldiers was taken for granted by the Canadian populace and the Canadian Army Medical Corps. Nonetheless, the large number of "shell shock" casualties persuaded Canadian authorities to take a more sympathetic view of those who suffered from "nervous disorders."[40] Free medical care was provided for all returned soldiers for one year after the war, but then it was restricted to pensioners with permanent injury or recurring sickness. The change in Canadian attitudes was slow in coming, however, as shell shock victims were denied pensions, on the advice of Russel and other leading medical professionals, until at least 1925. Eventually two purpose-built veteran's hospitals were constructed for those suffering from mental illnesses, and by 1928 they represented one quarter of all disabled veterans. By the eve of the Second World War that proportion was close to one half.[41] But it was an anathema to many people in Canadian society, who believed that any illness whether shell shock or pneumonia was evidence of personal shortcomings, that thousands of veterans in apparent good physical health should be drawing pensions or receiving free hospital care for a mental illness. Our military pension system's policies, first devised in 1916 on the principle of the rehabilitation of veterans to lead productive lives, reflected this attitude. Based on the experiences of the Americans after their Civil War and the French Army early in the First World War both of which ended up giving generous pensions to thousands of veterans, Canadian pension officials were "generous on paper but tight-fisted in practice." Medical boards and examiners rarely gave full pensions, and by 1920 only 5,000 of 70,000 pensioners had been awarded full disability benefits.[42]

A great deal of research remains to be done on the effect of society's attitudes to the treatment of veterans since the First World War, but the case of American Vietnam veterans and the current Gulf War Syndrome (GWS) controversy indicates that in many cases there is a perception that, like their First World War forebears, recent generations of soldiers are not suffering from any real disease. As a recent Rand Corporation report on GWS put it:

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[40] Morton, 48; and Copp, 69. In the First World War the Canadian army admitted to 15,500 "neuropsychiatric disabilities," of which 9,000 were diagnosed as "shell shock and neurosis."

[41] Morton, 50; and Russel, 36-7. In Britain, two years after Armistice 65,000 ex-servicemen were drawing disability pensions for neurasthenia, and of those 9,000 were still undergoing hospital treatment, Bogacz, 227. Russel was highly critical of the British and French propensity to grant pensions to "war neurosis" cases.

[42] Morton, 50, 56, 57, 59.

The scientific study of stress and its impact on health has made enormous advances in recent years. Unfortunately, these scientific strides have generally not been accompanied by an evolution in popularly held misconceptions about stress. The societal stigma associated with stress as an explanation of poor health and disease has contributed greatly to the politicized environment that sometimes characterizes public discourse concerning the health problems suffered by Gulf War veterans.[43]

**The Health Care Community and CSR**

Changes in society's attitudes towards stress-induced illness has been mirrored in the attitudes of the health care community towards CSR. However, despite the changes over the past one hundred years, interpretations of psychological disorders by physicians and others responsible for the health care of soldiers have followed a number of well-defined paradigms. The significance of physical causes of CSR (and PTSD) often varies according to the background and training of the observers. Even the First World War diagnosis of shell shock was resurrected by Iranian psychiatrists trying to explain the psychological effect of artillery on Iranian soldiers in the Iran-Iraq War (1980-88 ).[44] Recently some toxicologists and experts in environmental medicine have declared that organophosphates can cause both neuropsychological and neuropsychiatric damage that could be responsible for many symptoms of GWS.[45] Others believe that GWS is a "hysteria," based almost exclusively on emotional reactions to stress and similar to the type of mental condition commonly diagnosed by physicians in the late 19th and early 20th centuries.[46] Between these views are a whole range of interpretations that combine the effects of the mind and the environment on physical health.

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[43] "RAND Stress Report," released 21 May 1999, http://www.gulflink.osd.mil/library/randrep/stress/mr1018_4_chap1.html.

[44] Belenky and Jones,"Combat Psychiatry - An Evolving Field," 2.

[45] See for example, Professor Andrew Watterson, Centre for Occupational and Environmental Health, De Montfort University, Leicester, "Letter: Stress did not Cause Gulf War Illnesses," *Independent* (5 August 1997), http://www.elibrary.com/s/edumark/ ; and Laura Beil and George Rodrigue, "Gulf War Illness Genuine, Dallas Researchers Say Neurological Damage Suspected," *The Dallas Morning News*, 9 January1997, p.1A, http://www.elibrary.com/s/edumark/.

[46] Scott Owens, "Gulf War-related Illness, Chronic Fatigue are Modern Hysterias, Author Says," Gannett News Service (12 May 1997), http://www.elibrary.com/s/edumark/.

## Current Interpretations of CSR

Whatever the competing views about how to interpret various possible stress-induced symptoms in soldiers, the concept of CSR that has been accepted by the Canadian and most western armies is summarized in an essay by Noy.

He addresses the difficulty of distinguishing between the physical symptoms of the illness and the psychology of the label of illness, with its attendant social stigma. In practical terms, however, in order to deal with the psychological issues in a normal military setting he describes return to the unit as the essence of an "active coping" CSR treatment regime. This allows the victims to see the manifestations of their trauma as a temporary and normal reaction to an extreme situation. Noy cautions that perceiving post-traumatic reaction as a disease increases the likelihood of soldiers viewing themselves as continuously traumatized or helpless, and this may lead to chronic PTSD. He goes on to say that abreaction (when the victim re-experiences the trauma in dreams, thoughts, images and sensations) is a natural response to the trauma, part of the healing process, and should be encouraged. Noy states that the forward treatment regime now espoused doctrinally by most western armed forces focusses on getting the soldier to function and back to his or her unit again in as short a period of time as possible. This treatment regime assumes that abreaction and social support will be given at the unit level once the soldier returns to duty. Noy concludes by emphasizing that prevention of CSR by selection is generally unsuccessful because no single factor distinguishes a potential CSR casualty from those who do not become casualties and that stress inoculation has limited effectiveness. He reminds us that strength of leadership and unit cohesion are the only factors with "demonstrated merit" in reducing CSR casualties.[47]

The philosophy for the treatment of CSR casualties described above focuses on in-theatre treatment. The issues of post-deployment treatment of potential sufferers are still being debated. But both types of treatment are dependent upon the attitudes of those medical professionals in uniform who are given the responsibility of caring for our soldiers before, during, and after deployments to areas of operations.

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[47] Noy, 517, 519, 520. For a similar view on the selection issue see Gabriel, 8-9. However, other researchers claim that some individuals may have attributes that make them more resistant to stress, for example, Kenneth D. Allred, and Timothy W. Smith "The Hardy Personality: Cognitive and Physiological Responses to Evaluative Threat," *Journal of Personality and Social Psychology* 56, (January 1989), 257-66.

## The Medical Profession and CSR

In the US military a debate has arisen about the adequacy of medical care for their troops when deployed on operations. The debate is based on the difference between "medicine in the military" and "military medicine." According to one argument, medicine as practiced in the military in peacetime resembles health care as managed in a civilian clinical setting, while military medicine is only very distantly related to "medicine in the military."[48] Unlike medicine in the civilian sector, which tends to put the well being of the patient first, military medicine takes a different first principle. Based on the experience of past wars, some commentators see the fundamental goal of military medicine to be the conservation of human resources for military purposes. This implies a return to duty as soon as possible, even if this means likely death or injury for the individual, or, where return to duty is impossible, discharge at the earliest possible moment.[49]

This became a contentious issue in both the First and Second World Wars and could still be troublesome today as illustrated by this statement by a retired US Naval Reserve medical flag officer:

> In the comparative luxury of the Vietnam war, many medical officers were shocked by the occasional need to change the pattern of patient care from that practiced in civilian life. Physicians are generally a rigid, compulsive group, and in many cases the cultural, professional, and emotional shock of having to compromise or modify patient care actually immobilized or rendered unfit the physician suddenly placed in the combat zone.[50]

This issue re-surfaced in the Gulf War when the US Navy estimated that less than 10 percent of its physicians being deployed could treat battle casualties, including the naval infantry of the US Marine Corps, properly.[51] This may also be a problem for the Canadian Forces (CF) as the following extract from current CF Health Services Support (HSS) doctrine illustrates: "HSS must conform to the constraints imposed by the physiology and pathology of the sick and

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[48] Ronald F. Bellamy and Craig H. Llewellyn, "Preventable Casualties: Rommel's Flaw, Slim's Edge," *Army* 40, no. 5 (May 1990), 52-6.

[49] Morton, 55.

[50] Arthur M. Smith, "The Influence of Medicine on Strategy," *Naval War College Review* 41, no. 2 (Spring 1988), 31.

[51] Arthur M. Smith, "Joint Medical Support: Are We Asleep at the Switch*?" Joint Force Quarterly*, no. 8 (Summer 1995), 104.

injured, and be governed by the highest standards of medical and dental practice and ethics. In addition, HSS must conform to operation plans and requirements."[52] The problem comes when the highest standard of medical practice conflicts with operation plans and requirements. In the context of CSR, treatment by those trained in a civilian model of care could be problematic because in dealing with psychological illness, the civilian practitioner usually focuses on the abnormal reactions of patients to normal environments, whereas the military practitioner often treats the normal reactions of service personnel in the abnormal situations of combat or intense operations.

The various frameworks used by the medical profession to interpret stress-induced casualties have a profound influence on the treatment of the individual and the effectiveness of the military force. From a historical perspective, these interpretations have changed, and probably will continue to change, as society's attitudes evolve and as scientific research provides new evidence for competing interpretations of human behaviour in battle.

**Conclusions**

CSR can be a serious problem for military forces. In the past, units engaged in intense combat have suffered CSR casualties amounting to as much as one third, or more, of the entire force.[53] In these cases, CSR casualties have frequently comprised the majority of the total casualties suffered by these units. Overall, US forces lost 504,000 men to "psychiatric collapse" in the Second World War, enough to man 50 combat divisions.[54] In addition, PTSD has been a serious health problem after the soldiers have returned home. Both types of casualty represent a great waste to our society. CSR casualties can be an immediate problem to the commander in the field. However, those who may suffer from the long term effects of stress from operational service represent a loss not only to the armed forces, which must replace experienced and well-trained soldiers, but also to society as a whole, which instead of a productive and contributing member may have to deal with someone who is unable to work and who must depend on social assistance or a pension after his or her military service is concluded. This situation is further complicated by the prejudice that still exists in western societies against anyone suffering from diseases that are believed to have "mental" causes.

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[52] B-GG-005-004/AF-000, "Canadian Forces Operations,"(15 May1997), Chapter 19 Health Services Support, Article 1903, para 2, http://www.dnd.ca/dcds/drs/pubs/cfdoc19_e.htm.

[53] Noy in "Combat Stress Reactions," 508.

[54] Gabriel, 4.

History shows that difficult challenges confront those who try to distinguish between physical and mental causes for illnesses suffered by soldiers whose physical health has been affected after exposure to significant stress in combat or on intensive operations. As we have seen, the interpretation and treatment of the illnesses of those returning from combat or operations varies according to the attitudes of society, health care professionals, and military leaders. The ongoing controversy over GWS demonstrates that these issues are with us in much the same form as in the past. The US Department of Defense has spent $100 million on Gulf War health research since 1994, and while those charged overseeing the research express confidence in the outcome, a recent study of only one chemical agent reveals how complicated these questions can be. This particular study reviewed about 1,000 published investigations on the drug, pyriostigmine bromide (PB), and concluded that exposure to it might produce lingering symptoms years afterwards, but that "This does not imply that it is necessarily a causal factor, only that the possibility cannot be dismissed..." Another $17 million has been allocated to further studies on the effects of PB. [55]

The GWS debate is a clear example that the issues surrounding illnesses that may have been caused by exposure to combat or intense operations are far from resolved. The opinions expressed in the debate run the whole gamut of beliefs about the subject, and most are based on paradigms that have been used in the past to try to explain the various illnesses not directly related to physical injuries that have afflicted soldiers. For those investigating perplexing subjects like CSR, they will continue to encounter many competing explanations based on the paradigms of the experts providing each interpretation. To date, we can only say that no explanation has been generally accepted to account for the precise causes of illnesses that may result from the stress of combat or intense operations. It may be that, like our predecessors, we are still grappling with problems beyond our capacity to solve.

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[55] David Brown, "'Gulf War Syndrome' Study Looks at Nerve Gas Protection," *Washington Post* (19 October 1999), p. A03, http://www.washingtonpost.com/. According to this article, about 697,000 men and women served in the Gulf in 1990 or 1991. The number with chronic symptoms since then is unknown.

# DAY 2
# OPENING ADDRESS

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**Lieutenant-General R.R. Henault**
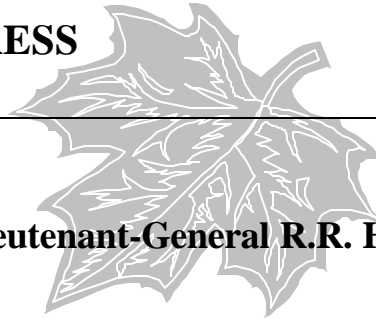
*Lieutenant-General R.R. Henault*
*Deputy Chief of the Defence Staff*

*"Ethics in Operations"*

## INTRODUCTION

➢ GOOD MORNING.  IT IS CERTAINLY A PLEASURE AND AN HONOUR FOR ME TO BE HERE WITH YOU TODAY TO TAKE PART IN WHAT I CONSIDER A VERY IMPORTANT ANNUAL CONFERENCE DEALING WITH ETHICS IN DEFENCE. MESDAMES ET MESSIEURS…

➢ I KNOW THAT YOU ARE ALL FAMILIAR WITH THE STATEMENT ON DEFENCE ETHICS ISSUED BY THE DM AND CDS LAST MARCH.  THE QUALITIES OUTLINED IN THIS STATEMENT – INTEGRITY, LOYALTY, COURAGE, HONESTY, FAIRNESS AND RESPONSIBILITY – ARE A REFLECTION OF THE VALUES OF CANADIAN SOCIETY IN GENERAL.  THE AIM OF THE DEFENCE ETHICS PROGRAM IS TO ENSURE THAT MEMBERS OF THE CF AND EMPLOYEES OF DND PERFORM THEIR DUTIES TO THE HIGHEST ETHICAL STANDARDS.  I CERTAINLY SUPPORT THIS PROGRAM BECAUSE, WITHOUT A DOUBT, IN TODAY'S INCREASINGLY COMPLEX AND FAST-PACED WORLD, WHERE SOCIETY'S VALUES ARE CONSTANTLY CHANGING, THERE IS A NEED MORE THAN EVER FOR A STRUCTURED AND VISIBLE APPROACH TO ETHICS.

## OUTLINE

➢ I AM ESPECIALLY PLEASED WITH THE THEME OF THIS YEAR'S CONFERENCE – ETHICS IN OPERATIONS.  WHY IS IT IMPORTANT THAT WE DISCUSS ETHICS IN OPERATIONS AND WHY NOW?  OVER THE NEXT HALF HOUR, I WILL TRY TO ANSWER THESE QUESTIONS AND WILL REFLECT ON SEVERAL ETHICAL ISSUES THAT WE FACED DURING THE RECENT KOSOVO CRISIS.  JE SAIS QUE VOUS AVEZ ENTENDU DES DISCUSSIONS SUR CE POINT HIER AU NIVEAU OPÉRATIONNEL. JE VAIS DONC ESSAYER D'APPROCHER CES QUESTIONS AU NIVEAU STRATÉGIQUE/QGDN.  ENFIN, JE TENTERAI DE JETER UN COUP D'OEIL SUR L'AVENIR POUR VOIR LES CARACTÉRISTIQUES DE L'ART DE LA GUERRE ET LES DÉFIS D'ÉTHIQUE QUI EN RÉSULTERONT POUR LE 21E SIÈCLE.

## ETHICS IN OPERATIONS – UNIQUE CHALLENGES

➤ IN MY INTRODUCTION, I ASKED TWO QUESTIONS.  THE FIRST WAS WHY THE THEME OF THIS CONFERENCE IS IMPORTANT – THAT IS, ETHICS IN OPERATIONS?  I BEGAN THIS PRESENTATION BY REFLECTING ON THE IMPORTANCE OF THE DEFENCE ETHICS PROGRAM, ESPECIALLY DURING THESE COMPLEX TIMES, TO HELP ENSURE ETHICAL DECISION-MAKING AND INTEGRITY. NOW, I KNOW THAT WE CAN ALL RELATE TO THE ETHICAL DILEMMAS THAT WE HAVE TO FACE IN OUR EVERYDAY LIVES HERE IN CANADA.  SO, IMAGINE THE CHALLENGE FOR OUR MILITARY ELEMENTS IN DEPLOYED OPERATIONS WHO, IN ADDITION TO ETHICAL DEMANDS, ALSO NEED TO BE SENSITIVE TO MANY OTHER ETHICAL CONSIDERATIONS.  TO PROVIDE A FEW EXAMPLES:

- THEY MUST BE AWARE, FOR EXAMPLE, OF HOW CONTACT WITH VARIOUS GROUPS MAY AFFECT POLITICAL AND ECONOMIC RELATIONSHIPS IN THE HOST COUNTRY;
- THERE IS A REQUIREMENT TO BE IMPARTIAL AND FAIR IN DEALINGS WITH ALL PARTIES, SOMETHING THAT IS MUCH EASIER SAID THAN DONE, AS OFTEN THE ACTIONS OF THE PARTIES INVOLVED MAKE IT EXTREMELY DIFFICULT TO BE OBJECTIVE AND UNBIASED.
- THERE IS ALSO A NEED TO BE AWARE OF THE PARTICULAR AGENDAS OF THE VARIOUS PARTIES INVOLVED, WHICH CAN INCLUDE A COMPLEX ARRAY OF PLAYERS, FROM POLITICAL LEADERS AND OTHER MILITARY CONTINGENTS, TO NON-GOVERNMENT ORGANIZATIONS (NGO'S), CONTRACTORS, AND OF COURSE THE PARTIES IN THE CONFLICT;
- IL Y A LE STRESS SUPPLÉMENTAIRE DES OPÉRATIONS DANS DES CONDITIONS TRÈS DIFFICILES, JUSQU'À ET INCLUANT LA GUERRE – CECI PEUT CERTAINEMENT AFFECTER NOTRE CONDUITE ET NOUS FAIRE RÉAGIR DIFFÉREMMENT QUE SI NOUS ÉTIONS DANS DES CIRCONSTANCES MOINS ÉPROUVANTES;
- IL Y A LA TENSION DE TRAVAILLER SOUS DES OFFICIERS PROVENANT DE NATIONS DONT LES NORMES D'ÉTHIQUES PEUVENT ÊTRE DIFFÉRENTES DES NÔTRES; ET
- THESE DAYS, THERE IS A SEEMINGLY UNQUENCHABLE THIRST FOR INFORMATION FROM THE MEDIA, WHERE WE HAVE A RESPONSIBILITY TO PROVIDE INFORMATION, BUT ARE OFTEN IN CONFLICT DUE TO OPERATIONAL SECURITY – I WILL TALK MORE ABOUT THIS LATER;

> THIS IS CERTAINLY NOT AN EXHAUSTIVE LIST AND I AM SURE THAT YOU DISCUSSED MANY OTHERS DURING YESTERDAY'S SESSION, BUT IT IS AN ILLUSTRATION OF THE ADDED ETHICAL CHALLENGES ASSOCIATED WITH DEPLOYED OPERATIONS AND WHY IT IS IMPORTANT TO ADDRESS ETHICS IN THE CONTEXT OF THESE OPERATIONS.

> THE SECOND QUESTION WAS WHY RAISE THIS SUBJECT NOW? WELL, QUITE SIMPLY, BECAUSE THE PACE OF OPERATIONS IS THE HIGHEST IT'S BEEN IN RECENT MEMORY. WE ARE CURRENTLY COMMITTED TO 22 MISSIONS WITH ALMOST 4500 PERSONNEL DEPLOYED WORLDWIDE IN SUPPORT OF BOTH PEACEKEEPING AND PEACE SUPPORT OPERATIONS. THIS MEANS THAT WE HAVE A HIGHER PERCENTAGE OF OUR PERSONNEL WHO ARE BEING FACED WITH THE KIND OF ETHICAL CHALLENGES DESCRIBED ABOVE. IT IS IMPORTANT THAT WE TRY TO BETTER UNDERSTAND THE UNIQUE STRESSES THAT THESE PEOPLE FACE, WHAT THE EFFECTS ON THEM ARE, AND HOW WE CAN BETTER PREPARE THEM FOR IT AND HELP THEM AFTER THEY RETURN HOME. OF COURSE, THAT IS ONE OF THE MAIN REASONS WE ARE ALL HERE TODAY.

## ETHICAL ISSUES

> JE SAIS QUE LE COLONEL MAILLET A PROBABLEMENT ABORDÉ CE SUJET BRIÈVEMENT HIER, MAIS JE VOUDRAIS MAINTENANT PRENDRE QUELQUES MINUTES POUR TOUCHER QUELQUES PROBLÈMES D'ÉTHIQUE QUI ONT ÉTÉ RENCONTRÉS AU NIVEAU STRATÉGIQUE (C'EST-À-DIRE DU QGDN) AU COURS D'OPÉRATIONS. J'EMPLOIERAI LES RÉCENTES OPÉRATIONS AU KOSOVO COMME ARRIÈRE-PLAN MAIS PLUSIEURS DE CES PROBLÈMES S'APPLIQUENT TOUT AUSSI BIEN À NOS AUTRES OPÉRATIONS DE MAINTIEN DE LA PAIX OU SE SOUTIEN À LA PAIX.

## INTERVENTION VERSUS SOVEREIGNTY

> I WOULD LIKE TO START WITH PROBABLY THE MOST OVER-RIDING ETHICAL DILEMMA - THAT IS THE ETHICS OF INTERVENTION VERSUS THE RIGHTS OF SOVEREIGNTY. IF THE PROBLEM IS INTERNAL TO A SOVEREIGN COUNTRY, WHAT PERMITS US TO INTERVENE AND IMPOSE OUR MORALE STANDARDS? WHAT BETTER EXAMPLE OF THIS DILEMMA THAN THE SITUATION DURING THE START OF THE KOSOVO CRISIS.

➢ THE TRUTH IS THAT KOSOVO WAS JUST THE MOST RECENT EXAMPLE OF A DICHOTOMY THAT HAS EXISTED SINCE THE END OF THE COLD WAR. THIS DICHOTOMY LIES IN THE FACT THAT UNDER INTERNATIONAL LAW, THE ETHICAL PRINCIPLES WHICH GUIDE RESPONSE TO INTERNATIONAL CRISES ARE THEMSELVES SOMEWHAT CONTRADICTORY – PROTECTION OF SOVEREIGNTY VS INTERNATIONAL RESPONSIBILITY AND RIGHT TO INTERVENE (CHAPTER 1 VS CHAPTER 7 OF THE UN CHARTER). WHAT HAS BROUGHT THIS ISSUE TO A HEAD IS THAT THE POST-COLD WAR WORLD HAS BEEN CHARACTERISED BY A PROLIFERATION OF ETHNIC STRUGGLE, DISINTEGRATION OF STATES, MANMADE AND NATURAL DISASTERS, AND THE PREVALENCE OF THE INTERNATIONAL MEDIA TO RECORD IT ALL. THE COMBINATION OF PRESSURES TO DO SOMETHING TO RESPOND TO THE HORRORS OF GENOCIDE AND ETHNIC CLEANSING, WAVES OF REFUGEES, AND STARVING MASSES HAS BEEN UNPRECEDENTED.

➢ C'EST AINSI QUE L'ÈRE SUIVANT LA GUERRE FROIDE A EXIGÉ UNE MODIFICATION DE LA NORME ORIGINALE DE NON INTERVENTION OÙ LA SEULE EXCEPTION EMPLOYÉE EST LE GÉNOCIDE. NOW THE INTERNATIONAL COMMUNITY HAS ADDED THE FOLLOWING TO THE *JUSTNESS OF THE CAUSE* : ETHNIC CLEANSING, MASSIVE ABUSE/SUFFERING, AND REFUGEES CREATING INSTABILITY TO NEIGHBOURING STATES. SO IN THE CASE OF KOSOVO, WHEN PRESIDENT MILOSEVIC STARTED EXPELLING THE ETHNIC ALBANIANS FROM THEIR HOMELAND AND COMMITTING ALLEGED ATROCITIES, THE INTERNATIONAL COMMUNITY HAD JUST CAUSE TO INTERVENE ON HUMANITARIAN GROUNDS. AND AS I'M SURE COLONEL MAILLET EXPLAINED YESTERDAY, THIS WAS A CLASSIC RIGHT VERSUS RIGHT ETHICAL DILEMMA (IE THE RIGHT TO RESPECT SOVEREIGNTY COMPETING WITH THE RIGHT TO RELIEVE SUFFERING, OR TO PUT IT ANOTHER WAY, THE HUMANITARIAN IMPERATIVE VERSUS THE NORMAL NEED TO HAVE A UN SANCTION PRIOR TO INTERVENTION). THE GOVERNMENT OF CANADA MADE THE DECISION TO INTERVENE (AS DID ALL NATO NATIONS) AND WAS FULLY PREPARED TO BE ACCOUNTABLE FOR THE CONSEQUENCES.

➢ OF COURSE, I SHOULD ALSO MENTION THAT THERE ARE MANY OTHER CONSIDERATIONS THAT NEED TO BE TAKEN INTO ACCOUNT BEFORE A COURSE OF INTERVENTION IS DECIDED UPON. SOME OF THESE INCLUDE: AUTHORIZATION BY COMPETENT AUTHORITY (IE UN OR NATO – IN THIS CASE NATO); EXHAUSTION OF OTHER MEANS (IN THIS CASE, MONTHS OF NEGOTIATION - RAMBOUILLET); ADHERANCE TO THE INTERNATIONAL LAW OF WAR (GENEVA, THE HAGUE CONVENTIONS AND RULES OF ENGAGEMENT

(ROE)); A REASONABLE EXPECTATION TO DO MORE GOOD THAN HARM; AND A NEED FOR THE INTERVENTION TO HAVE A REASONABLE CHANCE OF SUCCESS.  KOSOVO MET THESE CONDITIONS AND THUS THE DECISION TO PARTICIPATE WAS SOUND.

## USE OF FORCE

➢ UNE AUTRE DES GRANDES QUESTIONS D'ÉTHIQUE AU KOSOVO ET QUI S'APPLIQUE À TOUS LES CONFLITS TOUCHE L'EMPLOI DE LA FORCE – CAUSER DES SOUFFRANCES, FAIRE DES BLESSERS ET BIEN SÛR, CAUSER DES DOMMAGES COLLATÉRAUX.  TECHNOLOGY, SUCH AS THE PRECISION GUIDED MUNITIONS (PGM'S) USED DURING THE KOSOVO AIR CAMPAIGN, HAS MADE IT POSSIBLE TO EXECUTE A VERY PRECISE BOMBING CAMPAIGN, MINIMIZING COLLATERAL DAMAGE.  HOWEVER, ONE OF THE BY-PRODUCTS OF THIS TECHNOLOGY HAS BEEN THE SHIFT IN EXPECTATIONS OF THE PUBLIC.  EVER SINCE THE GULF WAR, WHEN CNN FIRST TRANSMITTED THE DAZZLING CAPABILITIES OF CRUISE MISSILES AND PGM'S INTO THE LIVING ROOMS OF THE WORLD, THE WESTERN PUBLIC HAS COME TO LOOK AT WAR IN A MANNER SIMILAR TO WATCHING LASER SURGERY ON THE LEARNING CHANNEL, WITH AN EXPECTATION OF NO FRIENDLY CASUALTIES OR COLLATERAL DAMAGE.  ALTHOUGH THE END RESULT IN KOSOVO ALMOST MET THIS STANDARD, BEING THE MOST PRECISE BOMBING CAMPAIGN IN HISTORY, THERE  ARE CERTAINLY NO GUARANTEES IN WAR.  ET QUAND LA RÉALITÉ REVIENT, COMME DANS LES QUELQUES CAS OÙ DES ERREURS ONT ÉTÉ COMMISE AU KOSOVO, LE MONDE ENTIER EN PREND CONSCIENCE (ET JE N'AI QU'À MENTIONNER L'AMBASSADE DE CHINE POUR PROUVER MON POINT).

➢ I MUST TELL YOU THOUGH THAT THE HIGH TECH WEAPONRY AND THE PROFESSIONALISM OF THE PILOTS ARE NOT ENOUGH BY THEMSELVES TO HELP ENSURE AN ERROR-FREE CAMPAIGN.  THIS IS WHY DURING THE KOSOVO CRISIS AN ELABORATE TARGETTING PROCESS WAS ESTABLISHED, AND REFINED AS THE AIR CAMPAIGN PROGRESSED.  AMONG OTHER THINGS, THIS PROCESS INCLUDED BOTH A LEGAL AND MORAL EVALUATION OF EACH AND EVERY TARGET, WHERE A MILITARY LAWYER WOULD ASSESS THE TARGET IN TERMS OF THE GENEVA CONVENTIONS GOVERNING THE LAWS OF WAR.  IT WOULD BE CONFIRMED THAT THE TARGET WAS A JUSTIFIABLE MILITARY OBJECTIVE AND THAT ITS VALUE OUTWEIGHED THE POTENTIAL COSTS OF COLLATERAL DAMAGE.  THIS LITMUS TEST WAS DONE BY NATO BEFORE THE TARGETS WERE ASSIGNED, AND, FOR TARGETS ASSIGNED TO

CANADA, IT WAS ALSO REPEATED BY OUR REPRESENTATIVE LEADERS AND LEGAL STAFF IN ITALY (AND THE CHAIN OF COMMAND HERE IN OTTAWA, WHERE NECESSARY) TO ENSURE THAT IT MET <u>OUR</u> LEGAL AND MORAL STANDARDS.

➤ ANOTHER KEY FACTOR THAT MINIMIZED COLLATERAL DAMAGE INCLUDED VERY STRICT RULES OF ENGAGEMENT (ROE) FOR OUR PILOTS. THIS ROE REQUIRED POSITIVE TARGET IDENTIFICATION. THIS MEANT THAT IF A PILOT WAS NOT 100 PERCENT CERTAIN HE HAD IDENTIFIED AND COULD ENGAGE HIS DESIGNATED TARGET, HE WOULD NOT RELEASE HIS WEAPONS – AND THIS HAPPENED <u>MANY</u> TIMES (DUE TO WEATHER AND OTHER REASONS) FOR ALL PARTICIPANTS, INCLUDING OUR CANADIAN PILOTS. ON THE OTHER END OF THE SCALE, WE HELPED PROTECT OUR PILOTS BY MAINTAINING THE ATTACK ALTITUDES ABOVE THE RANGE OF THE MAJORITY OF THE SERB AIR DEFENCES. THIS AGAIN WAS A VERY CONSCIOUS DECISION, TAKING INTO CONSIDERATION THE RISK/BENEFIT RATIO OF GOING LOWER UNDER THE GIVEN CONDITIONS.

➤ LE DERNIER POINT QUE JE VOUDRAIS SOULEVER SUR L'EMPLOI DE LA FORCE AU KOSOVO SE RAPPORTE AU NIVEAU DE PRISE DE DÉCISION ET DE RESPONSABILITÉ POUR LES DÉCISIONS DIFFICILES QUI ONT DÛ ÊTRE PRISES. POUR L'ILLUSTRER, JE NE PEUX TROUVER MEILLEUR SCÉNARIO QUE CE QUE NOUS AVONS DEMANDÉ À NOS PILOTES DE CHASSE PENDANT LA CAMPAGNE DE BOMBARDEMENT. IMAGINE IF YOU WILL, A YOUNG PILOT WHO, BY LOOKING INTO A FOUR INCH MONITOR IN THE DARK OF NIGHT, WHILE BEING FIRED ON, HAS TO MAKE A SPLIT DECISION WHETHER TO RELEASE HIS WEAPONS ON A TARGET, KNOWING FULL WELL THAT IF HE MAKES A MISTAKE, HE WILL HEAR ABOUT THE COLLATERAL DAMAGE OR CASUALTIES HE HAS CAUSED (ALONG WITH THE REST OF THE WORLD) ON CNN THE NEXT DAY. NOW THAT'S PRESSURE. HOW DO WE AS LEADERS HELP THESE PILOTS AND WARRIORS DEAL WITH THIS INCREDIBLY DIFFICULT SITUATION?

➤ I'M SURE THAT COL DAVIES TRIED TO ANSWER THIS QUESTION FOR YOU YESTERDAY FROM HIS PERSPECTIVE AS THE TASK FORCE COMMANDER, BUT WHAT CAN <u>WE</u> AT THE STRATEGIC LEVEL DO. I WOULD SUBMIT THAT A LARGE PART OF OUR RESPONSIBILITY AT THIS LEVEL INVOLVES LETTING THE OPERATIONAL COMMANDERS DO THEIR JOB. OF COURSE IT IS IMPERATIVE THAT ALL PERSONNEL ARE PROPERLY TRAINED AND HAVE THE NECESSARY EQUIPMENT TO DO THE JOB BEFORE THEY ARE SENT INTO THEATRE. AS WELL, THE COMMANDER'S TERMS OF REFERENCE AND THE CDS'S INTENT NEED TO BE DOCUMENTED AND WELL UNDERSTOOD BY THE COMMANDER. MOST IMPORTANTLY IN THE SCENARIO DESCRIBED ABOVE,

THE RULES OF ENGAGEMENT (ROE) MUST BE WELL UNDERSTOOD BY ALL PILOTS AND ALL PILOTS MUST BE PREPARED TO ADHERE TO THEM IN THE STRICTEST SENSE.  AS I MENTIONED EARLIER, WE LEARNED AS WE WENT ALONG THE IMPORTANCE OF A COMPREHENSIVE TARGETTING PROCESS.  AT THE STRATEGIC LEVEL, OUR JOB WAS TO PUT THE PROCESS IN PLACE, NOT TO SECOND-GUESS THE RESULTS OF ITS USE.  IF THE COMMANDER HAD SERIOUS CONCERNS OVER A TARGET THAT WAS ASSIGNED, WE WERE THERE TO ASSIST IN HIS DECISION-MAKING ON THE ACCEPTANCE OR REFUSAL OF A TARGET.  IF ALL THE PILOTS RETURNED FROM A MISSION WITH ALL THEIR BOMBS BECAUSE THEY COULD NOT IDENTIFY THEIR TARGETS, WE DID NOT QUESTION THE RESULTS.  ANOTHER IMPORTANT ASPECT OF OUR JOBS HERE AT NDHQ WAS TO TRY AND DEAL WITH THE BULK OF THE MEDIA REQUESTS, THAT I WILL ADDRESS THIS IN MORE DETAIL IN A MINUTE, TO MINIMIZE THE DISTRACTIONS AND ALLOW THE COMMANDERS AND PERSONNEL DEPLOYED TO CONCENTRATE ON THEIR MISSION.  IN SUMMARY, TO USE A SPORTS ANALOGY, I FEEL THAT IT IS IMPORTANT TO GIVE OPERATIONAL COMMANDERS THE RULES OF THE GAME AND LET THEM PLAY IT.

## INFORMATION AND MEDIA RELATIONS

➢ JE VOUDRAIS MAINTENANT VOUS ENTRETENIR QUELQUES MINUTES SUR L'INFORMATION ET SUR LA GERANCE DE L'INFORMATION. JE SAIS PERSONNELLEMENT QU'IL S'AGISSAIT D'UN DES PLUS GRANDS DÉFIS DE TOUTE LA GUERRE DU KOSOVO. NOUS VIVONS DANS UNE ÈRE D'INFORMATION OÙ L'INTERNET ET LES MÉDIA SONT DES OUTILS PUISSANTS QUI PEUVENT GRANDEMENT RENDRE NOTRE TRAVAIL PLUS FACILE MAIS AUSSI LE RENDRE PLUS DIFFICILE. CECI PARCE QUE NOUS SOMMES SOUMIS À UNE SURCHARGE D'INFORMATION ET QU'IL EST CRITIQUE QUE NOUS ESSAYIONS ET QUE NOUS PUISSIONS LA GERER.

➢ AS I ALLUDED TO EARLIER, I WOULD LIKE TO TALK MORE ABOUT THE MEDIA AND ITS ROLE DURING THE KOSOVO CRISIS.  THE MEDIA, ESPECIALLY TELEVISION NEWS HAS GONE THROUGH A TRANSFORMATION IN THE PAST TEN YEARS.  TEN YEARS AGO, THERE WERE ONLY A FEW NETWORKS LOOKING TO FILL A SHORT TIME SLOT FOR THE NEWS AT SIX OR ELEVEN O'CLOCK.  TODAY THERE IS A MULTITUDE OF NEWS CHANNELS ALL TRYING TO FILL 24 HOURS.  SO WHEN THERE IS A HIGH PROFILE EVENT LIKE THE KOSOVO CRISIS, THE MEDIA INTEREST IS, IN A WORD, OVERWHELMING – AND I CAN TELL YOU THIS FROM PERSONAL EXPERIENCE.

➢ TO SAY WE WERE NOT FULLY PREPARED FOR THE INCREDIBLE DEMAND FOR INFORMATION, NOT ONLY FROM THE MEDIA, BUT ALSO FROM THE GOVERNMENT (PARLIAMENTARY COMMITTEES AND SENATE SUB-COMMITTEES), IS AN UNDERSTATEMENT. HOWEVER, WE RESPONDED, AS YOU SAW, WITH DAILY MEDIA CONFERENCES (IN COOPERATION WITH DFAIT) AND REFINED OUR APPROACH AS WE WENT ALONG. FIRST AND FOREMOST, WE WANTED TO BE OPEN WITH THE MEDIA (AND THROUGH THEM WITH THE PUBLIC) TO PROVIDE ANSWERS TO ALL THEIR QUESTIONS TO SHOW CLEARLY WHAT WE WERE DOING IN KOSOVO. AFTER ALL, THIS WAS A GREAT OPPORTUNITY TO SHOW CANADIANS WHAT THEIR MILITARY WAS CAPABLE OF DOING AND TO SHED A POSITIVE LIGHT ON THE MILITARY.

➢ THE CHALLENGE WAS ALWAYS THE ETHICAL DILEMMA OF TRYING TO BALANCE THE MEDIA'S (AND THUS THE PUBLIC'S) RIGHT TO KNOW AGAINST OPERATIONAL SECURITY. AN EXAMPLE WAS REVEALING THE IDENTITIES OF THE PILOTS AND SUPPORT PERSONNEL INVOLVED IN THE CONFLICT – EXPERIENCE DURING THE GULF WAR SHOWED US THAT FAMILIES OF PARTICIPANTS WERE SOMETIMES HARASSED HERE IN CANADA AS A RESULT. WE ALSO DECIDED TO KEEP TARGET DESCRIPTIONS VERY GENERAL SO THAT NO ONE COULD MAKE A LINK BETWEEN A SPECIFIC TARGET AND CANADIAN PILOTS. WHEN THERE WAS A DOUBT ON WHETHER OR NOT CERTAIN OPERATIONAL INFORMATION SHOULD BE PASSED INTO THE PUBLIC DOMAIN, OPERATIONAL SECURITY WON OUT – IN OTHER WORDS, IT WAS LIKE A FIRST ORDER ETHIC THAT WE HAD TO RESPECT. AND THIS WAS NOT ALWAYS EASY BECAUSE OF THE PRESSURE (PERCEIVED OR OTHERWISE) FROM THE MEDIA TO PROVIDE MAXIMUM INFORMATION AND BE FULLY TRANSPARENT.

➢ ANOTHER POTENTIAL ETHICAL DILEMMA INVOLVED WHAT WE WOULD DO IN THE EVENT WE WERE IN A POSITION WHERE WE HAD INFORMATION THAT WOULD BE CRITICAL OF DND, LIKE, FOR EXAMPLE, IF ONE OF OUR BOMBS CAUSED SIGNIFICANT COLLATERAL DAMAGE. WE DECIDED VERY EARLY IN THE GAME THAT WE WOULD GO PUBLIC AND ACCEPT RESPONSIBILITY FOR THIS. THIS APPROACH GOES HAND-IN-HAND WITH WHAT I TALKED ABOUT EARLIER ABOUT BEING ACCOUNTABLE FOR YOUR DECISIONS. WE KNEW WHEN WE JOINED THE COALITION FORCE AND AGREED TO PARTICIPATE IN THE AIR CAMPAIGN THAT THIS WAS ALWAYS A RISK. SE LEVER ET ADMETTRE SES ERREURS, COMME L'OTAN L'A FAIT APRÈS LE BOMBARDEMENT DE L'AMBASSADE DE CHINE, FAIT PARTIE DE CETTE OBLIGATION [DUE DILIGENCE] ET DE CETTE RESPONSABILITÉ NATIONALE [NATIONAL ACCOUNTABILITY] QUI EST ESSENTIELLE DANS CES SITUATIONS DIFFICILES.

➢ OTHER LESSONS LEARNED INCLUDED THE NEED TO KEEP THE MEDIA SPOKEMEN AT A VERY SENIOR LEVEL AND THIS IS WHY EITHER GENERAL DAVE JURKOWSKI OR I WERE FRONT AND CENTER, WITH MR. JIM WRIGHT FROM DFAIT, FOR EVERY ONE OF THE 83 DAYS OF THE AIR CAMPAIGN.  IT WAS ALSO IMPORTANT TO PROVIDE A CONSISTENT MESSAGE ACROSS NATO. THIS IS WHERE TECHNOLOGY CAN PLAY BOTH FOR YOU AND AGAINST YOU – FOR YOU BECAUSE WE WERE ABLE TO WATCH THE BRITISH AND NATO PRESS BRIEFINGS EACH DAY BEFORE WE DID OUR OWN (THANKS TO THE TIME DIFFERENCE) AND AGAINST YOU BECAUSE THE EXTENSIVE MEDIA COVERAGE AND ACCESSIBILITY ALLOWED EVERYONE TO HEAR ALL ACCOUNTS AND TO COMPARE NOTES – THUS THE NEED FOR CONSISTENCY.

➢ OVERALL, I BELIEVE OUR DEALINGS WITH THE MEDIA WERE A SUCCESS.  THE EFFORTS PUT FORWARD IN PROVIDING CONSISTENT AND TIMELY INFO TO THE PUBLIC AND THE GOVERNMENT WAS CRITICAL IN MAINTAINING PUBLIC SUPPORT AND BUILDING PUBLIC CONFIDENCE.  IN FACT, THE RESPONSE WAS SO POSITIVE THAT WE HAVE CONTINUED WITH WEEKLY OPERATIONAL MEDIA BRIEFS, AS I AM SURE YOU HAVE SEEN.

## FUTURE WARFARE

➢ AVANT DE TERMINER, JE VOUDRAIS PRENDRE QUELQUES MINUTES POUR JETER UN COUP D'OEIL SUR L'AVENIR POUR CONSIDÉRER À QUOI L'ART DE LA GUERRE ET LES OPÉRATIONS RESSEMBLERONT ALORS QUE NOUS ABORDERONS LE 21E SIÈCLE.  SINCE MOST OF MY REFERENCES TODAY HAVE BEEN ABOUT OUR RECENT EXPERIENCE DURING THE KOSOVO CRISIS, I THINK IT WOULD BE APPROPRIATE TO TRY AND ANSWER THE QUESTION "WAS KOSOVO AN ABERRATION OR WAS IT REPRESENTATIVE OF THE KIND OF WARFARE THAT WE WILL FACE IN THE FUTURE?"

➢ WELL, I DON'T OWN A CRYSTAL BALL, BUT I THINK THERE ARE A FEW THINGS THAT WE CAN SAY WITH SOME CERTAINTY ABOUT CONFLICTS IN THE FUTURE:

• TECHNOLOGY LIKE THE INTERNET WILL CONTINUE TO MAKE THE WORLD A SMALLER PLACE, FIGURATIVELY SPEAKING, AND THIS GLOBALIZATION TREND WILL CONTINUE TO MAKE RAPID REACTION AND DEPLOYABILITY NECESSARY SKILLS FOR ANY SUCCESSFUL MILITARY IN THE NEXT CENTURY.  REAL-TIME INTELLIGENCE, MORE CAPABLE WEAPON SYSTEMS AND SMARTER WEAPONS WILL ALLOW US TO DELIVER THE NECESSARY CONCENTRATION OF COMBAT POWER AT THE DECISIVE TIME AND PLACE, WITH LESS MASSING OF FORCES IN DEPLOYED LOCATIONS.  THEREFORE,

WE WILL BE ABLE TO DO IT FASTER, MORE EFFICIENTLY AND AT LESS COST(A GOOD EXAMPLE OF THIS DURING THE KOSOVO CRISIS WAS THE USE OF B2 BOMBERS THAT DELIVERED WEAPONS ON KOSOVO FROM THEIR HOME BASE ON THE CONTINENTAL U.S.)  ALL THIS MEANS THAT WE CAN EXPECT TO CONTINUE TO FIND OURSELVES IN FARAWAY PLACES AROUND THE GLOBE ON RELATIVELY SHORT NOTICE DEALING WITH THE CHALLENGES OF FOREIGN CULTURES AND DIFFICULT SITUATIONS;
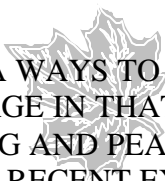
- AU COURS DE L'ÈRE QUI A SUIVI LA GUERRE FROIDE, LA MENACE AUQUELLE NOUS SOMMES EXPOSÉS EST BEAUCOUP PLUS DIVERSIFIÉE ET DIFFICILE À DÉFINIR QU'AUPARAVANT. PARCE QUE LES ÉTATS-UNIS DEMEURENT LA SEULE SUPER PUISSANCE DANS UN AVENIR ENVISAGEABLE, IL EST RAISONNABLE D'ASSUMER QUE PERSONNE N'ENGAGERA LES ÉTATS-UNIS (OU L'OUEST) DANS UNE GUERRE CONVENTIONNELLE. THIS MEANS THAT PRESENT AND FUTURE ENEMIES WILL LIKELY EMPLOY WHAT WE REFER TO AS ASYMETRIC MEANS TO TRY TO EVEN THE ODDS.  CHARACTERISTICS OF ASYMETRIC WARFARE INCLUDE THINGS LIKE USING COMPLEX TERRAIN, WEAPONS OF MASS DESTRUCTION, CAMOUFLAGED DISPERSION OF EQUIPMENT, TRYING TO PROTRACT THE CONFLICT IN HOPES THAT THE WILL OF THE WEST WILL BREAK, TRYING TO DELEGITIMIZE THE WEST'S ACTIONS, PLAYING ON THE ALLIED AVERSION TO CASUALTIES, OR TRYING TO MANIPULATE THEIR "VICTIM" STATUS.  DOES ANY OF THIS SOUND FAMILIAR?  OBVIOUSLY, KOSOVO CAN BE CHARACTERIZED AS AN ASYMMETRIC-TYPE CONFLICT.

- IT IS ALSO LIKELY THAT ADVERSARIES WILL USE WHAT CAN BE CALLED AMBIGUITY, WHERE THEY REMAIN BELOW THE THRESHOLD OF CLEAR AGGRESSION AND USE POLITICAL AND PSYCHOLOGICAL TECHNIQUES TO THEIR ADVANTAGE;

- IN THE CONFLICTS OF THE FUTURE, THERE WILL ALSO BE GREATER EMPHASIS ON PSYCHOLOGICAL ASPECTS SUCH AS INFORMATION OPERATIONS, WHERE EACH SIDE WILL TRY TO CREATE THE DESIRED ATTITUDES, BELIEFS OR PERCEPTIONS.  PRESIDENT MILOSEVIC WAS A MASTER AT THIS AND WE HAVE TO GET BETTER AT IT;

- FINALLY, JOINT AND COMBINED OPERATIONS WILL BE THE KEY TO FUTURE WARFARE. EVEN FURTHER, WE CAN EXPECT THAT MULTI-NATIONAL COALITIONS, LIKE WE HAVE IN BOSNIA AND KOSOVO, WILL BE THE NORM. THIS MEANS THAT WE CAN EXPECT TO CONTINUE TO FACE THE ETHICAL CHALLENGES OF DEALING WITH OTHER NATIONS AND THE POLITICAL CHALLENGES OF FINDING CONSENSUS AMONG MANY PARTNERS.

➢ THEREFORE, I THINK THAT IT IS SAFE TO SAY THAT THE BATTLEFIELD OF THE FUTURE WILL LOOK A LOT MORE LIKE KOSOVO THAN ANYTHING WE EXPECTED DURING THE COLD WAR. AS A RESULT, OUR MANY ETHICAL CHALLENGES IN FUTURE OPERATIONS WILL NOT ONLY CONTINUE, BUT WILL INCREASE AS THE WORLD GETS MORE COMPLEX.

## CONCLUSION

➢ POUR CONCLURE, JE VOUDRAIS RÉITÉRER L'IMPORTANCE DU PROGRAMME D'ÉTHIQUE DE LA DÉFENSE ET L'IMPORTANCE QU'IL SOIT ENDOSSÉ PAR LE LEADERSHIP À TOUS LES NIVEAUX. IL EST IMPORTANT AUSSI DE CONSIDÉRER LES DÉFIS UNIQUES ASSOCIÉS AUX PRISES DE DÉCISION ÉTHIQUES AU COURS DES OPÉRATIONS. COMME JE L'AI DÉJÀ MENTIONNÉ, CES DÉFIS D'ÉTHIQUE NE FERONT QU'AUGMENTER ET SE COMPLIQUER AVEC L'AVENIR. AINSI DONC, NOUS AVONS UNE RESPONSABILITÉ D'AIDER NOS FORCES À SE PRÉPARER À FAIRE FACE À CES SITUATIONS DIFFICILES.

➢ THERE IS NO EASY ANSWER OR "QUICK FIX" ON HOW WE DO THIS – IT IS VERY MUCH A WORK IN PROGRESS. BUT, I THINK THAT WE HAVE COME A LONG WAY IN THE LAST FEW YEARS IN RECOGNIZING THE IMPORTANCE OF THE ETHICAL DIMENSION TO OUR OPERATIONS. THIS CONFERENCE IS A TESTAMENT TO THAT. AS WELL, I AM CONFIDENT THAT OUR PRE-DEPLOYMENT TRAINING IS MUCH MORE COMPREHENSIVE IN PREPARING OUR PEOPLE FOR WHAT TO EXPECT IN A DEPLOYED AREA, IN TERMS OF LOCAL CULTURE, POLITICS AND THREATS. WE HAVE RAISED THE PROFILE OF CARE TO OUR PEOPLE ON RETURN FROM OPERATIONS. THE RECENT AWARENESS CAMPAIGN ON POST TRAMATIC STRESS DISORDER (PTSD) IS ANOTHER SIGN OF PROGRESS.

➢ BUT MAKE NO MISTAKE, WE HAVE A WAYS TO GO, BUT I BELIEVE THAT CANADA HAS A DISTINCT ADVANTAGE IN THAT WE HAVE CONSIDERABLE EXPERIENCE IN BOTH PEACEKEEPING AND PEACE SUPPORT OPERATIONS. WHEN WE COMBINE THIS WITH OUR RECENT EXPERIENCE IN KOSOVO, WE ARE IN A GOOD POSITION TO UNDERSTAND WHAT OUR PEOPLE WILL BE UP AGAINST AND TO TAKE THE MEASURES REQUIRED TO BETTER PREPARE THEM FOR OPERATIONS AND CARE FOR THEM WHEN THEY RETURN HOME. I KNOW THAT I CAN COUNT ON ALL OF YOUR SUPPORT IN WORKING TOWARDS THIS IMPORTANT OBJECTIVE.

➢ I WISH YOU THE BEST OF LUCK FOR A PRODUCTIVE SECOND DAY OF THE CONFERENCE AND HOPE THAT I HAVE BEEN ABLE TO KICK IT OFF ON THE RIGHT NOTE. THANK YOU.

# LAW, ETHICS AND PSYCHOLOGY PERSPECTIVES
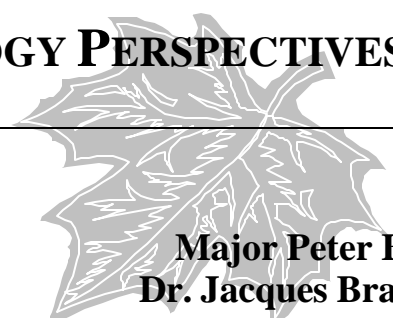
**Major Peter Barber**
**Dr. Jacques Bradwejn**
**Professor Leon Craig**

*Major Peter Barber*
*Deputy Judge Advocate, Cold Lake*

*"Ethics and Law of Aerial Bombardment"*

*Law*

*Dr. Jacques Bradwejn*
*Psychiatrist-in-Chief, Ottawa General Hospital*

*"Operations, Risk Factors and Ethics"*

*Psychiatry*

## Operations, Risk Factors and Ethics

Jacques Bradwejn MD FRCPC

Professor and Chair
Department of Psychiatry
University of Ottawa

## Outline

- Importance of the use of a multidimensional model of causality
- acknowledging the role of individual differences
- clashes in concepts
- the gain/loss factor: disability
- the issues of treatment and prevention

## Use of a Multidimensional Causal Model

- Dimensions (Risk & Resilience):
  - present biology
  - predisposition
  - temperament
  - environment
  - personal concepts

## Multidimensional Etiological Model of Experience

gender
biology
temperament

present
environment
/life events

concepts

Experience
(Health/Illness)
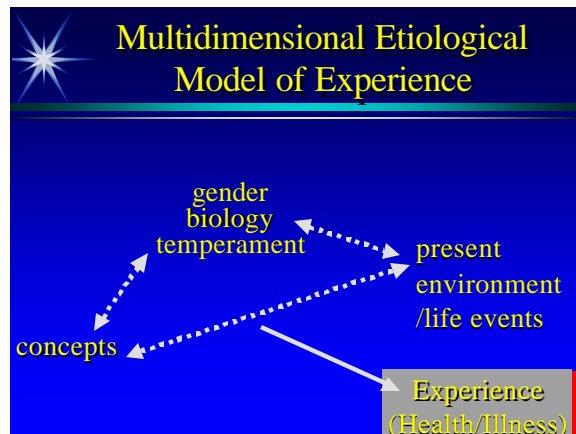
## The Dimensions: Personal Concepts

- personal concepts:
  - about self, illness, treatments, the world, secondary gain, disability...
- environment includes concepts
  - about trauma, illness, disability...
- mixture of beliefs and knowledge
  - beliefs = opinions
  - knowledge = facts

## Multidimensional Etiological Model of Experience
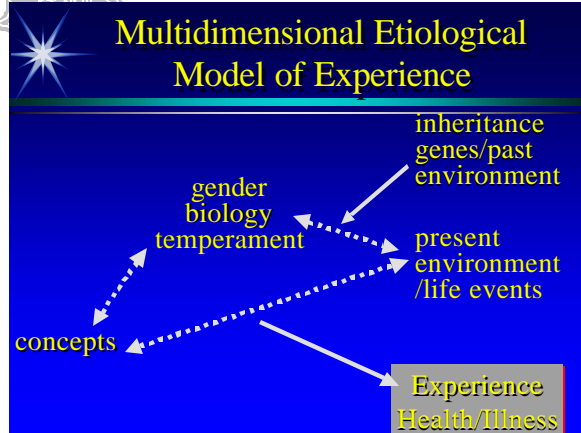


## The Dimensions: Genetics

- Twin Study: Vietnam Era Twin Registry (True '93):
- soldier twins who served, born 1939-1957
- 4042 twins (2224 identical)
- surveyed in 1987 for trauma exposure and physical, psychological symptoms
- used a univariate twin design model to assess contribution of environment and genes

## The Dimensions: Genetics

- Genetic factors accounted for:
  - 47% variance in combat trauma exposure
  - 30% variance of PTSD symptoms
  - 54% variance of receiving a combat medal
  - shared environmental factors (e.g.upbringing) did not contribute to likelihood of any traumatic exposure

## Dimensions and Time



## Dimensions: Individual Differences

## Dimensions: Individual Differences

trauma ⟶ person ⟶ illness

*individual differences
(past and present)*

## Military: Relationship between Stressors and Symptoms

### Stressors
- Safety
- Privacy/adjustment
- Family concerns

- Leadership/management
- External relationships

- Role: ambiguity, overload, conflict

### Symptoms
- Cold/flu; headaches
- insomnia/tiredness
- aches/pains

(K.M. Farley, working paper, 1995)

## Military: Relationship between Stressors and Symptoms

Combat stressors
- direct exposure
- vicarious exposure

Contextual Stressors
- Role conflict/ ambiguity/overload
- Family/Financial Stressors

Stress Appraisal

Personal Outcomes
- PTSD
- Somatic
- Lifestyle

Organizational Outcomes
- Job satisfaction
- turnover
- Job performance

Work Group Cohesion

(C.D. Lamerson and E.K. Kelloway)

## Multidimensional Etiological Model of Experience

inheritance
genes/past
environment

gender
biology
temperament

✔ present
environment
✔ life events

✔ concepts

Experience
Health/Illness

## Causal Models of the Military

♦ So far the causal models of the military seem to overlook the role of important individual differences
  ➢ family history/genetic
  ➢ gender?
  ➢ temperament/personality
  ➢ past health/history
  ➢ present health

## Conceptual Clashes: The Individual, the Organization and Operations

| Individual | Organization | Site |
|---|---|---|
| self | world | culture |
| world | duty | UN |
| duty | ethics | politics |
| ethics | country | ethics |
| country | autonomy | bribery |
| autonomy | politics | religion |
| culture | economy | |
| religion | | |

## Conceptual Clashes: The Individual, the Organization and Operations

**Individual**
- pretend to be
- not to be
- to be

**Organization**
- pretend to be
- not to be
- to be

## Impact of Conceptual Clashes

stress ⟶ person ⟶ illness
*individual differences
(past and present)*

## Impact of the Gain/Loss Factor

trauma ⟶ person ⟶ illness
*individual differences
(past and present)*

gain/loss

## The Issue of Prevention

- Importance of multidimensional approach to issues
- Potential for preventive planning:
  - conceptual clashes
  - individual differences: risk factors
  - gain/loss factors: disability

*Professor Leon Craig*
*Political Science University of Alberta*

*"The Ethical Quandaries of Peacekeeping"*

*Ethics*

# OPERATIONS PERSPECTIVE:  STRATEGIC OVERVIEW

**Commodore Glen Davidson**
**Major-General Bruce Jeffries**
**Lieutenant-General David Kinsman**

*Commodore Glen Davidson*
*Director General Naval Personnel*

*Sea*

ETHICS IN OPERATIONS

STRATEGIC OVERVIEW (SEA)
BY
CMDRE G.V. DAVIDSON, DGNP

1

NOT GOING TO TALK ABOUT:

- Nuclear Deterrence
- Projection of Power Ashore
- Offensive Mining
- Chemical/Biological Warfare

2

A CANADIAN PERSPECTIVE

3

TRADITIONAL NAVAL ROLES

- Maritime Defence
- Trade Protection
- "Showing the Flag"

4
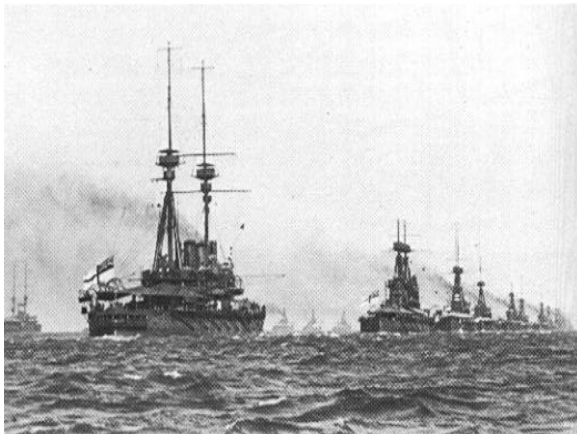
Submarines are…

"underhanded, unfair and damned un-English".

- Admiral Sir Arthur Wilson, 1902

8

"If you rub it in, both at home and abroad, that you are ready for instant war with every unit of your strength in the first line, and intend to be first in, and hit your enemy in the belly, and kick him when he is down, and boil your prisoners in oil (if you take any) and torture his women and children, then people will keep clear of you."

- Admiral Sir Jackie Fisher, 1899

9

ETHICS IN OPS / BALANCE

10

## STRATEGIC OVERVIEW (SEA)

- Communications

- Technology (Weapons & Info)

- Decision Making

- National Interests & Conduct of Ops

11





HMAS TORRENS - MK48 Firing
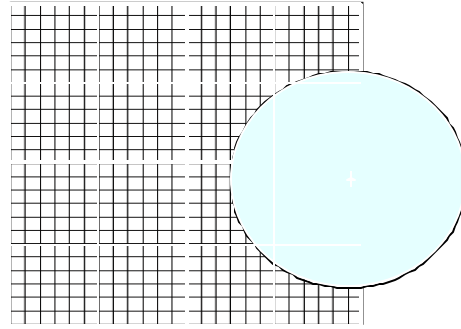
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## ETHICAL DIMENSIONS

1. IDENTIFICATION

    – Confidence in Ident
    – Human in the Chain

2. ROE - AUTHORITY AND INTENT

    – Self Defence
    – Understanding Objectives

3. CONDUCT OF OPERATIONS

    – Discipline
    – Minimum Force
    – Rule of Law

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*Major-General Bruce Jeffries*
*Asst Chief of the Land Staff*

*Land*

**ETHICS CONFERENCE**

**ETHICS IN OPERATIONS - STRATEGIC OVERVIEW**

THE THEME OF THIS YEAR'S CONFERENCE REQUIRES US TO EXPLORE THE LINKAGE BETWEEN <u>WHAT</u> WE DO AS A MILITARY FORCE AND <u>HOW</u> WE DO IT. THE NEED FOR ETHICAL IMPERATIVES TO GUIDE OUR DECISIONS AND ACTIONS IS EMPHASIZED STRONGLY IN CFP 300, THE ARMY'S KEYSTONE DOCTRINE MANUAL: "IN SHORT, THE MILITARY ETHOS ENABLES THE SOLDIER TO DIFFERENTIATE BETWEEN RIGHT AND WRONG, BETWEEN WHAT IS NECESSARY AND WHAT IS CRIMINAL. IN AN OPERATIONAL ENVIRONMENT, THE PRECEPTS OF DUTY, INTEGRITY, DISCIPLINE AND HONOUR PROVIDE SOLDIERS WITH BOTH FREEDOM IN PERSONAL ACTION AND A CODE OF CONDUCT WHICH WILL ASSIST THEM IN CHOOSING THE RIGHT THING TO DO."

IN THE COURSE OF THE CONFERENCE TO THIS POINT, THERE'S SURE TO HAVE BEEN MUCH DISCUSSION OF ETHICAL ISSUES AT THE OPERATIONAL AND TACTICAL LEVELS. MY REMIT, AS I UNDERSTAND IT, IS TO DESCRIBE SOME OF THE ETHICAL DILEMMAS WHICH EXIST AT THE STRATEGIC LEVEL. IN MY REMARKS, I'LL FOCUS MORE NARROWLY AGAIN ON MATTERS RELATED TO FORCE GENERATION, AS OPPOSED TO FORCE EMPLOYMENT.

AT THE STRATEGIC LEVEL, CONFLICT INVOLVES THE APPLICATION OF MILITARY RESOURCES TO ACHIEVE POLITICAL OBJECTIVES WHICH ARE DETERMINED TO BE IN THE NATIONAL INTEREST. THIS IS THE REALM WHERE THE ARMY COMMANDER AND THE LAND STAFF FUNCTION. AT THIS LEVEL, "DOING THE RIGHT THING" IS A QUESTION OF RISK MANAGEMENT, PERFORMING A BALANCING ACT BETWEEN EXPECTATIONS AND CAPABILITY, AND BETWEEN THE SOMETIMES COMPETING DEMANDS OF FULFILLING OUR MISSION AND TAKING CARE OF OUR PEOPLE.

LET ME ILLUSTRATE THIS DILEMMA WITH A HISTORICAL EXAMPLE. THE US ARMY SENT TASK FORCE SMITH OF THE 24TH INFANTRY DIVISION TO KOREA IN 1950. AS THE UNITED NATIONS HAD APPROVED A POLICE ACTION, TASK FORCE SMITH WAS TRAINED IN JAPAN FOR CONSTABULARY DUTIES. EQUIPPED WITH SIX LIGHT HOWITZERS, THE FORCE APPEARED TO SOME AS FAR TOO ROBUST FOR THE ANTICIPATED MISSION. YET HISTORY RECORDS THAT THIS UNIT FOUGHT FOR SEVEN HOURS AGAINST AN ENEMY WHICH DID NOT RESPECT THE GENEVA CONVENTION, AND WAS FINALLY OVER-RUN. THE MAJORITY OF THE SOLDIERS DIED IN BATTLE OR IN POW CAMPS. SHOULD TASK FORCE SMITH HAVE BEEN SENT ON THIS MISSION? WAS THERE A CHOICE? WHAT LESSONS MIGHT WE LEARN FROM THIS STORY TO GUIDE DECISION-MAKERS AT THE STRATEGIC LEVEL?

AS A FORCE GENERATOR, THE CHIEF OF THE LAND STAFF HAS THE MISSION OF "GENERATING AND MAINTAINING COMBAT CAPABLE, MULTI-PURPOSE LAND FORCES TO MEET CANADA'S DEFENCE OBJECTIVES." THIS MISSION POSES MANY "INTERESTING" AND UNDENIABLY ETHICAL CHALLENGES: IN RESPECT OF THE FORCE STRUCTURE WE RETAIN AT ANY POINT OF TIME; IN RESPECT OF THE CIRCUMSTANCES IN WHICH FORCES ARE

COMMITTED TO OPERATIONS; AND IN RESPECT OF THE MANNER IN WHICH THEY ARE PREPARED.

FIRST, FORCE STRUCTURE.  OUR CHALLENGE IS TO MAINTAIN FORCES WITH THE MAXIMUM UTILITY FOR THE COUNTRY'S NEEDS.  THE MOST FREQUENT TYPE OF OPERATIONS WE FACE TODAY ARE PEACE SUPPORT AND HUMANITARIAN ASSISTANCE; THE LESS FREQUENT BUT MORE DANGEROUS TASKS REQUIRE WARFIGHTING.  FOR WHICH SCENARIO DO WE STRUCTURE? LOTS OF TROOPS WITH RELATIVELY LOW TECH EQUIPMENT AND SPECIALIZED TRAINING MIGHT SATISFY TODAY'S DEMANDS, BUT THAT KIND OF ARMY WOULDN'T BE THE COMBAT CAPABLE FORCE THAT WORST CASE SCENARIOS DEMAND.  WHERE SHOULD WE INVEST?  HOW READY SHOULD THESE FORCES BE?  HOW MUCH RISK CAN WE TAKE?  THERE IS A TENSION HERE BETWEEN MOST LIKELY AND MOST DANGEROUS WHICH WON'T GO AWAY, AND WHICH MUST BE RECONCILED IN EVERY STRUCTURAL AND EQUIPPING DECISION WE MAKE.

THE ETHICAL ISSUES COME INTO SHARPER FOCUS YET WHEN OPERATIONS ARE CONTEMPLATED.  THE GOVERNMENT WILL DECIDE WHETHER CANADA SHOULD ACT IN A PARTICULAR SITUATION; THERE ARE FREQUENTLY ETHICAL PROBLEMS HERE, BUT NOT FOR THE ARMY.  OUR PROBLEMS COME WITH THE PROVISION OF ADVICE TO GOVERNMENT ON WHETHER WE CAN ACT, AND IF SO HOW.  FOR MANY MISSIONS AT HOME, WE ARE THE FORCE OF LAST RESORT, SO RESPONDING PROMPTLY AND DECISIVELY IS NON-NEGOTIABLE.  FOR OTHER TASKS, THE LOGIC MAY BE LESS COMPELLING; BUT THE GOVERNMENT HAS $10B GOOD REASONS FOR EXPECTING THAT THE CF WILL BE ABLE TO REACT.  ADD TO THAT OUR REKNOWNED "CAN DO" ATTITUDE, AND IT ISN'T SURPRISING THAT THE CF NORMALLY SAYS "YES" TO NEW COMMITMENTS.

BUT, DURING TIMES OF ELEVATED OPERATIONAL TEMPO SUCH AS WE'VE SEEN IN THE PAST DECADE, THE ANSWER IS NOT SO STRAIGHTFORWARD. THERE ARE SEVERAL RISKS TO BE CONSIDERED:
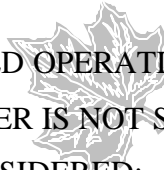
- WE NEED TO BE CONFIDENT THAT THE FORCES WE DEPLOY HAVE THE CAPABILITY THEY NEED TO BE SUCCESSFUL. FOR UNITED NATIONS SPONSORED OPERATIONS, NEW YORK PROVIDES GUIDANCE TO TROOP CONTRIBUTING NATIONS, BUT THERE ARE ALWAYS DECISIONS LEFT TO THE DISCRETION OF NATIONS, AND FOR OTHER TYPES OF OPERATIONS THE DECISION AS TO TYPES OF FORCES IS ENTIRELY NATIONAL. AS AN EXAMPLE, CAN LIGHT INFANTRY DO THE JOB IN EAST TIMOR, OR SHOULD THEY HAVE THE PROTECTION AND MOBILITY OF ARMOURED PERSONNEL CARRIERS?

- WE ALSO NEED TO CONSIDER THE IMPACT ON OUR PEOPLE. OP TEMPO HAS REDUCED THE TIME BETWEEN TOURS, PARTICULARLY FOR SOME MOCS AND SOME RANKS, SO THE ACCUMULATED STRESS ON INDIVIDUALS AND THEIR FAMILIES IS A SIGNIFICANT FACTOR IN OPERATIONAL PLANNING. THOUGH WE ARE GUIDED BY POLICIES ON ROTATION RATIOS, THERE ARE NO ABSOLUTES TO DETERMINE WHAT IS ACCEPTABLE OR NOT. DECISIONS TO WAIVE THE 12-MONTH RULE FOR INDIVIDUALS MUST NOT BE TAKEN LIGHTLY, AND THE WILLINGNESS OF SOLDIERS TO VOLUNTEER DOES NOT ABSOLVE THE CHAIN OF COMMAND OF RESPONSIBILITY FOR DETERMINING WHAT IS RIGHT.

- FINALLY, THE LONG-TERM IMPACT ON COMBAT EFFECTIVENESS OF A SUSTAINED FOCUS ON HUMANITARIAN AND PEACE SUPPORT OPERATIONS HAS BECOME A CONCERN – "TOO MUCH PEACEKEEPING IS BAD FOR YOUR

MILITARY HEALTH" – TO PARAPHRASE GENERAL SIR MICHAEL ROSE.  IN DEFERENCE TO OP TEMPO, WE ARE FINDING IT INCREASINGLY DIFFICULT TO FIND THE TIME TO DO THE FOCUSSED TRAINING NEEDED TO MAINTAIN A WARFIGHTING EDGE.  BUT TURNING DOWN TODAY'S DEMANDS IN ORDER TO PREPARE FOR TOMORROW'S POSSIBILITIES IS NOT EASY TO EITHER EXPLAIN OR JUSTIFY.

COLLECTIVELY, THESE RISKS SOMETIMES CREATE CONFLICTS BETWEEN OUR VARIOUS LOYALTIES  - TO CANADA, TO THE MISSION, TO OUR PEOPLE.  THE HIERARCHY OF LOYALTIES IS HELPFUL IN SORTING OUT THESE CONFLICTS, BUT THERE ARE NEVERTHELESS DIFFICULT DECISIONS TO BE MADE.

THE SITUATION IS SIMILAR ONCE THE COMMITMENT DECISION IS MADE AND THE FOCUS SHIFTS TO THE NUTS AND BOLTS OF FORCE GENERATION: WHAT ORGANIZATION, WITH WHICH PERSONNEL, EQUIPMENT AND TRAINING?  HOW DIFFICULT CAN THESE DECISIONS BE?  A FEW EXAMPLES MAY HELP:

- THE QUESTION OF APPARENTLY ARTIFICIAL MANPOWER CEILINGS ON OVERSEAS DEPLOYMENTS NEVER GOES AWAY COMPLETELY. WHEN IT COMES TO TROOPS, MORE IS GENERALLY BETTER AND "DOCTRINAL SOLUTIONS" ARE ALWAYS DESIRABLE, BUT SOMETIMES ECONOMY OF FORCE SOLUTIONS CAN BE MADE TO WORK AND PROTECT OUR FLEXIBILITY TO TAKE ON OTHER TASKS WHICH MAY ARISE.  HOW MUCH RISK CAN BE JUSTIFIED?

- WHEN IT COMES TO EQUIPMENT, OUR SOLDIERS ARE ENTITLED TO THE TOOLS TO DO THE JOB, BUT DOES THIS MEAN ALL EQUIPMENT MUST BE FIRST CLASS ALL OF THE TIME?  IN A PERFECT WORLD,

YES, BUT THE WORLD OF EQUIPMENT MANAGEMENT ISN'T PERFECT. SOMETIMES "ADEQUATE" EQUIPMENT WILL HAVE TO SUFFICE – AS HAS BEEN THE CASE WITH THE DEPLOYMENT OF GRIZZLY AND COUGAR IN THE BALKANS. TRAINING AND DOCTRINE CAN SOMETIMES MAKE OLDER TECHNOLOGY SHINE, BUT DETERMINING WHICH DEFICIENCIES ARE ACCEPTABLE CAN BE TROUBLESOME. WE ALSO NEED TO RESIST THE TEMPTATION TO LET THE COST OF STRATEGIC TRANSPORT BECOME AN OVER-RIDING CONSIDERATION IN FORCE STRUCTURING DECISIONS.

-       TRAINING IS AN IMPORTANT FACET OF OP READINESS, YET MEASURING IT IS HIGHLY SUBJECTIVE. THE ARMY HAS SOMETIMES BEEN ACCUSED OF UNDER-TRAINING. TODAY, YOU'RE MORE LIKELY TO HEAR WE'RE DOING TOO MUCH PRE-DEPLOYMENT TRAINING. HOW MUCH IS ENOUGH IS NOT AN EASY CALL, PARTICULARLY WHEN AN UNFORECAST REQUIREMENT ARISES – AS WAS RECENTLY THE CASE FOR EAST TIMOR.

-       AND THE LAST EXAMPLE I'LL CITE INVOLVES LEADER SELECTION AND PREPARATION. THIS IS AN AREA WHERE NO SHORT CUTS ARE ACCEPTABLE. LEADERS AT ALL LEVELS ARE RESPONSIBLE FOR THE MINUTE-TO-MINUTE DECISIONS WHICH WILL DETERMINE MISSION SUCCESS AND SOLDIER SAFETY. FREQUENTLY, THE TWO WILL BE IN TENSION, SINCE IT WON'T ALWAYS BE POSSIBLE TO GET THE JOB DONE WITHOUT EXPOSING OUR TROOPS TO RISK. THIS IS POTENTIALLY THE ULTIMATE ETHICAL DILEMMA. AT THE HEIGHT OF THE UNPROFOR MISSION, I OCCASIONALLY HEARD SOLDIERS OF ALL RANKS SAY THAT THERE WASN'T A BOSNIAC, SERB OR CROAT

WORTH DYING FOR. TAKEN LITERALLY, SUCH A ZERO-RISK, ZERO-CASUALTY ATTITUDE IS CONTRARY TO OUR ETHOS AND WOULD IMPERIL THE MISSION. EVEN WORSE, IT DIMINISHES THE VALUE OF THE SACRIFICE OUR SOLDIERS HAVE MADE IN THIS AND SIMILAR OPERATIONS. IN CONTRAST, HOWEVER, WE SHOULD NOT BE ENDANGERING OUR PEOPLE BY TAKING ON NON-ESSENTIAL OR UNMANDATED TASKS – SUCH AS DISCRETIONARY MINE-CLEARANCE. OUR SOLDIERS DESERVE LEADERS WHO CAN MANAGE RISK WISELY – SO OUR PREDEPLOYMENT TRAINING EMPHASIZES ROE AND CHALLENGING SCENARIOS WHICH TEST THIS CRITICAL FACET OF OP READINESS.

BEFORE CLOSING, I WOULD POINT OUT THAT THE FORCE GENERATOR'S RESPONSIBILITIES ALSO INVOLVE FOLLOW-ON ACTION AFTER OUR UNITS OR PERSONNEL RETURN FROM OPERATIONS. WE ACKNOWLEDGE THAT OUR PERFORMANCE IN THIS AREA IN RECENT YEARS HASN'T ALWAYS BEEN GOOD. WE'VE LEARNED AND CONTINUE TO LEARN ABOUT THE IMPACT WHICH OPERATIONS ARE HAVING ON OUR PEOPLE – IN BOTH PHYSICAL AND PSYCHOLOGICAL TERMS. WE'RE ALSO DEVELOPING A BETTER APPRECIATION FOR WHAT OUR PEOPLE ARE ACCOMPLISHING AND OF THE NEED TO OPENLY AND PUBLICLY ACKNOWLEDGE THIS. WE'VE COME THROUGH A PERIOD IN WHICH OUR FOCUS WAS PERHAPS TOO MUCH ON WHAT WAS WRONG WITH OUR PROFESSION, AND THE PREPONDERANCE OF EXCELLENT WORK ACCOMPLISHED IN OPERATIONS HASN'T ALWAYS RECEIVED THE CREDIT IT DESERVES. THE EMERGING FINDINGS OF THE CROATIA BOARD OF ENQUIRY ARE CONVINCING ON THESE POINTS. WE MUST DO BETTER. ALL THIS TO SAY THAT THERE'S A RANGE OF ISSUES COVERING A SPECTRUM FROM FORCE DEVELOPMENT THROUGH FORCE GENERATION TO FORCE REGENERATION WHICH REQUIRE

DECISION-MAKERS AT THE STRATEGIC LEVEL TO EXERCISE THEIR ETHICAL MUSCLES VIGOROUSLY.

AN ETHICAL DILEMMA OFTEN ARISES WHEN TWO COURSES OF ACTION APPEAR TO HAVE MERIT.  THERE ARE SEVERAL REASONS FOR ARMIES TO "DO THE RIGHT THING" IN OPERATIONS: TO RETAIN MORAL AUTHORITY AND LEGITIMACY; TO MAINTAIN THE DIGNITY, SELF-RESPECT AND MORALE OF OUR TROOPS; TO INSPIRE TRUST; AND BECAUSE THE LAW DEMANDS IT.  WE MAY NOT THINK INSTINCTIVELY OF FORCE GENERATING DECISIONS AT THE STRATEGIC LEVEL AS BEING OF THIS NATURE.  HOWEVER, I WOULD SUGGEST THAT THE REPUTATION AND MORALE OF THE CF AND CONFIDENCE IN ITS LEADERSHIP HAVE SUFFERED OCCASIONALLY FROM DECISIONS OF THIS TYPE, DECISIONS WHICH APPEARED RIGHT AT THE TIME, BUT WHICH WERE PROVEN WRONG IN PRACTICE.  I WOULD ALSO SUGGEST THAT SUCH DECISIONS ARE THE EXCEPTION, RATHER THAN THE RULE.  MORE OFTEN THAN NOT WE GET IT RIGHT, AS OUR ENVIABLE RECORD IN OPERATIONS CONFIRMS.  AT THE END OF THE DAY, HOWEVER, WE MUST ALWAYS STRIVE TO DO BETTER.  THIS CONFERENCE IS A VALUABLE STEP; I HOPE THAT MY REMARKS HAVE PROVIDED FOOD FOR THOUGHT.
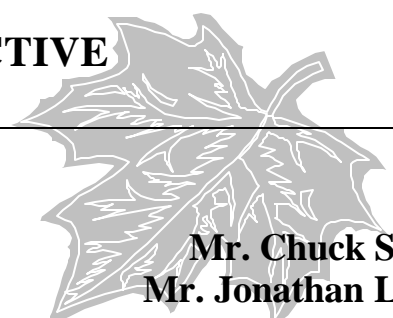
*Lieutenant-General David Kinsman*
*Chief of Air Staff*

*Air*

# MEDIA PERSPECTIVE

**Mr. Chuck Sudetic**
**Mr. Jonathan Landay**
**Lieutenant-Colonel Brett Boudreau**

*Mr. Chuck Sudetic*
*Contributing Editor, Rolling Stone*

*"Feeding the Forgotten:*
*The Bosnian Peacekeeping Mission and the Media"*

*Mr. Jonathan Landay*
*National Security Affairs Writer, Knight-Ridder Ltd.*

*"Military-Media Relations:*
*Changes in Era of New Military Challenges"*

*Lieutenant-Colonel Brett Boudreau*
*ADM(HR) Account Manager, DG Public Affairs*

**1999 Ethics Conference (3 Nov 99)**

**Ethical Considerations of Military-Media Relations on Operations**

Good afternoon, and thank you for the opportunity to provide the perspective of a military public affairs officer to this forum. I think the BBC journalist Martin Bell summed up the impact of the media on modern-day military operations the most succinctly of all, when he wrote that "the satellite is as much a weapon of war as the sniper's rifle, and the soundbite is an extension of warfare by other means." Within the context of a Revolution in Military Affairs, the consequences of this media reality are of particular and growing import to the military profession, and is being acknowledged in the evolving information operations doctrine of Canada and our Allies.

The recent experience of Canadian military-media relations has often been cold or even openly hostile, and at best, we have been warily suspicious of each other's motives. This somewhat acrimonious relationship between the two groups is mirrored, as far as I know, in every other country with an independent media.

This is not a new phenomenon, and you may recall Napolean Buonoparte's famous remarks about the effect of the press on his operations: that "English papers make my best spies" and "four hostile newspapers are to be feared more than a thousand bayonets".

Media coverage of military operations and the war correspondent as we have come to understand the concept have their genesis in the Crimean War in 1854, when William Russell from *The Times* was dispatched to cover that conflict full-time. This was a novel concept, since most war reporting up to that point was done by officers serving with the forces on or near the battlefield, which sure made for some great PR, but hardly for an objective assessment of what was really happening in the field.

Russell's first-hand accounts of the terrible living conditions of the British soldiers and the incompetence of their field commanders led to outrage in Britain, the dispatch of Florence Nightingale and medical support to help relieve suffering, the recall of several commanders, and eventually, the toppling of the government. In 1856, too late to affect the outcome of the war, the army issued a general order - the origins of British military censorship - which forbade the publication of information which might help the enemy, and provided for the expulsion of correspondents from theatres of operations.

Relations between the two groups haven't been the same since, though during the American Civil War, Union General Irvin McDowell did write that "I have made arrangements for the correspondents to take to the field ... and I have suggested to them that they should wear a white uniform to indicate the purity of their character."
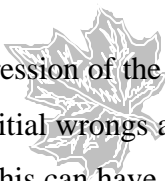
If we can discount that one example as an aberration, there will *inevitably* be a conflict of interest between the military, whose job it is to fight the war, and the media, whose job it is to make money from reporting it. Shortly before the invasion of Normandy, General Eisenhower said to reporters, "the first essential in military operations is that no information of value shall be given to the enemy. The first essential in newspaper work and broadcasting is wide-open publicity. It is your job and mine to try and reconcile those sometimes diverse considerations." And, as Martin Bell remarks, "our instinct is to publish and be damned, theirs' [the military's] is to censor and be safe."
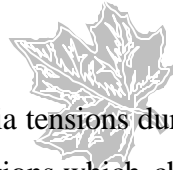
This dynamic easily accounts for military-media tensions during war, but it is surely a less valid explanation when applied to the types of operations which characterize recent, present and future likely Canadian Forces missions.   After all, our peacekeeping and peace-restoring operations are conducted in areas that with very few exceptions are accessible to media and where there are limited, if any, restrictions on their movement; intense competition has led to a proliferation of media and an increase in the number and kind of military-media interactions; the nature of our operations often requires that we pro-actively demonstrate our capabilities and intentions to the military factions and local populations (which means there are fewer secrets to keep); we now have regulations that permit our personnel - within their sphere of expertise and experience - to respond to media requests without having to first seek approval from the military hierarchy; and, we are active in almost two dozen foreign locations.

These conditions *should* lead to an improvement in military-media relations, because there are now more opportunities than ever before to expose media to our great people doing great work under unbelievable stresses.  Why, then, is there continuing tension?  Part of the blame unquestionably lies on our collective shoulders.

The military's instinctive need for control is irrelevant in the face of an institution like the media, that can put hundreds of persons in the field faster than we can, is equipped with communications capabilities at least as good as ours if not better, can transmit information to audiences without filtering it through layers of command, and one whose members have an intelligence gathering capability which in many respects rivals our own.

The speed in which news travels and the compression of the news cycle through Internet and 24-hour radio and TV news programs means initial wrongs and misperceptions aired in media are very difficult or impossible to correct, and this can have a detrimental effect on operations. Militaries, particularly those in multi-national operations like we often are, need to develop aggressive media approaches to counteract the speed of the media's passage of information.

For example, just before the 1996 Bosnian national election, the first since the Dayton Peace Accord, a Ukranian soldier was killed at the site where all of the ballots from the election were going to be stored and counted. Media interest was intense, because if it was a deliberate attack, it might be the pretense by a group to destabilize the entire election. Imagine the impact locally, when the official version of events goes up the chain of command from a Ukranian unit to an Italian Battalion, then to the French Division and to the British Corps headquarters, when CNN and local journalists are standing right outside the building filming what is going on, in real time, and you're not prepared to say something on-the-spot. It's devastating. [It was an accidental discharge from another soldier, by the way].

And any CF member who is unprepared to deal with this media reality can quickly turn a routine encounter with them into an issue with strategic effects on the operation at hand. For example, during the summer of 1996, IFOR was barraged daily with questions by media with respect to whether or not we were doing all we could to create the conditions where "in the normal course of our duties" we would come across persons indicted for war crimes and thereby arrest them. At a NATO checkpoint near the suspected home of Radovan Karadzic, soldiers told a camera crew that they had no idea what the persons indicted for war crimes looked like because they had no photos of them, but they were pretty sure they saw Karadzic in the area every so often.
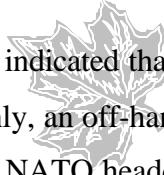
This was not helpful to the cause at all, since it indicated that NATO was complacent in this important issue, when we were not, and suddenly, an off-hand comment by two privates was having serious repercussions at senior levels in NATO headquarters in Brussels and in capitals around the world. In an information environment, there is very little that is tactical in nature anymore; almost anything can take on the air of strategic importance and thus media relations must be a subject of some degree of familiarity not just with military commanders, but with all of our military members.

Reasons, right or wrong, why the CF as an institution is regarded with mistrust by media is regular enough fodder that I won't go into detail here; just read your daily paper for that. On the other side of the coin, critics of media would argue that tensions between us continue to exist in part because the quality of reporting has decreased in about the same proportion as technological advances to collect and deliver the news. There is also the negative effect on public confidence as a result of what George Bernard Shaw contends is an inability of newspapers [and media at large] to "discriminate between a bicycle accident and the collapse of civilization." And, it strikes me, as an active observer of comparing "what happened" with "how is it reported in media", that there is no subject considered off limits today, with media bearing no responsibility, moral or otherwise, for what is printed or depicted.

Still others believe the problem lies elsewhere, even within the public affairs branch itself. For example, in a recent column for a local Ottawa paper, a former CF logistics officer wrote, "the public affairs branch of the Defence Department must be eliminated. The branch embodies what is wrong with the military and the breakdown of professional ethics .... the public affairs officers have become politicized, as is evident by their incessant spin-doctoring to cover for their political minister."

What fortuitous timing, for that is as good a transition into the heart of the issue at hand as it gets, so let me explore the issue further by offering some observations on the role of the approximately 100 Canadian military PAFFOs, because that is not particularly well understood outside or inside the CF.

Not to sound self-pitying, but the lot of a public affairs officer on operations is enough to give even the least paranoid of us an identity crisis or a complex. Usually working as a one-person band or with a photographer in tow, we are as loved by troops just a little bit more than media. Serving members tend to think of us as half journalist, half military. The sense we get from operators is that they all had better watch what they say around PAFFOs, and that conversations about capabilities or operations in particular should be on a "need to know" basis, because we have regular contacts with media, and "we wouldn't want that to get out", you know.

We've not done a good job explaining what it is we do, and CF members' impressions of our role seems to be that we hover, ready to interject or cut someone off when an individual conducting an interview says something "wrong", especially if that something is counter to government policy, or that we look to manipulate information to suit some political agenda at the expense of the truth. In short, I believe soldiers think of the PAFFO as an information commissar.

Generally, media and military critics view the PAFFO as an obstacle to the truth and an obstacle to a good interview. Media believe the work of PAFFOs is simply to parrot what the politicians or senior officers tell them to say, and provide "spin" to a story. We are seen as more brass than the brass themselves; if only media could work through the PAFFO and get to the honest troops, boy, the stories that would be written. In short, media tend to think of the PAFFO as an information commissar.
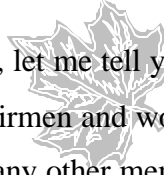
So, with those two misconceptions on the table, let me tell you what we are and what we do. First and foremost, we are soldiers, sailors or airmen and women, officers in the Canadian Forces. Our allegiance, as strongly as it is for any other member, is to the commander of the unit to which we are assigned. Our raison d'etre is to provide advice to that commander on all public affairs aspects of the mission or operation in question in order to help accomplish the military objective. Whether it is explaining how the CF is helping communities deal with an ice storm, or providing an account to incensed local media in a foreign country of a military clash involving our forces and theirs, our role ultimately is the same as that of any other member: to realize the military objective.

We give advice to, but take direction from, the military commander. In those occasions where that advice and the commander's direction conflict, we salute smartly and carry out that direction to the best of our ability. Orders are not a start point for discussion. Of note, though, new CF regulations now oblige us to advise the public affairs technical chain of issues or events that we believe may adversely affect the public perception of the CF, but there is no question whatsoever for whom we work - the military commander.

We sometimes joke that our job is to make chicken salad out of chicken shit. In fact, our role is not to *defend* government policy and the actions or inactions of our members, but to *explain* government policy and our actions or inactions. We do look to present the CF case in the best possible light, regardless of how ugly the case may be, because God knows, no one else out there will do so on our behalf. We aim to offer the department or the military's rationale, context and perspective, to issues or stories that without input, may be without rationale, context and perspective. We aim to educate and inform Canadians about the CF, but we are public servants, not lobbyists, and therefore do not advocate on our behalf.

We facilitate interviews and opportunities to have Canadians hear from you - the subject matter expert about what it is you do. We coordinate media visits, shoot a fair percentage of the video and photos you see on TV or the paper about the CF overseas, conduct hundreds of interviews per tour with media back home, and deal with indigenous media.

On operations, we often face the challenge of balancing the public's "right to know" and our desire for some publicity, with the resultant risk to the CF member. There are times when we would endanger our personnel by having media travelling in close proximity or cover our activities, and times when their presence in fact may contribute to mission success. How do you assess which would be the case?

Is it right to outfit a journalist in a Canadian combat uniform (but not give them a weapon) so as to go out on night patrol of a tense inter-entity boundary line? If you don't do that, there is no story, for how else can you expect media to impart the sense of danger, stress, apprehension and exhilaration otherwise?

Is it right to transport media in your vehicle when the UN regulations specifically prohibit it, since to do so may open your forces to charges of favouritism or partiality?

Is it a good idea to have media sit in on an operations brief which by its very nature is classified, knowing that if there is something goes down, they'll have a great scoop and potentially compromise the mission?

When Bosnian Serbs surrounded the "safe haven" of Srebrenica and refused to let any media inside to witness the scene, was it worth the risk to our forces to put a military photographer in and get world-wide footage of Canadian soldiers helping the injured to leave by helicopter, still the only video the world has of the experience in that enclave?

In each case, the commander ultimately makes the call to balance the risk and the consequences of not having our story told.  Pierre Trudeau's press office had an adage that "if it wasn't covered by the media, it didn't happen".  If we're not prepared to take at least some of those calculated risks, we have little hope of explaining to the Canadian public what it is we do, why it is important, why they should support us, why we are relevant.  But that sometimes involves difficult choices with tragic consequences if you're wrong.

Some persons in and out of the military seem to think that we collectively, but PAFFOs in particular, should be working to some higher loyalty, some "greater good" than the commander, whether that be the army, the Canadian Forces, or even "the country" at large.   That somehow we are especially obliged to "get the real story out" to ferret out "the truth" to the Canadian people, and to do less is somehow a betrayal of trust.  There is another ethics conference in that alone, but at least let's peripherally explore the issue.

"Just tell the truth" you say.  Well, the "truth", as you well know, is rarely black and white, and often needs to be tempered with some discretion.  And, as public servants, we are subject to many conditions on what we are able to say about an issue or activity, be it for operational reasons, because of the Privacy Act, so as to not compromise an ongoing investigation, the challenge of having to deal with information which is often based on incomplete first reports, and, the fact that we can be, and are held accountable for what we say.  Neither military critics nor media are constrained by these factors, all of which may militate against complete articulation of our position or explanation of an issue.  "Telling it like it is" is not necessarily as easy in practise as it may seem.  Let me give you just a couple of examples of why that is so.

The officer I work for today was a spokesperson for UNPROFOR several years ago, and during a media briefing one day was asked whether or not the situation in Sarajevo, with Serb guns surrounding the cut-off city and raining shells on it daily was tantamount to a seige.  Innocuous enough question?  Well, for the UN to publicly characterize the situation as such would have

derailed the ongoing talks between the Bosnian Serbs and the UN. Rather than to admit to the obvious and ruin chances at peace by having those talks collapse, he described the situation as the one side having a "tactically advantageous position". This enraged the Muslims, he was declared persona non grata, and after receiving death threats, left the country, but not before the vehicle transporting him was shelled all the way along the road out to the coast. There are times where "telling it like it is" must take a back seat to discretion and political reality if we are to achieve our mission.

This is another example of the perils of just saying what's on your mind, which I think really goes to the heart of responsibilities both on the part of media and the military member dealing with media. This story, titled "In strait-laced Bosnia, sex finds a way" ran in the Stars and Stripes (and then was picked up by many American media) about three years ago.

They can't drink a beer, eat in a restaurant or walk down a street alone, but U.S. troops in Bosnia are still allowed to have sex. In fact, 70 American servicewomen have been evacuated from Operation Joint Endeavour because of pregnancy since the deployment began Dec. 20. On average, an American servicewoman turns up pregnant every three days.

"It's going on all over the place," said Capt. Chris Scholl, and Army spokesman. "They've locked us down, so what else is there to do?" Scholl wondered aloud how many of the women got pregnant on purpose in order to cut short their Bosnian duty, which he characterized as "a hell tour." One favourite location is the backseat of a Humvee in a dimly lit parking lot at Tuzla Air Base. Other rendevous points include tents and – in a pinch – latrines, said Scholl, who redeployed to the States this week. There are even underground bunkers that afford some privacy, if you don't mind 3 or 4 inches of standing water on the floor. "Where there's a will, there's a way," Scholl said.

So, what do you think was the effect on family morale and therefore servicepersons' morale from the candour of that one disaffected individual's comments? What also does it say about the values of a media outlet that would actually use that?

-------- IF THERE IS TIME FOR THIS -----------

Finally, let me describe an example of the practical ethical challenges of what we face as the Canadian Forces representatives most often in contact with media.

In winter 1993, during UNPROFOR days, the unit I was attached to established the base camps at Visoko and Kiseljak, in central Bosnia near Sarajevo. This was still very much during the days of a heated shooting war, especially in that area of operations. Within the first couple of days, five of us, including the CO, the Company OC and I were travelling along the main road back to the Canadian camp after a meeting with the UN sector commander in Kiseljak. The meeting took longer than expected, and it was dark when we started to head back, not a good idea at all back then.

Half-way back to camp, the sniper opened up and .50-calibre rounds began hitting all around, but we managed to make it back OK, though we certainly broke the posted speed limits. Later that night, the Canadian camp came under direct mortar fire. It struck me that the events of the day were significant enough to warrant a news release and media interviews back home; after all, we were in the middle of the number one international media story at the time, we were peacekeepers with no peace to keep, and we were coming under direct fire, days into that part of a new mission.

The option of a news release was broached with the CO, and it was made very clear to me that that would not happen, the rationale being that "we don't want to worry the families back home." I offered the opinion that they were already worried and that they deserved to know the dangers - relative or otherwise - in which the Canadians now found themselves.

I was set straight that night and inevitably during the next few weeks, there were many incidents which simply defy belief as to why many more Canadians weren't killed or seriously injured: dozens of bullets pinging off the armoured personnel carriers as the CDS was escorted to downtown Sarajevo for a visit; groups of drunken youths opening up with automatic fire on the sentry posts at the main camp; two NCOs fixing infrastructure in Sarajevo when an anti-tank round literally passed between them and hit the wall behind them, luckily a dud.

By then, the CO had further tightened his media relations policy to "no discussion of the situation", and no one in the Battle Group, save for the CO, DCO, Ops O and myself, were authorized to give media interviews at all. This was neatly summed up in the direction that "breach those rules, and you'll be sent home on the next flight out, kit to follow."

I truly believe we have advanced our thinking beyond that, but we all face situations of a similar sort or related vein every day. So, what do you do?

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In conclusion, we all understand that doing the right thing is not so easy a selection as picking a definable "right" from a definable "wrong." Because of the consequences of error in this aspect of our work, I believe military-media relations merits special consideration in our professional discussions. And to those media and military critics who deride *our* institutional ethics, may I say that I look forward to an invitation from a gathering of Canadian media of this size, who are as prepared as this group is, to examine the difficult questions of ethics in their work.

# UN/NGO PERSPECTIVE
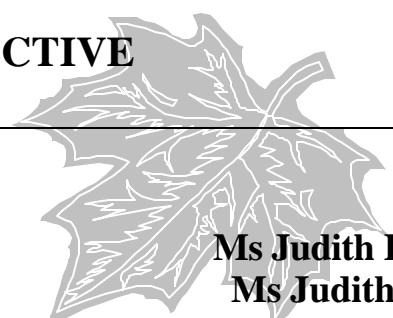
**Ms Judith Kumin**
**Ms Judith Lavoi**
**Colonel Michael Snell**
**Dr. Donna Winslow**

## Ms. Judith Kumin
## UN High Commission for Refugees

## "Neutrality in Humanitarian Operations: A Thing of the Past?"

Thank you very much for the invitation to participate in your discussion today. I will try to give you some food for thought, from the perspective of the humanitarian organizations of the United Nations system on the theme of "Ethics in Operations". Indeed, the agency I work for, the United Nations High Commissioner for Refugees, is confronted with a host of ethical issues on a daily basis in our operations around the world. As we have rather more questions than answers at this stage about the new situations we are facing in the field, I will try simply to outline these questions in the short time allotted to me and hope that once we have heard the views of the other panelists, some answers may start to emerge.

But first of all, some background information may be in order. Many of you are certainly familiar with UNHCR from your field deployments, others are perhaps less so. Despite its archaic name, the Office of the United Nations High Commissioner for Refugees is a very "hands-on" organization. We were set up in 1951 by the UN General Assembly with a mandate to provide international protection to refugees and to help governments to solve refugee problems. Although initially the agency was created for just a three-year period, our mandate has been extended every five years since 1954. There is unfortunately no sign that the world's refugee problem is about to disappear.

UNHCR is working today in 123 countries around the globe. We have a staff of around 5,000 and an annual budget of around US$ 1 billion. We are trying to assist around 23 million people: refugees, returnees, and some people displaced within the borders of their own countries. Although before the end of the Cold War we worked primarily in countries of asylum where refugees arrived after fleeing war or persecution, today we are increasingly called upon to be present in zones of conflict, in the countries where forced population movements are taking place -- and this is increasingly where the ethical problems arise for us.

The Statute of our office says that the work of UNHCR "shall be of an entirely non-political character; it shall be humanitarian and social…" Indeed, we are all taught that our work needs to conform to three main principles, those of humanity, impartiality and neutrality.

The humanitarian principle upholds the protection of life and the relief of human suffering as the primary purpose of our action. The principle of impartiality makes it clear that our assistance is to be provided to all victims based on need, and without any other distinction. But it is, I think, the principle of neutrality which is increasingly causing us sleepless nights.

When activities were carried out in areas removed from conflict zones it was relatively easy for humanitarian work to be perceived as neutral. This is more difficult today, especially as humanitarian operations are increasingly linked to political – and even military – action. The High Commissioner for Refugees, Sadako Ogata, said not long ago: "Political and humanitarian actors are uncomfortable bedfellows. Some humanitarian actors argue strongly that the principles of humanity, impartiality and neutrality should be strictly adhered to. Others are of the opinion that in the face of massive human rights violations – ethnic cleansing in Bosnia or the genocide in Rwanda, for example, humanitarian agencies can and should no longer maintain their neutrality."

Let me outline five of the major ethical dilemmas we are facing today.
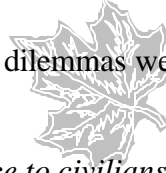
First of all, *should we provide assistance to civilians when we know that this aid could strengthen a regime in power, one which is responsible for violations of human rights?* On many occasions during the war in Bosnia and Herzegovina, we debated this issue. By assisting the Bosnian Serb population, and thereby letting their authorities "off the hook," were we prolonging the war? Would the Bosnian Serb soldiers have been willing to continue the fight, if they hadn't known that their wives and children were being fed by the international aid agencies? This question comes up time and time again. In the context of economic sanctions against Iraq or Serbia, for example, should humanitarian agencies step in to try to alleviate the worst of the suffering? To what extent should we work to protect and assist Serbs in Kosovo who may themselves have been guilty of forcing Albanians out, or burning their houses?

Secondly, *in negotiating access to victims, do we deal with persons in power whom we know to be the authors of ethnic cleansing and other human rights abuses*? What concessions does one make to a Karadzic or a Mladic in order to have access to the suffering people in Srebrenica? In plain language: how much wheat flour does one give up at a Bosnian Serb checkpoint in order to get to the civilians trapped in Srebrenica? How much should we concede to the pro-Indonesian militias in West Timor, in an effort to get access to the refugees held in camps there? Does the humanitarian imperative of getting aid through at all costs mean that attempts to distribute aid solely on the basis of need should be abandoned?

Thirdly, *should we work with the military, and if so, under what conditions*? Do we compromise our neutrality by working hand-in-hand with the military?  Increasingly, peacemaking or peacekeeping operations are justified by the need to protect civilians. The NATO action in Kosovo was cast as "humanitarian intervention." One of the purposes of the Australian-led international force in East Timor is, according to Security Council resolution 1264, to  "facilitate humanitarian assistance operations".  Some – such as the recent winner of the Nobel Peace Prize, *Medecins sans Frontieres*, argue that working with the military compromises neutrality.

Indeed High Commissioner Ogata, in her statement to UNHCR's governing body just last month said that the "involvement of the military in humanitarian operations can –in certain situations – expose refugees to a conflict, or even make them party to it, jeopardizing their security. For this reason it is essential to maintain clear distinctions: the military can support but should not substitute for agencies with humanitarian mandates."

The UN agencies have a specific problem in asserting their independence in cases where a peacekeeping action has been mandated by the Security Council. In the field, the population does not necessarily distinguish between the humanitarian arm of the UN and the political and military arms. In Bosnia and Herzegovina during the war our UNHCR vehicles were frequently attacked by stone throwers who did not distinguish between UNHCR and the peacekeeping force, UNPROFOR.  We made and wore t-shirts which said "Ovo je vas prijatelj" ("this is your friend") on them, in a rather blunt attempt to get the message across that we were distinct from the military.

Fourth, *does funding compromise neutrality?*  UNHCR's operations are funded almost exclusively through voluntary contributions from states.  We are – unlike CARE or Oxfam or Medecins sans Frontieres – a governmental organization. Can we effectively assert neutrality, when governments hold the purse-strings?

And finally, I would like to raise an ethnical question which does not involve the issue of neutrality, but one which troubles all of us: *at what point should concerns for the security of our staff dictate when we intervene and when we do not?* Over the past 12 months, more UN aid workers have been killed than UN peacekeepers. Just two weeks ago, two colleagues (from UNICEF and the World Food Program) were lined up against a wall in Burundi and shot. The next day, a Bulgarian civilian employee of the UN was murdered on the street in Pristina just for answering the question "what time is it?" in the wrong language – Bulgarian, which is nearly identical to Serbian. A UNHCR staff member, Vincent Cochetel, was held hostage in Chechnya for nearly 12 months until his release just before Christmas last year. Is it reasonable to expect aid agencies to go back into the northern Caucasus in view of the security risks? How do we weigh the risks against the desperate needs of the hundreds of thousands of Chechen civilians trapped by a brutal war?

I am not certain that there are any hard and fast answers to these questions. But they will arise increasingly often in the context of today's conflicts, as civilians and combatants are increasingly hard to tell apart. Today, humanitarian and human rights issues are constantly exploited by conflicting parties to pressure their antagonists. Humanitarianism and politics are increasingly blurred. Aid ends up in the wrong hands and becomes part of the dynamics of war.

Humanitarian action has become a more pronounced instrument of politics and of foreign policy than in the past. It may be that strict neutrality and effective protection of civilians are no longer compatible. Still, I am convinced that impartial humanitarian action by UN agencies can help to restore the perception of the UN as an even-handed actor, one able to contribute to resolving conflicts.

Perhaps together we will be able to find answers to some of the ethical dilemmas of humanitarian action at the end of the 20$^{th}$ century so that humanitarian action can make a better contribution not just to saving lives, but to building peace.

*Ms. Judith Lavoi*
*Canadian Red Cross*

Even War has limits

People on War

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People on War

A worldwide consultation on the
rules to limit violence in warfare

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20,000 people in 17 countries

Civilian and combatants

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Focus Groups discussions
Standardized Questionnarys
Opinion Surveys
Interpretative In-Depth Research

## What basic rules should be implemented in war

Why those rules are so often violated

- The experience of combatants
- The experience of civilians
- Total Engagement (whole socity at war)
- The reluctants conflicts
- Unequal power
- Women and combat
- Children
- Normative order
- Qualifying the limit
- The basis of the norms
- Geneva Convention
- Other weapons, landmines
- War crimes etc

## What combatant can do

**Russian Federation**
- There are certain things combatants should not be allow to do
  – Near unanimous belief

**France , UK, US**
- There should be no restriction on what combatants can do
  • 20-35 %

## Civilian

What does it mean

- Civilian pass a threshold beyond which they are viewed as taking part of the conflict

- This erases the distinction between civilians and combattant as laid down in Humanitarian Law

Civil war is harder than international war

In civil War you do not know
who your ennemy is

Growing number of identity driven conflict

- Warfare is perceived by combatant as an act of self defence

In war, civilians should be spared from attack

Between 87% and 98%

When combatants attack the ennemy, should they:

Attack enemy combatants and avoid civilians    2%
as much as possible

Attack enemy combatant and civilians    18%

Attack only enemy combatants and
leave civilians alone    76%

Don't know/refused    4%

---

**Basis for the norm**
(per cent of population responding "it's wrong")

Question: When you say it's wrong, is it primarily wrong
because it is...?

| | 0 | 10 | 20 | 30 | 40 | 50 | 60 | 70 |
|---|---|---|---|---|---|---|---|---|

Against human rights ............................................................57%

Against your personal code...........................................27%

Against the law.................................................24%

Against your religion...............................19%

Against what most people believe......6%

Against your culture....................6%

Other...................................0%

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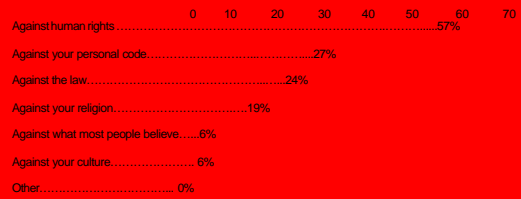
**Consequence of attitudes**
(per cent of total population responding)
**Acceptance of attacks on civilians**

| | Avoid civilians as much as possible | Leave civilians alone |
|---|---|---|
| Okay to attack civilians who give food and shelter to the enemy | 18% | 11% |
| Okay to attack civilians who transport ammunition for the enemy | 30% | 26% |
| Would not help a wounded enemy combatant | 52% | 38% |
| Would not save a surrendering enemy combatant | 48% | 35% |
| Okay to deprive civilians of food, medicine or water in order to weaken the enemy | 49% | 29% |
| Okay to attack the enemy in populated villages or towns | 41% | 26% |
| Okay to attack religious or historical monuments to weaken the enemy | 22% | 10% |
| Okay to plant landmines near civilians in order to weaken the enemy | 51% | 33% |

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Civilians and combatants find their
perception of their original belief
changing as conflict situations unfold

Humanness

Human differenciated
from annimals

If somebody killed my child, I would not guaranty my behavior. I just hope I would be human (Woman in Sarajevo.)

**RUSSIA, 17 December 1996**

- That night, six ICRC delegates were murdered methodically and in cold blood in the Novye Atagi hospital dormitory.

**RWANDA, 18 January 1997**

- In the town of Ruhengeri, unidentified armed men killed three Medecin du Monde employees with one or more bullets each and wounding another whose leg later had to be amputated.

**BURUNDI, 4 June 1996**

- One of the ICRC vehicles was subjected to intense gunfire and the three ICRC delegates travelling in it were killed.

Even War has limits

*Colonel Michael Snell*
*Military Advisor, Permanent Mission to the United Nations in New York*

*"Military Advise:  Ethics of Compromise?"*

## INTRODUCTION

About three years ago, general officers and colonels who came from the Armoured classification were asked to address the question of "ethics" and "leadership" in an article for the Corps journal.  My initial reaction was to wonder what this theme could possibly have to do with me.  After all, in my position as the Military Adviser to Canada's Ambassador to the United Nations in New York, what was my involvement in the debate about leadership and ethics in the Canadian Forces?  Surely people must understand that I deal daily with the diplomatic and political dimensions of peacekeeping rather than the "real" leadership side of soldiering on United Nations peacekeeping missions.  In my world, the buzz words are "political" and "consensus" and not those of "ethics" and "leadership".

A quick "thanks for asking but no thanks" note was on my desk.  However, as I thought about it, I began to wonder if there might not be something in this request.  After all, ethics is, I discovered in my Concise Oxford, the "science of morals in human conflicts" and was not the United Nations created to deal with human conflict.

As I considered this question, I  became aware that, on a day-to-day basis, as a military adviser, I am faced with a clear ethical challenge.  That is, do I (and my New York colleagues) provide, in a ethical fashion, the proper military advice when new peacekeeping missions are being launched?  It is within this context that my remarks are framed today.

## NEW YORK:  THE BACKGROUND

The military community in New York, which I will discuss in a moment, provides a unique type of military advice.

The United Nations does not deal with waging war.  It deals with preserving peace or, more consistent with Article 1.1 of the Charter, maintaining "international peace and security".  It does not deal with war fighting at the high end of the spectrum of conflict; it does address peacekeeping or peace support operations.  Thus, we function in an arena that is slightly different from that which is the normal military mind set and which is the focus at our staff colleges.

The military community in New York is truly unique.  International, joint and combined, it covers a wide range of ranks, experiences, languages and value systems.  There are essentially two parts to this military community.  One comprises the 60 or so officers who serve in the Secretariat of the United Nations.  The other are those who serve as Military Advisers (or attachés) to our Permanent Representatives (or Ambassadors) to the United Nations.

For those not familiar with these two communities, let me take a moment to describe them.  Those soldiers[1] who work in the UN Secretariat, primarily in the Department of Peacekeeping Operations, perform a wide range of tasks, many of which are similar to those performed in any large national or operational headquarters.  Many of these individuals are required on a regular basis to provide professional military advice concerning the planning, conduct and sustainment, both operationally and logistically, of United Nations peacekeeping missions.  Their advice is generally passed through the United Nations Military Adviser (currently a three-star general) to the political staff of the Secretariat and eventually to the

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[1]I will use soldier as a generic term to cover all military personnel from land, air and maritime forces and to cover officers and non-commissioned members alike.  The term will also cover those who are 'loaned' to the Secretariat at no cost to the UN and those who are 'seconded' (contributing nations are reimbursed for salary and other costs) to the UN.

Secretary-General himself.  Frequently the advice offered at a fairly low level will form all or part of the military-related recommendations offered by the Secretary-General to the Security Council and to Member States.
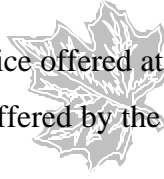
On the other hand, the second group, some 75 officers from almost 50 countries, who serve as Military Advisers offer similar advice about peacekeeping but we provide it to our ambassadors rather than to the Secretary-General.  In many cases, our advice shapes national positions to a large extent.

For either group, one key task is the provision of military advice and it is within this context that questions of ethics must be considered.  Moreover, it must be remembered that ultimately any UN peacekeeping mandate is a *political* decision usually achieved after a series of compromises.  Thus, our advice is inevitably passes through several political filters.

## PROVIDING (ETHICAL) MILITARY ADVICE

The last UN Military Adviser, Major-General Frank van Kappen of the Netherlands, was fond of saying that military advice in the first instance must be given "pure and uncompromised".  Although the wisdom of this may seem obvious, the path to its enactment is lined with danger.  For many, the clear temptation will be to fit the advice to what they think the diplomatic and political side of the house wants or can accept.  This tendency to situate the estimate can lead to a situation where the reliability of military advice is constantly questioned.

It also raises the question: can military advice be "pure and compromised"?  Or will it be compromised inevitably because the process is a political one?  The ethical challenge of providing military advice is to be both realistic and, at the same time, credible.  This is a challenge that I face on a daily basis.

I have considered this paradox, or even this conundrum, in the context of many of the missions which the Security Council has launched during my four years in New York - Haiti, Eastern Zaire, Central African Republic, East Timor and others. In these operations, the nature of the military advice is crucial to two key aspects of the mission's chances of success - namely the mandate and the force structure or resources necessary to implement it. Let me concentrate for a moment on these two elements.

The process of constructing a mandate authorizing a UN peacekeeping mission is, to reiterate, an extremely political exercise. Given the political nature of the process, I think that it is fair to assume that opportunities exist for advisers to offer compromised advice. But do they?

Looking at the various operations launched in recent years, I am struck that the concept of operations that drives the resources required, and by extension, the force structure, is produced, in the UN context, from the bottom up. Desk officers - majors and lieutenant-colonels in most cases - initiate the planning and then develop the operational concepts in the first instance. This advice often goes directly from the desk officer to decision makers with little or no intermediary consultation or review. Likewise, my advice goes directly to the Ambassador without further military vetting.

Realizing this, I began to wonder whether all of the military advice of my experience in New York, that is the advice from both communities, had indeed been pure and uncompromised in the first instance. The more I looked, the more I realized that the tendency, especially among more junior advisers, was to offer the advice uncompromised and then to think, possibly but not always, of the larger implications.

However encouraging this provision of pure advice might be, it leaves open a number of questions. Had the questions asked been situated? Had all the necessary and relevant information been provided in order that a proper military assessment could be completed? Had military advice simply been sought to support a previously-made decision or had someone merely "shopped" around until they found advice that fit their approach?

These and many, many more questions are all germane.

## **ARE THERE ANY ANSWERS?**

How, then, do we begin to address how to offer military advice in an ethical fashion?

First, we must remember that in providing military advice, each situation is different. There are different operational realities to consider; different resources to consider; different approaches in planning among planners; and different political realities and pressures.

Second, we must also remember that once military advice enters any political arena, such as the development of a peacekeeping mandate, there is almost an inevitability, or at least a very strong possibility, of it being compromised.

With this as backdrop, military advisers are often be put into an extremely difficult position, striking at our ethical heart. Often we put ourselves into this position because we want to ensure that there will be a mission and that our advice is not rejected because it is too expensive. Thus, we can succumb to the temptation to avoid this difficult position by ensuring that any initial advice contains an acceptable political fallback position. Although in certain situations this can a very useful tactic, it has to be avoided lest the too frequent cry of "wolf" undercuts the integrity of the military advice.

Given all of this, we can begin to see how the temptation to temper advice begins.
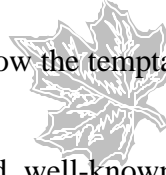
In the absence of clear cut, well-defined, well-known and generally accepted guidelines that cover the provision of ethical military advice, I have tried to develop and apply my own set of guidelines. The development of these has been an informal and evolutionary affair. Experience is a wonderful teacher!

Let me outline the key guiding principles that I try to apply in the provision of military advice. These principles, I hope, give me an ethical foundation in my work.

The most important one is that my advice must not put peacekeepers, and especially Canadian peacekeepers, at undue risk. I am not so naive as to believe that military operations can be "risk-free". I do recognize that all military operations, including peacekeeping or peace support operations, have an inherent degree of risk. I am also aware that there is a larger Canadian audience that demands to know what risks there are for Canadian peacekeepers in any new mission. The trick then is to define an acceptable level of risk.

One way to ensure an acceptable risk level is through the development of the mandate for the mission. The mandate must be appropriate to allow the participating troops to have the authority, and all that goes along with it, to do their job. Furthermore, if a mandate is to have any chance of being successfully implemented, then the mission must be provided with the appropriate resources, especially in terms of troops and equipment but also in terms of funding and logistical support. Let me be clear, there is a definite link between acceptable levels of risk, an appropriate mandate, and appropriate resources.

At this point, you should not be surprised to hear me say that there are no easy answers to determining an acceptable level of risk. It is, of course, necessary to factor in such elements as the commitment of the belligerents to the peace process, the security assurance and guarantees given by the parties to the dispute, health and disease assessments, and the list goes on. But, it is my assessment these are all fairly meaningless unless the mission has a solid and achievable mandate supported by all the necessary resources.

This is the crux of providing ethical military advice - is there a good mandate with sufficient resources that will contribute to an acceptable risk level.

It sounds so easy - clear mandates, adequate resources, acceptable levels of risk. However, examples of clear mandates with adequate resources are not overly abundant in the recent history of peacekeeping. Safe havens in Bosnia spring to mind!

Our ability to provide military advice that is "pure and uncompromising" is further undermined in two ways. One is the type of information upon which we base on our decisions; the other is the consequences of doing nothing.

Information, or intelligence if you will, - both open source and classified - has never been more abundant. At times, it is impossible to digest the volumes of information available. Likewise, we often do not have the time to determine what is both useful and reliable.

There are a number of ways of determining the validity and soundness of the information that you use to form your advice. However, there is no way of knowing fully the consequences if your military advice results in nothing being done.

The reality is that there often exists an upper limit to the price that the international community will pay to maintain international peace and security. What happens if our advice - "pure and uncompromised" - exceeds that price tag? Do we then tailor our advice to what the international community will accept and pray that another Rwanda does not happen? Or, do we stand on our principles ensuring that our advice is rejected?

I wish that it was as simple as producing a short, sharp list of principles which guide me on a regular and daily basis. But it isn't!

What I can say is that I try to provide advice that is pure and uncompromised; that attempts to ensure that peacekeepers are not put unduly put at risk; that peacekeeping mandates are as good as they can be; and that peacekeeping missions have the necessary resources. But I am also shackled with the reality that to do nothing is often not the answer.

## YOU GET NOTHING FOR NOTHING

The Foreman in the opera "Les Misérables", in one of the early scenes, provides some sound philosophical advice to those in the game of providing advice when he says:

> "At the end of the day you get nothing for nothing,
> Sitting flat on your butt doesn't buy any bread."

That is, if you place yourself in a situation where you avoid having to confront the dilemmas and the ethical challenges that I have posed today, you will never have to worry about compromising your advice. The antithesis of this position is obvious; deliberate avoidance of the offering of military advice is both a clear neglect of our professional responsibility and an ethical issue that needs to be addressed.

The issue of ethics in the military is a debate that has been a constant at least throughout the 20th century. The exercise of leadership through ethical decision making grounded in the provision of ethical military advice strikes at the heart of our profession. The debate will continue and it will continue to be difficult. The need to balance political realities with military advice, "pure and uncompromised" will not simply disappear.

We know, I hope intuitively, that military advice can never be compromised for political ends, yet realistically I also know that advice is never provided in a vacuum. This is especially true where the process to authorize military activity is as politicized as the United Nations. The trick remains for each of us to find the right balance. This must be a dynamic and continuous process in which we constantly refine and adjust our personal guidelines.

I started by looking at the definition of ethics. Contrary to that definition of ethics as the "science of morals in conflict", I have discovered that there is no science in finding the right balance.

Thank you.

*Dr. Donna Winslow*
*University of Ottawa, Centre on Governance*

*"Military Culture in Complex Cultural Encounter"*

## 1. INTRODUCTION

In the following paper we will outline the method we are using to answer the following research question: What are the cultural points of tension for a military commander in a peace operation in the former Yugoslavia? In order to do so we are proposing a new paradigm[1] for analyzing the following relationships military – civilian organizations, military – inter-governmental and governmental agencies, and military – military relationships. New forms of peace operations imply a paradigm shift for the military due to a number of factors that make peace operations fundamentally different from war. Thus traditional patterns of interaction (shaped and guided by traditional military culture) are being forced to evolve due to changes in the nature of conflict in the post-Cold War era. For researchers this also means a shift away from the traditional Institutional/Occupational model which for the past several decades has dominated the field of military sociology. What we are proposing is a comparative "cultural" framework that can capture the dynamic, complex and constantly shifting environment of a peace operation.

The institutional/occupational paradigm began to emerge after World War II when researchers began to remark changes in armies at peace. Researchers began to study the increased tension and paradox in military organizations as traditional collective institutional values (often associated with combat roles) came into conflict with new individualist and occupational values (often associated with new managerial responsibilities). These new occupational values were thought to have emerged due to increasing job specialization, a decline in the perceived importance of the combat arms, the introduction into the military of civilian management principles and bureaucratic rationalization. Thus, the traditional perception of military service as a calling or a vocation, has given way to a subjective definition of military service as an occupation in the labor market, involving the performance of work for civilian types or rewards under specific contractual conditions.[2]

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[1] Paradigm refers to the fundamental principles which guide the perception and organisation of data (J.A. Olgilvy,( 1986-87) "Scenarios for the Future of Governance" <u>The Bureaucrat</u> p. 13-16)

[2] For an analysis of these tensions in the Canadian Forces see S. Cotton (1981) "Institutional and Occupational Values In Canada's Army," Armed Forces and Society, Vol. 8. No. 1 pp. 99-110.

This institutional/occupational paradigm has also been used to explain attitudes of military personnel towards peace operations [3] and the motivations (institutional/altruistic vs. occupational/selfish) for participation in such an operation. [4] The institutional/occupational paradigm can explain tensions that might arise for the individual and between individuals due to differing attitudes towards the mission but it cannot explain inter-organizational tensions that arise to the variety of organizational cultures (ways of doing business) found in a peace operation. We believe that tensions arise in a peace operation when different social actors from a large variety of different national cultures and different organizational cultures find themselves forced to work together. We are therefore proposing the use of a model that outlines a number of key levels of organizational interaction and points of possible tensions due to the different organizational cultures of the social actors which find themselves in the area of operations.

In order to answer our research question and develop our model we must first begin with a definition of key concepts – culture, tensions, peace operation. This will then be followed by a discussion of the tensions between war culture and peace operations. We will then go on to discuss the different levels of interaction in a peace operation and our preliminary results based upon an inductive method using interviews, documentary and visual materials collected over the past year. [5]

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[3] For example see the work of C. Moskos (1975) "UN Peacekeepers: The Constabulary Ethic and Military Professionalism," <u>Armed Forces and Society</u>, Vol 1 No 4 pp 388-401.

[4] see the work of F. Battestelli (1995) "Socio-cultural Design of the Post-Modern Military: Motivations and Values in a Conscripts' Peacekeeping Force", Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 21-23, 1995.

[5] In order to build our theoretical model we are examining the material available in three fields of study: anthropology, organisational studies, and military sociology. In anthropology, culture is perceived as an underlying structure, a form of "grammar" which guides and informs social behaviour. In organisational studies culture is portrayed a being more instrumental, that is, as set of values and behaviours which can be conditioned and moulded. In military sociology little emphasis has been placed upon culture as an object of study. In general, the major focus in military sociology has been on social structures and attitudes affecting behaviour rather than on organisational culture itself.

The goal of the first stage of this literature review was for us to get an idea of what research and studies have been done in these three different fields (organisational studies, military sociology and anthropology). Because there has been so much written in the area of culture and organisations, our process of eliminating information included answering the following questions:

      1) Is this related to the goal of this project? (developing a theoretical model of points of tension in peace operations)

      2) Can it be linked to the military organisation?

In relation to available information in the form of books, we have been using two different methods. One of them is to use keyword searches and the other is to examine the call numbers that appear. Book titles that seem interesting are examined while at the same time we use their call numbers in order for us to do "shelve searches" which allow us to find other titles that were not found on the computer database.

## 2. DEFINITION OF KEY CONCEPTS

In this section we will identify the key concepts related to our research question: What are the cultural points of tension for a military commander in a peace operation in the former Yugoslavia? In the first part we will discuss culture in general terms, then go on to briefly examine military culture and ways of determining the presence of sub-cultures in an organization.

### 2.1 Culture

Culture represents the behavior patterns or style of an organization that new members are automatically encouraged to follow. Culture shapes action by supplying some of the ultimate aims or values of an organization and actors modify their behavior to achieve those ends. It establishes a set of ideal standards and expectations that members are supposed to follow. It is important to remember that culture is not only a set of values, or ethos, it is also the customary style used in organizing action.

> The core of culture is composed of explicit and tacit assumptions or understandings commonly held by a group of people; a particular configuration of assumptions and understandings is distinctive to the group; these assumptions and understandings serve as guides to acceptable and unacceptable perceptions, thoughts, feelings, and behaviors; they are learned and passed on to new members of the group through social interaction; and culture is dynamic – it changes over time, although the tacit assumptions that are the core of culture are most resistant to change. [6]

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The methods used to review literature on keyword searches for Organisational Culture from a variety of different databases are not consistent. Due to the fact that every database is organised differently and does not have the same "keyword" searches, you will notice that every search is a little different. For example, if we type the word ORGANIZATION, we will end up with about 14000 matches, we must then add additional words to that search in order for it to be more accurate. In some cases we might add a word such as CULTURE or MILITARY and so forth. In another database, we might have to use words that are different in order to get similar results.

In addition to the above literature review we have carried out a number of in-depth interviews with battalion commanders under UNPROFOR in addition to viewing visual documentation related to the mission (photos and video tapes from private and public collections).

[6] In S. Sachman, (1997) <u>Cultural Complexity in Organizations. Inherent Contrasts and Contradictions</u>. Beverly Hills: Sage, p. 25

Although an integral part of society, the military perceives itself as a distinct subset of the society it serves. Thus military forces constitute an organization which is distinctive, has clear boundaries, and which can be considered as a separate unit within the larger society. The military's distinctive culture sets it apart from the rest of civilian society. This separateness in underlined through the military's distinctive dress (uniform, distinctive badges, headgear etc) language (unique terminology, acronyms etc) and an emphasis upon ceremony and tradition (parades, mess dinners, troopings, etc). This culture is also marked by hierarchy, expressed by ranking and the chain of command, and by its corporate character.

As we have seen above, the changes which have taken place in western militaries since the end of World War II are thought to have occurred from an increasing "civilianization" of the military (often associated with the managerial responsibilities of a military at peace). According to Soeters armies in peacetime are highly bureaucratic, including a tall hierarchy and an elaborated command structure.[7] For some traditionalists, bureaucratization is seen as a threat to the military's separateness and some military men fear the erosion of the warrior ethos of leadership and its replacement with managerial principles.[8] Officers – such as battalion commanders – are thus in danger or becoming mere managers of human and material resources as the military shifts incrementally towards the managerial. This leads to a dichotomy between two sets of skills and attitudes: the heroic qualities of loyalty, unity, obedience, hardiness and zeal versus the managerial which is oriented towards coping with the larger political, financial and technological environment.[9]

This said, the tensions in a military organization are no longer just a product of differences between institutional and occupational values. This might have been true when (western) militaries were homogeneous environments. For example in Canada, the combat arms have been traditionally male and white. Now the Canadian army is becoming more diverse and is no longer a culturally homogeneous organization. Thus layered upon different values and motivations towards military life are the numerous sub-collectivities: services, commands, units, branches, occupations, officers/NCOs/junior ranks, informal groups of buddies, etc. in addition to important cultural differences of ethnicity and religion. These subcultures can also have an impact on the functioning of the military.

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[7] J.L. Soeters, (1995) "Value Orientations in Military Academies: A Ten-Country Study," Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 21-23, 1995 p.6.
[8] R.A. Gabriel, (1982) To Serve with Honor: A Treatise on Military Ethics and the Way of the Soldier. Westport, CT and London: Greewood Press. p. 98.
[9] See G.L. Wamsley (1972) "Contrasting Institutions of Airforce Socialisation: Happenstance or Bellwether?" American Journal of Sociology, Vol 78, No. 2 p. 400-402.
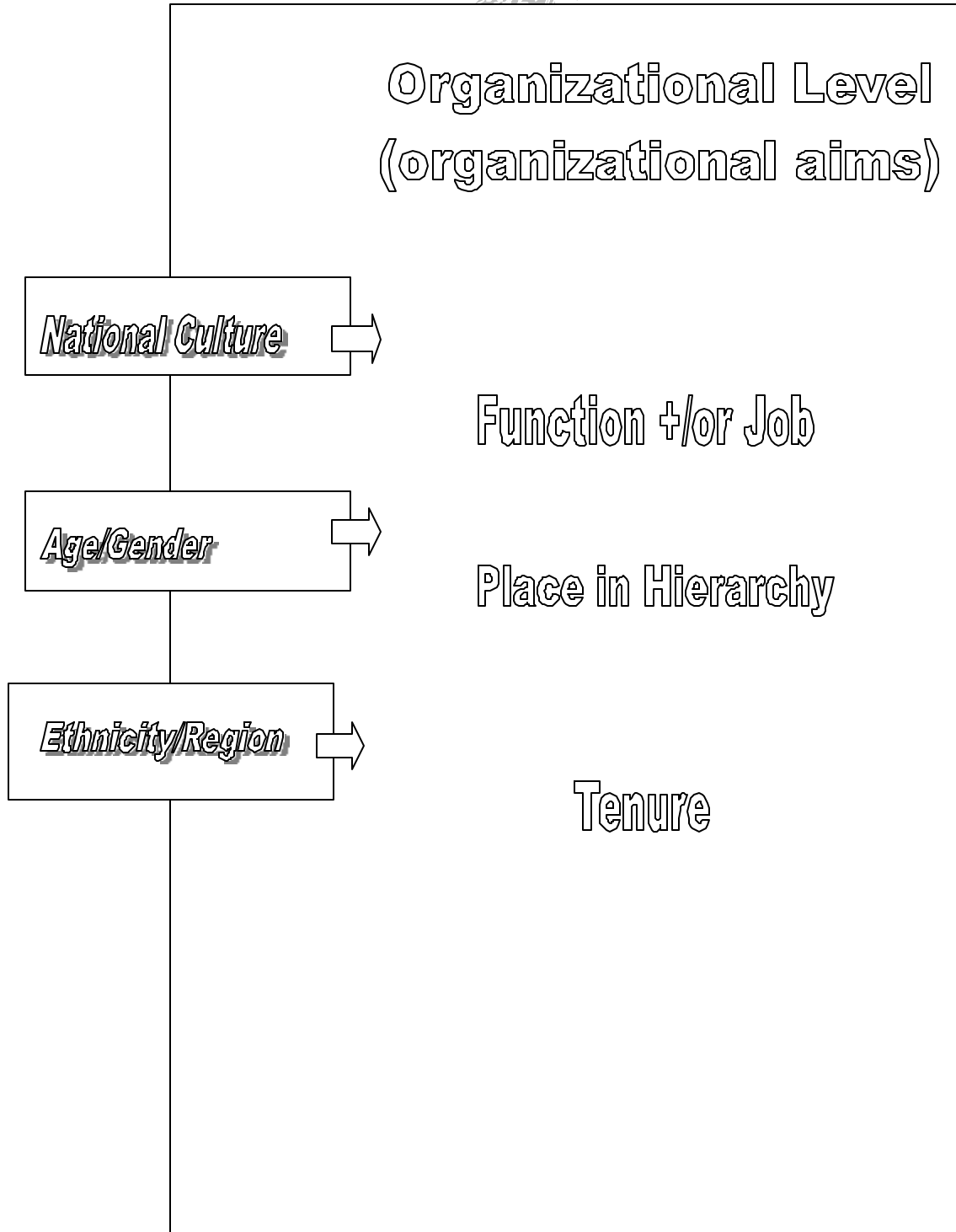
How then can we look for subcultures in an organization? In Model 1 we can see that by crossing a number of sub-collectivities we can identify possible sub-cultures in an organization. In the military, subcultures form among the various services of air, sea and land. In addition a group might form along additional lines, for example, among non-commissioned officers who are of a particular race or religion or ethnic group. Female reserve officers may constitute another group. (See Model 1 below) However, it is important to note that Model 1 describes intra-organizational tensions and perhaps the factors influencing the emergence of subcultures in an organization. And although this heterogeneity will be important to remember we must also remember that the goal of our research is to understand the tensions in a peace operation which occur between organizations.

For the purpose of our research question, we can see that the commander's relationship to other social actors in a peace operation is affected first of all by his[10] rank and place in the hierarchy. This means not only his rank within his organization (which affects his relationship with the members of his group) but also his position - battalion commander - in relation to the other military, civilian and governmental agents he must deal with in a peace operation. As battalion commander he must not only ensure the safety of his soldiers but also meet the various demands which are placed upon his organization to fulfill the mandate and accomplish not only soldierly but also humanitarian tasks. His relationship will also be influenced by his own nationality and the "national" interests that he must represent in the field of operations. In addition, other factors such as gender, age, experience, religion and ethnic group will affect his relationship with other social actors. This refers not only to his perception of the groups he must deal with but also those groups' perception of him.

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[10] In this paper we will refer to commander in the masculine gender because all of our interviewees have been male and/or have referred to the commander as a male. This is not to say that a commander cannot be female. However we would then surmise that, layered upon the tensions that a male commander might encounter from interaction with various social actors in the field of operations, a female commander would have to deal with an extra set of tensions arising from her gender.

**MODEL 1: Model of Organizational Subcultures.**

Organizational Level
(organizational aims)

National Culture ⇨

Function +/or Job

Age/Gender ⇨

Place in Hierarchy

Ethnicity/Region ⇨

Tenure

## 2.2 Tension

According to the dictionary tension refers to stretching, straining, spreading. In our research this refers to the stretching and spreading of resources and particularly the straining of relationships. In this research (see inductive model elaborated below) we shall propose five levels of analysis:

1. Military to multinational agencies (UN/NATO)
2. Military to representatives of the national government (Department of Defence and Politicians)
3. Military to other national military contingents
4. Military to non governmental groups (NGOs, the media, relatives)
5. Military to host population and their representatives

We have also identified seven possible points of organizational tension to be found in peace operations. These points of tension are related to organizational differences in terms of:

1. organizational composition,
2. different tasks and ways of accomplishing them,
3. differing time frames,
4. different definitions of success,
5. different abilities to exert influence,
6. control of information,
7. control of resources.

In a peace operations there are a large number of organisations in theatre. For example in UNPROFOR there was the military, NGOs, the media, inter-governmental agencies such as UNHCR, other UN organisations such as UNCIVPOL, UN representatives, in addition to local representatives and, of course, the local population. Each of these groups have different numbers of people on the ground, different organisational goals and composition in terms of age, gender etc. They each have different tasks in an operation and different ways of accomplishing them in addition to different time frames in which to do so. They sometimes have different definitions of success and different abilities to exert influence over the desired outcome, including control over information. Finally they have competing needs for the scarce resources available in theatre.

The military commander finds himself enmeshed in a complicated web of relationships (see Influence Model 2 below) where he has to deal with international agencies, other military contingents of different nationalities, governmental and intergovernmental representatives in addition to non-governmental organisations and the media. Often these other actors are making competing claims on the resources under his control from fuel and vehicles to the use of his soldiers' labour power for a variety of tasks from providing security for humanitarian assistance to building and repairing infrastructure. All these demands create tension, that is, they put strain

on him as he is asked to stretch his material resources and spread his human resources. Another source of tension for the commander is that all these agencies are communicating with each other and trying to influence the outcome to their respective advantage while the commander is powerless to do so.  In addition our interviewees told us that under UNPROFOR the chain of command seemed "ambiguous", that is discussions were carried out with the "official" agency of the detachment commander in Zagreb, however there was also constant contact with the Department of Defence in the national capital. The commander then had to "do business" with several levels of headquarters at the same time.
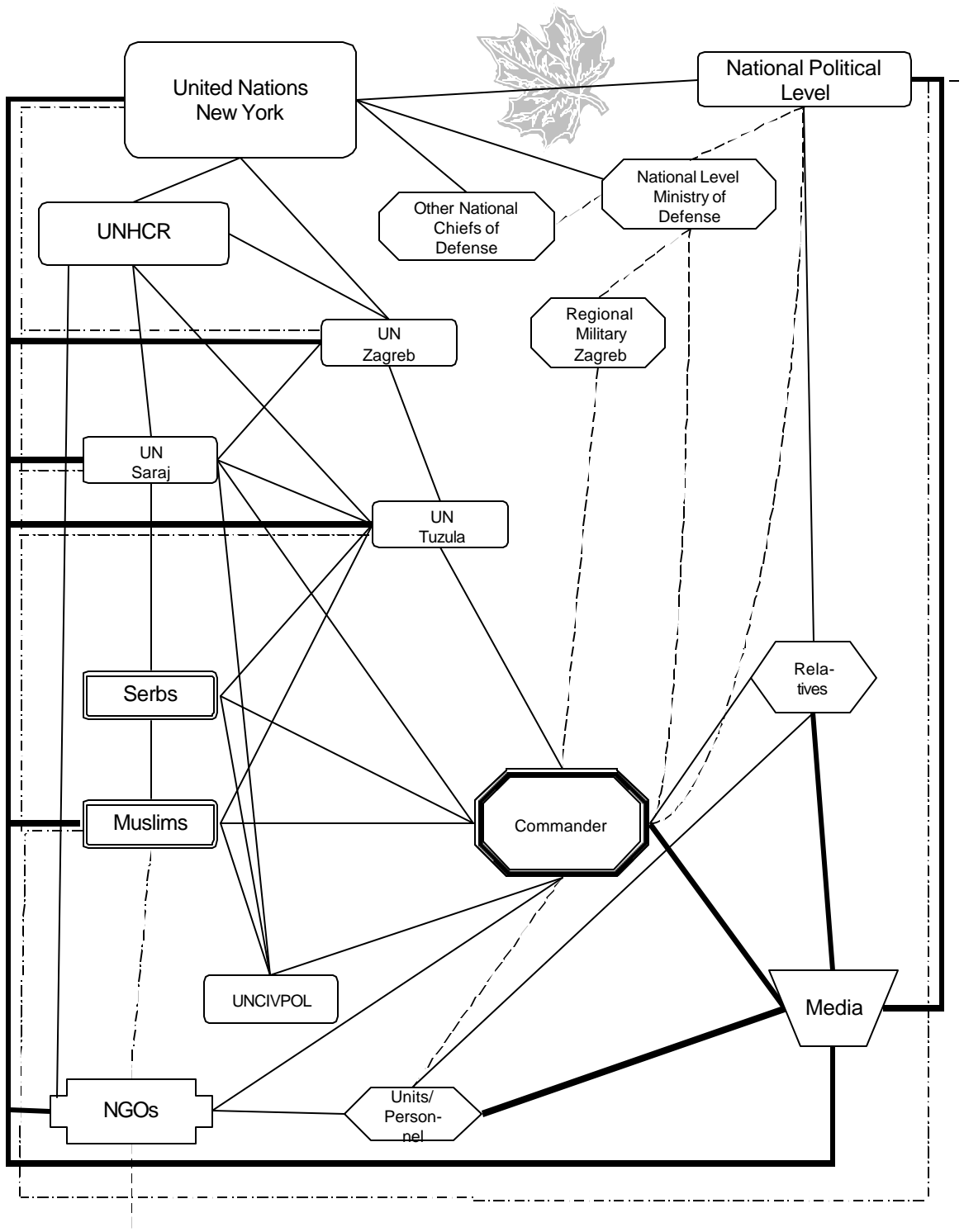
# Influence model

## 2.3 Peace Operation

There is no universally accepted definition of the term peacekeeping.[11] Peacekeeping is NOT a term found in the UN charter but it has come to refer to a wide variety of actions and interventions, which renders the peacekeeping role itself both ambiguous and open to variable definition. [12]  In July 1992 an attempt was made by the UN Secretary General to identify various types of action in <u>An Agenda for Peace</u>. In Chapter II of this document peacemaking and peacekeeping are described. Peacemaking is the action to bring hostile parties to agreement while peacekeeping is the deployment of a UN presence in the field. Other concepts found in this chapter are preventive diplomacy  (action to prevent disputes from arising, to prevent existing disputes from escalating and to limit the spread of conflict); post conflict peace building (action to identify and support structures which will strengthen and solidify peace); and peace enforcement (restoring and maintaining cease-fire by force).[13]  Bertrand tells us that although these terms seem clear, in fact the distinction between the different forms of actions is blurred, and that there is confusion among them.[14]

Some scholars have distinguished between different "generations" of peacekeeping. [15]   In the first generation of peacekeeping (the Suez crisis) a consensus of both parties and the superpowers was needed. This form of peacekeeping was intended as an emergency measure, which would buy time to settle the dispute. The second generation occurred in the mid 1980s with the relaxation of the tensions of the Cold War and it involved the implementation of a prior peace agreement (Namibia, Cambodia, El Salvador). After the end of the Cold War a "third generation" of complex conflicts and humanitarian crises arose and the number of peacekeeping operations grew dramatically.  "Only 12 UN peacekeeping efforts were initiated between 1945 and 1970, when the first major social science analysis of such missions was conducted. By contrast, 15 new missions have been initiated in the period since 1991".[16]  Key differences between the first and third generation is the absence of consent by the host country and the increase in the number and type of organisations involved.[17]  I will use the term "peace operations" partly to avoid getting involved in a controversy over labels and to have one term to

[11] J.T. Jockel, (1994). <u>Canada and International Peacekeeping</u>. Toronto: Canadian Institute of Strategic Studies p.6.
[12] F. Pinch, (1994). <u>Lessons From Canadian Peacekeeping Experience: a Human Resources Perspective,</u> Ottawa: FCP Human Resources Consulting, August 1994 p. 17.
[13] Cited in M. Bertrand, (1995). "The Confusion Between Peacemaking and Peacekeeping". In <u>New Dimensions of Peacekeeping</u>. D. Warner (ed.), Netherlands: Kluwer Academic Publishers. pp. 163-164
[14] M. Bertrand, (1995). "The Confusion Between Peacemaking and Peacekeeping". In <u>New Dimensions of Peacekeeping</u>. D. Warner (ed.), Netherlands: Kluwer Academic Publishers. pp.164
[15] See Connie Peck, (1995). "Summary of Colloquium on New Dimensions of Peacekeeping". In <u>New Dimensions of Peacekeeping</u>. D. Warner (ed.), Netherlands: Kluwer Academic Publishers. pp.181-183.
[16] D.R Segal, M.W. Segal and D.P. Eyre (1996). <u>The U.S. Army in Peace Operations at the Dawning of the Twenty-First Century</u>. Washington, D.C.: U.S. Army Research Institute for the Behavioural and Social Sciences.p.1
[17] See A. Morrison. (1993). "The Changing Face of Peacekeeping". In <u>The Changing Face of Peacekeeping</u>. Alex Morrison (ed.). Toronto: The Canadian Institute of Strategic Studies pp8-13 and A. Morrison, Alex and S. M. Plain. (1994). <u>New Peacekeeping Partnership</u>.  Toronto: The Canadian Forces College. pp3.

describe the range of activities in which a military person in the Former Yugoslavia (FYU) might become involved. In particular there have been a number of missions to the FYU each with particular characteristics (humanitarian relief under UNPROFOR to more "robust" forms of peace enforcement under IFOR and SFOR).
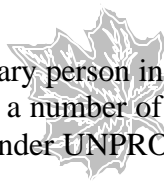
| | ARMY | AIRFORCE | NAVY | |
|---|---|---|---|---|
| **1992** | **UNPROFOR**<br><br>*UN*<br><br>21-2-92 to 20-12-96 | | | |
| | | **Skymonitor**<br>*Nato*<br>16-10-92 to 12-4-93 | ***Maritime Monitor Nato***<br>6-92to11-92 | ***Sharp Vigilance WEU***<br>6-92to11-92 |
| **1993** | | **Denyflight**<br>*Nato*<br>12-4-93 to 12-4-93 | **Maritime Guard** *Nato*<br>22-11-92-to 15-6-93 | **Sharpfence** *WEU*<br><br>22-11-92 to 15-6-93 |
| **1994** | | | | |
| **1995** | | | **Sharpguard** *Nato/WEU*<br>15-6-93 to 1-10-96<br><br>(suspended on 19-6-96) | |
| **1996** | **Deliberate** *UN/Nato*<br>to | **Force**<br>30-6-95<br>20-9-95 | | |
| | **IFOR** *Nato*<br>20-12-95 to 20-12-96 | **Decisive Endeavour** *Nato*<br>20-12-95 to 20-12-96 | | |
| **1997** | **SFOR** *Nato*<br>20-12-96 to the present | **Deliberate Guard** *Nato*<br>20-12-96 to the present | **Determined Guard** *Nato*<br>20-12-96 to the present | |

Figure 1: Overview of UN missions in the Former Yugoslavia (After W. Kroon, H. Heesakkers, M. Jacobs and J. van der Veer (1997) "Rules of Engagement and the Experiences of Dutch Soldiers during UNPROFOR and IFOR," Netherlands Annual Review of Military Studies. p.57

## 3. THE CULTURE OF WAR AND PEACE OPERATIONS

Culture in the setting of a peace operation is complex, pluralistic, diverse, contradictory, and inherently paradoxical. For the military it poses a particular kind of challenge because a peace operation is different from what a military organization is trained for – war. Thus, the organizational culture of the military is forced to shift and adjust and certainly learn from these new forms of missions in order to be able to adapt to them in the future.

Factors which differentiate war-fighting from peace operations include: a lack of strategic direction, expanded scope, limited intelligence, political and cultural diversity, multiple players, media intensity, lack of (or limited) rule of law, constrictive rules of engagement, the likely occurrence in austere environments and the demand for a visible presence.[18]

Peace operations such as those in the former Yugoslavia (UNPROFOR, IFOR, SFOR) reflect ambiguities, constraints, challenges, obstacles, risks, and frustrations that differ – at least qualitatively – from those experienced in conventional operations.[19] The basic question is the degree of convergence or divergence with conventional operations. Convergence here implies continuity, compatibility. However, according to Pinch there is strong evidence that divergence also exists (discontinuity, incompatibility, and the requirement for adjustment and change).[20]

### 3.1 Non Coercion and Impartiality

There are significant differences between war fighting principles and those that govern peace operations. Although elements of security are common to both types of operations, offence, unity of command, manoeuvre, surprise, strategy remain the dominant elements of war operations while restraint and principles of unity of effort among a variety of actors dominate peace operations. Thus, according to the literature there are two fundamental principles that make peacekeeping something different. They are the principles of non-coercion and impartiality.[21]

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[18] D. McLean, (1996). Peace Operations and Common Sense. Replacing Rhetoric with Realism. Washington, DC: US Institute of Peace. Peaceworks Paper No. 9

[19] F. Pinch (1994) Lessons From Canadian Peacekeeping Experience: a Human Resources Perspective, Ottawa: FCP Human Resources Consulting, August 1994.p34.

[20] F. Pinch (1994) Lessons From Canadian Peacekeeping Experience: a Human Resources Perspective, Ottawa: FCP Human Resources Consulting, August 1994.p 22.

[21] See J.T. Jockel, (1994). Canada and International Peacekeeping. Toronto: Canadian Institute of Strategic Studies p.5 and F. Pinch (1994)Lessons From Canadian Peacekeeping Experience: a Human Resources Perspective, Ottawa: FCP Human Resources Consulting, August 1994.p 34

Peacekeeping missions rely on impartiality and minimum use of force in a way that war does not.[22] According to the peace soldier "is one who is able to subscribe to the precepts of absolute minimal force, a reliance on compromise and negotiation and the recognition of permanent political solutions." [23] Similarly Eyre writes, "In war, you can be as impolite as you want (even with your allies if you have enough guns) and talking with people is peripheral to success. In peacekeeping, negotiation skills and understanding are important and useful because they are part of the tool kit you use to sustain an agreement".[24]

The decision to use force is also different in peace operations: "Unlike conventional operations, where the decision to use force is essentially a matter of target definition, peace operations present the individual soldier with a variety of decisions."[25] Making the right decision at the right time can be critical to the success of the mission. On peace operations the Rules of Engagement (ROE) are supposed to provide a guideline for the use of deadly force. However these Rules are proscriptive in nature. They tell a soldier what he or she should do. They do not provide guidance for the wide range of alternatives that fall short of deadly force. In peace operations the majority of confrontations will require the use of a lesser degree of force.[26] Capstick and Last tell us that:

> The entire issue of reaction to incidents and appropriate escalation is probably the crux of the difference between the conduct of peace operations and war-fighting. The soldier's instinct to apply massive combat power from the outset of an operation must be replaced by a policeman's measure escalation and minimum use of force.[27]

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[22] According to F. Pinch (Lessons From Canadian Peacekeeping Experience: a Human Resources Perspective, Ottawa: FCP Human Resources Consulting, August 1994.p.16), "The requirements of constraint on the use of force and impartiality means that conventional force and unit structures must be adapted to multinational force operations with potential impacts on unit leadership, cohesion, morale and personnel integration and adjustment, during and after peace operations deployments."

[23] C. Moskos, (1975). "UN Peacekeepers: The Constabulary Ethic and Military Professionalism," Armed Forces and Society, Vol. 1, No. 4, p.399.

[24] K. Eyre, (1994). "Cultural Awareness and Negotiation Skills in Peace Operations". In Peace Operations: Workshop Proceedings. D. Segal (ed.) Washington D.C.: U.S. Army Research Institute for the Behavioral and Social Sciences.p.103.

[25] D.R.Segal, D.R., M.W. Segal and D.P. Eyre (1996). The U.S. Army in Peace Operations at the Dawning of the Twenty-First Century. Washington, D.C.: U.S. Army Research Institute for the Behavioural and Social Sciences p.40.

[26] D.R.Segal, D.R., M.W. Segal and D.P. Eyre (1996). The U.S. Army in Peace Operations at the Dawning of the Twenty-First Century. Washington, D.C.: U.S. Army Research Institute for the Behavioural and Social Sciences p.40.

[27] Lt. Col. M.D. Capstick, and Maj. D.M. Last. (1994) "Negotiation Training for Peace Operations: One Unit's Experience of Translating Theory to Practice". In Peace Operations: Workshop Proceedings. D. Segal (ed.) Washington D.C.: U.S. Army Research Institute for the Behavioral and Social Sciences.p.92

The shift to peace operations also means the focus is no longer on victory over an adversary but rather on stabilisation and/or elimination of the conflict. This implies a paradigm shift for the soldier involved who now needs to see the conflict as the enemy not the belligerents.[28]
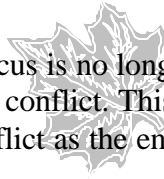
## 3.2 A variety of actors

In peace operations there are significantly more players and the hierarchy is less clear than in typical military operations (see model 2). Eyre notes that the environment of peace operations is characterised by the presence of significantly more players and significantly less precise definitions of relationships where the hierarchy is less clear than in traditional military operations.[29] The military aspects of peace operations are just one of several critical components to the success of the operation.[30] Military personnel, therefore, have to interact with a variety of military, government and NGOs, groups and individuals, including refugees, multiple belligerents and the media – each of which has its own turf and agenda. According to Johansson the military, humanitarian and the political side of the UN organisation are most of the time working in an area with three different objectives. As one Swedish company commander put it, "I had no idea of UNHCR, their organisation or task, when they suddenly stood in front of the company gate."[31] This means that not only senior officers such as the commander but also young officers, NCOs and soldiers are more and more in contact with combatant and non-combatant groups where decentralised diplomacy and on the spot negotiation skills can defuse a volatile situation. In many cases military personnel peacekeepers are faced with the negotiation challenges of their careers.[32] (Vowels and Witkinson 1994)

## 3.3 Ambiguity

Ambiguity is perhaps one of the most difficult things that soldiers must face in peace operations. Peace operations are ambiguous in a way that war is not (see Miller 1995: 9). The goals and roles may vary across missions, during missions and from region to region within a mission. To function effectively soldiers need to understand and manage conflict that often cannot be reduced to simple dichotomies of good vs. evil and true vs. false. They have to learn to cope with fast changes and ambiguities that involve several constituencies with multiple

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[28] D. Last, (1995). "Peacekeeping Doctrine and Conflict Resolution Techniques," Armed Forces and Society, Vol. 22, No. 2, p.191 ; F. Pinch (1994) Lessons From Canadian Peacekeeping Experience: a Human Resources Perspective, Ottawa: FCP Human Resources Consulting, August 1994. p 16.

[29] K.E. Eyre ,. (1993). "The Need for Standardized Peacekeeping Education and Training," in A. Morrison (ed.), The Changing Face of Peacekeeping, Toronto: Canadian Institute of Strategic Studies.

[30] See T. Findlay, (1996). "The New Peacekeeping and the New Peacekeepers" In Challenges for the New Peacekeepers. Trevor Findlay (ed.). New York: Oxford University Press. p. 21

[31] Quoted in E. Johansson, E. (1995). "Peacekeeping and Military Professionalism – The Experience of the Swedish Bosnian Battalion," Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 21-23, 1995 p. 9

[32] L.G. Vowels and Maj. J. R. Witkinson (1994) "Peacekeeping with Light Cavalry," Armour. Sept-Oct 1994: 26-34

loyalties. According to Pinch peace operations are a social environment which is "complex, ambiguous, potentially dangerous and often lacking in the usual military supports (e.g. clear hierarchy, absence of intrusive third parties, specified courses of action, etc.)"[33]

The Rules of Engagement (ROE) are received by the battalion commander from his Ministry of Defence.[34] He must then interpret these "rules" into parameters of action for his soldiers.  Miller and Moskos noted that "interpreting the rules of engagement was a most contentious issue for soldiers subject to acts of hostility."[35] While Wyatt and Gal raise serious questions about the ability of soldiers to determine what is legitimate, "even in democracies posited upon the assumptions that individuals are best able to reflect upon and represent their own true interests."[36] Furthermore, because civilised military training incorporates into its standards the notion that it is permissible to kill certain people but not others, feelings of ambivalence are likely to result among combat troops when faced with their ROE. This ambivalence may create an environment within which concepts of morality and legality become abstract, subject to varying situational definitions.[37]

According to Britt peace operations where the rules for a mission and for what is required of the soldier are unclear or conflicting result in lower degrees of responsibility, commitment and morale. When individuals are not responsible for their performance, feelings of indifference and disconnection arise. "One major threat to superior performance during peacekeeping operations is reduced feelings of personal responsibility---the nature of peacekeeping operations can predispose soldiers not to take responsibility for their performance."[38]

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[33] F. Pinch,  (1994). "Screening and Selection of Personnel for Peace Operations: A Canadian Perspective". In Peace Operations: Workshop Proceedings. D. Segal (ed.) Washington D.C.: U.S. Army Research Institute for the Behavioral and Social Sciences.p.62

[34] Each national contingent must have rules of engagement which are not only in accordance with the UN mandate but also their own national laws. Therefore the ROEs for each national military contingent will be somewhat different. This can create difficulties when these different military forces must collaborate on a mission.

[35] L. Miller, and C. Moskos . (1995). "Humanitarians or Warriors? Race gender and combat status in Operation Restore Hope," Armed Forces and Society. Vol. 21 No 4, p.622.

[36] T. Wyatt, and R. Gal, eds. (1990) Legitimacy and Commitment in the Military. Westport (CT), Greenwood Press p. 14

[37] Similarly, W.C. Cockerham and L.E.Cohen  (1980, "Obedience to Orders: Issues of Morality and Legality in Combat Among US Army Paratroopers," Journal of Social Forces, Vol. 58, No 4, 1272-1288) tell us that what most distinguishes the military from other bureaucracies is that they must train and socialise their membership to norms that are non-normative in civilian society, such as kill people and obey orders implicitly. Whenever people are socialised to follow orders, there is the danger that they will suspend their own moral judgement especially when under great stress.

[38] T. Britt, (1995). "Using the Triangle Model of Responsibility to Understand Psychological Ambiguities in Peacekeeping Operations," Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 21-23, 1995 p.4

The lack of control soldiers feel during peacekeeping operations may represent one of the most potent threats to feelings of responsibility and commitment. One of the hardest things for soldiers during certain types of peacekeeping operations is to have to stand by and witness horrific acts committed against members of a local population. Soldiers must also put up with being taunted and humiliated without being able to respond. ROEs that are overly restrictive can serve to make the soldier feel "out of control" thereby decreasing the soldier's belief in his or her efficacy to perform even the most basic behaviours. When soldiers do not feel they have control over their actions, they will not feel responsible for or committed to what they are doing.[39] Britt goes on to say that one of the most frustrating experiences for a soldier on a peace operation may be a belief that the rules are unclear, that he has not had the proper training to do the job, and he has no feeling of control, yet the soldiers think that their unit leaders believe the soldiers clearly understand the mission, are properly trained and have control over their job.[40]

## 4. APPLICATION OF THE CULTURAL MODEL

It is our belief that in fact the inductive method brings us to a more interesting model. The inductive method is characterised by the belief that research should begin with observations. Insight then emerges from the data collection. One observes/interviews, induces generalisations and, through a process of analytical induction attempts to develop a full-blown analysis that reflects adequately the observed reality. The following model is based upon research of the Canadian deployment to the former Yugoslavia (CANBAT II) and interviews with battalion commanders under UNPROFOR. Data was also obtained from military documents such as after action reports and civilian and military Boards of Inquiry.

In the following section we will give some examples of the seven areas of tensions (organisational composition, different tasks and ways of accomplishing them, differing time frames, different definitions of success, different abilities to exert influence, control of information, control of resources) that might arise in one or more of the five levels of analysis: Military to multinational agencies (UN/NATO), Military to representatives of the national government (Department of Defence and Politicians), Military to other national military contingents; Military to non governmental groups (NGOs, the media, relatives); and, Military to the host population and their representatives.

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[39] T. Britt, (1995). "Using the Triangle Model of Responsibility to Understand Psychological Ambiguities in Peacekeeping Operations," Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 21-23, 1995 p.16

[40] T. Britt, (1995). "Using the Triangle Model of Responsibility to Understand Psychological Ambiguities in Peacekeeping Operations," Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 21-23, 1995 p.26

## 4.1 organizational composition

Organisational composition refers to differences in organisational goals (including values and basic assumptions), organisational composition (gender, age, ethnicity), and organisational structure. In other words, we are also talking about organisational culture.

Almost every organisation has some sort of values or mission statement and/or code of personal of operational conduct for members. Differences in organisational goals can create tensions in a theatre of operations. For example some national militaries are more oriented towards applying violence. Therefore even between militaries there can be differences according to whether or not their military culture/doctrine is interventionist or defensive. There are also differences between militaries that are from NATO or the Warsaw Pact countries. Another example is NGOs which find themselves in theatre in order to carry out relief work. Their organisational goals are different from that of the military who is there to ensure a secure environment. Certainly there are large differences between the organisational cultures of relief workers and the military. Miller's work[41] shows that in spite of the perceived benefits and a shift towards support of armed intervention in the regions where they work, relief workers remain essentially anti-military.

Other differences concern organisational composition. Between military organisations the question arises as to the size of the unit and the proportion of professional soldiers. If the unit is mainly reservists or conscripts their motivation for deployment may differ from those of the professionals. For example, they may volunteer for the mission for the extra financial benefits or for the adventure. In addition, the gender and ethnic composition of the organisations in theatre may affect the way they interact with each other. Young male soldiers between 19 – 22 years old may have difficulty dealing with relief workers who are female and considerably older. Some military units may have difficulties dealing with other units that have females in them. Finally ethnic (including racial, cultural and religious) differences can impact on the way organisations behave with each other and with the local population. Miller and Moskos showed that military units that were mixed race and mixed gender had more humanitarian attitudes to the local population than all male uniracial units which adopted a more aggressive stance towards to locals.[42]

Even organisational structure can affect the way groups interact. For example what is the hierarchy in the organisation? How are decisions taken? Some organisations such as NGOs may have a more flattened hierarchy with decentralised decision making. Difficulties can also arise

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[41] See L. Miller, (1997) "Relief Workers' Attitudes Toward the US Military in Peacekeeping Operations." Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 24-26, 1997.

[42] L. Miller and C. Moskos (1995) "Humanitarians or Warriors? Race, Gender and Combat Status in Operation Restore Hope". Armed Forces and Society, Vol. 21, No. 4, Summer 1995, pp 615-637.

when different command structures come into contact with each other. For example, Miller tells us that tension arose when US troops found themselves serving under a non-American UN commander. Soldiers in her interviews said they were unsure of the proper procedure should a contradiction arise between the US and UN commands.[43] For the military, the UN organisation can seem to be incomprehensible and overly bureaucratic. Even between militaries there can be differences between command style and the delegation of authority. Finally some organisations such as the media may be more individualistic as opposed to the more collective organisation of the military.

## 4.2 different tasks and ways of accomplishing them

Ogata[44] tells us the UNHCR's humanitarian activities have become closely entwined with the military, strengthening its humanitarian capacity but also complicating its efforts. "If UN peacekeeping forces were to engage in offensive action, it would no longer be possible to maintain the non-political and impartial base of the UNHCR's humanitarian activities, however serious the needs of the victims might be". Ogata expresses concern over the affect that military operations have on the neutral and impartial image of relief efforts. Therefore, tensions can arise between humanitarian and military actors because of their respective mandates and modes of operation. Humanitarian organisations are concerned with protecting people and ensuring basic human rights and the security of the victims on all sides of a conflict whereas the use of force might be directed just against one party in a conflict.

According to Millar [45] relief workers feel personally invested in their mission and cannot believe that soldiers are committed in the same way to the same things. Relief workers expressed the view that soldiers were there simply because they were ordered to be there. This in turn led some relief workers to feel morally superior to soldiers. On the other hand, members of the military we interviewed referred to NGOs as being "Non guided organisations" because of the seeming lack of focus and efficiency. Moreover, relief organisations often incorporate local cultural modes in the way they accomplish their tasks. In contrast, the military often keeps its distance from the local population, which can be perceived as demonstrating a lack of trust in the host population.

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[43] L. Miller (1997) "Do Soldiers Hate Peacekeeping? The Case of Preventive Diplomacy Operations in Macedonia". Armed Forces and Society. Vol 23. No. 3. (Spring 1997) pp.443

[44] S. Ogata (1995) "The Interface between Peacekeeping and Humanitarian Action". In D. Warner, ed. New Dimensions of Peacekeeping. Netherlands: Kluwer Academic Publishers. pp. 119-127

[45] L. Miller, (1997) "Relief Workers' Attitudes Toward the US Military in Peacekeeping Operations." Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 24-26, 1997.

In theatre different military units may have different tasks. For example, some units are exposed to more stressful events (such as the crossing of mine danger areas or confrontations at checkpoints). [46] Moreover, officers experience more stressful events than corporals and ordinary soldiers which, according to Vogelar, Soeters, and Born, is hardly surprising "officers in their commanding role are the first to take responsibility when exceptional events take place".[47] This is borne out by our model which shows the complicated web of relationships in which a military commander is involved.

In addition different national military contingents have different implementations of the ROE which have to take into account their own national legislation. This, in addition to differences in Standard Operating Procedures, can impact on the way militaries interact with each other.

## 4.3 differing time frames

Last[48] discusses immediate (2-6 months), short term (1-2 years), medium term (5-10) years and long term (+ 10 years) intervention in the FYU. In each of these time frames the focus is different. So for example in the immediate and short-term military and civil security are the primary focus, while in medium and long term the emphasis is on economic reconstruction, education and development. Each of these forms on intervention require different resources (military and security forces vs. social and economic development projects) and different social actors (military and police vs. relief and development agents). Thus tension can occur when different social actors use different time frames in the same theatre of operations. For example, NGO's may have been on the ground for a number of years already and intend to stay until the relief work is accomplished which may last longer than the military's mandate. According to Pope[49] the long-term commitments of NGO's in a region may lead to substantial differences in how mission accomplishment is defined by different actors. Inter-governmental agencies such as the UNHCR may also have different timing. For example, UNHCR's operation in the FYU predated the deployment of UNPROFOR.

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[46] For differences between Dutch IFOR military and Swedish UNPROFOR military see A. Vogelaar, J. Soeters and J. Born (1997) "Working and Living in Bosnia: Experiences of Dutch IFOR Soldiers". Netherlands Annual Review of Military Studies. The Bosnian Experience pp 113-131; E. Johansson (1997) In A Blue Beret. Four Swedish UN Battalions in Bosnia. Dept. of Leadership, National Defence College. Stockholm.

[47] A. Vogelaar, J. Soeters and J. Born (1997) "Working and Living in Bosnia: Experiences of Dutch IFOR Soldiers". Netherlands Annual Review of Military Studies. The Bosnian Experience p. 120

[48] D. Last (1998) "Defeating Fear and Hatred through Peace-Building: Multiplying the Impact of a Military Contribution". Canadian Foreign Policy. Vol.5, No. 2 (Winter 1998) pp166.

[49] T. Pope (1994) Beans, Bullets, and Band-Aids: Attaining Unity of Effort in Humanitarian Intervention Operations. Monograph from the School of Advanced Military Studies, USACGSC.

There is also tension according to the speed with which an organisation can react. For example the Security Council had to pass over 100 resolutions in order to react to the fluctuating situation on the ground. In addition, government leaders, humanitarian agencies and reporters sometimes demonstrate a fundamental misunderstanding of the speed with which the military can deploy. There can be expectations that armies will be fully deployed in theatre almost instantly after a political decision is taken.

Tension arises when no end state has been adequately defined. As C. Dandekar and J. Gow[50] have pointed out, one of the serious points of tension in a strategic pko is that the belligerents are in control of the end state and it is only when they decide that the conflict has been satisfactorily resolved will the pko end. Thus the FYU could end up as a long Cyprus – type of mission. Similarly tension arises in military organisations when there is an absence of withdrawal date. For example Canada gave 6 months notice in Srebrenica in order to be able to pull out by Oct 1/93 but ended up staying until 2nd week March 1994. In addition, different military units have different lengths of stay in theatre that can range sometimes from four months to one year. They may also have different forms of rotation some militaries rotating individuals while other rotate whole or parts of units.

## 4.4 different definitions of success,

Sweatt[51] describes how differences in conceptual end states negatively affects NGO and military relations. NGOs may not declare a mission a success until all human suffering has been alleviated in the area. Public opinion and the media, on the other hand, may want to put an end to fighting (need to send in troops in order to prevent the escalation of the conflict) while not having casualties. The national politicians may have another definition (no casualties is the field, good publicity for their government etc.). National governments may be responding to political imperatives – e.g. to stop the flow of refugees to national country.[52] The military's definition of success is determined by the mission that was to be accomplished.

International organisations may prefer a diplomatic success nevertheless political solutions also have their limits – for example when the crisis first broke out the international community's restricted political mandate precluded a credible threat of force thus the fighting went on.[53] In addition, different nations have different national interests and therefore might no agree on what a successful mission is. For example, members of EU were divided and often

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[50] D. Dandekar and J. Gow (1997) " The Future of Peace Support Operations: Strategic Peacekeeping and Success". Armed Forces and Society. Vol. 23, No 3 (Spring 1997), pp. 327-348

[51] S. Sweatt (1995) The Challenges of Civil-Military Relations at the Trailing Edge of War. Monograph of the Naval War College. Newport, RI.

[52] M. V. Metselaar, (1997) "Understanding Failures in Intelligence Estimates – UNPROFOR, the Dutch and the Bosnian-Serb Attack on Srebrenica". Netherlands Annual Review of Military Studies. The Bosnian Experience. p.27

[53] G.Teitler, (1997) "Intervention in the Former Yugoslavia. The International Framework". Netherlands Annual Review of Military Studies. The Bosnian Experience. p.10.

unable to agree on a common course in the FYU. At times national interests taking precedent over international tasks. Members were unable to agree on means with which to implement decisions.

## 4.5 different abilities to exert influence,

Different groups are able to exert influence at a number of levels. This produces much tension in a peace operation. In our second model (the position of the commander under UNPROFOR) we can see that such organisations as the NGOs and the media were able to exert influence not only at the national political level but also in the international arena. In fact the decision to undertake a peace operation may arise because of public pressure brought on by NGO and media reports. Public opinion can also play a critical role in the sustainment of a mission. [54]

The Muslims were able to exert influence at a number of regional, national and international levels due to their access to UN channels and the media. The Serbs were able to play one Western country off against the other. The relatives of soldiers try to influence national politicians etc. etc. The military commander may find him or herself in a situation where the different social actors he deals with are able to exert influence at national and international levels which then affect what the commander is asked to do in the field of operations.

The Commander is not the only one who feels unable to influence the outcome of the situation. In the FYU the UN knew that it could only make it's influence felt by way of subcontractors (NATO and WEU). But it failed to make arrangements for efficient co-operation between the different organisations. [55] Finally the logic of ethnic war bringing humanitarian aid to the civilians of another ethnic community can be equated to augmenting the stamina of the enemy. In an ethnic conflict such as in FYU it is a zero – sum conflict. Killing the enemy taking over territory and wealth or defending them at all costs are rational choices. Military power is decisive and an outside power can influence – even by staying neutral – the outcome [56]

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[54] See J.S. van der Meulen (1997) "Expectations of Peacekeeping: Dutch Public Opinion about Missions in the Former Yugoslavia". Netherlands Annual Review of Military Studies. The Bosnian Experience. pp 173-185

[55] G. Teitler, (1997) "Intervention in the Former Yugoslavia. The International Framework". Netherlands Annual Review of Military Studies. The Bosnian Experience p 13

[56] G. Teitler, (1997) "Intervention in the Former Yugoslavia. The International Framework". Netherlands Annual Review of Military Studies. The Bosnian Experience p 16

## 4.6 control of information,

Tied to the ability to exert influence is also the ability to control information. Again the military commander finds himself at the interface of many relationships where different organisations want access to the information he possesses. This is where tensions can arise between the media and the military. The military often finds itself reacting to media stories rather than having a planned strategy to handle the flow of information to the media and the reaction to "bad press".

According to Miller NGO's believe that the military can assist them in information gathering[57]. However, the intelligence community is a two way street and NGO's must be willing to share information as well. Because NGO's often have a longer experience with the local population and their insights might be of value to the military. In addition, different organisations are often not aware of what others are doing so when NGO's criticise the military for "not doing enough", it could be that they simply are not aware of what the military is actually doing.

Because NGO's have different interests they sometimes choose to use refugee numbers that suited their particular agendas. There appears to have been several instances where unconfirmed figures were produced by humanitarian agencies. The commander then finds himself trying to explain the disconnect between the information he has about the local situation (numbers of refugees etc.) and the portrait that is being painted back home. NGO's are not the only ones to manipulate information. According to Teitler the EU rejected its own responsibility in the FYU.

"This was accomplished by telling an uninformed public audience a superficially convincing story. West European countries, all of them busily lowering their defence budgets, could impossibly accomplish what the redoubtable German army had failed to do during WWII against the Yugoslav partisans. This message, of course, was hardly relevant. First it exaggerated the number and quality of the German troops. Second, it failed to point out the difference between the highly motivated partisans of WWII, and the Serbian soldateska of the 1990s. This rabble, after all, was unable to defeat in Bosnia the heavily outgunned Muslims."[58]

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[57] L. Miller, (1997) "Relief Workers' Attitudes Toward the US Military in Peacekeeping Operations." Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 24-26, 1997

[58] G. Teitler, (1997) "Intervention in the Former Yugoslavia. The International Framework". Netherlands Annual Review of Military Studies. The Bosnian Experience p 15

According to Kofi Annan, UN undersecy for Peackeeping[59] "The fall of Srebrenica and the ensuing bloodbath was the result of a failure of intelligence". How is it possible that UNPROFOR was not aware of the real character of the Serb intentions? Apparently the UN was warned of the impending disaster. Lt Col Karremans had phoned as well as written several times to the UN Command Centre in Tuzula, the Crisis Situation Centre of the Royal Netherlands Army and Dutch Defence Crisis Management Centre in the Hague to warn about the deteriorating situation in the Hague. But he did not expect a large scale offensive because he was convinced that Serbs did not have resources to accomplish attack on Srebrenica. However there are clear indications that the UN intelligence cell in addition to reports from several international intelligence agencies indicate that they had knowledge of a proposed offensive. This information was gathered from intercepted telephone calls and satellite pictures. Thus it would seem that US intelligence services were better informed than the Dutch commanders in the UNPROFOR chain of command.[60] However they did not share this info with Dutch. There are several possible explanations for this - not wanting to cry Wolf for example. Other sources of information rejected because of lack of source "credibility" This of course was a tension between the Muslim population and the governments and military since the Muslims were convinced of impending disaster. Yet their warnings went unheeded because of perception that they might have had other motivations (i.e. that they would benefit from a change of policy if their information was taken seriously).

## 4.7 control of resources

In peace operations the different organisations often find themselves in competition for resources. The NGOs may be competing among themselves in order to secure funding and equipment and they may be competing over access to certain areas or regions which the military must safeguard.

The military deploys with valuable resources – food and medical supplies, money in the pockets of soldiers, communication equipment, construction equipment, transport and fuel. In addition the military presence in theatre is in itself a valuable resource since it often draws political and media attention to the area.

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[59] Quoted in Newsday 29 May 1996

[60] M.V. Metselaar, (1997) "Understanding Failures in Intelligence Estimates – UNPROFOR, the Dutch and the Bosnian-Serb Attack on Srebrenica". Netherlands Annual Review of Military Studies. The Bosnian Experience. p.29 –31

Moreover the military has a very valuable labour force, not only manpower but technical, engineering and medical expertise.  Thus there is also competition over soldiers as resources. That is, there are a large number of competing demands placed upon a soldier's time and upon military resources to accomplish both humanitarian and military aims. According to one Canadian officer in the former Yugoslavia, they didn't have the resources to meet the demands of the military and humanitarian tasks "we were pushing the envelope and doing our damn best to keep the balls in the air".

There are also misunderstandings as to the proper use of resources. The appropriate role for military force is often misunderstood or ignored. Humanitarian agencies may want the military to disarm the local population or catch thieves and criminals. NGO's accept the need for military presence and then get frustrated when soldiers are limited by their ROE – e.g., not shooting looters. However, fulfilling the tasks the humanitarian agencies want done, may involve serious risks. According to Miller there is a constant demand by relief workers in Bosnia for soldiers to use their power to take a more active and aggressive role in policing and in the capture of war criminals. [61]

[61] L. Miller, (1997) "Relief Workers' Attitudes Toward the US Military in Peacekeeping Operations." Inter-University Seminar on Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 24-26, 1997