DRDC Toronto No. CR 2006-013

MORAL AND ETHICAL DECISION MAKING IN CANADIAN FORCES OPERATIONS

by:

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PWGSC Contract No. W7711-7-017703
Callup No. 7703-13

On behalf of
DEPARTMENT OF NATIONAL DEFENCE
as represented by
Defence Research and Development Canada --Toronto
Toronto, Ontario, Canada
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January 2006

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Abstract

The purpose of this study was to generate first hand accounts of moral and ethical dilemmas that Canadian Forces (CF) personnel faced in operations in an effort to promote greater understanding of the personal, situational and contextual factors that comprise dilemma situations, as well as understanding the process of ethical decision making. A second goal was to elicit realistic exemplar scenarios for experimentation purposes. Fifteen currently serving and retired senior officers in the CF were interviewed from 19 May 2004 to 3 March 2005 using an unobtrusive conversational protocol. Participants were encouraged to speak freely and openly about moral and ethical dilemmas that they faced in operations, in order to document the ethical decision making process (and the factors that influence it) in operational contexts.

Moral and ethical decision making was shown to be influenced by a number of factors not strongly emphasized in existing accounts of ethical decision making. These influences stemmed from the person (e.g. self-identity, values and attitudes), as well as several situational (e.g. moral intensity) and contextual factors (e.g. rules of engagement and organizational culture). Results also showed that moral and ethical decision making was not merely a linear, rational process, but a complex and multi-determined one, in which reason, emotion and intuition often worked together to determine ethical decision making. In addition, participant accounts suggested that ethical decisions are often simultaneously influenced by issues of self-identity in relation to contextual factors such as social norms and organizational culture. Participant descriptions, therefore, point out the significance of one's social role and self-identities in shaping and guiding the moral and ethical decision making process.

Résumé

Cette étude visait à produire de l'information de première main sur les dilemmes moraux et éthiques auxquels sont confrontés les militaires des Forces canadiennes (FC) dans le cadre de leurs opérations. Elle avait d'abord pour but d'éclaircir les facteurs personnels, circonstanciels et contextuels à l'origine des dilemmes ainsi que le processus de prise de décision éthique, puis d'établir des scénarios réalistes pouvant servir à des fins expérimentales. Entre le 19 mai 2004 et le 3 mars 2005, quinze officiers supérieurs actuels et retraités des FC ont été interviewés suivant un protocole de conversation non structurée. On a encouragé les participants à parler librement et ouvertement des dilemmes moraux et éthiques auxquels ils ont été confrontés durant des opérations, de manière à étudier le processus de prise de décision éthique (et les facteurs qui l'influencent) dans des contextes opérationnels.

La prise de décision morale et éthique est influencée par un certain nombre de facteurs quelque peu négligés dans les descriptions existantes du processus de prise de décision éthique. Ces influences peuvent provenir de la personne (p. ex. image de soi, valeurs et attitudes) de même que de plusieurs facteurs circonstanciels (p. ex. intensité morale) et contextuels (p. ex. règles d'engagement et culture de l'organisation). Les résultats ont également démontré que la prise de décision éthique et morale n'est pas un processus linéaire et rationnel, mais plutôt complexe et déterminé par plusieurs facteurs, dans lequel interviennent la raison, l'émotion et l'intuition. De plus, les comptes rendus des participants portent à croire que les décisions éthiques sont souvent influencées par des questions d'image de soi en rapport avec des facteurs contextuels tels que les normes sociales et la culture de l'organisation. Les descriptions fournies par les participants soulignent donc l'importance du rôle social et de l'image de soi dans l'orientation du processus de prise de décision morale et éthique.

Executive Summary

The following study was conducted for Defence Research and Development Canada (DRDC) Toronto to further understand moral and ethical decision making within a military context. A previous contract undertook an extensive review of the theoretical and empirical literature exploring moral and ethical decision making (Thomson, Adams & Sartori, 2005). Following on from this review, the work within the current report involved an interview study with CF personnel who have made ethical decisions in the course of operations. We interviewed fifteen senior officers in the CF from 19 May 2004 to 3 March 2005, using an unobtrusive conversational protocol. Participants were encouraged to speak freely and openly about moral and ethical dilemmas that they had faced in operations, and were asked to explain both the factors that impacted on their decisions as well as describing the process by which these decisions were made.

Participant descriptions of moral and ethical dilemmas were categorized by type of dilemma (competing obligation, harm, and uncertainty dilemmas) as delineated in Canada's Defence Ethics Program (DEP; Beauchamp, 2002). The most frequent dilemmas encountered were competing obligation dilemmas, where an individual who must simultaneously fulfil two or more obligations is forced to choose only one that can be fulfilled. Some of the competing obligation dilemmas included having to obey mission orders or rules of engagement that ran counter to one's personal values; remaining loyal to a system that failed to live up to its espoused values; and having to court-martial a friend. The next most common type of dilemma was harm dilemmas, in which harm was inevitable regardless of one's actions. For example, several of the harm dilemmas noted within the interviews involved CF personnel deployed in areas where ethnic cleansing was occurring. Consequently, they witnessed the accelerated decline of civilian populations, despite their desire and efforts to help. Finally, there was one example of an uncertainty dilemma, wherein soldiers had to judge when to use lethal force in self-defence.

Many factors were implicated in moral and ethical decision making. For example, a number of person-based, situational, and contextual factors played important roles. Influential factors at a personal level were self-identity and values and attitudes. From a situational perspective, moral intensity, the construct underlying Thomas Jones' (1991) Issue-Contingent Model of Ethical Decision Making in Organizations was particularly salient and relevant in participants' construal of the situation and awareness of moral issues in operations. At a contextual level, rules of engagement were a very influential feature of ethical decision making, and organizational culture played a very important role in the ethical decisions that participants made. Understanding how these (and the many other factors noted in this report) are interconnected and impact one another will further knowledge in moral and ethical decision making.

In terms of process, as participants described the dilemmas that they experienced, it became apparent that moral and ethical decision making is not a clear cut linear, rational process that much of the literature in the field endorses. Instead, participants often recalled how intuition and emotion invoked their sense of right and wrong, helped them recognize a moral issue, and drove the

Thomson, M.H., Adams, B.D. and Sartori, J.A. 2006. Moral and ethical decision making in Canadian Forces operations.. DRDC Toronto CR 2006-013. Defence R&D Canada – Toronto.

decisions and moral actions that followed. Several participants also described situations in which they engaged in dialogue with significant others, seeking confirmation regarding their moral position prior to acting. This collaborative process of justification prior to moral action lends support to Jonathan Haidt's (2001) Social Intuitionist Model of Moral Judgement, which questions our ability to engage in truly private reasoning. Rather, this model emphasizes the impact of intuition and hence the cultural and social influences in our moral judgements. Participants often described how hunches or gut instinct provoked moral awareness. In other cases, moral emotions (e.g., compassion, sympathy, empathy, care) actually drove moral decision making and action.

Looking at ethical decision making as a process with discrete stages (pre-decision, decision and post-decision) showed some interesting patterns. At the pre-decisional stage, for example, emotion and intuition both seemed to play important roles in the recognition of a moral issue, and collaborative processes were often used to help with deliberating on one's decision. At the stage of actually making a decision, although there was clear evidence of rational processes often being employed, this was not always the case. In fact, rational and intuitive as well as emotional processes often combined to determine the decision. In the post-decisional phase, the toll of making excruciating ethical decisions was clear. Many participants continued to struggle with the decisions that they had made as individuals, and with their perceived lack of support from the systems that they had represented. Self-identity, and the need to maintain a coherent sense of self despite all that they had been through, seemed especially implicated in the post-decisional phase. As a whole, this analysis argues that moral and ethical decision making cannot simply be understood as occurring at a discrete moment in time, whereby following particular axioms enable good decision making, but as a continuing and expanding process.

More generally, participants' descriptive accounts of ethical dilemmas in operations revealed a normative guide that seemed to derive from their self-identity. In other words, participants' self-identity was highly connected to their social roles, with its beliefs and expectations, and this was powerful enough to determine moral action. For example, some participants referred to themselves as soldiers or commanders, who could not stand by and watch non-combatants being killed without trying to do something about it, despite mission orders or rules of engagement. As such, self-identity and the socialization processes that shaped this emerged as fundamental aspects of moral and ethical decision making. Moreover, participant accounts also suggested that the values that emerged as they internalized and embraced their social role and related expectations (rather than espoused CF values per say) drove ethical decision making. Some participants suggested that regimental culture is one way that such internalization and adherence is promoted.

Results, therefore, suggest that moral and ethical decision making cannot be understood as simply a unidirectional, rational process. Rather, moral and ethical decision making is a broad and complex process that implicates intuition, emotion and self-identity throughout. Moreover, it must be viewed as a process that expands beyond the moment of choice and is understood and interpreted through the multiple lenses of the individual, society and its normative institutions.

Sommaire

La présente étude a été menée à la demande de Recherche et développement pour la défense Canada (RDDC) Toronto dans le but d'éclaircir le processus de prise de décision morale et éthique dans un contexte militaire. Un examen exhaustif de la littérature théorique et empirique sur la prise de décision éthique et morale avait déjà été effectué dans le cadre d'un contrat antérieur (Thomson, Adams et Sartori, 2005). À la suite de cet examen, on a entrepris l'étude décrite dans le présent rapport, qui a consisté en une série d'entrevues auprès de militaires des FC ayant eu à prendre des décisions éthiques dans le cadre d'opérations. Entre le 19 mai 2004 et le 3 mars 2005, nous avons interviewé quinze officiers supérieurs des FC en suivant un protocole de conversation non structurée. On a encouragé les participants à parler librement et ouvertement des dilemmes moraux et éthiques auxquels ils ont été confrontés durant des opérations et on leur a demandé d'expliquer les facteurs qui ont influencé leurs décisions et de décrire les processus intervenant dans leurs décisions.

Les dilemmes moraux et éthiques décrits par les participants ont été classés par type de dilemme éthique (valeurs divergentes, actions préjudiciables et incertitude), selon la description fournie dans le Programme d'éthique de la Défense (PED; Beauchamp, 2002) du Canada. Le type le plus fréquent est le dilemme des valeurs divergentes, qui consiste en une situation de prise de décision dans laquelle deux obligations divergentes sont en concurrence. Les dilemmes des valeurs divergentes comprennent par exemple les situations suivantes : devoir obéir à des ordres de mission ou à des règles d'engagement qui vont à l'encontre de ses valeurs personnelles; demeurer loyal envers un système qui n'a pas été à la hauteur des valeurs qu'il préconisait; et devoir traduire un ami en cour martiale. Le deuxième type de dilemme en importance est celui des actions préjudiciables, dans lequel chacune des actions envisagées causera du tort ou un préjudice. Plusieurs des dilemmes des actions préjudiciables relevés lors des entrevues concernaient des militaires des FC déployés dans des régions où des mesures de purification ethnique étaient pratiquées. Ces militaires ont assisté au déclin accéléré de populations civiles, malgré leur volonté d'aider et leurs efforts en ce sens. Enfin, on a relevé un cas de dilemme de l'incertitude, dans lequel des soldats avaient dû juger quand utiliser une force susceptible de causer la mort pour se défendre.

De nombreux facteurs interviennent dans la prise de décision morale et éthique. Un certain nombre de facteurs personnels, circonstanciels et contextuels jouent un rôle important. Les facteurs personnels qui entrent en jeu sont l'image de soi, les valeurs et les attitudes. Sur le plan circonstanciel, l'intensité morale, concept sous-jacent du « modèle tributaire de la situation pour la prise de décision éthique dans les organisations » élaboré par Thomas Jones (1991), a été particulièrement déterminante chez les participants dans leur conception de la situation et leur conscience des questions morales durant des opérations. Enfin, en ce qui concerne les facteurs contextuels, les règles d'engagement ont grandement influencé la prise de décision éthique, et la culture de l'organisation a joué un rôle très important dans les décisions éthiques prises par les participants. La compréhension des liens et des interactions entre ces facteurs (et les nombreux autres facteurs décrits dans le présent rapport) permettra de faire avancer les connaissances concernant la prise de décision morale et éthique.

À mesure que les participants décrivaient les dilemmes vécus, il est devenu évident que contrairement à ce qui est soutenu dans la majorité des ouvrages dans le domaine, la prise de décision morale et éthique n'est pas un processus défini linéaire et rationnel. Les participants ont plutôt indiqué comment l'intuition et l'émotion avaient mis en jeu leur sens du bien et du mal, les

avaient aidés à reconnaître les questions morales et avaient orienté les décisions et les actions morales qui s'étaient ensuivies. Plusieurs participants ont également décrit des situations dans lesquelles ils avaient discuté avec des proches dans le but de confirmer leur position morale avant de passer à l'action. Ce processus de soutien visant à justifier l'action morale appuie le modèle intuitionniste social du jugement moral de Jonathan Haidt (2001), qui met en question notre capacité de procéder à un raisonnement réellement privé. Ce modèle met l'accent sur l'impact de l'intuition et, par conséquent, des influences culturelles et sociales sur nos jugements moraux. Les participants ont souvent indiqué comment leurs pressentiments ou leurs instincts avaient provoqué une prise de conscience morale. Dans d'autres cas, ce sont les émotions morales (p. ex. compassion, sympathie, empathie, bienveillance) qui ont orienté la prise de décision et les actions morales.

La division du processus de prise de décision en stades (pré-décision, décision et post-décision) a mis en évidence des tendances intéressantes. Durant le stade de pré-décision, par exemple, l'intuition et l'émotion ont toutes deux semblé jouer un rôle important dans la reconnaissance d'une question morale. Les participants ont souvent eu recours à des formes de soutien pour obtenir de l'aide à l'égard de la décision à prendre. Au moment de prendre la décision, malgré que certains participants aient clairement eu recours à un processus rationnel, on a noté que ce n'était pas toujours le cas. En fait, la raison et l'intuition, de même que l'émotion, ont souvent simultanément orienté la décision. Durant le stade post-décision, les effets d'avoir pris des décisions éthiques éprouvantes étaient évidents. De nombreux participants avaient du mal à assumer les décisions qu'ils avaient prises en tant qu'individus et à accepter ce qu'ils percevaient comme un manque de soutien de la part des systèmes qu'ils représentaient. L'image de soi et le besoin de maintenir un sentiment d'identité cohérent en dépit des situations vécues semblaient particulièrement importants dans le stade post-décision. Dans l'ensemble, cette analyse laisse à penser que la prise de décision morale et éthique ne peut pas être considérée comme un moment précis dans le temps, où le fait de suivre certains principes permet de prendre la bonne décision, mais plutôt comme un processus continu et évolutif.

De façon plus générale, les descriptions des dilemmes éthiques des participants ont révélé l'existence d'un « guide normatif » qui semble être issu de l'image de soi. En d'autres mots, l'image que les participants avaient d'eux-mêmes, ainsi que les croyances et les attentes qui en découlent, étaient étroitement liées à leur rôle social. Cette image de soi était assez forte pour déterminer l'action morale. Par exemple, certains participants se sont décrits comme des soldats ou des commandants qui ne pouvaient pas simplement laisser des civils être tués sans rien faire, en dépit des ordres de mission et des règles d'engagement. L'image de soi et les processus de socialisation qui l'ont façonnée sont apparus comme des aspects fondamentaux de la prise de décision morale et éthique. Les comptes rendus portent à croire que les valeurs qui se sont développées chez les participants à mesure qu'ils intériorisaient et acceptaient leur rôle social et les attentes connexes (plutôt que les valeurs préconisées par les FC) ont été le moteur de la prise de décision éthique. Certains participants ont laissé entendre que la culture du régiment favorisait cette intériorisation et cette acceptation.

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Les résultats portent à croire que la prise de décision morale et éthique n'est pas un processus unidirectionnel et rationnel, mais plutôt un processus vaste et complexe qui, à tous les stades, est influencé par l'intuition, l'émotion et l'image de soi. La prise de décision morale et éthique doit être considérée comme un processus qui dépasse le moment de la décision; elle doit être comprise et interprétée à travers le prisme des multiples perceptions de l'individu, de la société et de ses institutions normatives.

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1 Background

The changing world order of the past fifteen years has meant that the world's militaries must confront incredible complexity in operational environments. These new operational circumstances include rapidly changing missions, ambiguous and changing rules of engagement (ROEs), vastly different cultures, and belligerents who target civilians. Moreover, the participation of Canadian Forces (CF) personnel in multinational peacekeeping operations has presented a distinct set of problems for moral and ethical decision making over and above the problems inherent in conventional warfare (Dallaire, 2003). This suggests that it is important to gain a better understanding of the CF's perspective on moral and ethical decision making, and to gain more empirically based knowledge about the factors influencing this kind of decision making during both conventional operations and in operations other than war (OOTW).

A previous contract with Defence Research and Development Canada (DRDC) Toronto (Thomson, Adams & Sartori, 2005) provided an extensive literature review pertaining to moral and ethical decision making in the CF. This review found that studies in moral and ethical decision making are still at a relatively early stage of development, and that there are only a few approaches that directly address a military context. These models have tended to follow a rudimentary, cognitive decision making paradigm. Several factors believed to contribute to this kind of decision making process were identified in the literature review, including person-based factors (within the individual), contextual factors (organizational milieu, mission orders, etc.), and situational factors (moral intensity, perceived risk, etc.). These have not been extensively studied, nor has their combination been consistently applied to the decision making process.

Building on the moral and ethical decision making literature review (Thomson, Adams & Sartori, 2005), the current phase of the research seeks to understand how CF personnel make moral and ethical decisions when confronted with moral and ethical dilemmas. Working from the assumption that most human beings demonstrate routine ethical behaviour, we believe that dilemma situations are unique in that they force the decision maker into a position with no ready made answer for right behaviour. Decision makers must move through the process to some kind of resolution. We believe that under such circumstances, greater consideration to the decision and subsequent action would reveal greater access to the moral and ethical decision making process and means by which CF personnel justified their action. To explore this, 15 interviews were conducted with CF personnel who had been confronted with moral and ethical dilemmas during operations. These interviews aimed to understand the process and influences on ethical decision making, as well as to generate first hand accounts of their experiences. These first hand accounts will hopefully provide realistic exemplar scenarios, which will ultimately be used for projected CF moral and ethical decision making research and training.

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2 Aim

This report had four aims. They included:

- Generating a large set of first person accounts of moral and ethical decision making through in-depth, open ended interviews with active and retired Canadian Forces (CF) personnel of varying ranks and military environments (Army, Navy, and Air Force). These accounts will provide realistic, exemplar stimuli for subsequent scenario-based experimentation;
- Documenting and classifying these first person accounts into broad categories of moral and ethical dilemmas;
- Analyzing the personal, situational and contextual factors that influence ethical decision making; and
- Analyzing the process of ethical decision making within military contexts.

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3 METHOD

This chapter describes the method employed for this study. It also describes the development of the interview protocol, recruitment and interview procedures as well as data collection and analysis procedures. This chapter concludes with an exploration of the limitations of this work.

3.1 Development of the Interview Protocol

An interview protocol was developed based on issues of interest as indicated in the Statement of Work, meetings with the Scientific Authority, and meetings amongst the researchers directly involved in the study. It was designed to help researchers guide the discussion, when necessary, and assist participants in recounting their moral and ethical decision making experiences in operational situations. In general, the questions in the interview protocol were based on the moral and ethical decision making literature review (Thomson, Adams & Sartori, 2005), and, in particular, stem from the CF perspective of moral and ethical decision making processes outlined in the Defence Ethics Program (DEP). A preliminary model was created from the literature review as a comprehensive tool to guide our thinking about the factors that may influence, and perhaps form, moral and ethical decision making, and thus, the questions that would be asked during the interviews. The main topics explored in the interview included a description of the event, factors impacting the decision, how the decision was made, the decision outcome, and to a lesser extent reflections on CF training relevant to moral and ethical decision making. The protocol was general enough to permit researchers flexibility in asking the questions in order to accommodate participants' train of thought as well as acknowledge participants' decision to voluntarily disclose information. As such, the protocol encouraged a free, conversational atmosphere in the interview.

The main body of the protocol centred on CF personnel sharing in detail moral and ethical dilemmas that they personally faced. In order to ensure that we received a comprehensive picture of the situation in which it occurred, we included probe questions that guided participants to tell us where and when it happened, who was present, what was happening before the situation arose, and how the participant was feeling at the time. Following these, we included probes that permitted CF personnel to explain what factors they believed contributed to the dilemma situation, and how they resolved it. We also had a probe that asked CF personnel how emotions impacted their moral and ethical decision. However, we were particularly sensitive to the fact that some dilemmas would leave residual feelings of guilt and regret, and that some of our participants may suffer post-traumatic stress disorder, and therefore chose when it was appropriate to probe.

The factors that influenced their decisions at all stages were also important to understand in more detail. Our preliminary model suggested that several factors were likely to influence the decision making process. We wanted to reveal how these factors impacted on the course of action that CF personnel exercised in these dilemma situations. Whenever possible, interviewees were asked to consider the choice that they made, how they made it, and to reflect on whether it was the best course of action.

The next section of the protocol addressed CF training around moral and ethical decision making. On a general level, we asked CF personnel how their CF training had prepared them for an ethical dilemma that they had described. Whenever possible, we asked whether CF training in its current form could prepare CF personnel for resolving moral and ethical dilemmas. We also included probes to understand to what extent moral and ethical decision making had been specifically

discussed in military training at different stages of their career, and what would be required in order to prepare CF personnel in the future.

We were also interested in how previous military experience assisted in resolving moral dilemmas. We developed questions that considered how CF personnel's past experience had impacted the process, and whether they had faced a moral dilemma similar to the one they had described in the past.

The result was a 24-item interview protocol (see Annex A), which was developed to merely guide the interview process as well as to provide participants with the opportunity to describe their often difficult ethical decisions in a supportive and non-invasive environment. The interview questions were developed by and discussed among the primary researchers before arriving at the final protocol with careful consideration for the ethical treatment of participants and the questions we deemed important to answer.

3.2 Procedure

3.2.1 Recruitment

The military liaison officer for the Command Effectiveness and Behaviour (CEB) section at DRDC Toronto identified potential participants from his system of contacts, knowledge and expertise. This officer had been instructed by the scientific authority to identify potential participants who had made moral and ethical decisions in operational contexts. Once identified, the military liaison officer contacted potential participants by phone, and explained the purpose and nature of the study. The liaison officer then enquired as to their willingness and availability to participate in the study. Potential participants were informed that their participation was wholly voluntary and that it would be in the form of a face-to-face interview by trained researchers, that it would take approximately 1 hour, and that the researchers would travel to meet them. If participants agreed (and pending availability), the military liaison officer set a time and meeting place for the interview.

3.2.1.1 Participants

Participants in the study were $n = 15$ members of the Canadian Armed Forces. Participants were all senior officers and all men. There were $n = 7$ retired and $n = 8$ active duty personnel. There were $n = 13$ army personnel and $n = 2$ naval personnel.

3.2.1.2 Risks and Safety Precautions

The risks associated with participation in this study were believed to be minimal (i.e., the possibility of physical harm or discomfort was anticipated to be no greater than what participants would encounter in their daily life or occupation). However, participants were asked questions about their previous experience in making moral and ethical decisions in military contexts. Consequently, we anticipated that this might arouse some psychological discomfort for some respondents, as the retelling of a potentially stressful moral and ethical decision may cause psychological distress to emerge or resurface. To address this possibility, we discussed ethical safeguards with Col Randy Boddam, Chief Psychiatrist of the CF, and incorporated a number of procedures for interviewers to follow in cases of extreme distress. The following safeguards were

in place in the event of a participant experiencing a psychological crisis during the interview or as a result of participation in the study.

All participants received a list of psychological support services available to them in their communities. Participants were encouraged to use these services if they felt a need to talk further to a professional about the thoughts and feelings that arose from talking about their past moral and ethical decisions. The primary interviewers, both psychologists, had prior training to monitor during the session for signs of interviewee distress including dysphoric affect, agitation, and dissociative states. The presence of these states in an interviewee would indicate that the interviewer should check with the interviewee about how they were doing, whether they wished to take a break, to skip the question, to terminate the interview, or to receive any other kind of assistance they might require. In case of an emergency, interviewers also had the address and phone number of the nearest emergency room.[1]

Traditional ethical safeguards were also in place in this research. The Information Letter (see Annex A) emphasized that participation in this research was entirely voluntary and that participants' responses would remain anonymous and confidential. Participants were told that they could refuse to answer any questions or withdraw their participation at any time. They were informed that direct quoting from interviews would only be done with their consent and that if excerpts from interviews are included in written or published reports or presentations, no identifying information will be used. Participants were further informed that they would have an opportunity to review the passages and scenarios that we intended to use in the report, at which time they could indicate any portions that should not be included. Finally, participants were informed that every effort would be made to protect their identities and the identities of other CF personnel who figured in their accounts. No incentives for participation, remuneration or compensation were used. Participants were invited to contact the Principal Investigator, Dr. Barbara Adams, or the DRDC Principal Investigator, Dr. Joe Baranski, or the DRDC Co-Investigator, Dr. Megan Thompson, if they had any questions or concerns related to their participation.

3.2.2 The Interview

Fifteen interviews were conducted, which were scheduled by the liaison officer in advance. Interviews were held at various CF bases in Ontario and Quebec/Central Area from 19 May 2004 to 3 March 2005.

Following an introduction of the research team to the participants by the liaison officer, participants received a brief background description of Human*systems* Inc. and its collaboration with the Command Effectiveness and Behaviour group from DRDC Toronto. Participants were then briefed on the purposes of the study, its relevance and potential benefit to the CF, the nature of their participation (i.e., format of interview, time commitment, etc.), and any possible risks. Before proceeding, all participants completed an informed Voluntary Consent Form (see Annex A), which they signed in advance of the interview.

Considering the difficult nature of many moral and ethical dilemmas, great consideration needed to be given to assurances of confidentiality, to ensure the highest regard possible for ethical treatment of the participants. Prior to providing their informed consent, participants were cautioned that as discussing some moral and ethical decisions might cause discomfort, they should feel free to stop

[1] The procedures and safeguards were never required.

participating at any time, and that a support network was in place if they felt they needed help during, or any time after, the interview.

Before starting the interview, the primary interviewer asked permission to record the conversation, as this would provide a more accurate record of the interview. Participants were told that no one outside of the research team would have access to the recordings. Finally, participants were asked not to disclose anything that could be described as illegal activity, because legal or ethical requirements may force the researchers to break the confidentiality of the participants. All participants agreed without reservation to this information, and all agreed to participate voluntarily.

Following this, the researchers began the interview. Researchers used the interview protocol, which encouraged a guided, but unobtrusive conversational interview. Each interview was guided by a trained interviewer, who was instructed to ask pre-selected and impromptu probes, but not to interfere with or influence the participants' flow of disclosure or opinions expressed. When necessary, and appropriate, researchers asked follow-up questions to further clarify important themes (outlined and underlined in the short interview protocol) relating to moral and ethical decision making. Given that researchers anticipated some participants had an increased chance of exhibiting or suffering discomfort when sharing their experiences, the primary researcher was attentive to recognize signs of stress or discomfort in participants throughout the study. The average length of the 15 interviews was one hour and nine minutes.

Once the interview was completed, researchers debriefed the participants. It was explained to them that the interview would be transcribed onto a word document, using the recording to guarantee accuracy. Again, participants were reassured of the confidentiality of the interview, and that researchers would remove any identifying material, such as names and places. Participants were informed that they could review the passages and scenarios that they provided for verification, to indicate any errors, or simply to edit out portions[2] that they deemed not suitable for any reports or publications. Researchers then answered any questions that participants had about the research. Lastly, participants were told that following the completion of the research, a summary of the findings could be made available to them if they so desired. In the meantime, however, participants were reminded that they could contact the Principal Investigators at any time if they had further questions.

3.3 Data Collection

With the consent of each participant[3], interviews were audio recorded using a Sony minidisk recorder. After the interview, researchers then digitized the audio file to a computer and converted it to a wav file for transcription. Interviews were transcribed verbatim, except for identifying information, such as names and places, by a member of the research team. Random quality assurance checks comparing the audio file to the transcription were undertaken by a member of the research team by listening to the wav file and simultaneously reading the transcription to ensure accuracy.

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[2] In principle, this could include the entire interview transcript, even if they had initially agreed to allow the Principal Investigator to quote directly from the interview without attribution of identity on the Voluntary Consent Form.

[3] Participants were also given the opportunity to be interviewed without being recorded. In these circumstances, the interviewer would take detailed notes of the interview. However, all participants agreed to the tape recording of their interviews.

3.4 Qualitative Data Analysis

Prior to content analysis, researchers convened to discuss the classification of moral and ethical dilemmas, and the factors influencing the process of moral and ethical decision making. Researchers agreed that moral and ethical dilemmas should be initially documented and classified under the categories outlined in the DEP (i.e., uncertainty, competing obligations, and harm), but to stay open to identifying dilemmas that did not fit well into these categories. In addition, based on our previous analysis of moral and ethical decision making (Thomson, Adams, & Sartori, 2005), we identified a number of potential factors thought to impact on moral and ethical decision making. Each factor was discussed in detail by all members of the research team, and operational definitions of each of these factors were created (see Annex A). Moreover, researchers established a preliminary model of moral and ethical decision making in order to begin to categorize the factors likely to invoke, influence, and/or guide ethical decision making.

Content analysis began with a member of the research team listening to the first interview, and coding it according to the established moral dilemma categories and factors identified in the preliminary model of moral and ethical decision making. This process was accomplished by using the qualitative data analysis software tool N6[4]. Following this, another member of the research team reviewed the initial coding, and initiated a coordinated discussion among research team members to assess and revise the initial category framework. Together, research team members created a table that delineated each factor deemed relevant to moral and ethical decision making, and provided an exemplary unit of communication (see Annex A). The purpose of this was to limit which units of communication came under each variable. A content analysis was then conducted on the remainder of the transcribed interviews, as they became available, by matching units of communication to previously established categories as well as identifying (and then defining) other factors not included in the initial model. Researchers remained open to previously unidentified factors and altered the coding scheme when it became necessary to do so.

3.5 Limitations

As a descriptive and exploratory study, it is clear that the sample is not random, and participants were self-selected. As such, the sample of people interviewed (and hence the experiences that they described) may or may not be representative of the issues faced in ethical decision making situations within the CF as a whole. As such, if extrapolation to a more generalized sample is required, future work will require a more representative sample. For example, though this was not possible here, future work should explore the ethical decision making process of junior ranks and non-commissioned officers. Although the scope of their decisions and the sphere of their influence are likely to be smaller than senior commanders, it will be important to understand the more constrained ethical decision making processes of junior ranks and certainly non-commissioned officers. As a consequence of their position, non-commissioned officers are likely to be faced with unique dilemmas.

In addition, in order to represent ethical decision making within the CF more generally, it would also have been ideal to have participants from all arms, including the Air Force. Despite the best efforts of the military liaison, due to pragmatic constraints, this was not possible for this work.

[4] N6 is a version of NUD*IST, Non-numerical Unstructured Data with Indexing, Searching and Theorizing. It allows researchers to organize the data in many different ways, i.e., statements could be organized under discrete variables or within the context of the moral and ethical dilemma itself.

From a different perspective, this report is also limited by the fact that it must rely solely on self-report. As is well documented in the psychological literature, self-report accounts can be limited by errors and biases of human memory as well as social desirability concerns. As the ethical decisions made by participants in this study typically occurred years ago, memory errors and biases are a very real concern for this work. Psychological research demonstrates the challenges that people often have recalling actual facts from memory, and suggests that memory is both selective and interpretive in recalling both facts of everyday lives (Neisser & Harschn, 1992) as well as in construing our selves (Cameron, Wilson and Ross, 2004). A study that relies completely on the retelling of past events may favour the recollection of some factors over others (e.g. ones that cast the participant in a more favourable light), as well as leaving others out. These biases, coupled with a broad body of work showing the apparent importance of constructing coherent narratives about who we are as individuals (e.g. McAdams, 2001), suggests that coherence motives might also have been in play in participants' reconstruction of their experiences. As such, in retelling their "stories", details that do not lend to this coherent account of the past may have been minimized, altered, or even rejected.

Similarly, self-report accounts may also be subject to social desirability concerns. As our sample consisted of high ranking CF personnel, it is impossible to know the extent to which their accounts may have been driven by the general expectation for commanding officers to be competent, reflective decision makers. In *Leadership in the Canadian Forces: Conceptual Foundations*, for example, Wenek (2004) argues that leaders ought to maintain composure and self-control, or rather "remain poised under fire", in crisis situations. He also states that "emotional volatility is often a contributing factor in the derailment of some missions and leaders' careers". Because this is prescriptive, participants may inadvertently have interpreted their past behaviour in light of salient expectations of being a leader. By extension, participants in this study may have deemed it unwise to contradict this expectation by providing instances where they made an ethical decision based on emotions or intuition, that is, "gut instinct". Of course, this problem could also be compounded by the fact that more rational approaches to moral theory and action have been dominant in Western society from ancient Greece to the present day (Thomson, Adams & Sartori, 2005). Moreover, as individuals are often motivated to be regarded positively, senior commanders may not want to share instances of failure or immoral action.

Finally, as this report will describe, difficult moral and ethical decisions often continue to exert influence long after the fact. For example, guilt, regret and counterfactual thinking may have powerful impacts on the reconstruction of events, and even on the ability of participants to be open and honest about all aspects of their experience. As a gesture of respect and sensitivity and in recognition of the possible emotional toll from moral and ethical decisions in operations, we chose from the outset not to probe into sensitive issues, but to let the participant determine the course of the interview when it was clear that they were having difficulty in recounting events. This clearly limited our ability to follow the interview protocol strictly, but provided often distressed participants with an easy "out" when they chose to deflect or change the topic when it was uncomfortable for them. Although limiting the uniformity of interviews, we believe that this approach provided participants with the most supportive context possible within which to share their "stories". Moreover, this approach seemed to have been effective in providing a voice to the closest possible source of knowledge about how difficult ethical decisions are made by CF personnel during military operations.

Despite the possible limitations of this work then, the primary goals of the project were realized.

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4 Moral and Ethical Scenarios

This chapter contains a broad overview of the ethical dilemmas offered during the interviews, as well as participants' first hand accounts of the moral and ethical decisions that they made (primarily) during operations.[5]

We interviewed fifteen senior leaders of the CF who had been identified as individuals who had faced moral and ethical dilemmas in both operations and in the course of their military careers. Both the type and discreteness of moral and ethical dilemmas varied widely. In some cases, participants detailed many dilemmas that ranged in kind, while other participants provided only one throughout the duration of the interview. These moral and ethical dilemmas ranged from administrative dilemmas (e.g. dealing with plagiarism at a staff college, deciding how to discipline one's staff), to having to deliberately violate mission orders, to having to decide what lives to save and, by extension, what lives could not be saved. In general, then, the interviews showed a wide range of dilemmas and decisions.

Although the *Defence Ethics Program* describes three kinds of dilemmas (uncertainty, competing obligations, and harm), the majority of dilemmas provided by participants were competing obligation dilemmas followed by harm dilemmas. Competing obligation dilemmas arise when an individual *ought* to do two incompatible actions. In such cases, moral agents find themselves juggling two obligations, but they are only able to fulfil one. One recurring theme was participants caught between obedience to mission orders or rules of engagement (ROEs) and their personal values and conscience. For example, one soldier described a situation in which he was unable to offer humanitarian assistance to civilians, because proper Canadian bureaucratic procedures prevented this if there was any indication of "skimming". However, given that there was no one else to provide aid, he felt morally responsible to help. As such, he was simultaneously obligated to obey Canadian regulations and his own sense of moral responsibility.

One participant described a situation in which he was ordered by British command to install a blockade on a humanitarian route, which had taken a lot of effort, including loss of life, to establish. Unlike the British, who he described as throwing their weight around with state of the art equipment, the Canadian soldiers were ill equipped to threaten anyone. Therefore, he believed that such a move would likely increase hostility toward those under his command, which ran counter to Canadian intentions. Thus, he refused the order to the dismay and insistence of the British commanding officer (CO).

Another competing obligation dilemma included a situation in which the participant did not respect his CO and believed that the CO was leading the regiment in the wrong direction. In this case, he has both an obligation to obey his CO and obey his own personal values. He explained that in such a case, "*you basically had to look above his shoulder, of your boss, and look at the Canadian flag*", which guided his decision to confront the CO about his "*lack of leadership*".

Given that participants had often deployed in regions of armed conflict, the next most frequent type of dilemmas were harm dilemmas. These dilemmas occur in situations in which regardless of one's

[5] As the primary deliverable for this project, and as an invitation for the reader to share the richness of the interviews, despite their considerable length, abbreviated scenarios are presented in their entirety. However, for readers hoping to understand only the broad themes that emerged throughout the interviews, Chapter 5 and onward offer these analyses.

action, harm or injury will necessarily come to others. In other words, an ethical decision of this kind will guarantee that, either directly or indirectly, some people are harmed at the command of the decision maker. Several participants described harm dilemmas, where they were forced to make an ethical decision between two undesirable alternatives, both of which were likely to cause harm. These were described as "*lose – lose situations*". For example, describing his experiences trying to save people from a massacre occurring within their country, one participant recounted the moral dilemma that he faced, and how trivial normative principles truly are in this kind of a decision.

> *"I am respecting the dignity of the people by trying to save their lives I think, I am obviously serving my country before I am serving myself, you know I think I am operating in accordance with the value and I am operating pretty ethically. But the result of the very ethical decision is that within 24 hours, 36 hours, a family died of cholera because I took them to a place that was a hell hole – but I had no other place to take them. So do I leave them where militia can chop them apart…which way is better to die? Being chopped up by a machete or being raped, in sense of a woman, being raped to death, or taking a risk with cholera. So these are not easy but…you know….you choose the lesser of two evils."*(Scenario 30)

In essence, the choice the soldier had to make was which was the most humane way for these people to die – cholera or murder? This, of course, can only be described as an impossible decision to make, and one which certainly carries little sense of positive contribution. The temporal immediacy, i.e., the onset of the consequences, will vary of course in harm dilemmas. Nevertheless, the probability of the effects and the general proximity to the situation make these decisions particularly traumatic for soldiers caught in the middle of a conflict. Moreover, harm dilemmas often require decisions which are difficult to forget.

There was only one recorded dilemma that we categorized as an uncertainty dilemma, which occurs when determining whether an action is right or wrong is ambiguous. This uncertainty dilemma occurred when soldiers were uncertain about the conditions under which they could use lethal force in self-defence. In the specific example, the commander explained:

> *"It took a long time to instill in my soldiers, that if somebody threatened them, if they were fired upon, they were to return fire and they were to kill whoever it is that they were firing upon. They weren't there to ask them to stop or to do anything else. They were to do what they were trained to do. It took a while for them to do that. There was always sort of an impression with them that they weren't to act aggressively or something like that because as a force we didn't do that, we acted very passively."* (Scenario 33)

In this instance, the participant argued that the organizational culture made it difficult for Canadian soldiers to determine when they should actually engage belligerents.

Looking at these 3 types of dilemmas, our analysis showed that many of the same factors were implicated regardless of the type of dilemma. Moreover, there was little evidence of a different process of decision making amongst dilemmas. This being said, there was considerable divergence amongst dilemmas in general, and each dilemma is unique and important in its own right. The analysis in Chapter 5 attempts to capture the common themes within the set of dilemmas as a whole.

First, however, the following section presents each discrete moral and ethical decision making scenario given by participants during the interviews. The scenarios are categorized under the kind of ethical dilemma that they represent. The first group are competing obligations dilemmas

(Scenario 1 – Scenario 25), the second group are harm dilemmas (Scenario 26 – Scenario 32), and the last group contains an uncertainty dilemma (Scenario 33).

The following scenarios have been compiled directly from the lengthy interview transcripts, edited only to maximize comprehension and logical flow of the participant's description while minimizing length and redundant details. In order to preserve confidentiality, all identifying features have been removed. Within each scenario, identifying information has been replaced with the type of information that it represents. For example, specific references to cities or countries that might identify the participant have been replaced by the generic terms (CITY) or (COUNTRY). In some cases, however, easily identifiable information was sometimes replaced with the term (IDENTIFYING INFORMATION), as to give a higher level of detail would, itself, have been revealing. However, in attempting to maintain the richness of the descriptions, details that did not impact on confidentiality were retained.

Scenario 1 – Manoeuvring ROEs

COMPETING OBLIGATIONS DILEMMA

The area where we served included a group of minorities. Our ROE allowed us to use up to deadly force to protect our own troops or allied troops, meaning UN troops. We would see irregulars with automatic weapons, under the influence of alcohol, going into the village, and we knew something could go very bad. We had not anecdotal, but real evidence that the previous contingent from another nation had not done anything and there had been killings. But we did not have the authority to use lethal force. We could not engage them, or if they started shooting the civilians we could not legally, formally do anything.

So, we thought about matters for a long time. My operations officer, the company commanders, and I looked at it and said: "There's no way we can just let this go." So there were the orders, i.e., we can't just start a fire fight with them, because it's a no go. But because my UN orders were so general and incomplete, what we did was we more or less interposed ourselves in between them (the civilians) and the belligerents. We asked, "Does anything preclude us from doing aggressive patrolling of the village? No nothing does. Okay, so we'll go there and hopefully by our presence will intimidate these thugs." This is what happened. We intimated them. So if the belligerents fired, they were firing upon us and it would become self-defence and I could use force up to and including deadly force.

You could say that was manoeuvring a little bit the ROE. I felt totally comfortable with that because we protected people, and my soldiers knew that when they were going into a situation like that, where there was danger and they were fired upon, they could fire back using deadly force. It was reflective of the mindset in the '90s where we accepted risk. I think there was a little more ambiguity, so in the chain of command, which I was a part of, there was some level of interpretation. Now this was alleviated.

We had the same situation with (MISSION, COUNTRY, YEAR). The authorities, however, were a lot more prescriptive so you didn't have that leeway, but good common sense prevailed and the ROE were changed so that NATO troops, and in this case Canada, were authorized to use force up to and including deadly force when we saw a civilian who was harmed with life threatening injuries.

So that's one example where rules didn't make any sense. You're facing a situation where you feel orders or rules are in conflict with your own personal values.

Scenario 2 – Political Debates and ROEs

COMPETING OBLIGATIONS DILEMMA

As a UN Force Commander, I was a UN agent working for the UN in New York. In other words, I was not under the Canadian chain of command. So my responsibility was to lead the military campaign, which I did, and at one point, NDHQ in Ottawa, i.e., Canada, had difficulty with some of my ROE and my concept of operations.

I had requested from New York five specific ROE. One of them was the authority to use lethal force to protect any human being, because, as it turned out, this was a society where they would gather around a woman who has committed adultery, and they would start throwing rocks and kill her. That's the type of country it is. But I felt, as a human being and as a member of a country which has subscribed to the declaration of the Human Rights of the UN, you cannot allow a Canadian soldier to stand by if an innocent civilian gets killed by a mob – you cannot allow this to happen…in your mind, as a senior commander, you must be able to relate everything you do with the values for which this country stands for…So I had requested authorization to use lethal force to protect any human being and New York had agreed with it. However, Ottawa refused to subscribe to that.

The decision in Ottawa came from a legalistic point of view. It was just a few years after the Somalia crisis, so we had a NDHQ that was very gun shy, very nervous. The lawyers were almost in command of the CF, and they would look at every word in the mandate and, if it was not legal, you could not do that and so on. In Ottawa's reading of the Security Council Mandate, they didn't see any wording that could justify that ROE. But there is what is legal and what is moral, and I knew that we could be on the high moral plane without being illegal. So then I debated with Ottawa on the principles and the values, the morality of it. That is, how can we as a society accept that a third party gets killed by a mob while we were there with our weapons and able to react and intervene and protect that person? But, from a legalistic point of view, you don't give us the right to do so. I cannot live with that. Morally, I cannot live with that as a senior commander. So, I was not ready to compromise that at all – none whatsoever. Legal or illegal in that circumstance, the right to use lethal force to protect any human being, I know that no one will ever tell you it is illegal to do so. Because what you are doing is defending principles and values to which Canada has abided by, by being a member nation of the UN, which has endorsed the Human Rights Charter from the sixties. That's what we are as a country – we are a part of that.

In any case, the opposition became very intense and generated friction that spanned a few weeks. I was dealing with the DCDS. Basically, I felt that I was pressured by Canada to change my professional analysis. I felt also that resisting that pressure, there could be consequences for my future, my career. At the end of the day, however, I chose to remain pure with my professional analysis.

Consequently, it became a nasty confrontation in which Ottawa pressured the UN to make me change my plan and my ROE. Because I refused, UN New York was forced to "sanifact"[6] my mission in theatre, i.e., sit with me and review the situation. This moved it to the Under Secretary General for peacekeeping level. The end result was that UN New York was very supportive, very pleased with my ROE, with my concept of operation, and they simply said, "We're sorry, but we

[6] To sanitize the facts.

side with the Force Commander". It got very tense and from my discussion with Ottawa, I ended up in a deadlock because no longer could we have an agreement at the staff level, i.e., me talking to the senior staff in Ottawa. So I got a phone call one day saying that the Chief of Defence Staff was going to get involved and he would make a special trip for the purpose of sitting with me. So, you can feel the pressure that I had on my shoulders.

I had a week of warning time before the CDS came to visit. During that week, I reflected and came to the conclusion that I would prefer to be relieved of my command rather than to deviate from my professional analysis. I phoned to my wife several times and I said, "This is the choice I have", and we both agreed. So that's the decision I made. When the CDS appeared, we went through some intense discussions initially, he was angry. Amazingly, he sided with me and overruled his own staff.

But that episode had lasted a few weeks, which made me question myself all of the time. The difficulty of such a situation is you constantly ask yourself, "Am I right or am I a stubborn guy defending a point of view which is at odds with the logic?" So what I had done during those several weeks of friction I had benchmarked my military concept of operations with the diplomatic community. You have to do it with as many people as possible because the danger once again is that you are out of step. For unknown reasons to yourself, your judgement may not be the right one in those circumstances. So you need to know that. You need to establish that assurance that your judgement is the right one in those circumstances.

I met with the ambassadors of the friends of the country where I was serving to expose them to my concept of operation and to give them an opportunity to challenge it. Every time I benchmarked with all of the diplomats in theatre, they supported my concept of operation. In other words, they believed that the military response was closely synchronized with the geo-political environment we had there. They believed it was the right response. Once I had done that, it became an ethical issue for me.

I was seconded by Canada to the UN. So I did owe all my full competence to the UN. I could not provide to the UN a watered down option. I owed to my UN employer my best professional judgement. I was not allowed to "crook" my best professional judgement for pressure that may or may not impact on my future career back in Canada. I had done all that benchmarking, so from an ethical point of view I had gained confidence that I was right. I knew I was right and I wasn't ready to compromise it. I felt that in my own country, when I would come back, I would have made enemies and you know, human beings what they are, I might suffer consequences. So it was an ethical issue. The choice I made was to remain ethical with my employer, the UN Security Council.

I prefer to be able to look at myself in the mirror while I serve and after my military career, then have had at some point to "crook" my judgement and not have given the best of my military potential when it was required. So forever in my life, I would be able to look back and tell myself I did the right thing, and I have no regret whatsoever with that. This is more important for me than the fact I may have made enemies in the process. So at the end of the day, I was right to remain ethical there because the alternative was to be a nice guy with the people I would continue to serve with in Ottawa, but comprise on the fundamental principle on which I was not ready to comprise.

Scenario 3 – Exploitation of Innocent People

COMPETING OBLIGATIONS DILEMMA

I'll talk about the start of the second tour. One of my patrols was responsible for the handover of a (SOCIAL INSTITUTION), which housed women and men prisoners. They ranged from alcoholics to fully mentally debilitated people that needed constant care. We weren't responsible for finding them, it was a previous battle group that had discovered that they had been abandoned by the staff and they were just sort of left to their own, and they were being abused. And they provided a greater protection; it was well known, it was publicized over the media of this discovery of this little island of misery that existed in the area. So, the Canadian battle group got itself involved, so that the degree of protection would be provided. So, we were there to provide protection for other aid agencies so that they could do their work and so that could get in safely and get out safely and do their job of getting caught up in the war and the problems that go with it.

When the (SUB-UNIT) that was responsible for the hospital went in, walked around, it was a sergeant who had actually made first contact with another sergeant from the unit that was coming out, he was appraised of how to take advantage of the situation in terms of selling alcohol, use of the (WORKERS), abuse of the (WORKERS), of the ones that are in there now, how things kind of worked, just taking advantage of the situation. It was apparent there was a break down of discipline in that small, (you know, that unit that was there was doing fine), but there was a break down in discipline in that little particular area that was in there. He found a great degree of revulsion of what he had seen and reported back through, one of my soldiers now, reported back through my chain of command as to what had happened. Again, it was one of those clear cut things that it was wrong, and it was what was going on was wrong.

What I had wondered about it when I heard about it is, why hadn't this been stopped? Why didn't somebody else say, you know control this thing? The reasons came out in later boards of inquiry. It was, it was, it was disgusting. I found it almost unfathomable that Canadians were doing what people, the unprofessional soldiers, were doing over there to people. It was just totally, repulsively wrong and just struck that cord with me instantly. And any other decent human being it would have as well. There was a complete break down in discipline, something happened. We didn't know. I mean, I just didn't expect it. I didn't have those standards for performance or discipline for soldiers wherever they were. So, it had to be dealt with. You can't…it would have been a crime to have let it go.

The dilemma was this: I was fresh into the area, I had a brand new battle group taking over, we were all keen to do our operations, and the last thing I wanted was to start my first day dealing with a disciplinary problem with a (SOCIAL INSTITUTION) that would cause significant embarrassment to Canadians. But, that's the way my day started. I had gone to the commander, the (RANK) who commanded the battle group who was there. He was aware of the problem, and he was aware of the report. Either I take over and start fresh, and we just let it go and I will work it out. I was dealing with a unit I had served in previously. It was another regiment I had served in. I knew the CO extremely well. We were then and still are close personal friends. But the question was do we let it go and fix the problem, or do we follow this thing up and find out what happened, so it doesn't happen again?

What I was told was that I was there to do the handover. A very simple thing – signing the ceremony, flag goes up and your regiment is in, congratulations. But I wouldn't do the handover

until the CO had initiated an investigation. And I was going to make, I had made the decision that I would make issue of it. This had to be done.

So, the military police sent out a sergeant who did an initial look around, quick report saying: "Yeah something wrong here, big". And the investigation was started. I said I wouldn't do the handover until this thing was initiated by this outgoing CO because it was the outgoing CO's problem to deal with. And the problem to then go with him back to Canada and let them sort it out back in Canada so it wasn't something I had to deal with myself other than making sure it doesn't happen again. I didn't know how wide spread the problem was. So literally, I did an ultimatum, the investigation was initiated by a commanding officer, when the investigation was signed, about ten minutes later we did the change of command ceremony.

Participant was asked: Did that decision happen that day, like the same day when you realized the problem?

No, the first report had come in as I was arriving on the ground. The resolution of how this was going to be handled started about two days before, two days before the handover. The two commanding officers, myself and the other commanding officer had the discussion as to what I thought had to be done and to what his [the outgoing CO's] responsibilities were to which he agreed, because he was unaware of this as well. Following this, the military police did their initial investigation, said "yes" this confirms a problem here. Then he signed, there was a significant incident report and a few other things he had to sign off on, and then we went from there.

The difficulty were the implications, the long term implications, for both my good friend, who's a fellow (RANK) and the regiment that I had served with, because they had got dragged into this. I worried only about a whole bunch of soldiers in that regiment that knew me as a young Lieutenant and a Captain that had caused this thing to happen. And I had always hoped they weren't taking it as a…you know…kind of inter-regimental rivalry or something saying that we uncovered something nasty from your tour. There were lots, lots of things going wrong. It was just one of many things that indicated a break down of command. Unfortunate as it was, it was the type of mission that it was. You just can't send soldiers into that environment and just leave them there and forget about them. They just go native. It happened.

Scenario 4 – Court-marital of a Friend

COMPETING OBLIGATIONS DILEMMA

On the sense of right and wrong, I had a very well trained and disciplined unit. You know, people had been in jail and the odd stuff, but I think we had a total of 21 charges that I dealt with for alcohol. And I dealt with alcohol personally because of the level of fines that came in and with accidental discharges of weapons being a CO. I was competent and everybody knew exactly what they had to do to keep themselves out of trouble. But when they strayed, I had to come down very hard and did. And it was all part of what everybody knew what I was doing, which was trying to get people back alive, with no unnecessary death or injury. So, I stuck to my values as to my sense of right and wrong, and the high levels of discipline I expected from soldiers.

I ran into a moral dilemma, but it's only easy because I stayed consistent. One of my (SUBORDINATES) though, had made a decision which was contrary to direction I provided him, written direction, and he was developing pro (COMABATANT GROUP A) biases. And I had already counseled him and tried to bring him in on line with this and, without advising me, he had deployed a bunch of soldiers into an area to do a protection task for a totally non-operational reason, and needlessly put soldiers lives at risk, and put them in an immediate zone of danger, and which was well known to the other army forces at that time. So what was going on? Kind of thinking that I probably wouldn't find out about it, and he would do this and he was doing somebody a favour. Then alcohol got involved as well.

How was I was going to deal with it? First, it was the (SUBORDINATE), a leader and what had happened was well known in the battle group. Based on how I had been dealing with things sort of consistently in the level of discipline, it was going to require something harsh if it was in fact true. So, I had him investigated. I found somebody to do an impartial investigation because I was dealing with somebody I was very close with and had been a good friend with for many, many years and had to deal with it. Anyhow, I had him court-martialed and lost him, took him out of theatre and sent him back to Canada. The court-martial happened when he got back to Canada. I think it was probably the event and the consequences that really stopped me from being able to come home for a long, long time.

The decision was easy, this had to be done. I didn't sleep well for a couple of nights for deciding how I was going to deal with him because of all the ramifications. It was the end of his career, but it was, involved a whole lot of things. Probably to this day, I wished…I looked back and say I know that was right and every soldier knew it was the right thing, and I knew that if I had said, "Come over here, this is the third time I'm telling you this is wrong." It had gone too far. And if I had let it go, I would have lost credibility with everybody in my battle group. It was so obvious that it was wrong. So, his leadership was in question, and I had to relieve him of command.

I lived with that decision for a long time because it was a long, and difficult, painful court-martial. (IDENTIFYING INFORMATION RE: SUBORDINATES FAMILY). He's got influence, and I provided him every opportunity he needed (6 more months to prepare his case). They brought a (PERSON OF DIFFERENT NATIONALITY AND RANK) over from (COUNTRY) and brought him to Canada and let him testify. The approach of the defence was to question my consistency of leadership. And that seemed to become a long and difficult trial. So, everyday they were looking for things and we had to keep providing evidence and this and that. And I think I found it personally hard because it was outsiders questioning what you did and why you did it.

I couldn't let the mission go. I couldn't come home because there is a trial coming up, then there is a delay, and then there is a trial coming up and then you go through the trial. I remember talking to my wife, saying, I was still commanding the regiment and things were going on, I just wanted to get on with my life and I couldn't understand why this guy didn't want to get on with his life that he was going through such an extent to try and say that it was "no fault on me". It made it hard. What I found was I had to learn (and I never didn't learn it well) not to take things personally, and it was hard to divorce myself from it. But I had tremendous pride in what everybody had done, and had terrible resentment against people questioning it, especially when they didn't take the time to come over and see what we were doing to start with – terrible resentment.

Anyways, he was found guilty, and there was no problem and there was nothing that ever came out that I had ever felt bad about. If anything, it just made it all that much worse for that guy's life after and nothing was accomplished by it. But it caused a lot of personal stress. I remember going into see my brigade commander, saying to the brigade commander, "I'm finding this difficult. Is this really worth it?" If he'd just gone with what I had given him the initial court-martial, he would have gone in and it would have been finished and he probably still would have been serving. Anyhow, it became higher and higher profile. It was in the media all the time, and it just turned into a second world war. It turned in to be confrontational almost.

I ruined his military career. I didn't ruin it, he ruined it. I just had to prove that what he did was wrong and when you're doing it in a legal context of what is right and what is wrong, the definition was important. My operational concept that I wrote before we went on training was used by the prosecution. They used it and said it was totally against how I operated and so commander's intent was well known.

I lost a friendship out of it. He was probably the best friend I had over there and still remains a good friend with my (CF PERSON AND IDENTIFYING RANK). So he has a good feel for what the soldiers are saying, and they stood behind me and I was okay. But it's one of those things you wish didn't happen, but if you let it go it could only get worse.

Scenario 5 – Protecting a Commander's Supports

COMPETING OBLIGATIONS DILEMMA

The CO had a no drinking policy. No alcohol will be consumed on the mission because you never knew when you were going to get called and when someone was going to get hit or wounded or whatever and you just couldn't afford to be drunk – very simple.

One night he was absent from headquarters for the night at a meeting and staying over. Two of his senior officers consumed large quantities of alcohol. The operations officer, who was a (NATIONALITY) and didn't drink, you know, came to me just as a lowly staff officer and said "these guys are really drunk and they are saying some dangerous things" like 'let's go out and shoot these guys up'". The type of drunk talk that comes out after a bottle of scotch. I headed off the situation by saying "do not obey any orders that they issue tonight". I had got one guy's aide (ADC) to go in and grab their radio, and I said "these two guys are out of bounds tonight, let them burn steam".

The next day, the question became Do I turn them in? Do I tell the general? Everybody knew they had broken the CO's rule, that they had drank, that they had over-consumed, that they were drunk the night before, that they were in a leadership position. I made the decision not to because these two individuals were his closest confidants, close to his rank level. They were his peers. They were the guys he bounced his ideas off, who gave him moral support. He gave them moral support. And he leaned on them like a president would lean on the vice-president. It was a very close relationship. If I damaged that in any way, he had no replacements for those people. If I reported them, I would have put the CO in a position where he would have had to fire them. He would have had to act. He would have had to fire them, and he would have lost his two greatest advisors and his two greatest…support…real close support you get from peers. You can get it from subordinates all the time, you can even get it from a superior, but it is the peer support…So I made the decision not to tell him.

Scenario 6 - Disobedience to Orders

COMPETING OBLIGATIONS DILEMMA

I worked for a (SENIOR OFFICER, DIFFERENT NATIONALITY), and the (NATIONALITY) operated a little differently than we did in things. Their approach is different. I worked for him, and it was a very good relationship and a very positive relationship. He spent quite a bit of time with us – saw how we were doing, liked (OUR UNIT); saw the changes that came about for our area and how we were working. But, I got an order once to deploy. The (NATIONALITY) forces tended to throw their weight around a little bit more. They had (TYPE) armoured fighting vehicles. They had state of the art equipment. They were protected from what we were doing. We were running around in these flimsy cougars and second rate equipment that wasn't intended to be used over there. So I was a little cautious about where we were going to make a show of force, for example, for the sake of showing force. Because everybody knew that we couldn't throw much weight around. We could protect ourselves. But we weren't going to scare anybody, especially not some of the people over there.

Anyhow, I received an order to install a blockade on a safe humanitarian route, which we had worked so hard to establish. Life and limbs were lost over these routes over the years that started when I was with the (IDENTIFYING INFORMATION). The purpose of the blockade was to make a point to the (COUNTRY, THEATRE OF OPERATIONS) government at that time, about some things that they were doing wrong. So the (NATIONALITY) were doing it in one sector, blocking routes to make a point, and I was told to block our routes. I said, "No" and told them why. First, it was contrary to what we were supposed to be doing, and it didn't do anything to reduce hostilities in the area. If anything, it increased it. And it put the battle group in unnecessary risk because an easy way to get through is just charge it or fight it or whatever they want to do to and go through. It was pointless. It would prove absolutely nothing. So, I refused his order, and he insisted. And I went up the Canadian chain and said "this is contrary to what we are intended to do here", and so I stood my ground. He didn't like that very much…didn't like that very much at all, and our relationship changed somewhat. We kept working together on things, but the fact that I wouldn't follow through on his order did not sit well with him. So, when I left, it was kind of a curt goodbye, even though I had worked for him for six months. I never got a letter from him or he never put a little assessment into Canada, he just let it go. I knew the reason and I accepted it.

But it was just one of those ones where I stood my ground. It didn't cost me anything. It didn't hurt my career or anything. I brought soldiers home, but I just kind of had to stay, I stood my ground, and I had to stay with it.

Scenario 7 – Breeching Bureaucratic Procedure

COMPETING OBLIGATIONS DILEMMA

When I was in (COUNTRY), through the UN, we were giving fuel and food and all this by mission creep, providing some help to a lot of the refugees and displaced persons. Now that should have been UNHCR (United Nations High Commission for Refugees) or ICRC (International Committee of the Red Cross), but they were totally absent from my area. We were going through some middlemen. Did we have formal proof that they were skimming off the top? No. But we were 90% sure. These were all people from the (NATIONAL LEADER, COUNTRY) regime, where it was a matter of fact. So we were pretty sure. But we did not have the number of people to supervise. We were sure that the majority of aid was going to the people in need, but we were about 80% sure there was some skimming. So from proper Canadian bureaucratic procedure even 1% skimming is not acceptable. But there was no one there to do it. There was no one there from the UN bodies, or NGO's, or (INTERNATIONAL ORGANIZATIONS). So I could have gotten on my high horses, but it wouldn't have amounted to anything. So I could say one case where I thought the ends justified the means.

Scenario 8 – High Risk Assignments

COMPETING OBLIGATIONS DILEMMA

When I was first with the (IDENTIFYING INFORMATION), and I was working as the operations officer, I worked for a diplomat, so he didn't have a military mindset or what had to be done. He was good at negotiating what had to be negotiated and doing all the follow up and stuff that were in there; so we would work as a team. But as the operations officer, I was a monitor initially, then I had responsibility to send people out to do all this stuff. Okay, so where do we need to send these teams, these people?

I had difficulty putting teams in certain places knowing the degree of risk that they were going into. Initially, I couldn't quite let it go. I wasn't deploying Canadians. You know they were teams from different countries, different nations that were going through. But I had personal responsibility for them. And I thought of them the same way as I would think of a Canadian patrol out of my regiment, and them going off somewhere. I'll give you an example.

The first one I ran into was a deployment into (REGION)…at the time, (REGION) was very much a centre of ethnic cleansing and a difficult, dangerous place to get into for teams. The (NATIONALITY OF COMBATANTS) didn't want anybody going in there. The area was closed off. I was asked to try and organize and negotiate to get a team in there. So we worked on that for a few weeks, and got an agreement with some limitations to get into sort of the area. So I put together a team and knew the risk was extreme. We didn't know the context of what was going on there at the time until later on. But we knew that there were problems because you heard information or got information. There was a good chance we would lose the team. The (IDENTIFYING INFORMATION) had lost a lot of its monitors. If they say the wrong thing or something had happened or just the risk of going into the area. I didn't feel I could just let them go without…I couldn't just give them the order to go, although that was my job.

So I planned the mission with myself included as a team member that was in there. I was a senior monitor at that time. I had more experience than the people that were going in, so it made sense to me. I could only do that so many times. There's another mission, and there's another mission, and another mission, and I had to reach the point where you just have to take faith in the type of missions you gave those people that they were enough to build their confidence up and then eventually they can go off and do it. These are old leadership principles, but it was hard. I found it hard to let people go and take a particular extreme risk without being involved in it myself. You know so they knew I was with them in all this. It got me into some difficult situations for a while, but again, I just chalked it up to I learned a lot out of it for later on.

Scenario 9 – Promoting Professionalism

COMPETING OBLIGATIONS DILEMMA

I was the (IDENTIFICATION OF AREA OF COMMAND, PLACE). I had 4 units of men. I had the (IDENTIFYING INFORMATION – CANADIAN AND UNITS FROM 3 OTHER COUNTRIES). There were 4 sectors in (COUNTRY): sector west, sector east, sector north, sector south. And I was commanding (SPECIFIC SECTOR). When I arrived in June, just the month previous to that, the (COMBATANT GROUP A) had attacked and retook sector west…the United Nations units in sector west fled, thereby leaving the civilian population at the mercy of the attackers…there was quite a lot of (COMBATANT GROUP B) civilian that were killed. So when I arrived in (COUNTRY) I said very clearly to the four contingent members that we didn't want to repeat that. Our job was to stay in place. We will improve our security of our outpost, but you guys will stay in place.

I was involved in (PREVIOUS CF MISSION, COUNTRY). I was with the (CF REGIMENT). We had people wounded when we evacuated. And when the battle stopped, it was almost impossible to go back, you know, to our post. It was very difficult to indicate what had happened because we were not there. And when we stayed in a certain location, when we stayed in place, then we were in control in a limited way. So I said to these those 4 unit leaders you got to stay in place.

…the [Canadian] *unit in (COUNTRY) was told by the Ottawa to evacuate some observation posts…Lo and behold, my best unit was the Canadian by far…And me, I was flabbergasted because the best unit I had was the Canadian. I had just told all the units to prepare themselves that they will improve their security and that they would remain in place if an attack took place. We had spent days, because we were anticipating the (COMBATANT GROUP A) would try to retake all of our sector. So my best unit you know, if they were told by the Canadian Government, as they had told the unit in (COUNTRY), if this started, remove their people from the observation posts, well I would have lost my credibility you know. They were my best trained. Those were not able to withstand what they were paid to do? What was soldiering? Yes, shit happens, you know, that's why you are trained. I had 13 (COUNTRY) villages in addition to protecting the (ETHNIC GROUP) population within my sector, and I had to protect those in addition to protecting the (COMBATANT GROUP A) population. I phoned the (PERSON AT HIGH LEVEL IN CF) in Ottawa and I said, if the Canadian Government tells a unit from the (CF REGIMENT) to be removed, the next day I'm on a plane to Canada, and I resign because I cannot stay.*

Scenario 10 – Opening Camp to Civilians

COMPETING OBLIGATIONS DILEMMA

They started to shell all over the town. I was in (CITY)) that was the capital of the (COUNTRY, IDENTIFYING INFORMATION) in sector south. At eight 8'clock, there was a lot of civilians outside my small tent wanting to get in because they were shelling the city about 2 thousand to 3 thousand bombs within a period of 36 hours. I decided to let them in the camp even though it was a small camp. And I was fully aware that as soon as I opened the door, I was responsible for their security, for their welfare, for everything that I had to provide in order to insure their safety. That was against a vehement "No!" from the UNHCR and the UNHQ. And I said, "The hell with you guys", because they were telling me they were not refugees they were displaced people. And I told them I don't care, for when the bombs come in, it doesn't ask are you a refugee or displaced people. I said, within my conscience, I cannot let that happen, so we let them in and there was more than 1200 that eventually came in.

But a unique kind of problem because the UN runs this stuff, and I didn't get too much support from these guys and they remained for a few weeks in my camp which would fit about 250 people, we were at one point close to 2200. So we had breakfast in the morning and supper at night because that is all we could take care of.

(Interviewee was asked: Was it automatically you just knew, because you said you follow your conscience is that something you know comes very quickly?)

Very quickly. I mean, the people outside, the shelling going on, I said let them in.

It didn't matter to me at that time because it was the safety of those people. And if they wanted to crucify me afterwards, well, go ahead. And there was nothing else I could do. But I can look at myself in the mirror and say I did everything I could possibly do to protect those people. If I had not let, for whatever reason, because I would be afraid that you know they would take the food away from us or that we could not sleep in our own cubicle…There comes a time when you got to look beyond what you're supposed to be doing to be protecting somebody. It's not even military, its part of you. Every human being should never let an occasion pass if it arises that you are able to help someone. I mean that's the way I am, that's the way a lot of our guys are. That's a human being, I mean.

Scenario 11 – Betrayal by Headquarters

COMPETING OBLIGATIONS DILEMMA

Well actually there was something from my point of view that was very dramatic because it became one of the major reasons why I quit the army. I chose my word here. I quit the army. I didn't retire. There's a difference.

When I was in (COUNTRY)…a UN mission …multi-national… I was the (LEADER, IDENTIFYING INFORMATION). We had a camp there, a pretty big camp we had about 800 to 900 people living there. So that was our Little Canada. Security was really hard to maintain. You know, you can get the best men, the best equipment; there's no way you can stop all infiltrations. It cannot be water tight, it's impossible and mind you I was surprised. I seen these people, 'cause they are hungry, 'cause they are so poor they have done things I never thought was possible by human beings. They would run over barbed wire almost unscratched. It amazed me. But they were kids. They were poor. They were hungry. They were there [on the Canadian Force's base] *to get anything, grab anything they could sell…*

Because we had so many infiltrations, by kids mainly, we had to be very careful. But, at the same time, my people on the ground were put in very difficult positions, because you never know what you can expect in these circumstances and for many reason what happened in Lebanon in 1983. If you recall two hundred and something Marines got killed in Lebanon and that was supposed to be, you know, a nice and easy mission for them. So, I always kept that in my mind and it never went away actually. So I took my job very seriously where ever I went because again you got to be ready for the worst case scenario and because you don't know your enemy or you don't know everything about your enemy or potential enemy you've got to be very careful about what you are doing. So anyways, I was very, very concerned and again we had to abide by the rules of engagement. That was hell.

The typical Canadian rules of engagement in peacekeeping operations are more restricted than the UN rules of engagement. It's a very technical document. We had the soldier cards so they can understand because you have to react in a split second, you don't have the lawyers background or understanding or knowledge. You have to react very quickly on situations…when you are on the ground. So I said to my people to be very keen, very aggressive in their behaviour, not to a point to beat anybody, and I stress that because I realize most of these infiltrators were kids and I'm a father. I've got 3 kids, 3 sons. But unfortunately, because we had so many infiltrations, some things happen very badly, and I ended up having four of my people court-martialled, and there was nothing I could do about it.

We never caught them with fire weapons. We caught some of them with blades. So we were very concerned that you know somebody could have his throat slit. One night, we caught some of them, and what happened, there are my people, caught them…I wasn't there…One of my sergeants, who got accused, got charged and he got sentenced and it went as far as pushing. The prisoner was keeping talking and he said, "Shut up!" And he just kept going, and you got to understand that you have to make them understand that you are in control, "You are a prisoner, and you better shut up". So I thought in my own opinion that he used a very minimal force to make him understand.

The MP on the camp didn't report to me actually. They were reporting to the (MILITARY POSITION). They were Canadian MP's from the air force, that's even worse, a different culture. They couldn't speak French. There was a big hassle for us for most of the people would speak French. They couldn't speak French so we got, it came to a point, they almost fought between the

MP's, can you imagine this. So the incident was brought up by the platoon leader. He sent a message to his boss back in Ottawa.

You have to recall (YEAR), that was right in the Somalia syndrome. We were really into it. And they just started to implement in the reorganization, the National Investigation Service (NIS). That's what they called it. I called it the Gestapo but that's was it. They were not officially formed, but for some reason, they're formation was to be confirmed by the first of September. These events I'm talking about happened in July 22 – 23, and for some reason Ottawa, from my point of view, panicked and they said "There is something really big. We got to do something about it" and they sent the NIS, which wasn't really formed so they took people from the MP and they sent them a whole bunch of people. That was incredible. They looked in every single file that I had. Even photos. My feeling was they wanted to find something at any cost because it went over the media and they wanted to show to the Canadian public that we're in control and nothing will happen nothing like Somalia will happen again. To say the least, I was very, very disgusted because my soldiers on the ground, we had to keep going on our mission, to do our mission. Tremendous stress. I had my mission. I had my men. On the other hand, I had the whole world coming down on my shoulders and the HQ and all this. General X, he was the contingent commander at that time, he was quite helpful, but there was nothing he could do also. And that I realized really quickly.

They had I don't know how many people 20, 10 on the ground, inspectors. They spent 5 weeks within our camp. They knew who they were and what they were doing. Can you imagine the reaction I had from my men? And the morale, I can't describe it. It was horrible beyond your wildest dreams. And I had to keep the cohesion of my unit because we still had a job to do and, you know, I had to tell them, "Forget about these guys. We've done nothing wrong and we're doing a great job. Keep on doing great." They brought in this man, this (NATIONALITY OF PEOPLE IN AREA OF RESPONSIBILITY – AOR) guy on the camp. They gave him chips, donuts, whatever, Pepsi. They drove him around asking questions. And my people were there seeing all this. They said, "Sir we're doing our damned job." That was a test of leadership, to say the least, the last two months.

You insult me when we had our soldiers fired on downtown what have you done, you didn't mention a word to the Canadian public because it was Canadians being fired upon and now you're telling me because a small (NATIONALITY OF PEOPLE IN AOR) guy got pushed around it went to the media to the National media, somebody will have to explain to me here something cause I don't get it. So that was it…How the names of these (NATIONALITY) got in the news paper in Canada how that happened I didn't know who they were, what is the explanation the only explanation is the MP and all these guys they leaked some of the information to the media because they were the only one to know. We didn't know. I was the CO of my battalion and I didn't know the names of these (NATIONALITY). The only one who knew about them were the MP's.

Unfortunately the two officers got away with it. The two NCOs who got court-martialled…one was (LOWER RANK NCO) they got the flack. They got everything. And I felt very, very, bad about it because I couldn't do anything about it. I was really, really, sorry and pissed off because (LOWER RANK NCOs) got it all. They paid for something that was beyond them and I'm still in contact with them actually and they keep telling me, "You know sir, I have done nothing wrong". And I know these guys, especially (LOWER RANK NCO). He's a good (IDENTIFYING INFORMATION), a good NCO and he said, "If I had to do it again, I would do exactly the same thing". So we were the victims, if I may say, of the over reaction in the system…

… You know what's worse than being shot by the enemy? It's being shot in the back by your own people. And that's exactly how I felt…you expect …your nation, your people to back you up when anything happens…

So that was a very dramatic experience in my military career because I took decisions, I assume my decisions, and mainly I quit because I realized at that point that although you know you can get into a situation where you order one of your soldiers or some of your soldiers to fire their weapons and you cannot tell them you know I give you order you fire the weapon and I take all responsibilities. Of course I would have had the responsibility but the individual who trigged the weapons also has a responsibility and he cannot say if he's court-martialled I was given the order by Colonel X or what ever as an excuse.

I just couldn't live with this contradiction, where I have to give an order to shoot a weapon and at the same time, I know if anything happens to this poor chap, there is nothing I can do about it. There is nothing I can do about it. Of course I would be in trouble myself but that's not the point here, because I take full responsibilities there shouldn't be any concern of what can happen but it doesn't work like that because, as you know, everyone is responsible of his or her act. No charge has ever been brought to me.

The whole system as most of our systems is based on trust. I trust my men. The men trust me. I trust my superiors. My superiors trust me. And I think the system failed at least for this circumstance. No doubt about it because I trusted my men and they're not perfect we're human beings, I think the men trusted me. But I came to a point where I didn't trust my superiors and I know for a fact my superiors didn't trust me.

So, yes, I came to a point gees what happens here? What's going on here? I'm not backed by the hierarchy and again that was one of the reasons, major one, though.

My wife would tell me, "You've got to understand, these guys in somewhat a political position," and I said, "That's all crap!" To me you're a soldier, and you have to stand by your soldiers and that why you're wearing epaulets. You have to work for the soldiers and I feel that most of these guys at that level have failed my men, I failed… to know you are responsible in the end even for their lives or their death, you know, you put men and women in harms way that is a very big decision and you have to live with it…I failed my men and I assumed the consequences. I quit the army. That was my whole life I really enjoyed it. I'm an engineer by training, but I didn't go through this systematic process. If I may say, I'm a man of passion and I love the army and I still love the army. I love the people in the army.

It was hard, horrible because it was again my life I really enjoyed it and you know I would have stayed on and because I liked it I really enjoyed working with the people but I said, "gees", it was big contradiction and I a man, a person of principle. My wife always tells me, "You should maybe relax a little bit". I am what I am, a man of principle. I feel that these two poor chaps have been betrayed and that is unacceptable totally unacceptable. To me it was a slam dunk from the beginning. These men were hung from the very beginning. Some of the people would tell me, it's only two men. Gees, if you were one of them…It's too much. It's way too much. One of them, the (LOWER RANK NCO), is just about to get out. He has post traumatic stress disorder. His life was ruined because mainly of that.

I was a man, you know, sure of myself. Sure of my values. I was very conscious of my high values and I felt very comfortable. I felt that in any circumstance my values would guide me and they would never fail me, and that one moment my values failed me. It didn't work because of my high values. In spite of my values, I couldn't do anything. I thought when you have high values, nothing

can happen to you. You're beyond all the shitty things that happening on the ground. Maybe I was naïve. Probably. But that was a real test.

Scenario 12 – Loyalty to the Regiment

COMPETING OBLIGATIONS DILEMMA

When I was (IDENTIFYING INFORMATION) in (REGIMENT), the regimental commander there was a waste of rations, a total waste of rations. So the ethical dilemma is: How can you actually obey his orders, which by the way he never gave, and therefore stay loyal to the system, so to speak? Well, you basically had to look above his shoulder, of your boss, and look at the Canadian flag and take some pride in your work and try actually to overcome his lack of leadership.

After my first nine months we were together on the reconnaissance in (COUNTRY), and he committed the capital sin of asking me how goes it? So I, ah, went on a long tirade to tell him for three hours why I didn't think that he was a leader, and what he should have done actually in order to be, ah, perceive to be the regimental commander – the week after I signed my PER, Personal Evaluation Report. This person was certainly not the best example. He didn't want to actually command the regiment. He wanted to command probably respect, that's for sure. But he really perceived that as being the ante-chamber of "Generalship". Therefore, he didn't have to waste any time commanding the unit.

So one of the ethical dilemmas, which was an interesting one, was described initially after a month in the job, he had yet to convene in our group to speak up about his vision and how he intended to run the regiment and what not. So I was not pleased by that particular attitude. So I went around to see (IDENTIFYING INFORMATION), and asked them what were their thoughts about this lack of pride by our regimental commander. All of them were in agreement that something was lacking, that something had to change, and they were certainly not impressed by the new regimental commander.

So I took it upon myself to go and walked straight into his office and talked to him that it might be a good move to call for an O group and certainly re-establish the weekly meetings in order to spell out his views, and he did so. He was actually quite nice about it. And the next Tuesday, he started out the O group by telling us that he was not impressed by the fact that we had wanted to have direction, which is interesting. So then he called us all sorts of interesting names, which I try to forget. So in any case, they, ah, we really thought that in any case that he was on the right path, he would actually be able to impress upon the regiment his views and his visions and also his personality which he never was able to realize, and this is why I had the spilling of my guts in April the next year.

Having seen that nothing changed actually in his behaviour actually was quite a profiting if you will, he was profiting and opportunity he had to go out of the regiment and outside of the country even and to leave us, in the meantime leaving us to our own devices basically, with the regiment going almost rudderless. So I opened my mouth, asked questions, spoke with his predecessor, who was now a (IDENTIFYING INFORMATION) and told him exactly what I felt about what was happening with the regiment at the time. The regiment was lacking this strong leadership that's required by such an organization and if there is no change in the short run, I expected the regiment to, at the time, just to become a garbage can basically. Discipline was actually, truly not happening in the regiment…he never really took a strong grip of the regiment and consequently he turned a blind eye at some of the disciplinary problems that were only growing very fast, very fast.

(Interviewee was asked: So how did you make that decision to sort of push and say, "I have to do something about this person"?)

Well, it had to do with the well being of the regiment. I mean, ah, certainly the regiment is not being lead properly and if discipline is non-existent, certainly this, any unit for that matter would just become a gaggle of person that can actually do anything according to their whims. And this is not exactly what you expect from a unit that is supposed to be a very strong unit, a very fit unit, and also a combat ready unit as well. So, I did it for the good of the unit, mostly.

(Interviewee was asked: Did you see potential consequences for you?)

I thought that he would actually take the revenge on me…He did. So it was a little frustrating to see that although I was the only unit that was performing, we were the best performer within the regiment, there was no doubt about that. I mean, the esprit de corps was much stronger in my unit than the other units. And we always kept to, strived to keep the regimental spirit within the unit, not just the sort of, just the unit spirit was not enough. I really wanted to have that as part of the regiment as opposed to just turning inwards and just fostering a very esprit de corps would only be limited to our, to the people inside of the unit. Yep…

(IDENTIFYING INFORMATION)…knew exactly the man because he had worked with him and for him before, and he knew that he was a very weak leader. So he decided to turn inward and looked solely at the good, for the good of the unit per say, as opposed to look at the broader picture of maintaining regimental spirit and contributing to promote it too. (IDENTIFYING INFORMATION) was turning exactly that way as well. His whole unit turned inward to the point where you almost felt that the unit was no longer part of the regiment. And (IDENTIFYING INFORMATION) that I can recall did not have the balls, courage actually to go and talk to the CO, the Regimental Commander rather, so they were more careerists. They were trying to protect themselves and trying to give a more positive image in the eyes of their regimental commander.

What was worse, though, was what came next April. I did exactly the same thing. I spent another four hours telling him why he was not a leader. And I approached, once again, his predecessor and said that he was forthcoming, that he has not improved as a leader and he was useless…he turned against me too…

…It probably delayed me a year or two, my promotion. So be it. At least I can still shave in my mirror in the morning…'cause I know that I did the right thing.

(Interviewee was asked: So where does that knowledge come from do you think?)

…At the family level. It might be reinforced when you join the forces through training, but you cannot reinforce something that is not existent. So, ah, regimental pride and all those values certainly were very strong mind you. I have also to say that I have elements of comparison between the tenure of this particular regimental commander because I was with the same unit, same regiment ten years before. So I could always gauge what was the difference, and from a different perspective too. I mean, I was, ah, just a lieutenant captain during my first tour, and I was a major in my second one. A different perspective, different experience too, and certainly the sense of lost pride with the regiment which had to be reinforced…

…I should probably have acted more strongly if anything. Mind you, there was an interesting dilemma for him too. His superior, (SR. RANK OFFICER) was trying to run the regiment, and he was not strong willed enough to oppose to it. So that lack of backbone certainly was, ah, you could perceive it very easily.

Scenario 13 – Employer of Choice

COMPETING OBLIGATIONS DILEMMA

…it used to be service before self and now it [is] *almost the opposite…To be honest, it's quite a change actually once again to actually see this publication there Serving with Honour. I just wanted to find out from the CO of the recruit school how much of it was being taught to the recruits as opposed to how much time is being spent on them learning about their privileges and grievances and what not. And he told me about 50/50. The only problem though, we live in a new society. Therefore, I don't think that this 50 percent spent on "Serving with Honour" is enough to reinforce the point. There's no way that this family will survive in the Canadian Forces or the Canadian Forces survive for that matter if you just have a bunch of individuals working close to each other as opposed to working together...*

…the service has erred in many ways because this organization seems almost to be out of age…There's no way in the military you can survive unless you do have a paternalistic approach as an organization. If you get rid of the personnel that are maimed, or injured, or wounded, or what not, nobody will go to places where there is any danger. You have to take care of your people. You don't leave a fallen comrade behind…It's a political dilemma too…

I've known soldiers that are now seeking compensation through Veteran Affaires for PTSD, and they've gone through what I've gone through and I remember those cultures and what not was for some reason were more vulnerable or they were pretending to be more vulnerable. So where do you actually put the cut line? Are they pretending or are they really affected? And some of them actually are not far from here at the Veterans Hospital. Some cases are very serious and some are enjoying themselves like crazy. And this is a moral and ethical dilemma too. I mean from an organization for the view you must take care of your personnel that are wounded or that do have problems psychological or otherwise. And yet you must do it in a context where you're not allowed to have full disclosure of their medical status, where you cannot have the best professional judgement to see… [if]*…that person…* [is]*…really faking it, but is creating a perception and you have to manage a perception and that's an interesting ethical dilemma to cut to a conversation by saying nobody is actually faking it. They are all wounded or injured.*

For example, I got people that have been on medical leave for now more than two years with an extra months pay because we have to pay back their leave and part of their rehabilitation just to build their own house. Yeah, I've made some renovations in my own house and I cannot finish them up because I don't have the time. Maybe I should hire them for free. So it's an interesting twist of events to see right now that particular aspect of the "me" society that is confronting us now. It's an interesting problem very interesting, one right now were trying actually to better manage the way we've treated these people.

Once again the "me" society, what can I get out of me being either person in that industry or me being a tax payer to have some return on an investment. And this is affecting us now. This is extremely difficult now to make sure that we have unit cohesion especially since the way we are deployed upon operation…is not conducive of better cohesion it is extremely difficult.

There are many aspects to it. Certainly when I compare twenty years ago with what we're doing today we've got all sorts of medical cases, yes, but you got also things that we never really contemplated at the time although we wish would probably have those privileges – Parental Leave (maternity leave or paternity leave). It is affecting us. There is trend now to have more married couples. So this is compounding the issue…This is just one of the factors I wanted to use to

illustrate that. This is not the only factor but certainly there are lots of programs now meant to make sure that we are an employer of choice, but an "employer of choice" for the individual as opposed to the employer of choice for unit cohesion … So it's a leadership challenge and how to foster better unit of cohesion better training that would just provoke that and make sure that self service is not an empty word for us.

…Another one [challenge] *that is quite interesting is that we have people that come from different parts of the world and are now part of the Canadian military, and they do have a completely different outlook that goes against the values we took for granted. Canadian values, when you think of it, tender generosity can be the most prevalent one that I can think of, and in certain other countries it is just survival. I mean, if you're weak, you die. So it goes against the grain of some of the soldiers, and certainly it will eventually cause some moral and ethical dilemmas within the group, with also the nature of the threat. It's challenging to say the least…*

…just to illustrate the point, at the recruit school since once again just to live up to our reputation of being generous, we accommodate all religions with certain interesting consequences. For example, we do have (NATIONALITY) women that refuse to wear the distinctive environment uniform on parade because it is fitted close to their shape. So they insist parading in combat while the rest is DEU…the message is that you are actually sending there are two of them. First of all, that person has got more privilege than me and now, the other message is self before service, as well. Muslin women refuse to swim in the same pool when there are men in the water.

The charter of rights says we shall not discriminate race and religion and everything else. We're living up to that word. This is a Canadian value from the military. Canadian value and nobody to touch it. OK. It's a moral dilemma. Those instructors try to accommodate that…So you see we were talking about group cohesion. Some of the initiatives that we have nowadays are almost destroying the unit cohesion because we are enforcing the employer of choice reputation or lack there of.

Scenario 14 – Personal Values vs. Careerism

COMPETING OBLIGATIONS DILEMMA

Prior to being posted to the (CF REGIMENT), I was serving with a CO, commanding officer, who had a completely different picture on, ah, what is it you are supposed to do as a senior officer in an infantry unit. His deal was, ah, you will never be judged on your work in the field (i.e., tactics and what not), but you will be always assessed, and this is what counts the most, on how you manage, how you administer the unit. In other words, what is easy to quantify. Well, it was not exactly my views. Suddenly, as a professional commanding officer, you are supposed suddenly to make sure that you are on top of all the subjects you are supposed to do as an infantry officer and first and foremost you are supposed to be able to perform your duty to the best of your knowledge in all combat situations. So you basically have to train for it. And this is actually one of the reasons why I decided not to go back to that unit, although it will probably have, ah, put me in a better position to be promoted maybe two years faster. And even more, 3 yrs I would say. So, but that's life. I mean, I personally when I was posted out of that unit I really felt that I needed to go back to a unit where I could enjoy myself in the field by honing my infantry skills, which I've done. And I believe that I was a better infantry officer after that (NUMBER OF YEARS) stint with the airborne regiment.

It was a dilemma because it was setting a very poor example to most of the young officers… [For example]*, we did a battalion attack. A battalion attack is normally two companies at least. So I was the first one to arrive at the rendezvous prior to the attack. He landed right next to my company and, instead of waiting for the other company to arrive, he decided he would look bad in front of his brigade commander if he actually asked for the HR, the hour of attack, to be postponed. So instead of that, he ordered me to launch the attack forthwith and of course everyone was staring at each other, "What the hell are we doing here?" So there is an important message here…If you have that focus or if you really want to promote management over leadership and tactics, it certainly has an impact on everyone in the regiment, or the battalion rather, not just those that are closer to him. So that was a bad example. He (IDENTIFYING INFORMATION) by the way a couple of months after…I guess that his management skill was... could not overcome his tactical deficiency. He was an interesting Captain. And, just to make sure that he had the good career he became (IDENTIFYING INFORMATION) which speaks volumes about the quality of people you may find in (IDENTIFYING INFORMATION) from time to time in any case.*

…we had a few head on collisions in regards to the way he was running the battalion. And, he had an interesting perception to once again because he was so focused on form rather than substance. He really made sure that we would never be out of step with him…He was always perceiving his majors under his command not as being subordinate to him but rather competing for the next job, next promotion. That was an interesting climate. And certainly it was not something that is conducive of a good unit spirit, and suddenly it is not conducive of setting the right example as well. So, ah, in any case, he discovered the true quality of his majors only after he left the service… we would actually ask ourselves how we could actually make sure that the battalion would still be trained properly in-spite of his lack of guidance and his lack of interest. I would say in tactics. So in that regard I guess we managed to circumvent his, ah, the lack of leadership in this particular case and I don't think that we felt that we were being disloyal to him. We were more loyal to the unit as a moral and physical entity, rather than being loyal or disloyal to him as an individual. We basically made up for his shortcomings, I guess to a certain degree – for the good of the unit.

Interviewee was asked: What do you do when it is unclear to you what the greater good is? Whether you're going to do more harm by stirring the pot or you're going to do more harm by letting it not be stirred?

…I recall also vividly when we're trained on basic obstacle course with regard to looking up to your leader and seeing beyond him if there is something to do with his leadership style or his shortcomings that would make you not tick…you have to look at serving Canada, serving the regiment and everything else. So that was part of the training yes, to a certain degree.

Scenario 15 – Infidelity Dilemma

COMPETING OBLIGATIONS DILEMMA

When I was CO of (IDENTIFYING INFORMATION: SHIP), we were deployed on (Ship name) *and we left (IDENTIFYING INFORMATION: PORT) about (DATE), and we were on our way to the (REGION). We were going to join up with XXXX to patrol the Eastern Med and then go down to join up with the other ships in XXXX. So, we went through a very intensive six-week, sort of, eight-week training process and of course it's right after 9/11, so everybody was very focused…*

… We had a one-night QFS (Quick Fuel Stop) in (COUNTRY) to take on fuel and we were to sail the next morning at eight o'clock, and so I gave the ship's company leave overnight. Leave expires at seven o'clock. Ship is under sailing orders, which means it is a very serious offence to be adrift. So, there we are at eight o'clock and the ship's company closing up, in other words, getting ready to slip, and we are short two people. And these two people come down the jetty together, and they were adrift.

Charging someone… is a very serious offence, so I had the Coxswain investigate. Now this was a man and a woman. She was an (OFFICER). He was (NCO). She was a (IDENTIFYING INFORMATION). They were both married to different people and their story was, along with whole bunch of other people, they had been in a pub. And then after the pub, [they] went to a club …and they found themselves at this party at three o'clock in the morning…they came out of the party…and they were a long way from the ship and they couldn't get a cab …that was their story.

So, the ethical dilemma…It's not my mandate to judge someone else's morals, but the issue of morale and discipline is important. So, here we are…two weeks into the six-month deployment. Do I want to charge these people? It would be a pretty serious charge and the impact that that is going to have on the ship's company on morale and discipline. Um…

…Once the ship had sailed, I got on the intercom, the broadcast to the ship's company, and explained that we were on our way to a war zone and once we joined up with XXXX, then when somebody was late that would no longer be up to me to decide what to do, that I would make my report to commander of XXXX, and they would be charged and probably sent home. And I wanted to use this case as an example, a learning experience for everyone, and I was going to take their story at face value and I wanted everyone to realize that this was the freebie for the ship's company. So that's what I did.

(Interviewee was asked: How long did it take you to decide to do that?)

It was probably an afternoon. You know, by that afternoon…I talked to the Coxswain…I also talked to the executive officer, the second in command…We talked about these individuals, the impact it would have on the ship's company; the impact it would have on their families, whether or not their stories were believable, whether or not I could legally do this…

…The way it actually works is that the Coxswain investigates and he lays the charges. As the commanding officer, I don't lay charges. You know, we have a separation. Otherwise, I would be judge, jury, executioner, sheriff, all that kind of thing. So, we have some basic legal training as does the Coxswain. So, an incident takes place, the Coxswain says "such and such happened", I say "Roger. Investigate." And if he feels charges need to be laid, he lays them. Anyways, that's not the end of the story of course…

…Mid-December, and we had no incidents, no disciplinary incidents…Morale was very high, it was an outstanding ships' company. Fast forward about a month now and mid-January, we get the order to go south through the Suez, and we are going to head around to join up with the other ships in (NAME OF OPERATION). And the direction is we can have a last port visit in (COUNTRY). So we go into (COUNTRY), and we are in there for two or three days and the ship is sailing at nine o'clock…so leave expires at seven thirty. Everyone is back on board except for two people. Guess who? Can you believe that, the same two?

Well, their story was…they were friends. They weren't sleeping together. They had been at a bar or a party or something, basically the same bullshit story. They were both guilty. I mean they were adrift. So, the Coxswain investigated, and we charged them…It was the Coxswain's decision to lay the charges. The first one he gave them a bit of the benefit of the doubt that you know, "we weren't familiar with the area, there were no cabs", blah, blah, that whole thing. So, that was a bit of a gimme, but it was more because I was concerned about the impact it would have on morale, and ultimately discipline and fighting efficiency of the ship.

So, they were charged. I didn't give them huge fines. It could have been a lot more serious. I was concerned about the impacts it would have on their respective families. Because if you fine a guy, I mean he's still going to be at sea, but he had a wife and (IDENTIFYING INFORMATION ABOUT FAMILY). So when you fine somebody, a thousand bucks, it comes out of his wife's hide. I was also concerned it was going to have on her husband who was a sailor.

It was a messy situation. And I think maybe I thought about it too much, wasted too much time. I should have fired her off the ship right then and there. That's what I should have done, but I didn't. She was just going through her (IDENTIFYING INFORMATION ABOUT TRAINING), and they both swore on a stack of bibles that they hadn't been having sex and all this. And you know what, they might not have been. I don't know. If it had been evident one way or another, maybe it would have been easier…idiots…I knew they were friends and I didn't think there was a sexual aspect to it, but there might have been. I don't know. But I agonized too much. I spent too much time. They say we spend ten percent of our time worrying about ninety percent of our people and for sure. It just takes up so much goddamn mental capital. I should have fired her. Knowing what I know now, I think I would have…I have been exposed to more things now. But I guess…I also thought at the time to fire her, I would have to send him home too…It wouldn't be fair. I didn't want to particularly do that. I didn't want to destroy the guy's family in the ten percent chance it was a legitimate, stupid thing that had happened as opposed to …and it is not my business really to judge someone else's morals, is it? Well, definitely officers sleeping with guys in the mess decks is…but were they? I don't know.

Scenario 16 – Refugees at Sea

COMPETING OBLIGATIONS DILEMMA

Something we saw on a daily basis, what were called at the time, are still called, "Go-Fasts". We were operating between (COUNTRIES)….we are operating in what's called the GOO, the Gulf of Oman. So, our job was to intercept all of LIO, Leadership Interdiction, so we were looking for the escaping Al-Quaida guys that could have been fleeing from Afghanistan to either get to Africa or Saudi or whatever.

So, I mean virtually the very first day we encountered this type of thing…Go Fasts. It's what we consider a fishing boat, maybe twenty feet long, outboard motor, and we would have a motor, tank of gas, oars, lifejackets, lights, in those boats. They would have a tank or two of gas, motor, no lifejackets, no oars, no lights, no communications, no first aid, no nothing; just a guy, motor, and twenty-five of these (PEOPLE OF TWO SPECIFIC NATIONALITIES) squatting down in the bottom of the boat. And they would have, each guy would have a little bottle of water, many of them had no hats, many of them had their possessions in a little green garbage bag.

You're thinking about the war on terror…these are people, very, very poor people, that would go out into the middle of the Gulf there and they would leave very early in the morning and they would wait until dark and try to get into the UAE to look for work. The average white person would not survive a day in those conditions. I mean it's 40 degrees sunshine, not a cloud in the sky, not a breath of wind and they're sitting there cramped, like this! Get down on the floor there for twelve, fourteen hours and see how you would be…

…We would give them water, fruit, maybe cookies that kind of stuff. If they were out of gas, and occasionally they were, we would give them gas and try to fix their motor. It is a moral and ethical dilemma because it's wrong what those people have to go through, but there wasn't anything I could do about it.

(Interviewee was asked: So you can't pick them up or anything?)

Oh gosh no. I mean, there were literally thousands of them everyday…they would set out first thing in the morning and they would try to get over to either Oman or the UAE. If they could get into the UAE, they could find work…They were glad of the water and the food. They weren't looking to get on board. Many of them were frightened…

…It was not uncommon to encounter these boats either empty or flipped over because…all the super tanker traffic goes in and out of there. These are ships that are five hundred thousand, three hundred thousand tonnes. They would never see them and at night time they would never stop. So, if they got in the way or they got caught in the bow wave that was it…

…So, that was a bit of an ethical issue that there was no resolution to…

(Interviewee was asked: Are there risks in you stopping for them?)

Yes there were. We always had weapons trained on them …because you don't know. We were required by our mission to stop them to look for certain indicators that they could be Al Quaida, things like weapons in the boat, people that were injured, people traveling with women indicating they were taking their families…Because…we never saw a women, not once…not once. They were home with the kids or the families and these guys would get in the boats and head out…

Scenario 17 – Academic Plagiarism

COMPETING OBLIGATIONS DILEMMA

We had a case of plagiarism. The Friday I took over at 1600 from my predecessor, there is a knock at the door…XXXX says, "Have you got it?" And I say, "Yeah" and the guy says, "I believe we have a case of plagiarism."

…One of the students comes to my door, "Can I talk to you sir"? She comes in and says to me, "I know (RANK) and he has confessed to the syndicate of what he has done and he is very distressed and I am very distressed." And she said, "I known this officer for many, many years. I know his wife. I know his family. He is a man of integrity…this is an isolated, you know, he's not like that." There were questions of maybe because he was (IDENTIFYING INFORMATION) and there was a whole bunch of issues here. So she tells me that. That's one sort of piece of the puzzle…

…So…I brought the matter before the Academic Review Board, we looked at the range of punishments that were available. There was expulsion. There's bringing in the military police to investigate to determine if there is or an offence under the National Defence Act to simply a slap on the wrist.

What I was lobbying for was that he not be expelled, that he fail the paper, that he be required to withdraw from the (ACADEMIC PROGRAM) which is given here, that he receive a serious reprimand and be recorded on his file. I also wanted him to get up (IDENTIFYING INFORMATION) So they insist parading in combat while the rest is DEU[7] ATION) and to apologize to his peers… So, the Chair of the Academic Review Board agreed with me except that they felt that to have him apologize was a humiliation, public humiliation which was unacceptable. Well I wasn't a hundred percent sure of that, so we went to speak to the (IDENTIFYING INFORMATION).

The (IDENTIFYING INFORMATION) was not in favour of expelling the student, which was an option we had there for a variety or reasons…I guess, I was basing my recommendation on the fact that first of all we never pass a fault. In other words, we don't allow this to go on. But, zero tolerance doesn't mean that you hang someone. And the (IDENTIFYING INFORMATION) agreed with that, but he agreed somewhat not having him apologize publicly. He wanted the punishment further stiffened by an actual recorded warning, which is an administrative procedure, which goes on his file…a step or two before throwing him out.

…In the mean time, various groups of students had come to me some wanted him thrown out. They felt that the profession of arms had been violated and everybody's integrity had been brought into question and a lot of stuff, which I felt was over the top. A number of students felt that this was not an isolated incident, but he had been caught…

…We decided we wouldn't expel him. He would fail the paper. He'd be forced to withdraw from the (ACADEMIC PROGRAM). He'd be given a recorded warning. A strong statement would be written on his end of year course report, but he would be allowed to continue…

…My opinion is that someone else's failure should not reflect on my morals or ethical behaviour. If I was perfect in my own ethical and moral behaviour over the last twenty-five years, then I would feel comfortable completely destroying this man and his family…When you get up in the morning and you go to shave, you should pay attention to shaving your own face instead of worrying about

[7] Distinctive Environmental Uniform

some other fellow who has fallen and made a fool of himself. That was my sort of approach and some people agreed and some didn't. Some felt that there was a standard of ethical behaviour here that wasn't maintained…

…Was it the right decision? I don't know…There were nine examples of this in the past and only two had been expelled. So there was some precedent, but it wasn't completely clear what it should be…It was plagiarism, no doubt about it, and it is unacceptable. The question is what punishment…And I think I am lenient on the scale. Maybe it's because of my own failings as a junior officer, being a father…I'm a little more forgiving now maybe, and maybe I'm just getting too old…I think when you are younger, you are more convinced of your invincibility that you are right…It's more black and white…ethical and moral issues aren't.[8]

[8] Following the interview, the participant contacted one of the authors and explained that the same student had been caught plagiarizing a second time. In this case, the student was "expelled" and returned to his unit without completing the program. In reflection, the participant said, "Maybe I should have done this the first time", and conveyed regret at having invested a lot of time and energy in the student.

Scenario 18 – Canadian ROEs vs. Others

COMPETING OBLIGATIONS DILEMMA

When I was stationed (CITY) and commanded a battalion, and we deployed to (COUNTRY) initially, (DATE) just after the start of the bombing campaign on very short notice. This would have been in (YEAR). And very, very short notice and literally in 5 days we were out of (CITY)… NATO headquarters, which was NATO's rapidly deployable force…into the AOR and one of the things that I didn't have were our ROE…None…because you don't normally get issued ROE until you deploy to an operational area.

So I went through the national military rep in SHAFE to get all our ROE out of NDHQ and I did. And I was perfectly content under the situation. I was perfectly content with those ROE, which were essentially self-defence only. We were going into a fairly benign environment, so we didn't need great robust ROE.

Well, my commander happened to be a (NATIONALITY, RANK), and he was quite adamant that NATO equipment and personnel were to be protected, which the Canadian ROE did not allow because it is self protection, self protection only, and only for other Canadians, as well. So I went to see him and explained in clear, precise terms exactly what ROE the Canadians in his theatre of operation would work under. And they would not be changed because I no intention of going back to HQ to ask for a change, because I didn't think it appropriate. Needless to say, he was not a happy camper and threw his teddy into a corner and quite frankly threatened to relieve me and send me out of AOR…

…I said, "You're quite welcome to do that…but the fact of the matter is my government has given me clear guidance on what the ROE for Canadians in this are. I agree with them, fully support them, and have no intention of asking for a change. And you're more then welcome to discuss this with the MNR. And if he decides that he wants to go back to NDHQ and discuss it with them, that's his prerogative. But as far as I'm concerned, until I'm told differently by NDHQ those are the ROE."

Anyway I stayed, because eventually it turns out that Canada wasn't the only country that had ROE that weren't exactly what he expected or wanted.

…It was pretty clear to me that is exactly the way it ought to be. There was no moral or ethical dilemma from my perspective, but obviously I had to be prepared face the consequence… he just about went through the roof. He went ballistic…I don't think it ever settled after that. We had, from that time onward, this and some other things that made our relationship rather less than fulsome. Heh, heh, heh. I'm being circumspect here…

Scenario 19 – "Attacking" a Sovereign Nation

COMPETING OBLIGATIONS DILEMMA

You know the only moral dilemma I've ever faced in the whole of my service that I can recall which was a major moral dilemma, for me myself, was us going to (COUNTRY)…Fundamentally, if you look back at how events unfolded when the operation began, we had no UN mandate etc. It was fundamentally an illegal war, and I really struggled with that personally, because I was deploying. And actually I've gone back and revisited it many times since then and wondered, in my own mind, whether what I did was the right thing because NATO had done things that fundamentally defied my very understanding of what constituted a legal operation. And I understand there are lots of shades of grey in everything…What, in essence NATO was doing there was essentially attacking a sovereign nation that had an internal issue, political issue, which up to that point, it had been clear cut from the UN point of view and from every other international law point of view that sovereign nations didn't interfere in other sovereign nations internal affairs by taking military action. There are other UN ways of doing that, so it was an interesting case. But also, I had a battalion of 600 hundred soldiers to command…

…What could I have done? I could have said, "No I refuse to deploy." I can resign my commission. Did I feel strongly enough about it at the time to resign my commission? No, and probably because we didn't go to (COUNTRY) right away, because we deployed along the fringes and waited to see how events unfolded. But still, even to this day I have reviewed many times the justification that NATO knitted together for the whole operation, and I'm not satisfied. I mean, the winners always get to say, "Well, we were right." And in this case, I suppose, because we won, it was the right thing to do. I don't accept that. I still think that fundamentally what NATO did was illegal.

(Interviewee was asked: Was that a product of the training and experience you have or is that a product of who you are?)

It's both…but it is mostly the training and experience...We do a lot through our professional education process. We examine and debate considerably what constitutes lawful action, international action, particularly against the military…'cause the military is the option of last resort. And what it means, the politicians have failed and the military have been put into the equation. The intent to re-establish the conditions for a political resolution of the problem, but in essence negotiation and all that other good stuff has failed. So, you need to look quite closely. I mean if you don't do that, then the consequences for you as…an individual…not being sure in your own mind that what you're doing is justified is that the consequences of that can be pretty disastrous. And, you know, when you get into dilemmas, sometimes it's a question [of] *which is the lesser of two evils…I clearly had a command that I had to do and initially we weren't going into (PLACE)*

…I'm not entirely satisfied in my own mind…I'll reconcile it through the fact that, in this particular case eventually the UN did retroactively provide a UN Security Council resolution, and because it's a little more personal when you see the results. I mean during the month of April there was hundreds of thousands of refugees coming across the border, and we knew what was going on in (COUNTRY). We knew what the (COMBATANT GROUP A) were doing. We were seeing the results of it, you know. We saw very few men, very few boys. When you see the personal consequences of that, it makes it a little bit easier for you to get off your high moral horse and understand that in this particular case had we not, had NATO not done what it did, then there's a

great possibility that many more (COMBATANT GROUP B) would have been ethnically cleansed…

Scenario 20 – Protecting Military Personnel Families

COMPETING OBLIGATIONS DILEMMA

I think it's a thing with every officer…faces in their career…the whole issue of how far am I prepared to go…I firmly believe in what I am suggesting…General XXXX was quite prepared to resign over a particular issue and…I think we all faced that and I related to XXXX when I was in the (REGION, AOR), I was also a Canadian Task Force Commander, and there was a situation where I was quite prepared to resign and asked to be…if things were not come out the way it did. This is a particular case where I got fully supported by the individual that needed to support me. It was the intervening levels where I had problems. Did I ever say, "Well listen, if you don't do what I've recommended, then I'm going to resign"? No, I didn't, though was quite prepared to…

…I was out in the (REGION, AOR)…the (CAMPAIGN OCCURING IN THE AOR) had been going on…At that point the Command Task Force…were allowed to bring their families out. So we had Canadian observers…spread out between (COUNTRIES ADJACENT TO AOR). But we had Canadians, with their families, living in (PRIMARY AOR COUNTRY) proper as well as in (2 ADJACENT COUNTRIES). And things got a lot worse – a lot, a lot, lot worse.

Myself and my colleagues the (SENIOR LEADERS FROM 2 OTHER COUNTRIES) in the theatre, 'cause all our families were there, consulted each other quite frequently…I was talking with the (HIGH RANK IN CF). I gave them a heads up. I said, "You know, I will be watching the situation particularly in (COUNTRY) probably quite closely because at a certain point, if I believe that it's dangerous for families to remain there, then I'm going to come back to you and recommend that we evacuate all the families. And he said, "OK."

Now there's consequences to this because if we evacuate our families, remember there are Canadian embassies in all of those areas too, if we chose to do that and the embassy didn't do it, there would be a message seen in a wider context. So, in the end I still have [to] *get up every morning and look at my face in the mirror, not anybody else's…My break point would be could I live with one of the…members of a Canadian family being killed because they were in the wrong place at the wrong time, but they're in (PRIMARY AOR COUNTRY, ADJACENT COUNTRY)…*

…I set up a number of combat indicators of things that I was looking at that would lead me to get back to the (HIGH RANK IN CF) and recommend that, either we continue to let the families stay or get them out of the mission area. And by late March, there had been a rash of series of bombings through (CITY 1) into (CITY 2) and up country in the (CITY)…we had families there. I mean, it was to the point nobody in there right mind would get on a…damn intercity bus. And if you were driving on the road, you wouldn't even drive close to one of them because there were suicide bombings all the time.

I had one of my observers in the Task Force, a Canadian, working at the Headquarters in (CITY). Well he didn't go anywhere in (CITY 1) because you didn't know where a bomber might be. So, um, I was in constant contact with the J Staff in Ottawa as the situation unfolded…finally got to a point where I said, "Look. I am writing a letter to the Admiral recommending that the families be evacuated." On top of that, I already told the observer, the Canadian in (CITY 1), to get his family out of (CITY 1)…we had identified safe areas outside of (CITY 1) near (CITY 2). Get your family out of (CITY 1) and get them in there and we'll worry about how this is all going to get paid for later, just get them out of there…

…I got a phone call saying, "Well the J2 (the intelligence folks here) don't believe the situation is as you describe it. And that the consequences of us ordering the families out, evacuating the families will have quite an impact because of course the embassies have no intention of doing it." And I said to the guy, "That's fine. The embassies in our experience, as we all know, tend to wait until it's too late anyway and then call the military and say come and get us out." I said "I'm not prepared to live with one of the Canadian…" It's different for the soldiers…we know that if something happens to us its part of the job. Our families don't deserve that.

…Admiral YYYY got on the phone about a day and a half later, and we talked and we went through all of this same sort of stuff. Hung up the phone and about an hour later the J Staff came back. He had called all of the folks into the room, the minister's advisors and all that sort of stuff, listened to all the arguments, and he said "What does Colonel WWWW say?" And my best guess is he said, "He recommends the families be evacuated." And he said, "He's the guy on the ground - get them out of there." And so we evacuated…

…If it had come back at that point, 'cause after the (HIGH RANK IN CF). there's only one other guy that I work for – (HIGH RANK IN CF). …Had they said "No"…my next phone call would have been to the (HIGH RANK IN CF). to say, "I'm going to speak to the (HIGH RANK IN CF)."…And if they had still said "No", then I would have told them, in no uncertain terms, they had to relieve me cause I could not, would not, live with a decision other than to evacuate.

…you can rationalize anything if you want to. Sometimes the only thing you've got is a gut feeling instinct…it was my gut feel about when at what point…at what point would the situation be such that it was more dangerous than it was previous…and there was a higher probability that you know a Canadian might or might not be killed or wounded. I mean you can't…do a statistical analysis and say there is a point…a lot of that is just your gut feel from you own experience, your own background, your read of the situation on the ground at the time.

(Interviewee was asked: Did other people help you make that decision or is that solely something you did?)

… The (SENIOR LEADERS FROM 2 OTHER COUNTRIES SERVING IN AOR) and I talked a lot and we would essentially individually come up with our own about combat indicators that were remarkably the same about the issue. And when I made the decision, I called both of them obviously and let them know what I was doing. And the (OTHER COUNTRY SERVING IN AOR), soon after, did the same and the (OTHER COUNTRY SERVING IN AOR) as well.

…There's a financial aspect to that decision because it took over a year and it had never been done before. No Canadian military families had ever been evacuated from an operational zone. So there was no pro forma of benefits and things. So for instance one of my observers it took him over a year to finally get all the money back, but he had to lay out a pocket and up front you know to all of this. So there's a tremendous consequence financially, and these people weren't unknown to me. I knew them all quite well and I knew they were going to be pissed off…I was confident that once they examined it, they would understand why…

…There was one other course of action, which was the families could have spent 24 hours a day in their homes and that was it. They wouldn't have been able to go any where, even shop. That's not a viable option…

…it would clearly impact on the morale of the observers because they were staying…and saying good bye to their families…It might affect them temporarily and morale might suffer, but eventually they would've all of agreed…The UN commander was not happy with that decision because he felt

it sent the wrong message in terms for all the other nations in the observer group that still had their families there…I said, "I understand your concerns, but…I'm the Canadian that's got to live with the decision and we're talking about…other Canadians."

Scenario 21 (Participant 15) – Dealing with Disciplinary Issues

COMPETING OBLIGATIONS DILEMMA

…There is a belief…treat everybody the same out of the same mold mentality…you have these situations where two people commit the same crime or do the same wrong under identical circumstance, they could be doing it together…two people get into a fight under exactly the same circumstances and the corporate mentality is if they are both guilty of the same charge, under the same circumstances they have to have the same punishment. And that's the mentality that is forced upon you when you do the disciplinary issue…

…Two guys got into a fight with each other. Funny situation, because you know these two guys were best of friends sort of thing, just a little too much alcohol involved. And both of them were of (IDENTIFYING INFORMATION). One of them was a relatively hard running party guy who liked to go ashore in foreign ports. The other guy was actually (SPECIFIC JOB POSITION) who was big on investing his money and things like that. And you look at it and you go, the first guy went in and was charged. The punishment that was given to him was a stoppage of leave such that he couldn't go ashore in the next foreign port. And he came out of the summary trial just broken hearted. And he told the other guy what the punishment was and the other guy went, "Hey, that's no problem. I wasn't going to shore anyway because I was saving my money." And so in he marches and out he marches crying five minutes later because the punishment was you know a five hundred dollar fine. And everybody was looking at going, how can you compare those punishments for the same crime because they are completely different? But in actual fact, the effect was identical between the two of them. And I guess that's what I am trying to get at is that a lot of our rules don't allow COs the flexibility to impose effects…How do you find the wading room to deal with situations and people appropriately?

…The key to the summary trial system, the way we run it, is the CO is punishing his own people. And the real key there is knowing the people, knowing what the effect is going to be, knowing which result you want to achieve. And that flexibility is there. I think what is not there in a lot of cases is the ability of the CO or the summary trial officer to use his discretion, to know his people, to use his discretion to apply it to the knowledge of his own people.

Scenario 22 – Combatants or Locals?

COMPETING OBLIGATIONS DILEMMA

OP in the middle of the night gets a visit from screaming civilians: "There's been an ambush! So and so is lying in this area there, bleeding to death! Help us! We've got to go and get him!" Then you run into the issue of risk versus what are you trying to achieve. And the OP is typically manned by a master corporal, or sergeant, sometimes even private soldiers…Sometimes I would say, "No. Stay where you are. Wait till the morning."

I based it on an assessment of the risk to our own troops versus what you would achieve…We had been asked to go recover three bodies. It was night time on the confrontation line, and they were dead anyways. There was no sense of risking some of our troops for somebody that's dead anyways. Another time, it was somebody that had been wounded, who was in a mined area, who was in danger of dying and it was on the confrontation line, it was night time, and it was a wooded area. I was thinking tremendous risk to my own troops to go and get him. You might save him but who's to say our troops in the dark in the forest won't be mistaken for one of the belligerents and get shot at and killed. There were mines in that area. We're not sure exactly where they are. We may or may not save him, and based on the people who came to see us and what we they were doing there and there's no doubt he was a belligerent and our mandate did not involve saving belligerents engaged in fighting in their own war.

There are other cases where we did go. For instance, for a civilian, I remember once that women and girls were picking berries or something, they were in the forest and the girl stepped on a mine, lost her leg, and all of a sudden you have hysterical women saying, "Help! Help!" In those cases our soldiers are very good. They know to do the right thing. They told me afterward, they went in the mine field and got the girl and gave her first aid and sent her to the hospital. So, you know, we were confronted fairly often with low level tactical decisions... involving risk to our troops.

Scenario 23 – Responding to Snipers

COMPETING OBLIGATIONS DILEMMA

The thing we wanted to do was called (IDENTIFYING INFORMATION: OPERATION), which was to clear the railroad track leading to (CITY) in preparation for the winter for fear of starvation (CITY) in the winter. The idea was the UN would have this corridor into (CITY) whereby supplies could go. So our bit was to escort some (OTHER NATIONALITY) engineers who where de-mining the railroad along confrontation lines.

A section was tasked to protect the engineers. One day, a sniper shot the (OTHER NATIONALITY) engineer in the leg. Everybody takes positions to try to find him. Rooms, houses, he could have been anywhere…not sure whether it was (COMBATANT GROUP A) or (COMBATANT GROUP B), could have been either because it was on the confrontation line. The wounded engineer is evacuated.

You know what? The next day the mission continues. "You gotta keep this job buddies." So how do you deal with that? Do you send the same platoon, the same section? If you don't, then you need to be clear as to why, so they don't think it is because you don't trust them but rather because you are trying to spread the risk across different sections. On the other hand, having been shaken, it's not a bad idea for their self-confidence to go back and prove they can do this. There is also the leadership factor: "Oh gees, are we really going to go back there again?" "Well, yes, it's a mission and, by the way I'll be there too and we'll be a little more careful this time."

Obviously you also need to talk to the factions, tell them "Please don't shoot at us. Tell your guys." So there are all kinds of higher rank kind of one way talks to both factions tell them not to do that if you can find them. So you know, in these cases, it's trying to reconcile what we're trying to achieve…often it was a risk to the troops…We were pretty well equipped to deal with the lower tactical stuff. We could understand that…It was kind of intuitive. What seemed to be right, that made sense…

Scenario 24 – Espoused Values vs. Values-in-Use

COMPETING OBLIGATIONS DILEMMA

I got tired of what we say we are doing versus what real behaviour goes on…statements how people are our most important asset and what I see around me says that is not the case whatsoever… the married quarters that we have for our soldiers… in (CANADIAN CITY) are decrepit…but we expect our soldiers to live in with their families…when our soldiers return from missions in terms of them follow up to what we can do versus what we are actually doing. What we are…band-aid activities versus real sustainable concerned care…if we don't go into operations, then there's no sense wearing the uniform, which right now about…30% of our people…can't deploy for operations – not physically, not mentally, not emotionally ready to go, that trend is going up…so what you see is the continual great ideas, change agenda, things like that, will transform, are words but all of it falls back down onto our soldiers…So after XX years you get tired of that, it gets worse as we get higher.

…I talked to some of my officers who came back from (COUNTRY). They'll tell you they're never formally debriefed, and we put them into a system medically that said, ok after 3 months or 6 months we want you to come in with your wife, "How are things?" "Oh, they are fine…yakity yak; Good. Ok, now move on." Well, that's all cosmetic stuff. Who sits down with them and says "Listen, we want to hear your story" in such a way that they say this is how we should do things in future…We have constructs out there like the Army Lessons Learning Centre, but they're not moving on those issues. The system may have been created from a visual stand point but the processes are not engaged…There are no owners of various processes and without that, the process won't work…

I came back from (COUNTRY) with…very unique experiences – no debriefing for me…I mean a team that sits down and says, "How can we, the Canadian army, benefit from what you saw working with the (OTHER NATION)?" That doesn't happen. So for me, the decree of people are the most valuable asset, I don't see it. And after a while you get tired of that…

…The other aspect I think is…how we value our people…formally is called a Personal Evaluation Report…On Tuesday, (IDENTIFYING INFORMATION) called me and spoke to me for 45 minutes because he was just pissed off because he got his hands on some information that he shouldn't have. And now he's feeling like the system lied to him and in essence he's right…What he was shown…PER…had nice words and all seemed very good…What he accidentally got…how you are ranked against your peers, for him was night and day. And so his comment to me was "How can a (HIGH RANK IN CF) tell me, give me this report, say I'm doing great. And then when he said these are my best HIGH RANK IN CF), I'm not even there and some of the guys who are there are in their (NUMBER OF YEARS IN HIGH RANK IN CF) and I am (NUMBER OF YEARS IN HIGH RANK IN CF) and I have already been selected for (POSTING) and these guys haven't. Now how does that work Colonel XXXX?" "I'll tell you how it works, you know, but you should have been told how it works." It's the level of dishonesty which causes me the dilemma…we want it to be more transparent and more honest. If somebody's good, they're told they're good…There is this list of who are the preferred ones and who are not…You shouldn't be doing this to guys with (NUMBER OF YEARS) of selfless service…don't lead them to believe they have more and more and more when in fact…that was never the case. But we do that far more often then people probably appreciate…

…I got a guy…highly respected individual…he sat down with me and said, "Sir what's the plan for me?" I said, "I'll find out." So I phoned the (HIGH RANK IN CF) who oversees the (HIGH RANK IN CF) and I said, "So what's the plan?" The answer was we have no plan. They have no plan for him. So after he finishes his (POSTING) next summer, "What do you want to do with him?" What do I want to do with him? What does the army want to do with him? So, for the first time now he's So they insist parading in combat while the rest is DEU XX years old, he's been soldiering since he was seventeen, he's come back on this high, I sat down with him and said, "The army has no more plans for you, what do you want to do?" So, that's the true story. Up until then, he would never be exposed to that because…want to command a unit…ok, been given the opportunity to command, perfect. Now, tell me about life after command. "Well, XXXX, for you, there's no life after command."…What a waste of a human asset...

So…deception…causes me a moral and ethical dilemma…We have incredible people, but what we are squandering…is the abilities, through our institutional incompetence…people offer us…I've become tired of trying to be both loyal to a system at the same time as trying to make it better for people when the friction to do the latter is almost immoveable…

…as I become more experienced…I'm not held hostage by the institution. It's not like I don't have anywhere else to go…my (IDENTIFYING INFORMATION) daughter needs some stability in her academic life now, so I can offer that to her…For me it's about my family first and foremost. The institution is ruthless. They won't care if you're on a prescription regime for PTSD when you're XX years old because they will have moved on, but your family sure will…

Scenario 25 – Working for "Greater Good"

COMPETING OBLIGATIONS DILEMMA

It started in (COUNTRY). I was a senior military observer in a town that was predominantly (COMBATANT GROUP A), and it was surrounded by (COMBATANT GROUP B) and I was on leave at the time when the offensive started, and came back off leave and General XXXX (IDENTIFYING INFORMATION) had negotiated with XXXX to have us…to have some of his (ELITE FORCE, ANOTHER NATION) inserted into the pocket to do close air support. He called them "Joint Commission Observers". XXXX had a hate on for military observers and what they did, or what he perceived they didn't do. The team inside the pocket had lost credibility because my 2IC was a (NATIONALITY) Herc pilot with a very sarcastic sense of humour. And he saw that the offensive was clearly on and he was getting no feedback or support out of (CITY IN AOR), in fact, [General] XXXX was denying that the offensive was taking place on (IDENTIFYING INFORMATION: NATIONAL TV STATION). He was referring to the "Phantom Protection Force" and the so-called Protection Force. So he had no credibility, which sort of gave me the leg in with this (ELITE FORCE, ANOTHER NATION) team because they wanted to have a grunt on the ground with them. So, I managed to get inserted and follow this (ELITE FORCE, ANOTHER NATION) team and it was very clear to me right from…gosh, from as soon as I set foot in, there were (COMBATANT GROUP B) in (CITY), and (REGION), telling me "stay away from (PLACE) because some bad shit was going down". And right through the insertion, it was clear the (COMBATANT GROUP B) had closed in right in on the city. Up until that point, I had known, actually patrolled the buffer zone or the (COMBATANT GROUP A). So, I knew that they had closed up quite a bit, and made it very clear to the (ELITE FORCE, ANOTHER NATION) guys that there was a major offensive going on.

You could see villages burning up in the…on the mountain…I think it was south of (CITY). So then after, I think about a week, ah, when they actually closed right into the city with tanks and heavy artillery, they flew some close air support, it looked like the (COMBATANT GROUP B) were pulling but they just got more aggressive. And then, around the fifteenth of April I think, sixteenth…there were two members of the (ELITE FORCE, ANOTHER NATION) attacked by (COMBATANT GROUP B) and one was killed and one was wounded. General XXX managed to negotiate a cease fire and get some helicopters in to have these guys evacuated. So, that certainly alienated us from the local community, that you know, two soldiers, they were losing members of their families hand over fist while General XXXX was denying the offensive was taking on. As soon as two (NATIONALITY) get shot, the skies open up and these guys fly in and get evacuated. So, things were a little tense there for a while. Shortly after that, the (COMBATANT GROUP B) shot down a (IDENTIFYING INFORMATION; AIRPLANE) and we managed to evacuate the pilot into our headquarters and it was looking pretty grim. So, I met with the leader of the (ELITE FORCE, ANOTHER NATION) team and we had agreed that, if they had to do a fighting exfil (like an escape and evasion type thing), then they would go on their own. But if they could get some choppers in, then we would take all the aid workers and all that. It would be my job, once we got the word, to go out and round these people up.

So, a little later on, I can't remember how much later, couple of days I guess, when it was clear we were pinned down in the…like the (COMBATANT GROUP B) had come right up on all the mountain features around and they were sniping all the buildings…It became clear that the (ELITE FORCE, ANOTHER NATION) couldn't even get into an OP positions to call in fast air. So General XXX ordered them out.

I was… it was at night…and at the last minute the team leader came in and said, "Okay, we've been ordered out."

And so I said, "What plan is it – alpha or bravo?"

And he said, "(ANOTHER NATION) commandos are flying in their helicopters at night."

I said, "Okay, I'll go down and get the ICRC people and round up the women and children."

And he said, "Not so fast Tonto because General XXXX said we are to come out by ourselves."

And I go, "Oh, okay," feeling, ah, on one hand, I felt betrayed, but I had known General XXXX looked for scapegoats…So, expecting I would be a causality or killed in the pocket, I had been…sending the copy through official channels, but I was also faxing my family so they knew what was going on in the pocket. So, on one hand, I felt betrayed, but I knew the real story was going to get out if we were left behind.

On the other hand, because I, I had subordinated all of our patrolling activities to the (ELITE FORCE, ANOTHER NATION) and to General XXXX being a good, professional soldier and all this, because they had the direct link. And I didn't necessarily agree with some of the ways, the (ELITE FORCE, ANOTHER NATION) were a little bit too, I would say casual in their approach. Their light discipline was the pits; they did some things in terms of their movement through the city that I thought would actually draw fire and endanger the locals and that, but I was prepared to let them lead the show. And at that moment of time I felt a little bit relieved because then I could be calling the shots and I would be the one talking to General XXXX and that sort of thing. So, I actually helped them get to their…LZ for the extraction, getting around the guards…

But at that point in time, the (COMBATANT GROUP B) just started pouring it on the city. We didn't even, I stopped going out during the day, because we just sat there counting the impacts. We could hear around the hotel and there were like a couple hundred an hour. And we were getting stupid requests out of (PLACE) that were clearly not being driven by the chain of command, saying "Can you go out and do a perimeter analysis just to make sure that the (COMBATANT GROUP A) aren't shelling themselves or something?"

…General XXXX…went on the (IDENTIFYING INFORMATION: NATIONAL TV STATION) when the (ELITE FORCE, ANOTHER NATION) got pulled out and actually told the world the reason the aid workers weren't taken out was at my advice. We were sitting around in the bunker listening to this on the short wave, and everybody sort of looks at me and said, "You told him not to take us out?" And I go, "Whoa, no, that's not the case." And so I, sort of spill the beans. Because up until that point, I had helped the (ELITE FORCE, ANOTHER NATION) get out of there 'cause the (COMBATANT GROUP A) they didn't, when General XXXX extracted the two causalities, the (COMBATANT GROUP A) actually, the police tried to contain the people inside the headquarters because they were afraid we were…they were basically using us as hostages. So I had a shit fit with the corps commander, and I said, "I wasn't going to leave here anyways. You would have had your hostages" and all this sort of stuff. So I had their confidence and, when the (ELITE FORCE, ANOTHER NATION) left, I had drawn the police aside and had a cigarette with them…so they could sneak off. Then I went to the edge of city with them. So anyways, I had kept that a secret from my team, eh. And so when they heard this on the short wave, like I figured I was going to be lynched, so I filled them in on the story at that point in time.

So, we're sitting their as targets and I would only go out on patrols at night. You know, for example, (COMBATANT GROUP A) were claiming that the (COMBATANT GROUP B) had attacked the hospital. And the (COMBATANT GROUP B) said, "Yeah well, the (COMBATANT

GROUP A) had moved a command and control centre into the hospital". So that night, I went out with my interpreter, and we went over to the hospital. In fact, we went over a couple of times just to see…to confirm there was no command and control in there. But after that I was going over to see the locals. And, I send the sitrep out to General XXXX, risking my life, I didn't ask the other guys to go out and do any patrols, but I had sent off the sitrep saying, "No. Confirmed. No command and control." And we had to go across these bridges that were under sniper fire, and I wasn't getting any information back.

I heard the bullshit that General XXXX kept feeding out, "(CITY IN AOR) is calm", over the (IDENTIFYING INFORMATION: NATIONAL TV STATION). So at one point in time, I said to this numptee staff officer in the military observer headquarters, I said, "I want to talk to General XXXX. I want that chain of command. I am the senior. I'm not an UNMO here. I am the senior UN representative in the pocket, and if I'm not talking to XXXX, I'm not talking to anyone" (words to that effect). I got no information back. And I said, "Look guys, it appears to me that nobody is receiving these messages because nobody's answering me. So, I'm going to cease my communications." And still no answer. I wasn't sure if it was getting through or nobody was talking to us. But I decided we would keep sending information because people had to know what was going on in the pocket here with people dying and all this.

A couple days after that, I think it was about the (DATE), I finally had a gut full of the bullshit going on outside. And, on one of my commander's assessments, the format for our reports was that you would go through a whole series of observations and reports that were confirmed by UNMO, so you had to visually see it or state your sources and all that. You would try to be as objective as possible on it. There was a commander's assessment at the bottom where I could, sort of, read into it based on intuition. I put my commander's assessment down and I said, something to the effect, "If NATO is sitting on the fence because they are worried about our welfare, give it to them. Consider us acceptable causalities." Because, if I have to meet these (COMBATANT GROUP B) coming into the city, I'd sooner done it having given them a taste of what NATO can really deliver, rather than having them gloating over shooting down a plane and all this. That sitrep was picked up and read over international news and my family actually got a video recording YYYY reading it on CBC. Of all the sitreps they picked up on, ZZZZ says "NATO should pour it to them". Within a day, NATO brushed General XXXX aside, or so it would appear, and…delivered the ultimatum to the (COMBATANT GROUP B) back off (PLACE) or we're slam dunking ya. And they couldn't get out of there fast enough. And I actually went out there and assisted the (COMBATANT GROUP B) because the (COMBATANT GROUP A) were trying to pin them down, so that NATO would say you're not out of there fast enough and do the air strike. So I actually assisted the (COMBATANT GROUP B) in getting out of there…

…I wanted to stay in the pocket to assist with the reconstruction because I felt the UN had let them down big time. But I got ordered out…And right from the get go, General XXXX was saying the reason he couldn't do anything was 'cause I cracked under the pressure. He's a sick, sick puppy. (TV REPORTER) did an interview and expose and demonstrated to the world that he is a bold-faced liar. But NDHQ, sort of turned their back on me you know.

I came back to Canada and I figured…General PPPP put a good letter in, drafted up by Lieutenant Colonel CCCC saying, "If XXX had cracked under the pressure, why did he pull the (ELITE FORCE, ANOTHER NATION) out and leave him in?" And I thought that would get some play, but nah, that wasn't the case at all. Came back to (CANADIAN CITY) and was a bit of an angry because the (IDENTIFYING INFORMATION) and I was very clearly, uh, being uh…they were getting some bad press in Ottawa, and so I was sort of being pushed aside. I never got debriefed –

nothing. In fact, my furniture, my personal effects were all in storage 'cause my family had moved to (CANADIAN CITY) to be closer to their family and basically sterilized the house of any of my existence. And NDHQ said they weren't going to authorize me to move my stuff in storage to (CANADIAN CITY 1) because it was going back into storage because we were moving into a small house. And they said, "Well drive by and take out whatever you need but leave it in (CANADIAN CITY 2)." And I said, "Fuck you." You know, that's the sort of treatment I was getting.

I went through (IDENTIFYING INFORMATION) and XXX, who was a Canadian at the time, was the first Western journalist to go into (PLACE). He's doing a documentary that was entitled "Why the UN Failed in (COUNTRY)." And he gets in there, and he's meeting all these (NATIONALITY) who are talking of this Canadian….at that time, he really wanted to get a Canadian on the show. So, I get a phone call at the (IDENTIFYING INFORMATION), and they're going to fly me and my family down to New York [for] a week so I can go through interviews…They wanted to go through a bunch of interviews with his staff and then go on camera. So, I go to (IDENTIFYING INFORMATION) and I say, "I would like to do it." And he said, "You can't do it." He talked to general…well said no…I let it ride until they came back…with a firm offer…

(IDENTIFYING INFORMATION) said, "Well, I wouldn't let you do it, but I will go to DGPA", whoever it was at the time…Anyways, I get on the phone…but he said, "You can't do the interview." And I say, "What…what are you talking about I can't do the interview? If this is a gag order, then I want it in writing and I will judge if it is a legal order." And he says, "No, no. It's not a gag order ZZZZ. Just take it as some friendly advice." And he been talking, during the conversation, it was clear that he had been talking to General AAAA in New York…and the advice from the New York was "don't let him do the…", this is virtually verbatim, "Don't let him do the interview because he will be walking into a mine field that will discredit the Canadian Forces or Canada or something like that." And I said, "Thank-you very much for the friendly advice, but I'm doing the interview."

…Right around the week that they wanted to fly me down with my family, career managers were coming for interviews, so we were getting a three-day weekend…I said, "I'll come down on the weekend. We can do the staff stuff on the weekend, and I'll do the interview on Monday." I won't see my career manager because, at that time, I thought my career was toast and I'll do the interview. And that's what we did…

…I gave my story. He'd already interviewed XXXX overseas after they had left Amsterdam, and I gave him my story. At the end of the interview, MMMM turns to his producer and said, "Arrange another interview with the General XXXX, because the General has lied to me." That's very clear in his documentary. So that was the first time I felt any sort of call of vindication or redemption or anything…and nothing from National Defence…

…before I went over to the interview in New York, I was mentioned in dispatches for courage under fire, blah, blah, blah, in (PLACE). And for the longest time, I felt the Canadian Forces was using this as a pay off and they were making a mockery of that particular award, because it took over a year for me to get it…maybe it was in play, I don't know. I still uh, I wear it more proudly than I did. I used to wear it as a badge that demonstrates how dysfunctional the culture is at NDHQ…and to this day I still think it's still very dysfunctional but for other reasons.

(Interviewee was asked: Why is it important?)

Oh, because I was right and the rest of the world was wrong. You know, I should have been a hero…the (ELITE FORCE, ANOTHER NATION) guys were decorated…and I came back, and I was told to pick up my PT gear in SSSS. It was totally ridiculous. NDHQ was telling my wife, like

my wife knew exactly what was going on, and NDHQ was actually denying to the Canadian public that I was trapped in (COUNTRY). And my wife went to the CBC and went to her member of parliament and everyone, and she said "If he dies there, NDHQ is not going to have him die anonymously." So, she picked up the band wagon on this side and that's when the Canadian public actually recognized I was in there. But all sorts of deceit and ass covering and, you know we talk about risk aversion in the Canadian Forces. I call it cowardice. There is absolute cowardice at NDHQ. They don't have the warrior ethos. I believe we have to be pit bulls on a short lead, but we got to be pit bulls. We have gone the other way. We are a bunch of lap dogs…

…You look at our so called code of ethics and it really doesn't guide moral reasoning at all, as far as I'm concerned. It's a list of buzz words. The one that really pisses me off is the way they write up the loyalty part of it, where it's loyalty to "the system". What that's saying is, "Shut the fuck up and tow the party line." When we do this once a year ethics thing, I am vehemently opposed to that…

…For the longest time, I didn't even talk about the (ELITE FORCE, ANOTHER NATION) guys out of sort of, professional courtesy. But when it was clear I was sort of being brushed aside and being treated as a leper, then I just said, "Fuck it"…So, that was an ethical decision for me in the first instance. I am a professional, I eat, sleep and breathe the profession, but there was a point in time where the chain of command had broken down and I've got to live with myself in the final analysis. So, I took the measures…I had put my life on the line for that sick puppy and it was all about the mission, and I was hugely let down - not only by him, but by the chain of command in Ottawa…

…I believe the warrior ethos, this pit-bull on a short lead. It's all about discipline and commitment and self sacrifice, but there's none of that at NDHQ, the self sacrifice thing….I was in (CITY), and I was patrolling with the (ELITE FORCE, ANOTHER NATION) . I wouldn't ask the other military observers to patrol, but I was patrolling with the (ELITE FORCE, ANOTHER NATION) because, as (CF REGIMENT), I was every bit the soldier they were. I come back and a regiment is disbanded and not a peep out of the chain of command anywhere…Nobody fell on their sword for the soldiers who lost their regiment…A lot of these guys were senior leaders, who, I was brought up to believe that it was all about the regiment. You'll die for the regiment…I thought, okay we're gonna have house cleaning here and sort out the culture. As a warrior, I can work with politicians or whatever, unless of course they are not working for the greater good…

Interviewee was asked: When you're there and you're in the pocket, and General XXXX is being whatever, how do you make that decision or what guides your decision to keep going?)

…I think the only thing at that point of time…was this feeling of greater good…I had always upheld that you die for the regiment. Battalion first, yourself second. I remember thinking on patrol, "I am a (CF REGIMENT),"…I think it was that feeling of greater good.

Scenario 26 – Greatest Probability of Success

HARM DILEMMA

For a short period of time, two weeks I guess, I was in charge of what was called the "Rescue Operations." I was given a certain amount of assets that varied day-by-day, but you know, 2 APC, 4 military observer teams. That's your assets, go out and pick up these people and bring them to safe havens. Okay, good. There were always more demands than there were assets to do it, so you had to pick and choose which one you were going to do.

So, you got a location, let's say a family is at risk in a relatively safe area, but you're guaranteed getting them. You are guaranteed getting out there and getting them to safety. Or there is another family in an extremely dangerous area. Do you go out to try and get them, possibly get turned back, can't get through to them, expose them or whatever, and get caught in a fire fight situation? So, do you take, how do you say it, the quick win or do you take the hard challenge? I hated that work…I absolutely hated that work. Because you would go to do the hard one and you would go through this frustrating thing of being road blocked and road blocked and road blocked and finally turned back. You got back only the next day to go out and do the easy one and find out the family had been killed. So maybe, if you had gone and got them, they would be alive instead of the other. Or the opposite was true also. You know maybe you went out to get the easy one, go there, find out that they were dead, but found out the road up to the hard one that day was open.

So, you know, you're caught in these situations where you've got to make decisions that have consequences, again you can't second guess, you've got to make your decision. To me…the guideline that I used was which had the greatest chance of success? Even if it was the easy one, I said which one has the greatest chance of success, of actually picking up human beings and getting them to a safe place. If it's the easy one, fine we take the easy one. If it's the road open, we take the road open. The harder ones didn't get done. Now those people were technically at higher risk. Maybe if we have done them we would have saved more lives or whatever else, but again you're into that second guessing thing. So, I would rather go with the guaranteed win than the possible win. It came down to saving lives. Where can I save lives? And how do I save the most lives I can possibly save today?

I was the only Canadian on the ground. (COUNTRY ADJACENT TO AOR) would call me consistently from the Canadian embassy, saying "there's Canadian family at this location, a Canadian priest at this location, Canadian nuns at this location, Canadian aid workers at this location – go get them". It was almost issued to me as an order, I didn't take it as such, but I would take a special interest in getting Canadians. Now, was that right? You know, was I, you know most likely, yeah it is true. Most likely while I was doing that I was ignoring Chinese, or Tanzanians, or somebody else, but you know, yeah I would suggest most likely the examples are Canadians, we got a lot of Canadians. There was supposed to be sixty in the country. There was a hundred and fifty, and we were still counting Canadians. There were more Canadians crawling out of the wood work – long distance runners training at high altitudes, nuns, priests, aids workers, kids back packing through (IDENTIFYING INFORMATION: COUNTRY). CTV journalists that pop out of nowhere. And you're going "who the freak are you and what are you doing here?" You know…yeah. I know that other guys, other NATO, (NATIONALITY) obviously knew where (NATIONALITY) were, that (NATIONALITY) with (NATIONALITY) and that type of thing. And it's not like, I can't remember consciously deciding between do I pick up this Canadian family or this (2 OTHER

NATIONALITIES) family. I can't remember physically doing it. But I do know when I got the thing on Canadians, I made a special point of getting to them.

Participant was asked: What role intuition plays in all of these things?

Most likely a lot because most of the time it's reflex. And I think that's the way it's got to be, and I think that's the way you've got to push ethics and values. You've got to push them to the extent that it's instinctive. Because when the bullets are flying, you don't have the time to sit down and say "ok, I am now caught in an ethical dilemma. What do I do? What are my options?" There is no time. Sometimes you are making, literally in three seconds, you have to make a decision life or death. And what it should be is instinctive. You do this because it's the right thing to do in accordance with your values. I really believe that's the ideal of where you want people to get to. That they are not sitting there "well, you know whatever I should do right now…"

Scenario 27 – Delivering Criminals

HARM DILEMMA

We were surrounded by the (COMBATANT GROUP A). They asked me to deliver 85 people that they said were criminals, and I said, "You got proof or you're not going to get them". So we had to keep them for about three weeks. But they were firing over the camp at night and cutting the water and electricity on all occasions. Then they came with proof. I had proof for the lawyers of the UN and identified 15 of them escorted them by the Red Cross. So, I guess it would have been easier, I suppose, to say to take them because I can not say in my heart I liked (COMBATANT GROUP B), (COMBATANT GROUP A), not the people who were in charge -- a bunch of crooks and bandits. To me you don't send people to be killed by the (COMBATANT GROUP A). without some proof and some guarantee from the Red Cross that they would monitor what's going on. So it took three weeks. It was not easy because, again, I had a lot of old folks, young kids, and the conditions created by the (COMBATANT GROUP A) created angst and despair within the refugees. It was not the best situation. However, they knew that we would not let them out without proof and those people would be fed and protected. Ethically, I know that was the only decision that I could make.

Scenario 28 – Protecting Dwindling Villages

HARM DILEMMA

The most difficult decisions, either as an unarmed monitor with no sort of weight to back it up or part of a regiment that did have the power of persuasion by force, I still had to make were where to use that influence?

On my first tour, as an unarmed monitor with no sort of weight to back it up, the most difficult decisions were where to use my presence and influence on a day-to-day basis. The area we had was enormous with all of these problems that were going on. There were only so many places we could be. We knew, on this particular mission, that where we went there was a good chance that there would not be a level of violence that would be experienced by places that we were not.

I was working in an area where the UN, where there were no UN forces deployed at all. The only mission that was operating was some humanitarian missions like CARE, RED CROSS, no UN force of any significance. The (IDENTIFYING INFORMATION) ended to operate where the UN wasn't, rather than overlap some of the functions and things that were happening. So, where there were political agreements that could be made with the warring parties that existed with the (IDENTIFYING INFORMATION) that perhaps, in many cases, didn't exist with the UN because they didn't want the UN in there for various reasons. One of them was, they just didn't want it…they just didn't want things reported as to what was happening. This was still the ethnic cleansing times, etc. So there were agreements that could be made for small organizations to go in, whereas a bigger, larger world body didn't have success. That was one of the successes of the (IDENTIFYING INFORMATION) was to go into these places.

We would sort of register our presence as to where we might or might not be. When we selected a village, we said we were going there to do that work. We did a lot of monitoring of the numbers of people. You would go in one week and there would be fewer people all the time, and people were missing. The warring parties would either track us or knew where our locations were, and there would be a cessation of problems in those particular areas. The decision was where do you go next? Whose life or whose village do you protect today? I found that hard. I found it…you know where do you go today? I think the difficult part was knowing that, if I went to this village today, the atrocities that are going to occur, the violence that was going to occur, will happen in those villages over there because they knew we weren't there. So you decide where you are going to go. The next day or the next week when you went back there, you…we would be still trying to get medical aid for the people that were in there or trying to recover the history of sort of what happened in the last week. And the need to record all the stuff that happened so that some influence could be brought to bear to let decision making bodies know what was happening in those areas.

One village that was in my area of responsibility had a pre-war population of 1150 people. So, it was a regular stop for me, a planned area to go into. It was isolated, but it had at the start of the war 1100 people. When I had arrived in there, and it was my area as a monitor at this time, my personal responsibility, its population was down to 250. Now some of that was due to migration of people moving when the conflict started, but by the time I left that area of responsibility three months later, it was down to 12 women…that's all that were left and most were killed. Now the killings were going on when we weren't there. We would go in, but as soon as we pulled out again, the same fighting would return. So it finally came down to 12 women living in an old house, and they became a focus just simply through writing of reports saying "you've got to do something to just to protect these 12 women". And we embarrassed people into it. It is a good example. If we

were able to be there, and we were numerous enough to be in that place 24 hours a day and every day, it probably would not have happened. And it was happening on a scale through the entire country – this was going on all over the place. So, when you're looking at a map, and it's just a map of villages like you would look at here in Canada, and you're saying this is where we are going today, you would always know that the consequences are that you're neglecting something somewhere else. What we tended to do was try and do as much as we possibly could to cover our area, our patrol areas, our ground. You had to take a break after 10 days or so because it's exhausting work.

I found the same thing when I went back with a regiment. The regiment being much larger with the resources to really have an influence when there was a problem. You then had the cloak over certain things you could do in the protection of humans, whereas we didn't have it before. What we had was, we had a pen and a satellite little thing that we used to type into and type reports. I could exert a greater influence, but again, what are the priorities, which village and which problem can you focus on now. What is more important, keeping two warring sides apart and letting soldiers stop fighting for a period of time or taking your resources and protecting a village which were also the targets of the war? The civilians were as much the targets as the military. There was a particular attraction for men and men of fighting age. So, those levels of decisions are both very draining and the consequences are immediately visible to you. You can feel good about you did well here today, but you couldn't do anything about that.

It took me years to rationalize and to understand that we were doing the best that we possibly could. I didn't need convincing. I knew at the time we were doing the best we possibly could, but it was a feeling of inadequacy. It was a very stressful feeling of, you know, maybe, over and over in my mind maybe we could have done more. But I knew we had done more and I knew from all my soldiers, we had done more and I knew from testaments of the people out there that they understood we were doing the best we could.

The participant was asked: How did you actually make that decision to say, "We are going to be here"?

If a community had targets. If I went into an area with the (IDENTIFYING INFORMATION), and there were any men left and you found that there was, and everybody was armed, if there was an indication that somebody wasn't totally defenseless, then they would become a lower priority. And unfortunately, time would wear on and those people would be killed off or they would leave in exasperation. But, where you felt people were the most defenseless is where we went. The only way to do that is through monitoring. And that's what UN observers did, that's what the (IDENTIFYING INFORMATION) did, that's what patrols did, and humanitarian organizations – help identify where the greatest need is. It was their level of defenselessness against violence – hoodlums and murders and robberies and beatings and…So I guess it's wherever your heart drove you. If you said, "we've got to help here", you did that that day.

Sometimes you had to make concessions, and the concessions had to be done with impartiality and keeping a little bit of balance. You know it was a little bit difficult, because there were multiple parties that had needs. There were equal atrocities in fighting that were going on on all sides. Decisions had to be made as to where to focus, not only on who was perceived as the victims, because there were victims of war all over the place. So, it was a very difficult balancing act. If I had focused all of my energies on one side for example, that's say on the (COMBATANT GROUP B) side, I would have had little or no cooperation coming from the (COMBATANT GROUP A) side. And if that happened, the level of the threat of violence against my own soldiers would increase all that much more. The more things were done impartially, fairly, equal distribution of

sort of resources as much as humanly possible then it would work out the better for everyone. The civilians would benefit. My people would benefit from the increased enhancement of their personal security because people would want them to be there. And it worked out fine for the mission.

We never really had a mission of keeping these two people, stop these two military forces from killing each other. That wasn't the mission at all. We were to let that go. There was no agreement to stop the war. So we just let the fighting rage through and help to try and pick up the pieces after. And protect where it was obvious that people were defenseless. So, I guess the only way you do it is you go out and talk to people and see it for your own eyes and make decisions.

We got a lot of where need is needed from the non-government organizations. Once there was a better level of security, they [NGO's] could operate without being robbed, or killed, or have their mission sort of dismantled. Once they had some level of security, they were very good at filtering out into the communities, and we worked closely with them. And they would provide us with information saying, "these people haven't had water for a month", or "there is a problem here", "there are gangs operating in that area and they are killing people at night", so we would deploy that way. You used every resource that you possibly could. There was nothing high-tech. There were no satellites involved. It was different from warfighting. You used human intelligence almost exclusively, and you used the local people to tell you. You had to deal with the local warlords. You had to deal with the corrupt officials, the corrupt military people. You had to deal with military people that had specific aims which were to capture an occupied territory. You worked with them. That's all. I don't think my experience was unique. You had to learn to work with people you wouldn't regularly even speak to. Some of them should have been in jail. Some of them are in jail.

Scenario 29 – Reducing Observation Posts

HARM DILEMMA

I'll always remember trying to come to grips with what my mission was. I had formal orders for my company to implement the cease fire accord, which dealt with (CITY)…But there was no cease fires…And then one day I remember obtaining a copy of Security Council Resolution XXX…the (DATE AND YEAR) It's the one that appears to give UNPORFOR the authority and mandate to protect the enclave…My question was, to what extent do we stop an incursion into the enclave?

…I phoned my commanding officer who was in (SECONDARY CITY IN AOR), XXXX…I said, "I just got this thing, and I'm not sure how to interpret it. Are we changing our focus or concept here? Are we going to fight them back if they come or are we just observing?" And his reply was, "You are monitoring the cease fire and acting in self defence and from that perspective, the tactical level, it doesn't change anything." Alright…

…the big problem was…that it was creating an expectation that UNPORFOR would do certain things without providing it with the means…The mission was very grey and we thought it would be easy to pull out. It's easy to say that we should have pulled out if we did not have the means, but things would be worse if we weren't there. So what we did is we took as far we could in terms of deterring the (COMBATANT GROUP A) and putting on a façade of strength…I think that I was part of a situation that I didn't fully understand because it was a strategic issue of placing people in impossible situations without providing the means to fulfil the expectations of the mandate.

…At one point, when we decided we had an unsustainable level of troops in (CITY IN AOR)…I had to pull them out…So we did that, we drew down. It meant eliminating a number of observation posts. The danger with that is that as soon as an observation post would go down, it meant the holes in the line are even bigger. It meant that the (COMBATANT GROUP B) underground forces had to man it at night. It meant more opportunities for the (COMBATANT GROUP A) to infiltrate and kill civilians (force killing on both sides of course). So it meant a deterioration of the situation…And I had to negotiate with the mayor of (PRIMARY CITY IN AOR)…..…it becomes an emotional issue. There are all kinds of threats. There are all kinds of directions…I remember telling him one day, and these are words that are going to stay seared in my brain until the day I die, "The UN will never abandon you." And I really believed it…So that one was a lot closer to me because a) I was dealing with it, talking to people face to face; and b) I knew that the result would be potentially endangering people or worsening the situation.

Scenario 30 – Lesser of Two Evils

HARM DILEMMA

The problem we confronted in a lot of the operations that we did throughout (SET OF YEARS) was a lose-lose situation, a wrong-wrong. It's where no matter what you decide to do someone is going to die. And you're basically confronted with choosing the lesser of two evils. And that puts you into an enormous ethical dilemma and enormous stress that I think is at the root of much of the psychological problems that a lot of people suffered on operations.

For example, I used to go out in the first days of the war and the genocide and pick-up people who were at risk of being killed, (ETHNIC GROUP A), men, women, and children, and bring them to the (SAFE BUILDING) that was in-behind our headquarters that was guarded by UN troops. So it became a safe haven in (CITY) for people that we could rescue and take to. The problem was no water, no food, and no sanitation, whatever. Everything had been cut-off. We were cut off from the world. So, within in a matter of days, we had cholera, we had dysentery, and all that. If you pick up a family that has a baby, children die first because children dehydrate. Babies, especially, dehydrate faster. If you pick up a family with a baby, do you take them to the (SAFE BUILDING) basically condemning that baby to die or do you hide them outside where they will be at risk of the militia? So, whichever way you choose to decide, there is a potential that someone is going to get killed or someone's going to die. And what that leads you to is second guessing the decisions you made.

I took a family one day to the (SAFE BUILDING) and about thirty-six hours later they were all dead from cholera. If I hadn't taken them to the (SAFE BUILDING) would they have lived? Hidden in a basement of a home in (CITY) with roaming militia running around looking for them – you'll never know. So one of the things that become very important is not to second guess yourself. You studied the situation as rapidly as I can, and sometimes it is as much as a second, but you studied the situation, you're guided by your Canadian values, you make your decision, your ethical decision, and then you live with and you don't go back and second guess yourself. I think a lot of problems guys have is when they start to go back and second guess, "Well if only I had done this and this would happen". This is not necessarily true. I could have left that family at that home, you know, and within an hour a militia group could have come in and chopped them up. So, you never know what could have happened. But those are dilemmas you face where regardless of what you do, people are going to die.

I was not under orders to bring that family to the (SAFE BUILDING). I was basically under orders "Do the best you can". You're the guy that's going to be down there on the spot, judging the situation. You've got to make the decision whether you can take the risk or not take the risk, and where do you go and where do you take them to. I am respecting the dignity of the people by trying to save their lives I think, I am obviously serving my country before I am serving myself, you know I think I am operating in accordance with the value and I am operating pretty ethically. But the result of the very ethical decision is that within 24 hours, 36 hours a family died of cholera because I took them to a place that was a hell hole – but I had no other place to take them. So do I leave them where militia can chop them apart…which way is better to die? Being chopped up by a machete or being raped, in the sense of a woman, being raped to death, or taking a risk with cholera. So these are not easy but…you know… you choose the lesser of two evils.

Scenario 31 – Evacuating a Besieged City

HARM DILEMMA

The local population was besieged inside (CITY IN AOR). My job was to not only move diplomats around but also other people that didn't have the opportunity leave. For example, the UNHCR (United Nations High Commission for Refugees) did move refugees out. In fact, they did move more out than in, but they had strict guidelines that had to do with age – it was a lot of the young and a lot of the old. Then you got to that middle part which was intellectuals, musicians, doctors, scientists, religious people or just common Joes of all ethnic origins. That was the key here, if we are going to do this, the UN had to maintain impartiality, and that was my job.

So Mr. X says to me, "Find ways of taking people out. And by the way, around the corner from this office are twenty-three people who think they're getting out (HOLIDAY DATE)."

This was something I inherited from somebody else that was there. So, here I am, I go into this room, and there's twenty-five people. They're all looking at me. They've all been promised (this is the (DATE) that they'll leave by (HOLIDAY DATE) ... And I'm looking at them all, and I haven't a clue who they are. And there's no information on them. They say who they are, show an ID card or a passport and that's it. So now I look at this and say "How am I going to do this?" When I arrived there, there was something like, you know, one thousand two hundred rounds of heavy artillery landing in the city all over the place. I did my operations under fire the whole time.

First of all, I've got to figure out the system to take these people out. But I realized, uh, some of these people wanted to get out for professional reasons. Others their life was at risk. Others were going out and coming back. And the airport was only open two times a day under agreement. It was between 10:00 and 10:45 in the morning and then from 3:00 and 3:45 in the afternoon and then the airport closed and that was it. If you tried to land or take-off in the other times everybody would shoot at you. Or if you made a special agreement all the fighting factions would have to agree with it. And so, like I said, I had no resources, all these people were there, and I didn't know who they were. I knew they were promised to go by December. Some of them were really desperate. Some had already been to the UN and had been promised by people to take them out and had given all their money. And now they were penniless and still stuck trying to get out.

I realized having them all in the same room was not a good idea because they all had different reasons to go out. Plus, I always believed that in the (REGION) the only truth was the lie, and I considered everyone one of them a plant from the government to try and find out how the UN system worked in order to exploit it. Because that was the key here, to take advantage of the situation, exploit it to your benefit and carry on with that. So, I figured a plan to try and figure how things go.

So I immediately told them the first thing was that they were not leaving on the (HOLIDAY DATE).…But then I said to them the promise I would make was that I would do my best to see if they would be able to leave (CITY) or leave and come back. That was the only promise I made that I would try. I didn't guarantee them anything.

Many of them can't go back because many of them leave everything. They're running. And so, I understood if I am going to do this, I had to have a high success rate or else the person would perish or some would perish, that kind of thing.

So the first thing I did was interview everybody, individually, separately in a room. I found out what type of documents they had. I found out what reasons they had for going. And I made a list

and prioritized that list. There were some there that I put at the bottom of the list. The thing is, I had to make a list. I had to decide who goes out first and who doesn't. I had all intentions of taking them all out, so I wasn't too worried about who was going to make it or not. But I had to develop the system. I had to find out if they had the proper passport because they were leaving and going into another country. I had to secure seats on those planes. I had to find transportation and security for them to bring them to the airport. I first had to see if they were deserved.

I told them at the start they should not offer me money, sex, alcohol, or any favours whatsoever because I would not bring them out. My job did not require payment or favours whatsoever. That was my job. If they did that I wouldn't take them out. And after interviewing everybody, which took about four days and I'm talking about over the Christmas period now, I decided who I would line up first.

For example, there was a guy there who'd been caught when the war started and couldn't get out. His wife had been evacuated from another part of the (COUNTRY). She was in (EUROPEAN COUNTRY), with two daughters and she was dying of cancer. Therefore, I wanted him to go out to see his wife before she died. He would go ahead of the person, let's say a doctor, who was going out to find about medical procedures and then come back. I didn't know whether they were going to come back or not. So, that's an example – those are easy ones. In fact, he would never have gotten out. Nobody gave a shit about him. He was nobody…

…I took out…a doctor. He was a (COMBATANT GROUP A) and he was working in a (PLACE) hospital, and the authorities used to give him the most severely wounded (COMBATANT GROUP B) soldiers. So he had a high death rate on the operating table because these people that arrived to him were in pretty bad shape. And so by the time he came to see me, by the time I saw him on the (DATE), he really feared for his life because he was being accused of murdering the soldiers on the operating table because he was a (NATIONALITY OF COMBATANT GROUP A) and he was killing and stuff like this. He had already spent $5000 with some toad in UNHCR who had promised him to take him out. He had given him $5000 American. He had no more money, and he had gamble on that and now he was stuck. He feared for his life…

…I also took out a girl, she had a poodle and she was suffering from post traumatic, shell shock and stuff. And she wanted the poodle to come with her. And I told her simply the poodle stays…cause if you want to take your poodle, you're not leaving. It was her crutch for support. And so, I had all kinds of nasty things to do to that poodle to eliminate that barrier to send her out, but she found somebody to take care of it and she went out. She turned out to be the fiancé of the best (EUROPEAN COUNTRY) national soccer player. She was a (NATIONALITY OF COMBATANT GROUP B) girl. Obviously this was a favour that was being done through the diplomatic channels to make this happen…

…There was a woman that came to see me and she had spinal meningitis, you know. And she needed help to go to the Western area to be operated on and everything else. She wanted to bring her daughter and she wanted to bring, err…he was (IDENTIFYING INFORMATION; AGE), the boy. But he was of serving age. And I couldn't, and I told her she should leave with the daughter and leave the boy. And she said, "No, I want to take I want to take my son." And I told her I couldn't take her son because he was of fighting age. That would be desertion for him and that would mean the UN was aiding a deserter and that would put the UN under a bad light. She never left – I think she died there…

… Why was I moving that person…it was the need of that individual…first of all I made sure that I was impartial. I made sure, I kept track of the ethnic backgrounds of these people to make sure that

no one would accuse me of moving more than, more than, you know, I was trying to be fair with that stuff… I made sure that all the fighting factions knew I didn't care who they were. And so, I was able to run that line with no favouritism…

…Also, it was more than need. You know, the guys whose wife was dying. That was more humanitarian type thing – I thought that way. Plus, there were times I had to move them, like I told you, there were political issues or diplomatic issues that I had no control over anyway…like the priest, the pope, uh, the arch-bishop….

…I couldn't see myself bringing out a person who would die. I would rather bring out a person who would live, so he found that could live so I moved that one. But not the dying one; she was older too. Age not much to do with it…

…it wasn't emotion. I did, I analyzed, I prioritized, I was without emotion in many cases. In fact, I was a real jerk. I was annoying a lot. I drank heavily. I was very aggressive…I was running two radio nets twenty-four hours a day because I needed to listen to what the shelling was like…

…The first person I sent out, she worked for the government, they wouldn't let her go. They really harassed her. And once I found that out, I went to see the government and I told them, "You better let her go cause nobody else is going." If she doesn't go, you guys aren't going, period. So they gave her the proper documents and made sure they'd go…and that's how I realized, they knew I was doing this, and that's how I always kept the people that I was moving away from all these government thing…So I was the sole…there was nobody else to take the blame, nobody else to fall back on. If it worked, it was with me. If it didn't, it was with me…I had 100% success rate…

…when something happens, I immediately find out, my feeling of whether it's a good or bad thing picks up right away…I think it's how I was brought up, compassionate, you know, that kind of thing…You know, if my initial instinct or initial feeling was there's something funny here…

…I didn't have time during that period to dwell too much on what I was doing, you know, the rights and wrongs of all this. I was just too busy moving them. I was too busying making sure they would move. I was just working…I prayed a lot…I always felt that I was doing the right thing, you know whatever is I was doing was the right thing…When I came back I spent a lot of time feeling guilty not having done enough…And in the end, I, took me awhile, took me a few years, I concluded I had done [crying]*, I had done the best with what I had at the time.*

Scenario 32 – Creating a Demilitarized Zone

HARM DILEMMA

One of our mandates was to maintain the enclave was free of weapons. It was supposed to be de-militarized. So that meant every time you saw somebody with a weapon…the weapon was taken away from him. And we did that on a number of occasions. Personally, I remember chasing a (COMBATANT GROUP A) platoon into the woods with my (CF OFFICER) and finally capturing two guys and taking their weapons away. One time we did a cordon and a search on a village and, you know, you've gathered the whole company, surrounded the village, we did it in the full view of the (COMBATANT GROUP B) because we wanted to show the (COMBATANT GROUP B) that we were enforcing the terms of the ceasefire accord, and you start searching all the houses. Sure enough we turned up a few weapons. And then knowing the situation, knowing how the villagers would man their positions at night…

I always remember this mayor, village leader, came to me, eyes full of tears, "How will we defend ourselves now that you have taken our weapons away?" …he knew the (COMBATANT GROUP B) were probing…and he knew we weren't thick enough on the ground to provide effective protection in defence. Um, how do I feel about it? I rationalized in the sense that the only reason…we are capable of maintaining safety for thirty thousand people in (PLACE), I think, is by guaranteeing that there is some form of demilitarized zone…I intuitively understood that it was probably for the greater good of all. If the (COMBATANT GROUP B) saw us demilitarizing the area, and we made sure that the elements of the cease fire accord were adhered to…

…Did I have choices? I suppose I could have said it's a bad idea…and knowing XXXX…I think that if I had had a sound argument, I would have convinced him. But I took the order, and I told myself, "Yeah, yeah. That makes sense. That's our mission. That's what we got to do and the reason we are here is to demilitarize…" But when you're actually doing that and come face to face with that…when you get this "Am I doing the right thing here?" Then cold reason prevails and yeah, yeah, for the greater good.

Scenario 33 – The Right of Self Defence

UNCERTAINTY DILEMMA

It took a long time to instill in my soldiers, that if somebody threatened them, if they were fired upon, they were to return fire and they were to kill whoever it is that they were firing upon. They weren't there to ask them to stop or to do anything else. They were to do what they were trained to do. It took a while for them to do that. There was always sort of an impression with them that they weren't to act aggressively or something like that because as a force we didn't do that, we acted very passively. But as individuals, in their right to self defence, they were aggressive.

The first time a soldier had to defend himself, a drunk came up to one of my soldiers, started firing, and the soldier killed him. What I found I had to do was reward him for what he did and let it well known that this guy did the right thing. At the same time though, it had to be done with moderation and had to be a good decision.

For example, in another case, there was a drunk (there were a lot of drunken soldiers there on the weekends) who started firing bullets, but not at the soldier, just kind of around him. It happened all the time. Sometimes they would just fire up in the air and you would just ignore it. But anyhow, this was directly on to the protected observation post that the soldier manned. They happened to pick and infanteer who happened to be a marksman. So what the soldier deliberately did was put a bullet about two inches over his head. He just aimed high, and "pow". It was a corporal and I was just around the corner when this thing happened, and I walked up and talked to him about what happened. And he said, "Well I guess he was drunk. He really wasn't trying to kill me. He was just being an idiot." And he did the right thing. And I rewarded that as well. And made sure people knew what the circumstances were. And we talked about it.

Every time we ran into this stuff we did a quick debrief at our morning sessions, saying "here's what we learned out of this". Because, if we killed somebody that was not a clear case of self defence, for example, somebody's brother, we would have been paid back. We knew that the risk to us was the brother, the father, or somebody was going to pay us back for it because his son or whoever it was probably didn't intend to cause us any harm. He was probably just coming back off the line and wanted to release some energy. So, those are split second decisions that people make. That was a very conscientious decision. The corporal wasn't told what to do, he made his own call. And I found consistency. We had anywhere between 60 to a 120 firing incidents every single day over the tour. We covered that much of an area and it was such an active zone, a battle zone that it just came in all the time. It was just normal. So they got to learn to live with it, but they also got to learn when they were directly threatened. So, it was a very clear line. We never had any cases where I felt somebody was killed needlessly. They were clear cases of self defence.

We didn't have to do much to justify it. Commanders had a quick look at it, and say here's what happened and the decision was right. It was never questioned, because I dealt with all of the belligerent military commanders. When our soldiers took actions against their soldiers, they had no hardship with it. They understood. It was a clear cut thing – the guy was out of line. They weren't working with professional soldiers all the time. Most of them were civilians that were armed and pumped with a bit of alcohol and sent to the lines.

They were good calls…there is never a good call, but they were the best call that had to be made. I found I had to weed out any the attitudes that existed for strong levels of aggressiveness, you know, "I got a tattoo. I'm going over there to put another mark on my tattoo." that sort of thing that was happening. Most of those people you could weed out in training. I felt that the soldiers were

compassionate human beings that were in a situation that they were terribly involved in, where they were both scared and had to make decisions, but felt comfortable with what they had to do…and they would be backed up.

5 Analyses of Scenarios

This chapter has two sections. The first section examines the factors that influenced moral and ethical decision making, provides examples, and describes how these factors impacted the decision making process. The second section describes the moral and ethical decision making process itself, moving from pre-decision to post-decision.

5.1 Factors Impacting Moral and Ethical Decision Making

The interviews showed several different types of influences on moral and ethical decision making, including person-based qualities, contextual factors, and situational factors. Each of these sets of factors are defined and described briefly below, followed by exemplar passages that demonstrate how each factor implicated the ethical decisions made.[9] Although described as discrete influences, these factors often combined to influence moral and ethical decision making.

5.1.1 Person Based Factors

Several person-based factors are likely to influence moral and ethical decision making. These factors include an individual's self-identity, values and attitudes, moral development, ethical ideology, emotion, and personal responsibility.

5.1.1.1 Self-identity

Self-identity represents an individual's perception and understanding of who he or she is as an individual, holistically, and as distinct from other people. Self-definitional statements (such as "I'm a soldier!" "To me, soldiering was a profession. It's a vocation."), personal goals, aspirations, as well as the role models that people seek to emulate all portray one's self-identity. Often, individuals have an ideal identity that they hope to imitate in their practices and habits. These ideal identities stem from archetypes and historical narratives. Self-identity can also be reflected through categorical membership (e.g., Canadian, member of the CF, member of the profession of arms, etc.) that is internalised.

Within the interviews, participants' sense of self, whether it derived from social roles, attributes, role models, archetypes, or categorical membership, were reported to have a fundamental role on their moral and ethical decision making. As the following examples will attest, participants' descriptive accounts of ethical dilemmas in operations also revealed that self-identity functioned as a normative guide in making moral and ethical decisions.

One soldier reflected the respect he had for others and expressed how helping others in need were integral to his very sense of self.

[9] The passages identified within this section will have one of two labels. Many passages can be found within a specific dilemma scenario (presented in Chapter 4). In this case, the passage is labelled with the specific scenario from which it originates (e.g. Scenario 6). Other passages do not stem from a specific scenario but from a more general part of a participant's interview. In this case, the passage is labelled with the participant number (e.g. P8).

> *"It's not even military, it's part of you. Every human being should never let an occasion pass if* [it] *arises that you are able to help someone. I mean that's the way I am. That's the way I am. That's the way a lot of our guys are. That's a human being."* (Scenario 10)

Clearly, this participant's sense of self influenced his very motivation and action toward others as well as the ethical decisions that he made. With the need to help others so strongly integrated into one's own identity, many participants seemed to find it very difficult to preserve this identity in the face of external pressures not to act.

The importance of maintaining self-identity was also reflected by another participant who served as a Canadian Task Force Commander in another operation. He commented:

> "*I think it's a thing with every officer…faces in their career…the whole issue of how far am I prepared to go…I think we all faced that…there was a situation where I was quite prepared to resign, and asked to be…if things were not come out the way it did…in the end, I still have* [to] *get up every morning and look at my face in the mirror, not anybody else's…"* (Scenario 20)

This suggests that moral and ethical decision making is integrally related to how the outcomes of moral action impact the construal of the self. Self-identity interpreted in this way is largely a conscious decision made by the individual to be virtuous or ethical, and can be understood as an incentive to act in accordance with what they perceive to be or deem right.

The interviews suggested that the desire to maintain one's self-identity in the face of violent operations (and often limited by specific mandates) provoked many ethical challenges and decisions for these participants. For example, one participant who had served as a UN commander explained that he could not live with the fact that although Canada allowed him to protect his troops when under direct fire, he was not permitted to use lethal force in order to protect other human beings (who were also in harm's way) from being killed.[10] He reported *"morally, I cannot live with that as a senior commander"* (Scenario 2). His identification as a senior commander, representing a country that adheres to the UN Declaration of Human Rights, combined with his need to maintain both implicit and explicit expectations for his current role and as a member of the profession of arms made this very difficult for him. In essence then, this participant's identity (as a professional UN commander and as a moral human being) compelled him to take a course of action that was most coherent with what he believed a moral person would do. Construing his situation in these terms provided him with little alternative but to disobey higher Canadian authority. So, pressured by Canada to change his concept of operations, he described the need to maintain his sense of self, his sense of professionalism, in making a difficult decision to stand by his concept of operations, even if it meant being removed from his position. He stated:

> *"Well I…the choice I made…. I prefer to be able to look at myself in the mirror while I serve and after my military career, then having at some point crook my judgement and not have given the best of my military potential when it was required. So I mean forever in my life I would be able to look back…and tell myself I did the right thing and I have no regret*

[10]The UN had authorized at the commander's request the use of lethal force in the following four circumstances: 1) for self-defence (i.e. UN mission members); 2) to protect "designated persons" (i.e. the current and former presidents); 3) to protect any human being (i.e. Non-mission members); and 4) to protect UN key installations and equipment. (He also had a fifth ROE which permitted him to use force when searching and confiscating weapons in the execution of his mandate.) As he later explained, Canada had refused to abide by the third and fourth ROE. The commander said that he could "live with the issue of the fourth", but he "could not live with the refusal to abide by the third ROE".

whatsoever with that. This is more important for me than the fact I may have made enemies in the process." (Scenario 2)

The soldier's willingness to stand by his decision exemplifies the normative account of what it means to be a soldier, a UN commander, i.e., to provide "*the best*" military judgement, and more significantly, to hold to what one believes to be right regardless of the possible consequences.

The need to maintain congruity with one's self-identity, however, was problematic not only in the course of actual operations, but also in the tension between one participant's sense of self and the role that he adopted as a soldier vs. NDHQ policy and initiatives.

> *"My wife would tell me, 'You've got to understand these guys in somewhat a political position.' And I said, 'That's all crap!' To me you're a soldier, and you have to stand by your soldiers and that why you're wearing epaulette…I am what I am, a man of principle."* (Scenario 11)

Again, this soldier's commitment to his role as a commanding officer and the expectations that come with this role shaped his construal of the situation and guided his moral actions. For many participants, self-identification with the role that they had accepted and embraced, with what they perceived themselves to be, was a strong theme for ethical decisions and ensuing behaviour.

Hence, there was a clear sense in which identity served as a normative guide for soldiers' ethical decision making. Indeed, as a Canadian and senior member of the CF, one participant tried to reconcile his personal responsibility for the scandalous conduct of CF personnel on a particular mission and his own Canadian self-identity by explaining away their behaviour, in essence, stripping them of this common identity. Following moral judgements of disgust and finding it "*unfathomable that Canadians were doing what people, the unprofessional soldiers, were doing to people over there*", he explained:

> "*…it was the type of mission that it was. You just can't send soldiers into that environment and just leave them there and forget about them…They just go native."* (Scenario 3)

With respect to moral and ethical decision making, this example suggests that one of the functions of identity influencing ethical decision making relates not just to identifying what one is, but also to identifying what one is not. This participant's sense of repulsion at the actions of other CF personnel signals his distain, and underlies his need to make a clear distinction between his own identity as a Canadian soldier and their actions. Thus, self-identity can be understood as a normative force in interpreting moral issues, guiding moral decision making, and affectively motivating individuals to moral action. Interestingly, this quotation is also consistent with Tetlock's notion of moral cleansing (2000). In order to protect values that are important to him, this participant distances himself from the other Canadians that he believes are behaving in a way that is both uncharacteristic of professional Canadian soldiers and unethical, thereby reaffirming core values and "resolutely reasserting the identification of the self with the collective moral order" (Tetlock et al., 2000, p. 854). Similarly, another participant (Scenario 1) also shows the same process of moral cleansing when he refers to combatants in a conflict as "*irregulars*" and "*thugs*". In this sense, he invokes and reinforces his personal commitment to the "profession of arms", which is characterized by adherence to rules or codes that are both established and enforced by members of the profession and are usually assumed to apply to other countries' armies as well. His self-identity and moral choices reflect this commitment.

As a whole, therefore, self-identity showed itself to be a strong influence and its significance in moral and ethical decision making should be emphasized and explored further.

5.1.1.2 Values and attitudes

An attitude has been defined as "a psychological tendency that is expressed by evaluating a particular entity with some degree of favour or disfavour" (Eagly and Chaiken, 1993, p.6). By contrast, values are typically understood as a specific kind of attitude "toward relatively abstract goals or end states of human existence (e.g. equality, freedom, salvation)" (Eagly and Chaiken, 1993, p. 5). Values are typically understood as arising as the result of family and socialization processes, and are argued to guide human behaviour. Several interviews revealed how attitudes and values impacted their moral and ethical decision making in operations.

In the process of describing the ethical decisions that they had made, some participants noted the importance of values, especially those outlined in the CF document entitled *Duty with Honour*. For example, one soldier, reflecting on moral and ethical decision making in general, mentioned the importance of "*integrity*" over "*loyalty*".

> *"For me, loyalty is very important…but it's not number one. For me, number one is integrity, integrity, integrity."* (P1)

Though integrity cannot guarantee the value judgements that an individual makes are correct, it is by its very definition critical to one's self-identity as one committed to a moral life over self-interest. The necessity of the belief or declaration that *x is right* does not, of course, guarantee that an individual will act in accordance with *x*. Integrity might, therefore, manifest itself as the motivation that makes some individuals act consistently with their principles compared to those who do not act despite knowing that they ought. This is especially the case when this value has been internalized.

The high level of discipline required within the CF was an important value for one participant, and informed his moral and ethical decision making process, as well as supporting the moral action that he took. Confronted with the moral decision to court-martial a friend and peer, this participant noted the importance of discipline as a determinate of his decision. The participant reflected:

> *"So I stuck to my values…my sense of right and wrong, and the high levels of discipline I expected from soldiers."* (Scenario 4)

Again, this person's values about right and wrong and high levels of discipline were argued to be relevant in his moral and ethical decision making.

Another participant, pressured to change his concept of operations and to accept ROEs that were less likely to protect innocent people clung to his own values as well as promoted the values that he believed were most compatible with being a Canadian.

> *"But I felt, as a human being and as a member of a country which has subscribed to the declaration of the Human Rights of the UN and so on…you cannot allow a Canadian soldier to stand by if an innocent civilian gets killed by a mob, let's say…you cannot allow this to happen."* (Scenario 2)

This quotation elucidates a frequent and important theme noted throughout the interviews, and shows the interrelatedness of one's personal values, one's values as a military professional, and one's values as a Canadian.

In other cases, participants could not uphold the mission orders or ROEs, and therefore violated these to align their conduct with their personal values, despite potential reprimands. One participant relayed an example involving civilians being shelled in their homes and seeking shelter within his military enclave.

> *"…there was a lot of civilians outside my small tent wanting to get in because they were shelling the city about 2 thousand to 3 thousand bombs within a period of 36 hours. I decided to let them in the camp even though it was a small camp. And I was fully aware that as soon as I opened the door, I was responsible for their security, for their welfare, for everything that I had to provide in order to insure their safety. That was against a vehement "No!" from the UNHCR and the UNHQ. And I said, 'The hell with you guys', because they were telling me they were not refugees they were displaced people. And I told them I don't care, for when the bombs come in, it doesn't ask are you a refugee or displaced people. I said, within my conscience, I cannot let that happen, so we let them in and there was more than 1200 that eventually came in.*
>
> *"But a unique kind of problem because the UN runs this stuff, and I didn't get too much support from these guys and they remained for a few weeks in my camp which would fit about 250 people, we were at one point close to 2200. So we had breakfast in the morning and supper at night because that is all we could take care of."* (Scenario 10)

In this example, the commander recounted having made a quick decision and, despite the protestations of UN headquarters, he refused to stand by and watch the people seeking shelter be bombed in their homes. He felt morally compelled to help them. The moral intensity[11] of the situation influenced his decision to provide assistance. In efforts to stay consistent with their own values, participants often put their own welfare (and the long term consequences for their career) behind that of innocent people who needed their protection.

One soldier reflected that it was his very "*high values*" that came into conflict with an NDHQ decision to court-martial two of his subordinates acting under his command.

> *"I was a man you know sure of myself, sure of my values I was very conscious of my high values and I felt very comfortable. I felt that in any circumstance my values would guide me and they would never fail me and that one moment that my values failed me. One sense and the other ones in a sense that it didn't work because of my high values not, because in spite of my values I couldn't do anything, so that was surprise. Me, I thought when you have high values nothing can happen to you you're beyond all the shitty things that happening on the ground, maybe I was naive, probably, but that was a real test."* (Scenario 11)

Given the values that were important to him, he could not serve a system that would not support his operational decisions when he gave an order inconsistent with the expectations at NDHQ.

Attitudes also showed themselves to be significant influences on moral and ethical decision making. The following example conveys a participant's attitude towards people during an ethnic conflict that, willingly or not, likely shaped the interactions that he had with others. He stated:

> *"…for me, I always believed that in the (REGION), the only truth is the lie. And I considered every one of them a plant from the government to try and find out how the UN system works, to exploit it."* (P6)

Because his mission required him to move individuals out of the besieged city to safety, and he could only move a few at a time, he needed to create a list to determine the order of departure. His attitude, reflected in the above quotation, might have helped him to remain impartial to the

[11] Moral intensity will be further defined and elaborated in section 5.1.3.4.

selection process. However, in some instances, his compassion for others superseded his attitude when choosing who to take out of the besieged city.

Nevertheless, attitudes are an important factor influencing moral and ethical decision making, and therefore like values require further investigation in this context.

5.1.1.3 Moral development

Moral development can be understood as the process by which individuals form and sustain their moral and ethical position, principles, beliefs, etc., over time. Statements that described how participants' morality developed over time and as the result of life experience, through socialization processes or their "upbringing" were defined as indicative of moral development (rather than as the result of direct training as an adult).

In reflecting on the ethical decisions that they made in past operations, many participants expressed the importance of their upbringing and the impact this had on the development and maintenance of their own value systems and sense of self. In the following examples participants' views about how the ethics observed and promoted in the family and in general development played a significant role in their moral choices:

> *"I think it's how I was brought up, compassionate, you know, that kind of thing."* (Scenario 31)

> *"I suppose it's the upbringing…My mother…was very almost a saint to take care of seven young people with no money. She had some very simple principles. If you don't have the money, you don't buy. You had to work in order to get what is required, be honest, always tell the truth. I call that straight forward. I've been told that I'm very frank kind of, and I say, 'You should have met my mother!' So I suppose a lot comes from her the way she behaved herself for everything she did to raise us."* (P10)

One participant mentioned the connection between the values he had been taught as a child and those in the CF:

> *"I think it's both. You got to understand, I'm an adopted child. Also, my father was he was he had alcohol problems, but he had very high values. And when I went to RMC (Royal Military College) that was a very big event in my life because I think my own values match almost perfectly with the values that…RMC try to convey to its people at that time…from the beginning, I felt at home at RMC."* (P9)

Interestingly, when asked what prepared them for the moral choices that they confronted in operations, many participants believed it stemmed from their upbringing as opposed to training. They explained that they entered the CF with strong personal values that were enforced throughout their childhood and early adulthood.

One participant offered his account of how people come to have morals that help shape their moral thinking and conduct.

> *"I always think that people bring sort of three bags, three pieces of baggage to all this question. It's what you got on your mommy's knee and you learned at home, and then it's what you learned from school and other institutions, and then what you've been trained specifically to do. And I think Canadians, we were always pretty well equipped in that area. But some folks in the world don't have those three pieces of luggage, they may not even have one…*" (P7)

In some cases, it was easy to show that some participants' moral actions were based on Lawrence Kohlberg's (1977) conventional stage of moral development, where individuals' moral reasoning included avoiding the rejection and disapproval of others, adherence to laws and obligations, and fulfilment of their role as a soldier. For example, one soldier said that he imagined the Canadian media, the Canadian public, and even his children looking over his shoulder when reflecting about moral and ethical decision making in operations. In fact, he asked, "…*would my kids be ashamed of me, if I turn around and walked away? Darn right they would!"*

In other cases, participants showed evidence of other Kohlbergian stages of moral development. Participants explained that their moral and ethical decision making was guided by their interest in the well-being of others, their held belief of right and wrong, and their own personal conscience. For example, the Canadian Task Force Commander on an operation was guided by a strong commitment to the well-being of those Canadian families in his charge as well as his own belief of right and wrong. Another soldier explained that he was driven by his personal conscience in allowing people being shelled to enter his compound in direct opposition to his UN mandate (Scenario 10). These, and other examples, may indicate moral reasoning at Kohlberg's post-conventional stage, which suggests that individuals at this level act primarily from their honest interest in the well-being of others and their own sense of right and wrong and personal conscience.

An individual's moral development may continue throughout their lifetime, through a variety of social processes, such as the family, the CF, etc., and experiences, which influence moral and ethical decision making. However, as mentioned in the literature review (Thomson, Adams, & Sartori, 2005), much of Kohlberg's assumptions have been challenged. Indeed, commendable moral and ethical judgement and decision making may not be a reflection of what "stage" an individual is categorized. How this plays out in moral decisions in operations requires greater attention and further research.

5.1.1.4 Ethical ideology

In general, an ethical ideology refers to the ideas and principles that an individual adopts and uses to judge what is right and wrong and to act accordingly. In other words, as higher order principles, ethical ideologies provide people with a systematic means for justifying and guiding moral and ethical judgements and behaviour. Ethical ideologies arise out of extensive and ongoing philosophical debate, and typically enter our lives more often than not through subtle socialization processes, such as family, friends, community, religion, etc. However, the interpretation and subsequent behaviour does remain largely of the individual's making. An appeal to ethical ideology in decision making is desirable because it should ultimately assist individuals in challenging situations.

Within the interviews, although participants did not explicitly declare that specific ethical ideologies or formal systems informed their moral and ethical decisions, they did refer to ethical ideas, principles, and general concepts when describing their moral and ethical decisions in operations. For example, one participant described the moral and ethical choice he made in operations as one where the end justified the means. Through mission creep, he was providing fuel and food to help refugees and displaced people. He would distribute this through middlemen, who he assumed were taking some for themselves. According to Canadian bureaucratic procedure, any "*skimming*" was deemed unacceptable. Instead of getting on his "*high horse*", he chose to offer assistance to these middlemen even though he was almost certain that they were skimming for themselves because he saw the end (i.e. that people would receive food and fuel) as justifying the means (i.e. having to go through dishonest people who would skim some for themselves). He

furthered his position by explaining that *"…there is something higher than regulations. It's the greater good…if we only start following regulations, it is the end of the Army, or the Forces I should say."* (P1) In this case, ethical principles and ideas such as "the ends justify the means" and the "greater good" partly informed this participant's moral and ethical decision making in operations.

There were other examples where participants identified the greater good as the driving force behind their moral and ethical decision making and conduct. In describing a situation where he acted against his ROEs, a commander argued that he needed to do so in order to promote "*a greater good*".

> *"In (SPECIFIC AOR), I decided my professionalism, and XXX, and the chain of command, and the credibility of (SPECIFIC MISSION), was not more important than the lives of the people dying in the streets who were looking to us to protect them. And so that's what guided my…I reversed engineered, I called it a greater good."* (P5)

Faced with the choice of going against defined mission orders that offered little hope for alleviating the suffering that he witnessed, this commander chose to resist his orders, as he believed protecting the vulnerable was a higher form of good than following his ROEs.

Another participant description showed the importance of another ethical concept that played a role in a difficult ethical decision, namely impartiality. Reflecting on operations as a UN Military Assistant (UNMA), a participant charged with the responsibility of choosing who would make it out of a besieged city and who would not (potentially leaving them to die) emphasized the importance of remaining impartial (or neutral) as a UNMA. He explained:

> *"…I made sure that I was impartial…I kept track of the ethnic backgrounds of these people…I was trying to be fair with that stuff…"* (Scenario 31)

Another commented:

> *"If you said, 'we've got to help here', you did that that day. Sometimes you had to make concessions, and the concessions had to do with impartiality and keeping a little bit of balance…in (COUNTRY)…it wasn't only the (COMBATANT GROUP A) that had needs… (COMBATANT GROUP B) had needs as well…there were victims of war all over the place…If I focused all of my energies…on the (COMBATANT GROUP B) side, I would have had little or no cooperation coming from the (COMBATANT GROUP A) side. And if that happened, the level of threat of violence against my own soldiers would increase all that much more."* (Scenario 28)

Many ethical theories demand impartiality in order to guarantee a just or fair solution in a moral decision. In search of fairness then, the concept of impartiality seeks to prevent decisions that are informed by a specific property, such as a relationship. Clearly, some participants recognized how vital impartiality was for mission success where cooperation meant cooperation with more than one warring party, and used it to guide moral and ethical decision making in operations. In this sense, no one combatant group was favoured or treated better than the other.

Care as a custodial concept (i.e., looking out for those in your charge) was also an ethical ideology that seemed to have informed participants' moral and ethical decision making in operations. In the profession of arms in Canada, members have a responsibility to care for not only their subordinates but also their commanders. One example of the ethic of care involved a subordinate's choice not to tell his commander, who was over burdened by the demands of a mission that was plagued by

problems, that two of his leaders had broken his rule of prohibiting the use of alcohol in the Area of Responsibility (AOR).

> *"Everybody knew they had broken the general's rule, that they had drank, that they had over-consumed, that they were drunk the night before, they were in a leadership position. The question became the next day 'Do I tell the general?' when he was coming back. And I made the decision not to because these two individuals were his closest confidants, close to his rank level. They were his peers. They were the guys he bounced his ideas off of, who gave him moral support, he gave them moral support. And he leaned on them like a president would lean on the vice-president. It was a very close relationship. If I damaged that in any way, he had no replacements for those people. If I reported them, I would have put the CO in a position where he would have had to fire them. He would have to act, he would have had to fire them and he would have lost his two greatest advisors and his two greatest…support…real close support you get from peers. You can get it from subordinates all the time, you can even get it from a superior, but it is the peer support…so I made the decision not to tell him."* (Scenario 5)

Although of a very different nature than many of the other dilemmas that participants provided, this participant's need to reconcile his responsibility to report infractions of his commander's rules versus the need to care for his commander by protecting his social supports represented a very real dilemma for this participant. In fact, this example demonstrates that a just decision does not have to be "blind". In some situations, therefore, it is necessary to digress from the precept of impartiality, taking into account other variables, such as care and the nature of the relationship and the situation. In fact, this example puts into question the validity of impartiality in moral and ethical decision making.

So though participants did not often identity specific ethical theories as guiding their ethical decisions, there was clear evidence of ethical concepts and principles guiding their difficult moral and ethical decisions.

5.1.1.5 Emotion

Emotions are defined as affective aspects of consciousness or states of feeling (Merriam Webster, 1983) with respect to specific phenomena. There was good evidence of emotions having impacted on moral and ethical decision making, and emotions were clear in several dilemma descriptions. One commander reflected on the stress and pressure of the moral decision he had to make with respect to court-martialling a friend for disobeying his direct orders and counsel. He explained:

> *"I ran into a moral dilemma, but it's only easy because I stayed consistent. One of my (SUBORDINATES) though, had made a decision which was contrary to direction I provided him, written direction, and he was developing pro (COMABATANT GROUP A) biases. And I had already counseled him and tried to bring him in on line with this and, without advising me, he had deployed a bunch of soldiers into an area to do a protection task for a totally non-operational reason, and needlessly put soldiers lives at risk, and put them in an immediate zone of danger…The decision was easy, this had to be done. I didn't sleep well for a couple of nights for deciding how I was going to deal with him because of all the ramifications."* (Scenario 4)

This punitive action against a friend to preserve discipline and order within the group outlined above generated much internal conflict for the soldier. He admitted that he had lost sleep over the

decision, despite the fact that the rightness of it was clear to him. In fact, it led to a lot of distress and regret at the time of decision making and at the post-decisional phase.

Emotions such as betrayal, regret, compassion, care, and benevolence, etc. are often called moral emotions, as they are more likely to stimulate moral thought and reasoning. Several participants noted the role of moral emotions on their ethical decision making. In fact, in some cases, these emotions seem to have played a significant role in guiding decisions in operations. For example, describing the limited resources available to him and the struggle to decide which vulnerable people to protect in his AOR, one participant noted that the choice was ultimately based on emotion and on his need to protect vulnerable townspeople. He recalled:

> *"It was their level of defenselessness against violence – hoodlums and murders and robberies and beatings and…So I guess it's wherever your heart drove you."* (Scenario 28)

Another participant shared how a deep sense of betrayal and regret was invoked by his perceived inability to protect the soldiers under him from what he perceived as an unjust "*system*".

> *"I was really, really sorry…and pissed off because (LOWER RANK NCOs) got it all. They paid for something that was beyond them…I felt very, very bad about it… You know what's worse than being shot by the enemy? It's being shot in the back by your own people. And that's exactly how I felt…you expect …your nation, your people to back you up when anything happens…"* (Scenario 11)

As a consequence, the feeling of betrayal drove this soldier's decision to quit the CF. He expressed the feelings of regret that his soldiers, under his charge and implicit promise to care for them, were the victims of what he interpreted to be an over reactive NDHQ.

Another participant recalled with strong emotion a conversation with a mayor whose city had been protected, but which now faced danger because of the UN order for the participant to pull resources away from the city. Recalling an earlier conversation with the mayor in which he promised the city would always be protected, he noted that these words continue to haunt him:

> *"… At one point when we decided we had an unsustainable level of troops in (CITY IN AOR) that were required somewhere else I had to pull them out…And I had to negotiate with the mayor of (PRIMARY CITY OF AOR)…it becomes an emotional issue. There are all kinds of threats. There are all kinds of directions…I remember telling him one day, these are words that are going to stay seared in my brain until the day I die, 'The UN will never abandon you.' And I really believed it…"* (Scenario 29)

In this case, strong emotion (deriving from a previous promise) accompanied a very difficult decision to obey his orders and leave the town vulnerable to belligerents.

When asked about the role of emotions in ethical decision making in general, one participant gave a balanced response. He believed that emotions should be controlled, especially in the case of an officer, but not at the risk of hiding his or her "*humanity*" from subordinates.

> *"First of all, emotions are a fact of life. If there is no emotion that means we are not human…I would believe. But it is a balance. A soldier, again generic CF, but especially an officer, a leader, a leader must control his or her emotions. If that leader cannot control his or her emotions that person is putting himself, more importantly his subordinates or her subordinates at risk; because emotions may play a too important part in the decision-making process. And there's nothing new to what I am saying, but at the same time, especially a leader who controls too much of his emotion. I was always told of the Brits*

stiff upper lip. And there is nothing wrong with that, but too much of the Brits stiff upper lip brings out, sorry, hides the humanity of the leader. And in tough times, I think subordinates are looking for a leader who shows a bit of humanity. So, if I could use a term emotions in lower-case, when there is a tough situation there are things that aren't going right and wrong and you have your subordinates, close subordinates, I think there is nothing wrong in showing how you feel. I think you should because they see you, the true you, they see you as a human being. And probably you will get the same feeling from them. If you share your own feelings, probably your subordinate will share their own feelings. I think there has to be a sharing of emotions in the close group, but at the same time a leader has to control his or her emotions." (P1)

As such, although endorsing the importance of emotions, this commander also seemed to subscribe to the common view that too much emotion has the potential to undermine a reasonable response to the situation.

5.1.1.6 Personal responsibility

Personal responsibility refers to the degree to which a person has an obligation to behave in a certain way, often as a result of the role they assume or because of their self-identity, and has a motive to fulfil such a responsibility. Personal responsibility includes the belief that an individual must independently make a moral judgement, act in accordance or discordance with that judgement, and take blame or credit for the outcome. It is the belief that one is accountable, as a moral agent, for the choices and outcomes of moral and ethical decision making.

Given that the participants were senior leaders, personal responsibility was often correlated with their role, such as an UNMO, a UN Force Commander, etc., and this sense of personal responsibility directly impacted their interpretation of the moral issue and their desire to address it. As one participant explained:

> *"…I was the force commander…I was accountable for the outcome of the mission…you have the responsibility to your people who belong to the mission, the reputation of the UN, and the reputation of contributing nations."* (P2)

The personal responsibility that derives from being a force commander in part motivated his decision to challenge higher authority.

Some participants argued that the personal responsibility they felt toward their subordinates directed their moral decisions. For example, one participant explained he had made an implicit promise to protect those in his charge. When this had fallen short, it was reason to "*quit the army*".

> *"…to know you are responsible in the end even for their lives or their death, you know, you put men and women in harms way that is a very big decision and you have to live with it…I failed my men, and I assumed the consequences. I quit the army. That was my whole life…"* (Scenario 11)

Several participants reported that their personal sense of responsibility for the welfare of their troops prevented them from sending them into harm's way when the risk was extreme. One soldier explained a situation where as the senior UNMO he took personal responsibility for the "*sit reps*" demanded by UN NDHQ. He explained that fulfilling the requests required them "*to go across these bridges that were under sniper fire*". Under these extreme conditions, partially motivated by a sense of personal responsibility to those in his charge, he said that he "*didn't ask the other guys*

to go out and do any patrols" (Scenario 25). Indeed, he chose to risk his life over others. Similarly, another participant said:

> *"…I found it hard to let people go and take a particular extreme risk without being involved in it myself."* (Scenario 8)

In the preceding instances, participants demonstrated how the roles they assumed invoked a deep sense of personal responsibility and interpretation of the moral issue. This in turn guided their moral behaviour. Given that self-identity is partly constructed by the roles that one adopts, this implies there is also a strong relationship between self-identity and personal responsibility.

A couple of soldiers also mentioned the solitary nature of personal responsibility in making ethical decisions. One stated:

> *"…there was nobody else to take the blame. Nobody else to fall back on. If it worked, it was with me. If it didn't, it was with me."* (Scenario 31)

Another said:

> *"You're the guy that's going to be down there on the spot, judging the situation. You got to make the decision whether you can take the risk or not take the risk."* (Scenario 30)

A strong sense of personal responsibility is also palpable in the story of the participant removing people from the besieged city.

> *"But you know everyone of these people that I moved was looked upon as a life in my hand. I used to wait, a little moment here, I remember I used to put them in…like when we used to go to the airplanes, the fire trucks are all steel-plated, and they would move along with me because the snipers would try to shoot all them first. The first ones going to the planes were always the ones trying to get tagged. And so you would, PING, hear the 50 calibre hit the other side of the fire truck. And so you would run! And it's like this moment of madness – it's about three seconds I think, sounds like an hour. And you get them in there and then I would go back behind a bunker. And then I would watch the plane and as soon as, the planes would always take off this <gesture>, they would scream right up to get out of the hand-held anti-aircraft range. I used to watch them until I lost sight of them and then I was happy. Then I would go back home, prepare for the next one, pound down a whole bunch of drinks and then work on the next gang. Never had any regrets, but I sure didn't know why me and…I didn't like it. It was a great responsibility, I didn't like it but I realized it was working and I was proud of that stuff…"* (P6)

This powerful description of this individual's personal sense of responsibility clearly illustrates the solitude of his position, and the precariousness of his position. What is striking in these accounts is the acceptance of this sense of responsibility. Of course, this factor is closely related to the issue of moral intensity, as the recognition of the situation likely drove the decision making processes. In any event, personal responsibility certainly influenced individuals' construal of the moral issue, and may have motivated them to moral action.

5.1.1.7 Summary of person-based factors

As outlined above, many person-based factors are likely to impact moral and ethical decision making. More specifically, phenomenological accounts of moral dilemmas that participants faced in operations, revealed self-identity, values and attitudes, moral development, ethical ideology and emotions as significant impacts in the process. Preceding examples showed that in some cases,

these variables shaped the construal of the moral issue; while in other cases, they guided the practical resolution of the dilemma.

5.1.2 Contextual Factors

Contextual factors can be understood as the backdrop for moral and ethical decision making. Within the interviews, several contextual factors such as organizational factors, societal norms and values, military training and experience, the type of mission, and the culture of the mission location emerged. The following section explores several contextual factors noted throughout the interviews to impact on ethical decision making and provides participant examples.

5.1.2.1 Organizational culture

According to Edgar Schein (1992; cited in English, 2004, p. 18), organizational culture can be understood as "a pattern of shared assumptions that the group learned as it solved its problems of external adaptation and internal integration, that worked well enough to be considered valid and, therefore to be taught to new members as the correct way to perceive, think, and feel in relation to these problems." If the people that work within an organization have basic assumptions that are consistent with the organization's espoused values, these values will be embodied and manifested in behaviour with a higher degree of congruency. Moreover, these basic assumptions might vary according to the many different elements of the CF, for example, regimental culture.

In some cases, participants articulated dilemmas that arose from a perceived lack of congruence between what they believed were the espoused values of the CF and actual organizational behaviour. For example, one soldier thought that the loyalty and responsibility of the CF as an organization for its members, documented in *Duty with Honour*, remained unfulfilled. He explained:

> *"I got tired of what we say we are doing versus what real behaviour goes on…statements how people are our most important asset and what I see around me says that is not the case whatsoever… the married quarters that we have for our soldiers… in (CANADIAN CITY)…are decrepit…but we expect our soldiers to live in with their families…when our soldiers return from missions in terms of them follow up to what we can do versus what we are actually doing. What we are…band-aid activities versus real sustainable concerned care…if we don't go into operations, then there's no sense wearing the uniform, which right now about…30% of our people…can't deploy for operations – not physically, not mentally, not emotionally ready to go that trend is going up…so what you see is the continual great ideas, change agenda, things like that, will transform, are words but all of it falls back down onto our soldiers…So after XX years you get tired of that, it gets worse as we get higher."* (Scenario 24)

For him, a career soldier, the organizational culture was not fulfilling its obligation to its members. He could no longer live with the inconsistency between the espoused values and what Pedersen and Sorensen (1989; cited in English, 2004) refer to as "values-in-use". In effect, he made a difficult ethical decision, and chose to remain consistent with his own personal values, and to discontinue his service to the CF.

On the other hand, another participant chose to remain in the army, despite that fact that he too recognized the incongruence between espoused values and values-in-use. He stated:

> *"…we talk about quality of life and providing for our soldiers and it's getting no better in the units. In fact, the troops are getting demoralized. The only thing keeping me in now is I don't want to appear to the young troops that I am bailing out on them – there's still a voice there."* (P5)

He also questioned the loyalty of the organization. Again, speaking about the inconsistency that he perceived between the CF's code of ethics and actual CF practice, he explained how this ultimately places service members like himself in dilemmas regarding their loyalty to the service.

> *"You look at our so called code of ethics and it really doesn't guide moral reasoning at all, as far as I'm concerned. It's a list of buzz words. The one that really pisses me off is the way they write up the loyalty part of it, where it's loyalty to 'the system'. What that's saying is, 'Shut the fuck up and tow the party line.' When we do this once a year ethics thing, I am vehemently opposed to that."* (Scenario 25)

This commander was critical of blind acceptance and loyalty to "*the system*", even if it was not necessarily in support of a truly ethical decision. Like the previous description, he believed that the CF was not adequately supporting its personnel in operations and afterwards. He later continued:

> *"As a warrior, I can work with politicians or whatever, unless of course they are not working for the greater good…they've got to be honest with us also. There is so much blind kiss-assing to the chain of command and certainly our politicians, that as far as I'm concerned is grossly unethical. We are dismantling the army, and we've got all these young soldiers who joined to be all they can be, and because we are chasing political imperatives, and we're building headquarters and the size of the land staff for example in the face of fiscal constraints and soldiers being cut and pasted around and the family turmoil, we're building bigger headquarters because at one point of time, the chief of land staff, general XXXX, had been embarrassed because he didn't have the answer for the minister – big shit, eh?"* (P5)

Another participant also reflected this tension regarding loyalty. He commented:

> "*Well I suppose what pissed me off I eluded to it in the beginning, you do the people on top and the people on the bottom its nice I mean to at least cover your eyes you're going to like all those nice things and that the way we go but they don't apply it to themselves or they apply it and we do not take to account the orders of direction of the unit of the people. I have always felt that loyalty was a two way street and I felt that my loyalties should be more toward the people who work for me and that goes against a lot of senior officers they feel it should be the contrary but where I come from, because I'm nothing if I don't have, if I don't have the support of those guys, so I owe them my whole loyalty. Because it's a sickness. It's more a series of things that has to done. It's not word. It's your actions. You can speak all you want, if you do the contrary…There are a lot of people that do it."* (P10)

Several participants' ethical dilemmas stemmed directly from their belief that they had made a correct decision that was not supported by higher levels in the chain of command within the CF. One soldier faced a dilemma whereby, as commander, he believed he could no longer protect the men in his charge as the result of a previous incident in which his command had been questioned, and two of his men were charged in response to what he saw as political sensitivities in Ottawa. Rather than accept another command, he decided that it would be more ethical to quit the CF. He reported:

> *"…it came to a point I said to my (CHILD), I might go back actually if I stayed in the military the chances are I would have gone back to a mission and I just couldn't live with this contradiction where I have to give an order to shoot a weapon and at the same time I know if anything happens to this poor chap there is nothing I can do about it. There is nothing I can do about it."* (P9)

In this sense, adhering to military norms, such as fighting spirit, appeared contrary to the organizational culture. Because norms help increase the overall functioning of the organization, the inability to act in accordance with these have the potential to negatively impact mission success and a soldier's sense of self. For example, participants reflected the "*gun shy*" culture espoused by NDHQ as conflicting with both their perceptions of a soldier and as members of a country that endorses human rights. One participant explained that it was very difficult to balance military ethos and functional norms with an organizational culture that seemed to counter these. He spoke of the impact that a "*gun shy*" culture had on his subordinates in matters of self-defence and engagement:

> *"It took a long time to instill in my soldiers, that if somebody threatened them, if they were fired upon, they were to return fire and they were to kill whoever it is that they were firing upon. They weren't there to ask them to stop or to do anything else. They were to do what they were trained to do. It took a while for them to do that. There was always sort of an impression with them that they weren't to act aggressively or something like that because as a force we didn't do that, we acted passively."* (Scenario 33)

With great effort, he helped his subordinates recognize when they were in fact entitled to fire their weapons, which meant in some ways re-socializing within the mission. After all, a fighting spirit, which demands that soldiers commit themselves to the mission and "act decisively", is a fundamental belief and expectation of Canadian soldiers (*Duty with Honour,* 2003).

In the preceding examples, organizational culture conflicted with participants' personal values and sense of right and wrong. Throughout the interviews, there was a noticeable disconnect between what participants perceived their role to be as moral and ethical people (and the expectations and norms that come with that) and the organizational culture within the CF.

However, CF culture was not the only source of disjunction. In some cases, the highly politicised culture at the UN encumbered moral and ethical decision making. One participant explained:

> *"…the Security Council mandate is always a compromise, and that's what we had because two of the five permanent members who had a veto right were threatening to veto the mission, (2 COUNTRIES)…We ended up with a compromise of wording…so that's reality with working with the UN. You will never have a clear, precise and powerful enough mandate."* (P2)

In effect, the compromised mandate forced the soldier into an ethical dilemma, where he had to choose whether to go into an operation with an inadequate mandate (perhaps failing at his mission) or to stand by his principles and to ask to be relieved of command if the mandate did not change. As such, participants were influenced by the culture within their own organizations as well as within the other organizations that they represented. Organizational culture placed participants into many ethical dilemmas and remains a critical variable in understanding this phenomenon.

It is important to point out, however, that the impact of organizational culture was not always negative. Many participants were unable to separate the impact of their leadership training on their ethical decisions from the more informal socialization and culture of the CF that shaped them as both decision makers and as individuals.

> *"I don't think I can separate it from the overall leadership training that I had. I wasn't into studying the Defence Ethics Program or anything and it wasn't…you know, I had the training, the normal encapsulated training that's provided to any officer that is going through. I discussed at length moral and ethical decisions (CANADIAN SOCIAL INSTITUTION) when I was teaching and people who were teaching me did exactly the same thing. We didn't neatly package, there wasn't a sort of neatly packaged up per say, but it was introduced in all operations and decision making."* (P3)

Even the indirect training and more informal socialization process within the CF helped to foster moral and ethical decision making.

Moreover, despite the ethical challenges that participants faced because of the disjunction between the organizational culture and their own personal values and sense of right and wrong, there were clear indications that regimental culture (a small subset of organizational culture) helped guide individual's moral and ethical decision making. For example, one participant reflected the significance of regimental values, regimental history, and role models when making moral and ethical decisions in operations.

> *"I think the values that…played* [out] *the most, were not Canadian values…Personal values and Canadian values were probably key in guiding me through atypical dilemmas. However, the more a particular dilemma was of a military mission nature, the more I was guided by the values instilled in me by my regiment and the example of previous commanders when you take command of a unit in my regiment, the key point of all, is when the outgoing CO gives you the colours…which are embroidered the battle honours of the regiment. And the new CO says 'I will defend them with honour' in front of all the assembled veterans and troops. Then when you take that on, you kind of say, 'Not on my watch. We're going to do this. Whatever it may be, we are going to do it with honour.' And I think that weighs a lot…that sense of responsibility with the traditions of those who have been before, the example of those you have known, combined with the overall mission,* [is] *a big, big influence."* (P12)

This suggests that the values that guided moral and ethical decision making in operations were often a consequence of values instilled at the regimental level, and not just from the organizational or national level. These regimental values seemed to have merged with this soldier's self-identity and influenced his desire to accomplish the mission. For this soldier, regimental culture seemed to be a means of identifying who he was and what approach he should take when confronted with ethical dilemmas. As such, regimental culture translated into "*a fierce kind of pride in the regiment [that] will drive the CO to certain things...the kind of thing that makes you do things.*" This is not to say, of course, that participants did not also act on behalf of CF or broader Canadian values. It does, however, point out the significance of the regimental culture and the impact of its narratives and symbols on the basic assumptions underlying moral and ethical decision making. Similarly, considering his decision to confront his CO about his "*lack of leadership*", another participant recalled, "*regimental pride and values certainly were very strong*". Clearly, regimental culture played a fundamental role in defining commanders' ethical decision making and conduct.

Organizations like the CF have unique cultures, and as Allen English (2004, p. 14) holds, this is "critically important in understanding how all organizations work". Within these interviews, there was clear evidence of organizational culture both creating ethical dilemmas for individuals as well as guiding their ethical reasoning and conduct in positive ways. In order to achieve organizational aims, organizations need to shape and guide individuals' thought processes and conduct through

stated fundamental imperatives for the profession of arms and through implicit military ethos that are embodied in all forms of organizational activities and training.

5.1.2.2 Military training

Military training can be understood as either formal or informal training. Formal examples of training would include workshops training ethics, courses provided during leadership training (e.g. at CFC, etc.). Informal training includes indoctrination and socialization processes, i.e., understanding, adopting, and exercising codes of conduct on a daily basis.

Participants varied in terms of how well they felt that their training had prepared them for the ethical decisions that they would have to make during operations. One participant explained that he had learned "*operational art*" while attending the "*higher Command and Staff course*" in the UK. It was his perception that the very concept of operations that he learned there distinguished him from those at the operational level in Ottawa, thereby putting him in a better position to draft the ROEs, despite the moral dilemma that ensued. Similarly, several other participants also endorsed the importance of formal training such as that received during leadership training (e.g. at Canadian Forces College) as having helped them to focus their own thinking more clearly on ethical issues.

Other participants indicated that their training did not prepare them enough for making ethical decisions. For example, one participant described how military training, though extensive, does not necessarily prepare military personnel for the difficult moral and ethical decision making that they must undergo. He admitted:

> *"I was in my twenty-fourth year of service. This was my first mission. This was the first time I had ever done anything like this in my life."* (P6)

Another soldier echoed how unprepared he was to face the horrors in operations, despite positive military training.

> *"The other thing is…crisis situations – awful things. We can create stress here in terms of high intense situations that need quick resolutions from leaders. So you create a high stress event, which requires a minimum time solution. This is artificial. We can create that. What's more difficult to create is a situation where the individual basically sees awful things. We train our soldiers to do lots of things including combat ops and one of the things of combat ops is killing people. By the same time, the sight of seeing gory bodies, whether it is the enemy or your own, seeing the awful side of humanity…this is something that we are not well acquainted because we live in Canada and it is very hard to simulate in training. So when you're dealing with that type of circumstance. And I'm thinking of the people that mainly went to (COUNTRY). Where you* [are] *seeing killings, innocents, children, women, etc, etc…that takes a toll on you. So its not just the fact of being able make quick decision, ethical decisions, its able to operate and have the stress level in an environment where humanity is not the way we know it in Canada. That's another thing."* (P4)

He further commented that there was currently no adequate training to prepare CF personnel for the difficult harm dilemmas they inevitably face in operations. He stated:

> *"We don't have methodologies for doing that from our ethics training. We're taught right and wrong…What do you do when you're caught in situations where it's wrong-wrong, bad-bad, that no matter what you decide to do, somebody is going to get hurt, somebody is going to get killed. Bad things are going to happen. And that really puts you in a dilemma,*

> *and builds up an incredible amount of stress both then and of course after the mission. There's a delayed reaction. And that's what we need to start addressing in ethics training. We've got to put people not into these right and wrong situations, but wrong and wrong situation, and try to come up with some sort of mechanism or methodology…that you could work your way through those…It exacts a horrendous toll on them psychologically at the time and later."* (P4)

According to this participant, training must include having mechanisms in place to cope with the outcome of the dilemmas. This, of course, is not limited to harm dilemmas. As we will show later, integrated in the process of working through a moral and ethical dilemma, and making a moral and ethical decision, is learning how to live with the outcomes of that decision. Residual feelings of guilt and anguish often impact long after the fact.

While the amount and kind of military training that personnel receive likely influences their ability to resolve moral and ethical dilemmas, it is clear that at least some respondents felt that current CF training did not fully prepare them for the nature of the decisions they had to make.

5.1.2.3 Social norms and values

Moral and ethical decisions are formed by a culture's norms and values, routines and scripts, and rules and procedures that shape individuals' thinking, behaviour, and interactions with others, which are observable in a given society (Peterson, Miranda, Smith & Haskell, 2003). As such, an individual's moral decisions must also be understood in relation to normative institutions, such as a society's legal system, constitutional rights, values, etc. Regardless of where they are deployed, CF personnel must comply with the norms and values of the society for whom they serve. And yet, assessing moral issues and having to make moral decisions while on the ground in operations will be impacted by Canadian social and cultural norms and values, either intentionally or unintentionally, which may lead to tough conflictual moral decisions.

A few participants were quite forthcoming with their opinions regarding Canadian values in comparison to other nations, and how these help moral and ethical decision making. For example, after declaring himself "*a Canadian nationalist*", one soldier continued to explain:

> *"…I believe that we have good values as Canadians. I do not believe that our values are American values. I believe that we are different from Americans and we have different values from Americans. As such, I have no problem when I go on operations speaking and acting in accordance with Canadian values and not compromising them…because it is done locally…"* (P4)

The same soldier explained that Canadian values guided his moral and ethical decision making in operations. Speaking directly about resolving an ethical dilemma, the same participant revealed how Canadian values have been internalized into his sense of self, and these helped him bear the burden of tough moral decisions. He explained:

> *"You studied the situation as rapidly as you can…you're guided by your Canadian values, you make your decision, your ethical decision, and then you live with it…"* (Scenario 30)

Further, he described a situation where there was a potential to adopt the social norms of a host country, thereby relinquishing Canadian values. He warned of the temptation to go "*native*"[12] when CF personnel are deployed, adopting strategies and looser morals of the host country.

> *"You're setting up a feeding station, it is common in the third world the security force pick up switches and will whack people into line to maintain control at the feeding station because people that are starving, that are dying of thirst, whose family members dying are very desperate and will rush the truck and grab the water and food and take as much as they can for themselves not thinking about the group. Therefore, you can lose control and you can have your supplies looted. It is very common; you'll see local police pick up a switch and even UN peacekeepers from other nations to pick up a switch to maintain order and discipline and ensuring people everyone will get their chance. I couldn't do that as a Canadian – I couldn't pick up a switch and start lashing some woman who is trying to get food for someone."* (P4)

Resisting the temptation to adopt the local attitude to crowd control, this participant recognized that social norms and behaviours in play in overseas mission sometimes ran counter to Canadian social norms, and emphasized the need to reflect and stay consistent with Canadian norms and values regarding the treatment of people.

Even when in different cultures, several participants noted the importance of ensuring that their ethical decisions were in accordance with Canadian norms and values, while still maintaining their own personal sense of right and wrong. For example, asked by his commander to act on information about a local person being a crook with only hearsay evidence, one participant responded to his commander as follows:

> *"…when I wrote back to General XXXX, I said, 'I respectfully decline to implement your order at this time owing to the fact that the military police report was very faulty; it contains hearsay evidence… rumour, and were I to act on it, I would be behaving in a manner that is sort of the antithesis of what the UN stands for.' Those types of words. And he called me back and he said, 'Yeah I agree. I am sorry, I agree with you completely.' But, I guess maybe if I would have been from an Eastern block country or someplace where I don't have the tradition of Canadian justice and law and order, I suppose I would have carried this out. And this fellow would have been unjustly fired. His family, his livelihood would be gone, plus some other things like, you know."* (P7)

His ethical decision not to act on this information arose from his knowledge of what the probable consequences of his action would be for the local person and from Canadian standards for evidence. Given the lack of evidence, he could not justify following this order. Describing the behaviour of an officer from another country sending bricks back to his country to build a house for himself, the same soldier revealed the cultural relativity in ethical issues.

> *"And when you think, when you think of say a Canadian doing that…well no, I don't think there is a Canadian who would steal bricks or an American or somebody from the First World. But when you think of these people from the Third World, who come, they come from a place that is in worse shape than this broken down country that you are in. The idea of taking what, you know, which apparently doesn't belong to anyone, well they probably don't think that is very wrong…it's survival, you know. So, aren't we good because we*

[12] A term he disliked because of the negative connotations.

don't steal bricks? Well, gees, yeah we're great guys. We don't steal bricks. Well, really it's not really in the equation is it? So I always thought we came to these missions with a lot of good baggage just to begin with and we need not break our arms patting ourselves on the back. That's the way you are. I mean, you can't act any other way even if you wanted because that's what's inside you." (P7)

This suggests that ethical behaviour needs to be understood within a larger context to include the fact that entrenched social norms and values are actively implicated in ethical decisions. The preceding example also illuminates the cultural understanding and sensitivity that is required not just in peacekeeping missions, but in any multinational operation.

Another participant reported how Canadian values share similarities to those sanctioned by the UN, such as respecting all human beings. As such, he believed that his role in operations should uphold these principles and values, even if it meant diverging from NDHQ bureaucratic decision making. He stated:

"This was a society where they would gather around a woman that has done adultery, and they would start throwing rocks and kill her…

"…in your mind, as a senior commander, you must be able to relate everything you do with the values for which this country stands for…Legal or illegal…the right to use lethal force to protect any human being, no one will ever tell you it is illegal to do so, I know…Because what you are doing you were defending principles and values to which Canada has abided by being a member nation of the UN." (Scenario 2)

These values shaped his construal of the issue from a legal perspective to a moral perspective. Emulating the values that he believed Canada and the UN endorses took precedence over the fear of any legal reprisals, which might have arisen from permitting his soldiers to use lethal force to protect someone who is being stoned, and thereby disobeying NDHQ directives.

In some cases, mere descriptions of the culture and its people helped provide the context in which the moral and ethical dilemma arose. For some participants, being immersed in countries outside of Canada that espoused different values raised their awareness to general moral issues and injustices around the world. The following quotes illustrated the desperation that some people outside Canadian borders had:

"I seen these people, 'cause they are hungry, 'cause they are so poor they have done things I never thought was possible by human beings. They would run over barbed wire almost unscratched. It amazed me. But they were kids. They were poor. They were hungry. They were there [on the Canadian Force's base] *to get anything, grab anything they could sell…"* (Scenario 11)

"Something we saw on a daily basis, what were called at the time, are still called, 'Go-Fasts'…It's what we consider a fishing boat, maybe twenty feet long, outboard motor, and we would have a motor, tank of gas, oars, lifejackets, lights, in those boats. They would have a tank or two of gas, motor, no lifejackets, no oars, no lights, no communications, no first aid, no nothing; just a guy, motor, and twenty-five of these (PEOPLE OF TWO SPECIFIC NATIONALITIES) squatting down in the bottom of the boat. And they would have, each guy would have a little bottle of water, many of them had no hats, many of them had their possessions in a little green garbage bag…These are people, very, very poor people…they would set out first thing in the morning and they would try to get over to either Oman or the UAE. If they could get into the UAE, they could find work…It was not uncommon to encounter

these boats either empty or flipped over because…all the super tanker traffic goes in and out of there…that was a bit of an ethical issue that there was no resolution to…" (Scenario 16)

These scenes, and others like them, sometimes invoked in CF personnel the recognition of moral issues, and provided the context in which operations unfolded and moral and ethical decision making occurred. As one soldier stated:

> *"I guess it's a delta between our values and the values of the region you're operating in. If it's just some cultural issue its not that bad, but I guess the extreme is in a region, country, area where life is not valued. Life is premium here, in, I'd say in Western world and I'm being very generic here. But if you go somewhere where life is not as sacred, well that immediately creates a challenge for the individual."* (P1)

The existing local cultures (within multinational operations) will continuously challenge Canadian soldiers' value systems, and hence their moral and ethical decision making. The culture active in theatre may or may not be congruent with one's own culture. Reflecting on his tour, one participant warned of the potential to compromise one's own values because the people in the conflict have killed women and children. He explained "*when you get closer to the beast, you become a beast yourself…and that's when your values will be very, very important*". It is vital, therefore, to instill strong values because CF personnel will find themselves in situations where the potential to compromise them is increased. This is perhaps more critical if moral conduct stems from culturally embedded norms and values that are largely operating at an intuitive level where "checks and balances" may not often emerge as often rather than at a conscious level.

However, social norms and values can also operate against an individual's belief system and sense of right and wrong, generating moral dilemmas. For example, one participant spoke of the difficulty in maintaining unit cohesion in the current CF given that it reflects current Canadian societal norms of being an "*employer of choice*".

> *"…it used to be service before self, and now it* [is] *almost the opposite… there are lots of programs now meant to make sure that we are an employer of choice, but an 'employer of choice' for the individual as opposed to the employer of choice for unit cohesion …"* (Scenario 13)

He believed the fundamental shift in favour of the individual over the unit threatened army culture and how the Army does business. In this case, societal norms and values conflicted with this soldier's interpretation of military values. It underscores the fact that, on the one hand, societal norms and values can be used to steer moral and ethical decision making. But, on the other hand, social norms and values can also be inconsistent with the values embraced in one's perception of military ethos. Prioritizing individual rights over group rights is one of the foundations of Canadian society. However, the military may be more appropriately understood as a collectivist culture where members orient themselves toward shared goods and group goals. In this sense, individual preferences are typically suppressed for the group.

As these examples attest, social norms and values played out in several ways in the moral and ethical decisions that interviewees had to make. These norms and values seemed to create moral dilemmas as well as influencing how these dilemmas, once experienced, were resolved.

5.1.2.4 Mission type

Today, CF personnel find themselves in very different conflicts than in the past. CF personnel rarely engage in full blown conventional warfighting, but are often tasked to keep a fragile peace or

ensure humanitarian needs are met. As frequent peacekeepers, Canadian soldiers often have more restrictive powers regarding lethal force. Furthermore, the CF is often apart of an international effort lead by external organizations, such as NATO or UN. The mission type will define the purpose of intervention and the associated roles and expectations as well as influence moral and ethical decision making.

One soldier explained that his mission orders included "*Rescue Operations*", where he was "*given a certain amount of assets that varied day-by-day*", for example, "*2 APC, 4 military observer teams,*" and he had to "*pick-up*" people and "*bring them to safe havens*". This lead to extremely challenging moral and ethical decisions regarding who he was going to attempt to rescue, given that he had to move through a hostile war zone that included road blocks, drunk and violent belligerents, and a high probability of failure.

Different types of missions seem to vary in the clarity of the mission mandate. For some participants, unclear mandates invoked moral and ethical dilemmas. As one participant explained, he often had difficulty coming to terms with what his mission really was.

> *"…I remember obtaining a copy of Security Council Resolution XX…the (DATE AND YEAR) It's the one that appears to give UNPROFOR the authority and mandate to protect the enclave…My question was, to what extent do we stop an incursion into the enclave?…The mission was very grey…I think that I was part of a situation that I didn't fully understand because it was a strategic issue of placing people in impossible situations without providing the means to fulfil the expectations of the mandate."* (Scenario 29)

Consequently, he was unable to fulfil an explicit promise that he had made to the mayor of the particular enclave that the UN would "*never abandon*" the mayor's city.

It is important to understand the unique moral choices that arise in new asymmetrical conflicts. These conflicts, by definition, often involve working with ambiguous and shifting mandates to ensure the safety of as many innocent people as possible. This, some participants argued, presents new challenges that have yet to be fully addressed by training:

> *"In the past I would say probably without putting too much giving too much credit to officers were more used to deal with chaos whereas our RCM's were more trained and they were more informal also to have there was no grey area. So you must give an order that was black or white. And now everything is grey or shades of grey and various shades. So its an interesting, its an interesting dilemma because once again you must train your people now to make sure they maintain a high degree of confidence in the chain of command despite all those shades of grey and you must make sure also that they abide by the rules …"* (P8)

The ability to cope with these "*shades of grey*" was noted as a current challenge resulting from the increasingly multidimensional nature of military operations. The paradigm of the 3 block war, for example, argues that military personnel are increasingly being placed into operations that require very diverse roles within the same operation. As such, in one block, humanitarian efforts are ongoing. In another, warfighting with terrorists may be occurring, with diplomatic efforts to find a resolution to this conflict occurring close by. The nature of today's military operations presents very real challenges to military personnel, and this suggests that moral and ethical decision makers will continue to be faced with decisions where the best answer is neither black nor white, but rather grey.

5.1.2.5 Rules of Engagement (ROEs)

Perhaps the most consistent influence on moral and ethical decision making were rules of engagement. ROEs seemed to both create ethical dilemmas and help decide one's course of action. One of the most challenging issues noted by participants occurred when multiple ROEs were in play. For example, one commander noted that Canadian ROEs were more restrictive than those held by other nations for the same mission. Being bound to Canadian ROEs proved to be a dilemma for him. He stated:

> *"…in some cases the Canadian rules of engagement were more stringent. So for the Canadian battalion they had to follow these set of rules; the (ANOTHER COUNTRY) could follow this set of rules. But when I gave the (ANOTHER COUNTRY) something to do, an order to do something, I couldn't give them these rules, I had to give them Canadian rules…and that's the law, that is. When I came back, it bothered me a lot, it was a dilemma and it bothered me a lot and I asked the question and they said, 'Well…nay nay.' But if the crunch would have come, if something would have happened and you would have called to account, you can't choose a nationality to do a job just based on a more liberal set of rules of engagement. You, as a Canadian, I had to follow Canadian rules of engagement even if I was giving orders to (3 OTHER COUNTRIES)."* (P7)

Being bound to Canadian ROEs caused other moral dilemmas because, in some cases, participants perceived these to be incompatible with the activity on the ground. As such, these conflicted with their perception regarding the right action to take.

Another participant believed that his operational assessment of the situation justified a change in the ROEs for his particular mission. He said:

> *"I had requested from New York five specific ROE. One of them was the authority to use lethal force to protect any human being…New York had agreed with it…Ottawa refused to subscribe to that."* (Scenario 2)

What ensued was an embittered moral battle between himself and NDHQ, regarding the use of lethal force.

Finding "latitude" or room for interpretation within ROEs was sometimes adopted as a strategy for resolving the moral dilemmas that they created. As noted earlier, one commander described a situation (Scenario 1) in which the ROEs prevented him from protecting villagers in his AOR. Believing that he ought to protect innocent civilians through means of lethal force but being unable to do so, he found himself in a moral and ethical dilemma. He was caught between his own conscience to protect vulnerable people on one hand and the limitations presented by the ROEs on the other. By manoeuvring his forces between the aggressors seeking to harm the villagers, his forces could be argued to be under threat (thus enabling the use of self-defence) and the villagers could then be protected without having violated the ROEs. Another scenario also involved altering the interpretation of the ROEs in order to address ethical dilemmas. Functioning under ROEs that allowed him to return fire assuming that civilians were unlikely to be harmed by this engagement, one commander recounted:

> *"We were standing there one day and there were a few bullets went by. 'What's effective fire?' And I said, 'Well, what to you think XXXX?' I mean, here we are, in a place that has a UN flag on, they know we are here and somebody's shooting. Are they shooting at us or they just being, you know? So we decided there and then and I passed a rule within the sector that fire that was within, I think I said it was 10 meters of a UN occupied area, could be deemed for the purposes of retaliation as aimed fire against you. So, we just*

adopted that. Now, that wasn't said anywhere but it seemed to us to be a reasonable thing to do and then we would return fire under those circumstances. Now, maybe that was a fairly liberal interpretation of the rules of engagement, I don't know. I don't know that we killed somebody as a result…I do know that every time we were fired at and we fired back, with effective that is as close as they were firing, it would stop – every single time. So, I don't know. Was that, was I taking liberties…I never worried about that…. I didn't…lose any sleep over that." (P7)

In these cases, by extending the boundaries of a literal interpretation of the ROEs, both commanders were able to provide a higher level of protection for the people that they, in their view, were morally compelled to protect.

On the other hand, mission ROEs also assisted individuals when confronted with tough moral situations. For example, one participant explained that he had accepted the Canadian ROEs, "*self-defence only*", issued from NDHQ for his deployment with NATO forces. However, this proved problematic, because his commanding officer expected compliance to his own ROEs, which included self-defence *and* protection of any "*NATO equipment and personnel"*. He explained:

"…So I went to see him and explained in clear, precise terms exactly what ROE the Canadians in his theatre of operation would work under…Needless to say, he was not a happy camper and…threatened to relieve me and send me out of AOR…I said, 'You're quite welcome to do that…but the fact of the matter is my government has given me clear guidance on what the ROE for Canadians in this area. I agree with them, fully support them, and have no intention of asking for a change'…Anyway I stayed…" (Scenario 18)

In this instance, compliance to ROEs remained consistent with his own assessment of the situation, thereby making the moral decision to refuse his commanding officer easier.

Whether positively or negatively influencing moral and ethical decisions in operations, ROEs are central to ethical decision making in the armed forces because they define the extent to which military personnel can engage the enemy, and can work to protect innocent civilians.

5.1.2.6 Summary of Contextual Factors

As shown above, contextual factors like organizational culture, military training and experience, ROEs, and social norms and values will have a significant impact on moral and ethical decision making. In fact, as the examples suggest, it is often the contextual factors themselves that invoked dilemma situations for CF members in operations. For example, many participants believed that the ROEs for their operations were unrealistic, compromising their role and mission success. Exploring the contextual factors will expand our understanding of moral and ethical decision making in operations.

5.1.3 Situational Factors

In comparison to contextual factors, which are more entrenched and therefore consistent across situations, situational factors can be understood as more temporal and variable. For example, mission type, a contextual factor, will for the most part remain constant, whereas situations within that context will vary according to situational factors, such as risk, uncertainty, time pressure, moral intensity, and available choice alternatives. These are all aspects of the situation within which individuals must make moral and ethical decisions, and they readily vary. In the interviews,

there was evidence of all of these situational antecedents influencing moral and ethical decision making.

5.1.3.1 Risk

Risk can be defined as the possibility of loss or injury (Merriam-Webster, 1983). Within a military operation, the level of risk inherent within a situation is likely to influence how moral and ethical situations are interpreted and handled. Within the interviews, there was some evidence that that the perception of risk may have influenced the adoption of more lenient standards in making moral and ethical decisions. For example, one soldier described the situation on their base as high risk. He explained:

> *"…we had so many infiltrators…We never caught them with fire weapons. We caught some of them with blades. So we were very concerned that you know somebody could have his throat slit."* (Scenario 11)

As such, risk influenced his decision to permit his soldiers to use "*minimal force*" with those prisoners, because, he continued, "*you have to make them understand that you are in control*". This contravened what the National Investigation Service (NIS) as well as the Geneva Convention deemed appropriate conduct of prisoners. In this case, this action seemed ethically justifiable to this respondent given the level of risk to his soldiers within the situation.

Risk also influenced the moral and ethical decision making process, by impacting participants' expectations for the most probable outcomes. Another participant described situations in which civilians would try to elicit help from CF personnel positioned in observation posts (OPs) during the night. He believed that the right thing to do was to help. However, his decision to actually extend assistance was founded, in his own words, "*on an assessment of the risk to our own troops versus what you would achieve*" (Scenario 22). He said:

> *"You might save him but who's to say our troops in the dark in the forest won't be mistaken for one of the belligerents and get shot at and killed? There were mines in that area…"* (Scenario 22)

In this example, risk seemed to have functioned as sort of a threshold of sorts in which the benefits of helping were weighed against the potential costs of helping for his troops. Providing strong reasons for not helping under these circumstances, risk informed his moral and ethical decision.

The level of risk that a soldier personally feels or senses in a situation will influence ethical decisions. But risk can also be construed from the perspective of the civilian population soldiers are meant to protect. In past conflicts, such as Bosnia, the civilian population was, in the eyes of belligerents, a legitimate target. As such, the risk to CF personnel was indirect (this does not, of course, remove the general risk to CF personnel of being in a war zone) but the risk to others was direct. Therefore, moral and ethical decision making can be informed by the perceived risk to others, and from one's moral obligation to protect them.

One soldier had the responsibility of ensuring safe passage out of the country. In one instance he favoured one individual over others because of the increased risk that this individual faced of being harmed. He explained:

> *"…I took out…a doctor. He was a (COMBATANT GROUP A), and he was working in (PLACE) Hospital, and the authorities used to give him the most severely wounded (COMBATANT GROUP B) soldiers. So he had a high death rate on the operating table because these people that arrived to him were in pretty bad shape. And so, by the time he*

came to see me…he really feared for his life because he was being accused of murdering the soldiers on the operating table because he was a (NATIONALITY OF COMBATANT GROUP A).” (Scenario 31)

In this case, the high degree of risk directly impacted how the participant prioritised one individual over others. Making an ethical choice means looking at further justifications for our decision. If a soldier cannot save or protect all of those who are in his or her care, he or she has to make a decision on other premises. In this instance, the relative degree of risk faced by individuals was one of the determinants of whether or not they were helped.

In another case, a participant described how the UN presence could reduce the level of risk to the populations within their AOR:

> *“We knew, on this particular mission, that where we went there was a good chance that there would not be a level of violence that would be experienced by places that we were not.”* (Scenario 28)

The role of risk on moral and ethical decision making was also evident in individuals’ judgements of the consequences of their moral and ethical decisions. In many cases, these decisions were undoubtedly influenced by what participants perceived as the potential personal risks to them or to their careers. For example, some of the participants shared dilemmas that put them in direct opposition to the political decision making in Ottawa and NDHQ or higher authority within the regiment. In such cases, the decision to remain consistent with their beliefs, thereby being in opposition to higher authority, increased their risk. After confronting his regimental commander, one participant shared, *“I thought that he would actually take revenge on me”* (Scenario 12). It is important to note, however, that although participants were very capable of describing the perceived risks that they faced in making their ethical decisions, they uniformly assumed these personal risks as a necessary part of their decision. As such, the level of risk within a situation was both an actual determinant of ethical decisions as well as any potential future consequence to be considered (but not necessarily heeded) when making ethical decisions.

5.1.3.2 Uncertainty

Uncertainty involves being unable to predict the future or not knowing the outcome of one’s choices and action. Because actions in a war zone often occur very quickly and can be fatal, it seems likely that uncertainty will influence moral and ethical decision making. For example, one participant explained how difficult it was for his subordinates to determine when to fire their weapon in self-defence in situations where drunken belligerents would taunt them. Another participant cited the general uncertainty in military operations. He stated that his subordinates “*on the ground we’re put in very difficult positions because you never know what you can expect in these circumstances.”* (P9)

One strategy noted by participants in having to make difficult ethical decisions was to direct his efforts toward certainty. In a conflict where civilians were dying brutally and at an unprecedented speed, this participant explained that the “*certainty*” of success drove his decisions regarding resource dispersion. He stated:

> *“To me…the guideline that I used was which had the greatest chance of success? Even if it was the easy one, I said which one has the greatest chance of success, of actually picking up human beings and getting them to a safe place. If it’s the easy one, fine we take the easy one. If it’s the road open, we take the road open. The harder ones didn’t get done. Now those people were technically at higher risk. Maybe if we have done them we would have*

saved more lives or whatever else, but again you're into that second guessing thing. So, I would rather go with the guaranteed win then the possible win." (Scenario 26)

Clearly, the ability to project certainty in the effectiveness of his actions seemed to influence the ethical decision making process. In this case, going for the "safe bet" seemed a very adaptive response considering the nature of the dilemma that he faced.

Uncertainty can also arise from incomplete information. In one example, a soldier argued that it is an imperative that the CF takes care of fellow members who are physically and/or mentally injured. However, the challenge he raised was determining whether or not an individual is actually afflicted with a mental injury, such as PTSD, without having *"full disclosure of their medical status…to see…* [if]*…that person really is faking it, but is creating a perception and you have to manage a perception…"* (P8). The outcome of this, according to the participant, is unwarranted preferential treatment. As such, making the decision about whether to trust someone's account (in the absence of clear empirical evidence as to his or her condition) represents an interesting type of uncertainty dilemma.

5.1.3.3 Time pressure

How CF personnel resolve moral and ethical dilemmas is likely to be influenced by the amount of time they have available when making a moral and ethical decision. One participant described the urgency of operations:

> *"…when the bullets are flying, you don't have the time to sit down and say 'Ok, I am now caught in an ethical dilemma. What do I do? What are my options?' There is no time. Sometimes you are making, literally in three seconds, you have to make a decision life or death. And what it should be is instinctive. You do this because it's the right thing to do in accordance with your values. I really believe that's the ideal of where you want people to get to. That they are not sitting there, 'Well, you know, whatever I should do right now…'"* (P4)

This quote makes an important point about the impact of time pressure. Not only is the luxury to deliberate on one's choices not often available, but even time to explore the nature of one's dilemma is not a possibility. Under these circumstances, of course, ethical decision making according to purely rational processes is unlikely to happen, as there is simply not time to use a long deliberative process.

With that said, however, even with extreme time pressure, there was some evidence of rational processes being enacted in making difficult ethical decisions under time pressure. One Navy commander described a scenario in which another country's fighter aircraft unexpectedly "*came out and did two passes*" across his ship. His description then suggested a relatively rationalistic process, whereby he quickly mentally reviewed the ROEs in such situations, which allowed engagement of any enemy meeting the following criteria: *"greater than 350 knots, closing on a steady bearing, jinking*[13] *or descending, fire control radar*" (P11) in such situations. With little time to make a decision, the commander believed this potential enemy to be just on the cusp of

[13] "Jinking" is the violent manoeuvring that an attack aircraft engages in as it approaches its target in order to protect itself against radar tracking and fire control.

meeting these criteria, and given the lives at stake, he chose (correctly) not to engage. The "*enemy*" fighter aircraft relented, and a situation was averted.

Even operations that occur over a six-month period often do not permit individuals time for adequate reflection regarding the rights and wrongs of moral conduct. As the soldier who was responsible for evacuating civilians from a besieged city indicated:

> *"I didn't have time during that period to dwell too much on what I was doing, you know, the rights and wrongs of all this. I was just too busy moving them. I was too busy making sure they would move. I was just working…"* (Scenario 31)

Some participants noted that the nature of peacekeeping operations puts CF personnel in unique situations where they have to decide whether they are being intimidated by light arms fire or are truly threatened. As such, a soldier may have little time to decide whether they have a permissible and thus justified reason to use lethal force (i.e. legitimate case of self defence) or not. Ethical decision making made under extreme time pressure, such as this, is likely to be even more challenging. Not only does time pressure prevent adequate consideration of the alternative responses, it may also preclude even the clear definition of one's position in a moral dilemma. Time pressure, therefore, will be an important characteristic to investigate further in order to shed light on the process of moral and ethical decision making.

5.1.3.4 Moral intensity

Based on Thomas Jones (1991) Issue-Contingent Model of Ethical Decision Making in Organizations, moral intensity casts the characteristics of the moral issue as independent variables. Moral intensity is defined by the following six characteristics: magnitude of consequences; social consensus; probability of effect; temporal immediacy; proximity; and concentration of effect. Moral intensity can be understood in relation to the target of moral and ethical decision making as well. For example, the relationship between the moral agent and the target is influenced by the degree of proximity (e.g., physical, psychological, cultural). In any case, moral intensity describes the observable and salient characteristics of the moral issue and underscores the gravity of the situation.

Many of the moral and ethical dilemmas that participants faced in operations were impacted by the temporal immediacy of the moral issue. That is, events that had more immediate consequences, rather than delayed (Jones, 1991), were described as determinants in many moral and ethical decisions that CF members had to make in operations. Temporal immediacy seemed to have played a strong role in the interpretation of the situation faced by ethical decision makers on the ground versus those at bureaucratic levels. For example, one participant spoke of the disjunction between ethical decision making on the ground, where negative outcomes were immediate, and ethical decision making at higher levels, outside of the immediate situation.

> *"At high levels, many times these make perfect sense. But down on the ground, it has a horrendous effect on individuals who are confronted right in the situation. It doesn't make sense to them. You know, we suffered through many of those in (COUNTRY) where those decisions may have made sense in New York to adjourn for the weekend to conduct private consultations. These ways of diplomacy I do not understand, but you know for us, that meant we were 48 hours from a decision, and another twenty thousand people would die. It didn't make sense to us, but it made perfect sense there where you are trying to get sixteen or twenty nations to come together and agree on the wording of a document. So good people caught in bad situations. It is a good way to summarize it."* (P4)

Clearly, temporal immediacy seemed to underlie the impatience of ground personnel for the more detached working of diplomats. Even though both parties were working to address the same situation, the psychological position the military personnel on the ground (and hence, their approach to the ethical dilemma about how best to respond) was likely very different.

The magnitude of consequences also enhanced the recognition of a moral issue. Another participant revealed the accelerated decline of the population for which he was responsible.

> *"One village…it was my area as a monitor at this time, my personal responsibility, its population was down to 250…by the time I left, that area of responsibility three months later, it was down to 12 women …that's all that were left, and most were killed."* (Scenario 28)

The speed and magnitude of perceived consequences drove this soldier to protect those who were the most vulnerable, and those who did not have a means to protect themselves. Ironically, despite the importance of the magnitude of consequences, however, protecting one village meant leaving other villages to defend themselves, despite the fact that these villages would also be vulnerable to attacks.

Physical proximity influenced the recognition of a moral issue that was otherwise underestimated by those who remained outside of the situation. One participant evaluated moral and ethical decisions made from outside of the situation as "*poor*". He stated:

> *"…you know the lesson I took out of it was commanders, leaders, at all levels, had to be out on the ground, seeing what was happening for themselves. Where they became distant, and there's good examples where commanders became distant from what was going on on the ground, poor decisions were made."* (P3)

In some cases, sheer proximity to the situation forced military personnel to question whether they were doing the right thing (i.e., whether the mission mandate was appropriate or incongruent with the unfolding of events). One participant reported that when one has to have face to face contact to those in one's care, ethical decisions are much more difficult:

> "*One of our mandates was to maintain that the enclave was free of weapons…So that meant every time you saw somebody with a weapon…the weapon was taken away from him…I always remember this mayor, village leader, came to me, eyes full of tears, 'How will we defend ourselves now that you have taken our weapons away?' …he knew the (COMBATANT GROUP B) were probing…and he knew we weren't thick enough on the ground to provide effective protection in defence…But I took the order, and I told myself, 'Yeah, yeah. That makes sense. That's our mission. That's what we got to do and the reason we are here is to demilitarize…' But when you're actually doing that and come face to face with that…when you get this 'Am I doing the right thing here?' Then cold reason prevails and yeah, yeah, for the greater good."* (Scenario 32)

The UN mandate drafted outside of the situation was logical. In effect, a de-militarized zone would represent an official UN protected area (UNPA). However, proximity to the situation made the participant question whether this was the most appropriate mandate. As such, physical proximity with a distressed mayor hoping to protect the members of his community led to the participant experiencing great moral doubts regarding the rightness of the activity he conducted.

Another form of proximity that was noted to influence ethical decision making was the level of closeness or relationship with another person. This seemed to heighten the intensity of the dilemma

situation. For example, one participant noted that his proximity to people accused of a crime made his moral decision about how to deal with these accusations even more difficult.

> *"I was dealing with a unit I had served in previously. It was another regiment I had served in. I knew the CO extremely well. We were then and still are close personal friends. But the question was do we let it go and fix the problem, or do we follow this thing up and find out what happened, so it doesn't happen again?"* (Scenario 3)

In another moral dilemma, the close relationship with the individual he believed violated his orders underscored the need for impartiality.

> *"…I had him investigated. I found somebody to do an impartial investigation because I was dealing with somebody I was very close with and had been a good friend with for many, many years…"* (Scenario 4)

In both cases, the psychological proximity of the people involved in the dilemma situation played a significant role in moral and ethical decision making, and ensuing post-decisional remorse.

Other characteristics of moral intensity, such as probability of the effect and social consensus were also identified as influences on participants' moral and ethical decision making. As noted earlier (see Section 5.1.3.2), one soldier used the probability of effect to decide where he should use his resources for saving lives. Faced with a huge humanitarian crisis, and knowing that he would only be able to save some people within a war torn nation, this participant chose a course of action that maximized the probability of his actions having a positive effect, in essence, choosing "*sure bets*".

Social consensus also seemed to influence moral reasoning and action. In an increasingly degenerating situation, losing sight of one's purpose and hence what one ought to do is a danger that can be mitigated with reference to one's peers and significant others. One participant explained how social consensus offered motivation to moral action. He commented:

> *"…you're here, this is happening, and right there in front of you is your family, and in behind you is the Canadian media, and in behind that is the entire population of Canada. And they are watching you. What do they expect you to do? Do they want you to die? I don't think so…but they sure as hell expect you to do something and not just be a spectator or not just to ignore it and walk by…would my kids be ashamed of me, if I turn around and walked away? Darn right they would!"* (P4)

Here, the soldier used social consensus, shared expectations of his family and his fellow Canadians in order to guide how he ought to conduct himself. His statement, *"they sure as hell expect you to do something"*, demonstrates how people can be driven by the expectations that come with participating in a specific social group, i.e., how we agree to specific mores of the group by virtue of our membership. In such cases, following these expectations may help remove the moral ambiguity of the situation, and encourage moral action.

Clearly, then, the interviews showed the importance of the moral intensity construct relatively strongly.

5.1.3.5 Available choice alternatives

Of course, the alternatives available to individuals in ethical dilemmas have the potential to influence their decision making processes. By its very nature, a dilemma is typically a choice between two conflicting options. Although the situation often dictates how many actual choice

alternatives are available when resolving moral and ethical dilemmas, perceived choice alternatives are also shaped by the decision maker's construal of the situation.

The available choice alternatives that CF personnel faced in operations presented different challenges to ethical decision making. Despite the fact that they knew they were caught within a dilemma, participants sometimes saw no viable choice alternatives to the decision that they made. Describing a situation in which he had to either leave a family outside of the UN Protected Area (UNPA), where the risk of violent death was highly probable, or take them to the UNPA, where a cholera epidemic was emerging, he admitted:

> *"…within 24 hours, 36 hours a family died of cholera because I took them to a place that was a hell hole - but I had no other place to take them."* (Scenario 30)

In this case, then, the participant felt literally forced to choose between two bad alternatives, and in essence, to choose the lesser of two evils.

Another soldier justified the fact that he acted in a way contrary to the ROEs because he could not live with the consequences of doing nothing when he knew he ought to have. To merely follow regulations was in his view reprehensible. He emphasized the difficulty of having to live with himself, if he had acted contrary to his moral judgement and self-identity. He said:

> *"Now if you are asking if something is happening in front of you and the regulations say that…you really believe you have to do that, well the choice is yours and you have to live with it, simple as that."* (P1)

Some participants seemed to be able to integrate their ethical decisions into their sense of self without a lot of apparent uncertainty or apprehension about the decisions that they had made, because they simply saw no other choice alternative.

The choice alternatives available were not always clear cut. One soldier described an experience where he violated Canadian bureaucratic policy because he believed that he had, through mission creep, no choice but to help the local population receive UN food supplements, despite the likelihood that there was *"skimming"* off the top by middlemen. He stated:

> *"…there was no one there to do it. There was no one there from the UN bodies, or NGOs…"* (Scenario 7)

In this situation, the participant's decision to agree to undertake food distribution (even though skimming might have been occurring) was influenced by the lack of viable other alternatives. In this case, he chose to agree to a less than ideal arrangement because of the lack of other good options. It is likely that his construal of the available choice alternatives was also influenced by his sense of personal responsibility and his self-identity, and all of these contributed to his decision to act against Canadian policy.

Many participants construed the moral dilemma as having few or no alternative courses of action, and were driven by a commitment to their own sense of self and personal responsibility. Driven by his own commitment to the men in his care and his sense of failing them, one participant did not believe that he had any option other than quitting the army. In his own words, he stated *"it was the only thing, in my opinion, that I could do."* (P9) Another soldier also saw no other choice alternative but to leave the army because he was fed up with the inconsistency between CF espoused organizational values and actual CF behaviour. He referred to "*statements how people are our most important asset and what I see around me says that is not the case whatsoever.*" (Scenario 24) This inconsistency conflicted not only with his personal values and attitudes, but also

with his expectations concerning the CF as an organization and its treatment of service members. Given that this participant saw no hope of this changing, this perceived lack of alternatives led the participant to leave the CF.

It is important to note then that a significant component of the choice alternatives that were available to participants were not necessarily the observable consequences, but rather the impact on participants' own sense of self and self-identities.

> "*So, in the end I still have* [to] *get up every morning and look at my face in the mirror, not anybody else's…My break point would be could I live with one of the…members of a Canadian family being killed because they were in the wrong place at the wrong time…*" (Scenario 20)

For this participant, the anticipated distress arising from the failure to act consistently with his internal standards, and the expectations and obligations that arise from his self description, was a motivating factor in his moral and ethical decision making and action. As such, the choices available are reduced.

In other examples, however, the sheer number of choice alternatives available formed a critical aspect of the dilemma. As part of UN contingents, soldiers are often deployed as light infantry, limiting their ability to influence the outcomes of the conflict. If they are fortunate, their presence may prevent hostility. But as conflict is often widespread, the decision to protect one family or village over another is somewhat arbitrary, and weighs upon those individuals who have to decide. In these instances, available choice alternatives can be numerous. One participant confessed:

> *"There were only so many places we could be...Whose life or whose village do you protect today... what could you do, you couldn't protect everybody all the time…"* (Scenario 28)

Another explained:

> *"There were always more demands than there were assets to do it, so you have to pick and choose which one you were going to do."* (Scenario 26)

Both the actual alternatives available, as well as the perceived alternatives will influence ethical decision making. In some instances, despite being in a dilemma, participants saw only one viable course of action because only this course of action was consistent with his or her ideals, either moral or general.

In general, then, the available choice alternatives when faced with an ethical dilemma can impact by constraining the form of decision that can be made, by overwhelming one's ability to make a decision through the sheer volume of alternatives, and by impacting more broadly beyond the actual consequence to influence one's sense of self.

5.1.3.6 Summary of Situational Factors

Several situational factors influence moral and ethical decision making. For example, moral intensity suggests that the characteristics of the moral issue need to be considered as an independent variable (Jones, 1991). The examples show that characteristics such as temporal immediacy and proximity shape our construal and interpretation of the moral issue. In some cases, moral and ethical positions made sense outside of the conflict, but did not make sense to those on the ground. Thus, moral intensity will require further investigation.

5.2 Moral and Ethical Decision Making Process

The purpose of this section is to explore the processes that participants reported in making the often difficult decisions that they had to make. Although we argue that ethical decision making is not a linear process, for the purposes of clarity, the following describes three broad stages of ethical decision making (pre-decision, decision, and post-decision). The prominent influences and themes that emerged within each stage are described in turn.

5.2.1 Pre-decision

Consistent with the model of moral and ethical decision making outlined in the Defence Ethics Program (DEP), the pre-decision phase includes an individual's recognition of a moral issue and a consequent moral judgement on it. Within the interviews, this recognition of an ethical dilemma varied in its discreteness. Some participants failed to remember the exact point at which an ethical situation was salient to them. On the other hand, some participants noted a very specific point at which they were aware of being in an ethical situation, and this resulted in an immediate judgement about the situation. As one participant noted:

> *"Again, it was one of those clear cut things that it was wrong and it was what was going on was wrong."* (P3)

However, recognition of a moral issue often stemmed from a soldier's immediate intuition. Many participants mentioned the significance of their gut instincts or intuition in recognizing a moral issue, i.e., something in their gut required them to consider the situation further. As one participant stated:

> "*The first thing is your gut reaction…but I always reserve judgement and think about it some more, and then make a decision.*" (P12)

Other participants noted the role of emotions at the pre-decisional stage. As noted earlier, upon discovering the immoral conduct of CF members at a social institution within an overseas operation, one participant illustrated how emotions are reflected in moral judgements, and how his moral reaction to the abuse of innocent people was both emotionally laden and instantaneous:

> "*It was, it was, it was disgusting. I found it almost unfathomable that Canadians were doing what people, the unprofessional soldiers, were doing over there to people. It was just totally, repulsively wrong and just struck that cord with me instantly. And any other decent human being would have as well."* (Scenario 3)

In the mind of this soldier, the wrongness of the conduct was signalled by disgust and an immediate feeling of disapproval. These strong emotions also seemed integral to moral judgement (i.e., one's assessment concerning the rightness or wrongness of a position or action). This participant's moral sentiment seemed to turn quickly into moral judgement and served as the guiding impetus behind the participant's decision to expose the "*break down in discipline*". Prior to that, the conduct had been largely ignored.

Before an ethical decision was made, participants also noted the significant emotional toll that deliberating on the right course of action took on them. One participant, pressured by NDHQ in Ottawa to change his concept of operations in a UN mission because of what he perceived were political and legal motives, rather than moral, noted the emotional toll of questioning himself prior to decision making. He recollected:

> *"The difficult part was the week before to take that decision. What will I do? Will I bend to the pressure or will I remain firm to what I believe is the right thing?"* (P2)

This quote shows "*the pressure*" that the participant felt to make the right decision, and to take the time to be sure of himself. At the pre-decisional stage, this again underscores the influence of emotional activity on moral judgements that are not simply "black" or "white".

It is important to note that several participants also described enacting collaborative processes while deliberating on their ethical decisions. The commander who was pressured by Ottawa to relinquish his concept of operations explained just this process:

> *"….who are you, a single individual, a force commander out there to be in disagreement with the all the establishment in Ottawa – who was I? So, you ask yourself that question, 'who's right?' Am I the only one being in step? That's why you feel the need to benchmark your analysis. And you have to do it with as many people as possible because the danger once again is that you're out of step yourself. For unknown reasons to yourself your judgement may not be the right one in those circumstances. So you need to know that. You need to establish that assurance that your judgement is the right one in those circumstances.*
>
> *"So what I had done during those several weeks of friction I had benchmarked my military concept of operations with the diplomatic community in theatre. So I had met with the ambassadors of the friends of (COUNTRY) to expose to them my concept of operation to give them an opportunity to challenge my concept of operation. And I every time I benchmarked with the all of the diplomats in theatre, they turn out to be supportive of my concept of operation. In other words, they believed that the military response was closely synchronized with the geo-political environment we had there. They believe it was the right response. I had done all that benchmarking, so from an ethical point of view I had gained confidence that I was right. But I felt that in my own country when I would come back I would have made enemies and you know, human being what it is, I might suffer consequences. So, that's what I lived there during that (YEAR) operation."* (Scenario 2)

This suggests that in instances of self-doubt regarding moral positions, participants worked to confirm their moral judgements through a collaborative justification process with others, which provided greater conviction for their position. Like Jonathan Haidt's (2001) model of moral judgement[14], there was evidence in some of the interviews that decision makers had an intuitive notion of what was right, and then sought reasonable justification for their hunch by testing these assumptions with others through a collaborative process. For this participant, having worked through this collaborative process with those close to the mission, the ethicality of his position and, hence, his decision emerged. As he recalled:

> *"Once I had done that, it became an ethical issue for me…I was seconded by Canada to the UN. So I did owe all my full competence to the UN. I could not provide to the UN a watered down option. I owed to my UN employer my best professional judgement. I was not allowed to 'crook' my best professional judgement for pressure that may or may not impact on my future career back in Canada…So it was an ethical issue. The choice I made was to remain ethical with my employer, the UN Security Council."* (Scenario 2)

[14] The Social Intuitionist Model of Moral Judgement

This suggests that participants did not always make their ethical judgements and decisions in isolation. This commander, challenged by Canadian pressure to adopt a less ambitious course of action by what he saw as a "*gun-shy"* CF, sought verification with other experts that his concept was sound. This work at the pre-decisional phase contributed to his decision to stick to his concept of operations and to accept whatever consequences might result.

There were other instances of this method of moral and ethical decision making. For example, one participant believed that the new regimental commander was not fulfilling his obligation as a leader, suggesting that some kind of action was necessary. He described the ethical issue:

> *"The regiment was lacking this strong leadership that's required by such an organization…Discipline was actually, truly not happening…he never really took a strong grip of the regiment and consequently he turned a blind eye at some of the disciplinary problems that were only growing very fast, very fast."* (Scenario 12)

This soldier believed the individual was unfit for command and he felt an ethical responsibility to address this issue. However, as this could mean taking a huge risk with respect to this own career, he sought the counsel of his peers prior to confronting his commanding officer. He explained:

> "*So I went around to see (IDENTIFYING INFORMATION), and asked them what were their thoughts about this lack of pride by our regimental commander. All of them were in agreement that something was lacking, that something had to change, and they were certainly not impressed by the new regimental commander."* (Scenario 12)

In order to confirm that his position was not merely a personal attitude, he chose to consult with others in the regiment.

Another soldier described a situation in which a minority group in his AOR was vulnerable to attacks from belligerents. However, his ROEs allowed him the use of deadly force only to protect his UN troops, which would have essentially amounted to ignoring the crime. He believed that these ROEs under these circumstances were inadequate and unethical as innocent civilians were at risk, and he sought a solution to this problem. In order to benchmark his judgement, he consulted with his "*operations officers"* and "*company commanders*", who all agreed: "*There's no way we can just let this go.*" (Scenario 1) Again, this is an example of external agents helping to confirm participants' moral intuitions and judgements.

However, it is only fair to point out that there was also evidence of consulting other people to help make one's ethical decision, and then disregarding it. Determining the course of action in a plagiarism case, a commander sought the opinions of another officer before making his final decision.

> *"Initially he agreed with me. He was an excellent, excellent officer, who provided invaluable advice and support to me. He came to me the next day. I invited his opinion, and he felt that the student should have been expelled. He explained his opinion and I thanked him for it and he has not once mentioned it since. Completely supportive of the decision I took. That kind of person is invaluable. Would I do the same thing again? I probably would – was it the right decision? I don't know."* (P11)

Interestingly, this officer's advice, however valued, was disregarded, and the commander made the decision not to expel the student who admitted committing plagiarism. Nonetheless, the participant argued this consultative process to be invaluable to his decision making process.

There was also evidence of participants in the deliberative or pre-decisional stage working to "*situate the estimate*", so that they would be more likely to make what they believed to be the right decision. Recognizing his position of power and the potential to abuse that, a participant at the pre-decisional phase worked to circumvent any possible temptations so that he could remain consistent with his morals. He explained:

> *"I told them at the start they should not offer me money, sex, alcohol, or any favours whatsoever because I would not bring them out. My job did not require me payment or favours whatsoever. That was my job. If they did that I wouldn't take them out."* (Scenario 31)

Understanding that people would be offering anything in order to leave a city under siege, this participant took a proactive stance preventing the temptation to make self-serving and immoral decisions.

In describing some of the dilemmas that he had experienced, one participant argued that there was actually very little "*struggle*" at the pre-decisional phase:

> *"…there was no great inner turmoil. I was able to recognize a conflict and know instinctively what to do. And I didn't pause very long in thinking about it saying, 'Well should I do this or can I get away with that?' So, I guess it is a very individual thing, you know?"* (P7)

This suggests a very quick recognition of an ethical issue, and a fairly easy transition to the actual decision making phase, with little turmoil or emotional response.

As a whole, retrospective descriptions of the pre-decisional stage of ethical decision making show the impact of emotion on the recognition of a moral issue, as well as being linked to the anticipation of having to make a difficult decision. There was, however, diversity in this as some participants reported very little angst at the pre-decisional phase and a quick transition to the actual ethical decision. Moreover, intuition also played a strong role in the pre-decisional phase, as participants reported sometimes knowing "*the right answer*" immediately at an intuitive level. In addition, there was also very strong evidence of social and collaborative processes, whereby participants often sought the advice and counsel of respected others during the deliberation process. The pre-decisional phase is significant because it is at this point that people construe and interpret the moral issue. Guided by many person-based and contextual factors as well as intuitions and emotions, an individual then works to make a decision. This process is described in more detail in the next section.

5.2.2 Decision

Congruent with the model depicted within the DEP, there was clear evidence of rational processes being active in making some ethical decisions. In some cases, for instance, it was absolutely necessary to counter or even suppress feelings of doubt using rational processes. Unsure that the UN mandate to create a de-militarized zone was the right thing to do, because it might make the local population more vulnerable, one soldier expressed the need for reason in describing his response to the troubled mayor of the village. He stated:

> *"…he knew the (COMBATANT GROUP B) were probing…and he knew we weren't thick enough on the ground to provide effective protection in defence. Um, how do I feel about it? I rationalized in the sense that the only reason…we are capable of maintaining safety for thirty thousand people in (COUNTRY), I think, is by guaranteeing that there is some*

form of demilitarized zone…I intuitively understood that it was probably for the greater good of all. If the (COMBATANT GROUP B) saw us demilitarizing the area, and we made sure that the elements of the cease fire accord were adhered to…

…Did I have choices? I suppose I could have said it's a bad idea…and knowing XXXX…I think that if I had had a sound argument, I would have convinced him. But I took the order, and I told myself, 'Yeah, yeah. That makes sense. That's our mission. That's what we got to do and the reason we are here is to demilitarize…' But when you're actually doing that and come face to face with that…when you get this 'Am I doing the right thing here?' Then cold reason prevails and yeah, yeah, for the greater good." (Scenario 32)

In essence, reason helped distance himself from the situation and minimize the impact of self-doubt regarding his orders and mandate. However, it is important to note that the participant's sense of regret evident throughout the interview suggests that "*cold reason*" may justify the moral position, but fails to account for the residual emotions that sometimes accompany moral and ethical decision making. In this case, the post-decisional regret underscores the fact that a rational approach to moral and ethical decision making, though may reasonably support a moral position, does not necessarily serve to erase the conflict that these individuals live with in light of the decision that they have made. As such, whether the choice was "right" then is put into question.

Again, following a very rational, systematic approach to making difficult decisions about how to allocate resources in order to protect innocent people, one participant stated:

"Decisions had to be made as to where to focus, not only on who was perceived as the victims, because there were victims of war all over the place. So, it was a very difficult balancing act. If I had focused all of my energies on one side for example, that's say on the (COMBATANT GROUP B) side, I would have had little or no cooperation coming from the (COMBATANT GROUP A) side. And if that happened, the level of the threat of violence against my own soldiers would increase all that much more. The more things were done impartially, fairly, equal distribution of sort of resources as much as humanly possible then it would work out the better for everyone. The civilians would benefit. My people would benefit from the increased enhancement of their personal security because people would want them to be there. And it worked out fine for the mission." (Scenario 28)

This rational approach to providing the best balance of protection while adhering to political sensitivities ensured that the most good could be achieved for the longest possible term. On the other hand, this participant clearly showed great remorse throughout the interview and mentioned how helpless he had felt in these operations. When recalling having to decide where to use his "*influence and presence*", knowing he could only be in "*so many places at once*" and that his presence ensured the level of violence perpetrated against the local population would be reduced, he conveyed the emotional turmoil that he faced.

"*When we selected a village, we said we were going there to do that work. We did a lot of monitoring of the numbers of people. You would go in one week and there would be fewer people all the time and people were missing. The warring parties would either track us or knew where our locations were, and there would be a cessation of problems in those particular areas. The decision was where do you go next? Whose life or whose village do you protect today? I found that hard. I found it…You know, where do you go today? I think the difficult part was knowing that, if I went to this village today, the atrocities that are going to occur, the violence that was going to occur, will happen in those villages over*

there because they knew we weren't there. So you decide where you are going to go." (Scenario 28)

In an effort to move individuals out of a war zone and recognizing the need to remain impartial as a UN military advisor, one soldier reported that he made a list through analysis and prioritization. He claimed that he was "*without emotion in many cases*".

> *"In fact XXXX, asked me to get somebody out and I said, 'No'...'cause the person was dying. It was a person with terminal cancer. I couldn't see myself bringing out a person who would die. I would rather bring out a person who would live. So he found* [one] *that could live so I moved that one. But not the dying one. She was older too. Age not much to do with it. In this case it was disease. Am I going to use the resource well or not type thing. It was strictly like that."* (P6)

At a purely rational level, then, allowing a dying person the opportunity to leave the city and the fact that they would have less of a life than others was judged a waste of a precious resource. However, in some circumstances, he privileged one person over others based on a feeling of compassion. He retold how the decision was made:

> *"For example, there was a guy there who'd been caught when the war started and couldn't get out. His wife had been evacuated from another part of the (COUNTRY). She was in (EUROPEAN COUNTRY), with two daughters and she was dying of cancer. Therefore, I wanted him to go out to see his wife before she died. He would go ahead of the person, let's say a doctor, who was going out to find about medical procedures and then come back. I didn't know whether they were going to come back or not. So, that's an example – those are easy ones."* (Scenario 31)

Within this description of a grueling and prolonged exercise in ethical decision making, both emotional and rational factors seem to have steered the ethical decision making processes.

Some participants also reported using both rational and intuitive processes to make their decisions.

> *"So when we got engaged into that I recognized another important issue, and my gut was telling me go somewhere…and I kind of disappeared for a couple of hours. And I found a little room…closed the door and the relative quiet of that room and more important the isolation from anybody. I forced myself to go through good old army procedures just to make a decision. I forced myself to write down my estimate of the situation, look at the options, weigh them. I would say at that precise time reason took over. In other instances where a snap decision had to be made, even though it's done quickly, I still think it's a mix between gut and reason."* (P12)

This decision making process is very interesting, in the sense that when gut instinct did not provide a clear answer, the participant reports isolating himself from other people and starting a very rational process of reviewing established procedures. Other times, he reports having and following a quick gut instinct. This suggests that both orientations of decision making can come to the fore, depending on whether a simple answer that resonates with one's intuition is available.

Another participant described a moral dilemma wherein he had to report a friend for violating the participant's orders in operations. He mentioned that the decision itself was clear and thus easy. However, it was the anticipated fallout that exacted the toll. In his own words, he explained:

> *"The decision was easy, this had to be done. I didn't sleep well for a couple of nights for deciding how I was going to deal with him because of all the ramifications. It was the end*

> *of his career, but it was, involved a whole lot of things. Probably to this day, I wished…I looked back and say I know that was the right and every soldier knew it was the right thing, and I knew that if I had said, 'Come over here, this is the third time I'm telling you this is wrong.' It had gone too far. And if I had let it go, I would have lost credibility with everybody in my battle group. It was so obvious that it was wrong. So, his leadership was in question, and I had to relieve him of command."* (Scenario 4)

In this case, his decision to report on his friend was rational. The latter had disobeyed an order of some consequence. However, the dilemma arose because the emotional commitment to his friend and subordinate was not easily transcended, i.e., the psychological proximity of the target provoked lasting emotions. This suggests that the expected consequences of the decision (rather than the decision itself) seemed to be most problematic for this participant.

Although some participants described the impact of emotion on their decisions, it seems difficult to clearly separate the roles of emotion and rationality. For example, a commander believed that he had let down two soldiers in his charge. They had been court-martialled as a result of his command, and he felt that the adjudication from NDHQ was extreme and unfair. Because of this event, he chose to leave the army. But this very decision, he admitted, was one of passion. He said:

> *"I'm an engineer by training, but I didn't go through this systematic process. If I may say, I'm a man of passion…"* (Scenario 11)

This suggests that moral and ethical decision making can be determined by emotion. However, in many of these descriptions, it seems difficult if not impossible to wholly separate rational processes from emotive processes. Within the larger context of this participant's interview, it was clear that many rational components also influenced his decision to leave the CF (e.g. he did not see the CF as likely to change). It seems reasonable, then, to suggest that both rational processes and emotions might work together when ethical decisions are made. Depending on the context in which ethical decisions need to be made, within a single person at a fairly discrete point in time, either emotion or rationality can take precedence over the other in this kind of decision making without the complete submission of one over the other.

Again, the UNMA who was responsible for helping individuals leave a city under siege recounted that he remained, for the most part, rational and emotionally detached in his decisions concerning who would leave and who would remain in the besieged city. However, prioritizing his list included instances where he was actually more driven by the feeling of compassion. Moreover, thinking generally about his normative decision making, he explained that he has an immediate feeling if something is good or bad, which then needs further rational justification. Another soldier also provided descriptions of systematic decisions to protect civilians from ethnic cleansing, but underlying these, he admitted, were pleas from his "*heart*". So emotions, though typically argued to be something of a lesser priority than rationality when making moral decisions, were undoubtedly a significant part of that decision. This also holds true for intuition.

One soldier stated that, despite reserving a place for rationality in his moral and ethical decision making, intuition definitely played out at the Company level. He said:

> *"At the company level, I would say that gut tends to predominate. You're so close and so in the action…instances where a snap decision had to be made, even though it's done quickly, I still think it's a mix between gut* [and] *reason…"* (P12)

In another clear description, a soldier recalled his decision to evacuate the families of the Command Task Force from the Middle East because the suicide bombings were on the rise, despite

anticipated resistance from Ottawa. He knew that his decision would raise some alarm bells, given that there were Canadian embassies in the region that were not evacuating their personnel. He argued that decision was made largely based on his intuition:

> *"…you can rationalize anything if you want to. Sometimes the only thing you've got is a gut feeling instinct…it was my gut feel about when at what point…at what point would the situation be such that it was more dangerous than it was previous…and there was a higher probability that a Canadian might or might not be killed or wounded. I mean you can't…do a statistical analysis and say there is a point…a lot of that is just your gut feel from your own experience, your own background, your read of the situation on the ground at the time."* (Scenario 20)

Clearly, this participant's decision to evacuate families was based, at least in part, on his gut feel of the situation based on his training and experience.

What was also clear in many of the interviews was that even commanders who had made very difficult ethical decisions were prepared to deal with the potential negative backlash of their actions. For example, a commander who opened his enclave's doors to local people who were being shelled in a civil conflict noted that he made this decision quickly and with no regard to the fact that he was breaking the UN regulations by admitting them.

> *"It didn't matter to me at that time because it was the safety of those people. And if they wanted to crucify me afterwards, well, go ahead. And there was nothing else I could do. But I can look myself in the mirror and say I did everything I could possibly to protect those people. If I had not let, for whatever reason, because I would be afraid that you know they would take the food away from us or that we could not sleep in our own cubicle… There comes a time when you got to look beyond what you're supposed to be doing to be protecting somebody. It's not even military, its part of you. Every human being should never let an occasion pass if it arises that you are able to help someone. I mean that's the way I am, that's the way a lot of our guys are, that's a human being, I mean."* (Scenario 10)

To repeat, the soldier's self-identity was fundamental in guiding his moral and ethical decision making. He viewed himself as a moral being, and as such he was unwilling to allow "*an occasion to pass*" to act ethically and help someone. The preceding example illustrates a strong and consistent theme in the interviews. The ethical decisions that participants made needed to be in accordance with their views of themselves as individuals, as well as to be consistent with their own world views. This suggests that whatever other factors were influential during the decision making stage, such as ROEs etc., the perceived consequences of their actions also needed to be interpreted with respect to their own identities as Canadian soldiers and as moral human beings. In fact, the interviews suggest a strong need to stay consistent with their membership in the profession of arms and what it represents and prescribes.

Thus, not only were emotion, intuition, and rationality importantly fused when soldiers made ethical decisions in operations, social roles and self-identities were also implicated in determining the resolution to moral issues. The decision process appears then to be a combination of many things that treated in isolation fails to provide a satisfactory phenomenological account. Moreover, the post-decisional stage of the process details the lingering impacts on individuals who must make these challenging decisions and then live with them. We turn to this most interesting phenomenon now.

5.2.3 Post-decision

Even after a decision has been made, participants in these interviews showed that moral and ethical decisions often continue to impact long after the decision itself was made. For several participants who had made difficult moral and ethical choices, living with the decision post facto seemed to have been extremely difficult. One participant expressed the emotional turmoil of having to decide what areas to patrol during a vicious conflict. He reported:

> *"So, those levels of decisions are both very draining and the consequences are immediately visible to you. You can feel good about you did well here today, but you couldn't do anything about that.*
>
> *"It took me years to rationalize and to understand that we were doing the best that we possibly could. I didn't need convincing. I knew at the time we were doing the best we possibly could, but it was a feeling of inadequacy. It was a very stressful feeling of, you know, maybe, over and over in my mind maybe we could have done more. But I knew we had done more and I knew from all my soldiers, we had done more and I knew from testaments of the people out there that they understood we were doing the best we could."* (Scenario 28)

The very activity of patrolling in one area necessarily negated the same activity in another. Consequently, the neglected area became vulnerable to atrocities. The soldier, therefore, could not protect those who were in the greatest need at the time, and this led to "*a feeling of inadequacy*". As a self-reported victim of posttraumatic stress disorder, this inability to fulfil his professional and personal objectives likely contributed to his distress.

Other interviews also showed strong evidence of the power (and danger) of counterfactual thinking. Participants reported having struggled with whether the ethical decisions that they made could have been different. In fact, the sentiment of "*not having done enough*" was echoed by a number of participants. Consequently, this form of counterfactual thinking seemed to have lead to tremendous amounts of guilt for one soldier:

> *"When I came back I spent a lot of time feeling guilty not having done enough…Eventually…I dealt with a doctor who had been over there. So he had, he was one of the few who could say, 'I know what you mean. I know what you feel.' Therefore, I was on the road to recovery with this guy and my wife helped me out. And in the end, I, took me awhile, took me a few years, I concluded I had done…* <crying>*…I had done the best with what I had at the time. And that was…that's it. That was my dilemma, yeah, I had to make decisions. But the whole thing is, I live with them today in a proud way as opposed to being ashamed of whatever it is or dwelling too much on those who didn't make it…I know I did good, did some good, and it was kind of like the best I could do. Once I figured out that's what I did, I got over it…or around it…"* (P6)

Years after the conclusion of the military operation, and after extensive therapy to help him deal with post-traumatic stress disorder, this participant reports having found a way to focus on the positive outcomes of his mission, rather than on regretting what he could not do. By focusing on the exact number of lives that he saved, and through his continued contact with some of the families and extended families of the people that he brought to safety, this participant reports having found a way to cope with his many ethical decisions after the fact.

This description and others underscores that at the post-decisional level, individuals who have made difficult ethical decisions need to make sense of their decisions and to impose some sort of

coherence on their experiences. This sensemaking seemed to have been a process that participants had been working through long after the initial ethical decisions that they made. As Haidt (2001) has argued, moral reasoning is influenced by a strong motive to maintain coherence regarding self-constructions and our beliefs in order to prevent dissonance. The need of participants to make sense of the decisions that they had to make, of having to work through the personal feelings of guilt and inability to keep horrific things from happening during their operations would appear to be a very adaptive response to post-decisional doubts and counterfactuals.

Although it is perhaps difficult to know exactly how to distinguish healthy sensemaking (e.g. working through the decision and coming to peace with it) from non-productive failure to move away from difficult ethical decisions in the past, one participant explicitly warned against getting stuck in the past, or ruminating about the fact that ethical decisions did not always have positive outcomes. He stated:

> *"I took a family one day to the (SAFE BUILDING) and about thirty-six hours later they were all dead from cholera. If I hadn't taken them to the (SAFE BUILDING) would they have lived? Hidden in a basement of a home in (CITY) with roaming militia running around looking for them – you'll never know. So one of the things that become very important is not to second guess yourself. You studied the situation as rapidly as I can, and sometimes it is as much as a second, but you studied the situation, you're guided by your Canadian values, you make your decision, your ethical decision, and then you live with and you don't go back and second guess yourself. I think a lot of problems guys have is when they start to go back and second guess, 'Well if only I had done this and this would happen.' This is not necessarily true. I could have left that family at that home, you know, and within an hour a militia group could have come in and chopped them up. So, you never know what could have happened. But those are dilemmas you face where regardless of what you do, people are going to die."* (Scenario 30)

Later in the interview, this participant continues to talk about his experiences in making these kinds of decisions:

> *"I think where it comes to is in a second guessing that builds up a sense of guilt. Did I do the right thing? Did I make the right decisions? If I had done something else would people be alive today? And it's the second guessing I think is terrible. And I think the other one is the guilt, you know there is a guilt that people die and you got to come back to that whole thing. The reality of war is very simple – people die. It's always been that way, it's that way now. It's always going to be that way. And unfortunately, sometimes it's innocent men, women, and child that die. You just gotta do the best you can…and somehow move on from it. I think the people that somehow master that ability to move on, to leave the mission in the mission area and to move on with themselves and their lives and everything else, do much better than those who come back, reintegrate back into society, get back their identity but then go back and start to re-live it, re-think it, start to question their decisions, or start to examine it too deeply and then they start feeling it. An incredible amount of guilt builds up. 'Maybe I didn't do the best job I could have? Maybe I should have made that decision? What if I had done that?' And those types of things. I think it's very important you recognize several things: one, you have a strong sense of values; you make your decisions as ethically as you possibly can; you do the best you can with what you have; and you don't go back and second guess. You move on. Now how exactly do you do that with everybody…that's for you* <he motions to researchers> *to figure out* <laughter>. *That's for your project."* (P4)

In this quote, then, the participant warns about the dangers of counterfactual thinking and ruminating because of the potential to produce even more intense guilt with no way to resolve issues that happened in the past. His rationalizations of the horrors of war and his identifications with Canadian values seem to be attempts at establishing coherence for an operation and for an experience that was otherwise incomprehensible.

Another participant also expressed the importance of not looking back on what might have been after making difficult moral decisions. In fact, in order to counter this kind of thinking, he posited that if he had made a different decision than what he did, he might be even "*more of a mess*". He argues:

> *"I know that I am carrying baggage but I think I deal with it okay. This is before I had seen a psycho-therapist and had my head read. But I don't know when the bucket is going to overflow or had I done things differently would I be more of a mess? I tend to think so – I don't feel like I have blood on my hands."* (P5)

The preceding examples show that the outcomes of one's decision are of particular relevance to the construal of one's self-identity. In the interviews, self-identity was not the direct cause of moral conflict, but nonetheless, did seem to have influenced the moral and ethical decision making process to a great extent. In cases where participants were forced to act against their self-identity, especially for those who viewed themselves as ethical individuals, they seem to have suffered, and to continue to suffer, from feelings of guilt and shame. At the same time, however, they also hold to the belief that they did the best they could under difficult circumstances, and have pride in this.

At the post-decisional stage, it is important to acknowledge the perceived lack of organizational support that some participants reported after having faced these gruelling and difficult ethical decisions, only to feel unsupported by the country that they were representing:

> *"I don't want to muddle the area between stressors and I guess, moral and ethical issues, but what I found really hard, I mentioned in the case of the court-martial, was the defence of what you had done after the fact. I would have loved for a little bit more recognition about what my regiment had done and accomplished over there, but in the context of what happened it didn't necessarily happen. But what I found and I couldn't separate from myself, not taking personally, was separating."* (P3)

Another described several adverse impacts of having to make ethical decisions in military conflicts. He confided:

> *"It is clear that I'm carrying baggage. I don't know what I would be like had I not gone with my conscience. Like what if? And I had dreams when (CITY) fell, and we were following that on the news, I had, call them dreams, call them nightmares, I had dreams where I was back in (CITY) and it was falling. But, I would wake up in a bit of a cold sweat and I would quickly go back to sleep to see how it ended. And this went on for a couple of weeks. So I think maybe…um…you can't go into a shit-hole or a crisis somewhere and not come back a changed person."* (P5)

Furthermore, upon returning to Canada after serving in a difficult overseas operation, the commander felt that there was little support from the higher echelons in the CF regarding his mission, and that his "*baggage*" was largely ignored.

Although not necessarily impacting on the actual ethical decisions made, perceived lack of organizational support does seem to have played a major role at the post decisional stage, when

many participants were left without organizational support to struggle with the difficult ethical decisions that they had made. As one soldier reflected:

> *"….the majority of us had behaved in certain situations that were a little bit dicey and we all want to know that you know but you want to know also that you are supported cause if I made a decision in a very dicey situation where it's a fraction of seconds, mille second that I have to make that decision how can somebody judge when he is sitting on his ass in a comfy hotel or in a bureau in Ottawa and there trying to say well you should not have. How the hell, I mean how can you do that, you know, it not always to be shot at it, I mean in some of our UN missions you do and you are meeting people that are drunk and they are drunk and they are crazy and they have their guns and they show you and they shove their weapon in your face. OK if you've been in certain situation similar to that but it's your first time and you react maybe some would say you over react how can you judge that individual? That's the sort of things because the press they really piss me off the majority because it's always an over reaction."* (P10)

In essence, this participant argued that the process of having made an ethical decision was made even worse by the lack of understanding at the organizational level about what he had been through. Again, the importance of judging the value of ethical decisions not from a safe and comfortable place, but from a "*being on the ground*" perspective was again noted by participants. Moreover, whatever different perspective hindsight might have offered about the ideal ethical decision in a given situation, participants clearly noted that even though they made the best decision they could have with the information available at the time, this was not always recognized by the systems that had placed them within these positions. In a very real way, this perceived lack of emotional support added insult to the harm already inflicted by the ethical decisions they had already made.

This observation is perhaps unsurprising given the relationship evidenced in these interviews between ethical decision making and one's values and sense of self. In fact, one of the most prominent factors both as an influence and as a consequence of moral and ethical decision making was self-identity. This identity seemed to exert influence both as a normative guide, as well as often being challenged by having to make decisions that often meant harm to others. In many cases, because of the horrific nature of the dilemmas that they faced and the decisions that needed to be made, it is impossible that individuals who were highly moral and positively motivated to do the right thing would not be adversely affected by the experiences that they confronted. In harm dilemmas, for example, having to decide what lives to save and, by definition, what lives to end, represent a very real challenge to maintaining one's identity as a moral and good person. In fact, the accounts of these participants suggest the need for concerted effort both before and after operations in order to minimize the potential for long term damage to one's own identity and sense of self in having to face ethical dilemmas. As such, CF and presumably other militaries then face a difficult moral dilemma of their own in deciding who to send to military operations likely to have a strong ethical component. Only people of strong moral conviction and character should be put into operations in which difficult ethical decisions must be made at the risk, of course, that a very different person will emerge. Depending on the choice alternatives available, and on the kind of horrors witnessed in the process of making many moral and ethical decisions, it may be very difficult to protect the self of a truly moral and compassionate person from harm when forced to make what can only be described as impossible choices.

5.2.4 Summary of Moral and Ethical Decision Making Process

The preceding delineation of the moral and ethical decision making process affirms that although rational processes were clearly in play, some participants' moral judgements and decision making seemed to have been directly shaped by emotions and intuitions. It will be important to further understand the combination of emotion, intuition, and rationality to present a more accurate depiction of this process.

These interviews also provide strong evidence that moral and ethical decision making is an extremely complex process. To suggest that the process of ethical decision making amounts to simply assessing the situation, considering one's personal values, and acting consistently with them trivializes the matter. In fact, recollections showed that many participants mulled over their decision, sometimes for a number of days, wrought with emotional strain and subject to situational influences, as well as powerful contextual influences (e.g. social norms). This suggests that a complete account of moral and ethical decision making within military contexts will need to fully consider a wide range of factors as well as depicting a more complex decision making process than is prominent in the current literature.

6 Discussion

Given the military campaigns in which the CF will be asked to participate in the future, it seems inevitable that Canadian participants will continue to face moral and ethical dilemmas in operations. As such, it will be critical to have a full account of both the factors that influence moral and ethical decision making as well as the processes by which ethical decisions are made. This section offers a brief overview of some of the major themes evident within participant descriptions of moral and ethical decisions.

For example, this study has identified a number of key factors likely to influence ethical decision making not prominent in the current literature. Within the interviews, many different person based, contextual and situational factors impacted on the ethical decision making process. These factors did not typically operate in isolation, but most often occurred in conjunction with other factors.

In terms of situational factors, the moral issue was often made more salient by the moral intensity of the situation (i.e., proximity, temporal immediacy, and probability of effect). In terms of person-based factors, the significance of participants' self-identities and social roles was very clear. Attached to social roles, such as "soldier" or "UN Commander", were basic assumptions and normative expectations, which were argued to have been instilled through enculturation and socialization processes. Once an individual had internalized this role, this seemed to give rise to a sense of personal responsibility to fulfil these normative expectations. These expectations were also linked to participants' value systems.

However, at a broader level, moral dilemmas often arose because, in the eyes of participants, mission mandates and ROEs sometimes ran directly counter to these expectations. More specifically, participants often found themselves in positions where they were prevented from offering assistance to those in need (e.g. by engaging belligerent forces) because, from their perspective, mandates were abstract and ROEs were overly limiting. Individuals were often simultaneously obligated to follow the ROEs and obligated to follow their own personal values. As noted earlier, participants within competing obligations dilemmas sometimes found a way to both adhere to the "letter of the law" (i.e., ROEs) while still staying true to their own values and protecting people who needed their help. This speaks to the creativity and to the ingenuity of people facing two competing pressures.

It is also important to emphasize the apparent power of regimental culture as a positive influence on ethical decision making. Interestingly enough, this description of the power of regimental culture and regimental values on ethical decision making, stands in marked contrast to the conclusions advanced in a report exploring problems within the CF (Winslow, 1998). This sociological analysis concluded that, in some cases, such as the airborne regiment in Somalia, regimental culture had a detrimental impact on conduct within the CF, and may have perpetuated problems with discipline. In opposition to this, however, these interviews seem to argue that regimental culture, and the associated value structures associated with it, appeared to have had a very positive impact on the ethical decisions that individuals made in the course of operations. As one soldier shared, taking on the "*colours*" and "*the battle honours of the regiment…that sense of responsibility with the traditions*" appeared to be a force for developing character and motivating moral action. Shared regimental culture seems to have instilled in regiment members "*a fierce kind of pride…the kind of thing that makes you do things*". Another soldier also attributed his moral

action to the regimental culture, and believed that a strong regimental culture would reduce the number of "*stress casualties*". He explained:

> "*You have to have unit cohesion and you have to look to the legacy provided to you from your heritage. Our heritage has been the regimental system, but there are movements afoot to disband that. Because you look to…these guys that fought for each other and provided for the greater good. You just keep drilling that in... Look at our training system and we have dismantled the shit out of that. The training system that we went through, it either builds strength of character or it weeded out people that didn't have the strength of character… You do it for the regiment… you fight and die for the regiment…*" (P5)

This analysis suggests that understanding regimental culture, with its history, role models, and legends may well elucidate the socialization processes that generate beliefs, values, expectations and norms for ethical decision making and behaviour. It is important, therefore, to understand how the positive aspects of regimental culture could be used to help foster and promote moral character and ethical conduct.

At a broader CF organizational level, however, an apparent disjunction between the espoused values of the CF as an organization and the actual "values-in-use" (Pederson and Sorensen, 1989; cited in English, 2004) was evident throughout these interviews, and seemed to have substantive impact on ethical decision making. Some participants noted that NDHQ culture and army culture were at cross purposes with respect to promoting consistently ethical decisions. One described the former as imbued with "*cowardice*", preventing soldiers from being warriors. He believed that soldiers should be "*pit bulls on a short lead*", rather than "*a bunch of lap dogs*". Another commander echoed this sentiment, describing a situation in which the Canadian government wanted its peacekeepers to evacuate its post if an offensive began. He stated: *"They were my best trained. They were not able to withstand what they were paid to do? What was soldiering? Yes, shit happens, you know. That's why you are trained."* (Scenario 9) This demand violated his interpretation of soldiering and fighting spirit, thereby putting him in an ethical dilemma.

In this sense, the lack of continuity between organizational culture and the role that participants believed the organization had entrusted them with was fundamental. Several participants expressed their dismay with the CF's failure to actually practice its own espoused values, especially when it came to its general responsibility to care for its own people, both at a day-to-day level, and in supporting the difficult ethical decisions that they had been compelled to make in the course of operations. This disjunction served to challenge participants' personal values, and resulted in more than one participants' decision to "*quit*" the armed forces with tremendous regret because they could not resolve this conflict within the CF system. As some participants reported their dissatisfaction working within an organizational culture that said one thing but did another, it may be important to address this intrinsic disconnect, as it seems especially likely to create ethical dilemmas. Clearly, when dedicated military personnel feel that the only way to continue to behave ethically is to leave the CF, it may be a challenge to promote the optimal environment for ethical decision making. Of course, within such a small sample of participants, it is difficult to know how pervasive these beliefs and attitudes actually are within the CF, or exactly how this apparent disjunction is likely to impact on ethical decision making in the longer term. Nevertheless, this warrants further exploration.

Several participants strongly endorsed the view that truly ethical individuals should be compelled to follow their own conscience, regardless of what external pressures might exist. Regardless of the situation, one soldier argued, a soldier given a mission to protect other people is morally compelled to do so, regardless of the ROEs or of the mandates in play, arguing:

> *"… I think if ethically you take up arms, you give up your right to life. You are compelled to defend non-combatants, to minimize damage to non-combatants unless it's militarily important blah, blah, blah. So that's what we're supposed to live by. In a peacekeeping sense, however, when your mandate is to protect non-combatants, are you not culpable when you don't protect them? Like, you're not strictly by the law. You can't be guilty of not doing something. And that's why I think XXXX isn't a war criminal under the Geneva Convention against genocide. But I think morally you are compelled. If that's your mandate and you take the, what is just cause, whatever for going to war. If you're going in as a peacekeeper, then you have to do whatever you can to defend them."* (P5)

This view was endorsed by several participants, who essentially argued that one's own personal conscience (however derived) should take priority over contextual factors that limit one's range of movement in working to protect the interests of innocent or helpless people. For example, unable to use lethal force to protect non-combatants in operation, one soldier reported that "*morally, I cannot live with that as a senior commander*". As mentioned previously, his identification as a senior commander, representing a country that endorses the UN Declaration of Human Rights, underscored the necessity of maintaining both implicit and explicit expectations for his current role and the general profession of armed forces. As such, he chose to continue to be guided by his assumed role and to act consistently with the moral position that he believed the role demanded. It will be important, therefore, to investigate how the explicit and implicit beliefs and expectations of the profession of arms come to be internalized into one's sense of self, how they develop and shape personal values and conscience, and the extent to which these factors actually determine the moral and ethical decision making process.

In terms of the actual decision making processes, these interviews also showed several key areas of divergence from existing descriptions of ethical decision making, such as that advanced by the DEP. In general, the DEP seems to endorse the assumption that an individual can and ought to deliberate using a methodical and rational process as the guide for moral and ethical judgement and decision making. The DEP depiction of a "quick and easy" decision aid on a pocket sized card seems consistent with their view that moral and ethical decisions made in operations should be amenable to relatively straight forward resolutions. However, participant reports in this study suggest that a strictly rational and linear model of decision making cannot approximate actual moral and ethical decisions that need to be made in military operations, and that a much more complex picture is needed to understand ethical decision making.

One major difference emerging in these interviews was the prominence of intuition and intuitive processes in making ethical decisions. Participant accounts clearly seemed to indicate reliance on their intuitions about the correct action to take when facing moral dilemmas, and they clearly used their experience and expertise as guides for their behaviour, rather than simple rational processes of weighing the pros and cons of their actions or adhering to a strict set of predetermined axioms. For example, some participants stated how their gut instinct provoked a sense of right or wrong, which helped guide their action. This suggests that, as argued in the naturalistic decision making literature (e.g. Pliske and Klein, 2003; Gigerenzer and Goldstein, 1996), they relied on heuristic-based as well as rational decision making processes.

Moreover, participant accounts also seemed consistent with Haidt's (2001) social intuitionist model. For example, when confronted with a moral situation, one has a hunch about the right course of action, and then one engages in a collaborative dialogue with other moral agents. This hunch then is either reinforced or diminished through this collaborative dialogue. In more than one case, interviews suggested that moral decisions were often initiated by an initial hunch or feeling,

followed by long and excruciating deliberations. Moreover, participants also prominently noted having appealed to significant others in order to benchmark their own intuitions about the correct ethical decision. The process that they seemed to engage in matched very well with Haidt's (2001) description of moral judgements, as participants often sussed out their moral hunches by appealing to others, leading them to either reinforce or diminish this original moral position. Of course, this did not guarantee that this process ended in agreement, merely that individuals had an initial intuition that was further elaborated through the exploration of shared reasoning with others. The social intuitionist model does not hold that one will come to a consensus when consulting with others, but merely downplays the "private reasoning" of moral judgements, and emphasizes the role of social and cultural influences in actual moral judgements.

Another key difference emerging from these interviews was the impact of emotion on ethical decision making processes. Participants often recalled how emotion was a significant contribution to recognizing a moral issue and in helping them to determine the best course of action. For example, some participants explained how their immediate feelings of disgust or compassion drove their moral decisions. Of course, this does not mean that participants resolved moral and ethical dilemmas without rationally considering their actions too. Rather, it suggests that the recognition and resolution of a moral issue can derive from their intuitions and from their emotional response to an issue, as well as to abstract principles and strict moral reasoning. As participants revealed, therefore, the role of rationality, emotion, and intuition were all evident and more often than not inseparable. Thus, it seems clear that treating these as separate entities might run counter to the actual process of moral and ethical decision making.

In terms of the three stages of ethical decision making, at the pre-decisional stage, there was good evidence that the recognition of a moral dilemma is sometimes immediate and leads quickly a decision, through both rational and intuitive processes. A process of consultation with respected others was also prominent during the deliberation stage. And, although participants did note difficulty in making an ethical decision, several also suggested that the deliberations leading up to their actual decision may have been more difficult than actually implementing their decision. In other words, once the decision was made, and they knew what they needed to do, they did not second guess themselves. On the other hand, regardless of the ethical decisions that participants made, there was a strong tendency for the impact of these decisions to linger long after the discrete decision (e.g. through counterfactual thinking). The sheer amount of time required for recovery from the perceived impact of some ethical decisions was very jarring. As one participant argued, "*It took me years to rationalize and to understand that we were doing the best we possibly could*." (Scenario 28) This very candid and personal statement presents a very real challenge to the CF about the importance of helping individuals who will be placed in difficult situations in which wrenching decisions will need to be made. Indeed, several participants appeared to have some emotional trouble in recounting the ethical decisions they had made, and several reported themselves to be suffering from post-traumatic stress disorder as a result of their experiences in operations. The extent to which their ethical decisions may have contributed to this, of course, cannot be ascertained, but this study did reveal a definite need for post-decisional support for military personnel after operations by the organization, so that they do not feel like they have been abandoned or betrayed after having made these difficult decisions as serving members of the CF. The apparent longevity of ethical decision making at the post-decisional stage seems necessary to explore in more detail.

Facing a wide range of ethical dilemmas ranging from purely administrative issues to extreme life and death situations, CF military personnel have offered an incredibly complex depiction of the ethical decision making process. Clearly, the descriptions of ethical scenarios and the associated

ethical decisions were imbued with great moral courage and conviction, and the interviews described in this report provide a compelling argument that moral and ethical decision making will need to be considered at all stages (e.g., pre-decision) and with respect to a wide range of factors and processes (e.g., self-identity and intuition) in order to form an accurate account relevant to military operations. Most importantly, rather than standing alone as discrete entities, moral and ethical decisions clearly need to be framed and interpreted through the multiple lenses of individuals as well as society and its normative institutions.

Unfortunately, it is also clear that the current CF approach to understanding ethical decision making does not adequately consider many of the factors discussed by participants in these interviews. This strongly suggests the need to both broaden the scope of the CF's work (and, by extension, training) in ethical decision making in order to more accurately capture the nature of this demanding process in actual CF operations.

However, despite the apparent inadequacies within the current CF view of ethical decision making, it is important to remember that these participants who made often wrenching ethical decisions driven by their values and often against their own interests are themselves products of CF organizational culture both past and present. These individuals are products of CF training, socialization processes, and indoctrination into the CF, which includes internalizing high expectations like "service before self" and "unlimited liability". In this respect, the CF can be strongly credited with attracting individuals with strong values and presumably with fostering these values throughout their careers. Whatever challenges may exist with respect to promoting and supporting ethical decision making within CF, the closing statement of a commander interviewed for this study offers both inspiration and hope for future ethical decision makers yet to come:

> *"I believe that we are one of the best institutions in Canada in terms of the values in which we believe. And that socialization process is happening very early on and will continue. So we have values in our institution, which are not practiced by most Canadian citizens. I'll give you an example. We value the team before self, which is a value, not practiced by many Canadians or most Canadians. I will defend a third person if, to me, that person deserves to be defended even though there is a cost to me. If I think it's the right thing to do, I will defend that person. Other institutions in society will defend a cause only if there will be a benefit for them. As soon as the benefit is no longer there, they will drop the cause. They will be very keen at putting their own rights in the forefront and never will they water down their rights for the benefit of the team. And I think the Canadian society expects us to live by a team approach, which means the interests of Canada come before my own interests, the interests of the Armed Forces comes before my own, the interests of the team working here for Canada comes before my own self interests – so that's one of our values. That's why I say we are probably one of the very solid and probably one of the very best institutions in the country. The socialization process allows someone very young, 18, 19, 20, years of age, who comes with values, which are contrary to what I have explained to you. They learn, and they embrace and they live by and they change and adopt these values and that is key to the survival of what we are as an institution.*
>
> "<long pause> *My values include I will never lie to the public of Canada. Never will I lie to protect a political figurehead. If someone in the politics has decided that they will kill a helicopter purchase contract, it's not for me to explain that, it's for them to explain that. I am not there to mislead the public to make them look good. Never will I mislead the Canadian public. It's part of our values. I'm not sure if it is a value, which is shared in some other professions, but for us it is a key fundamental value."* (P2)

Clearly, the CF appears capable of supporting and promoting people of strong values and with a compelling vision of the role of the CF within Canadian society. However, it is also incumbent on CF to adopt a broader perspective on ethical decision making in operations, and to begin to understand how military personnel can be better prepared for the difficult decisions that they will face as they represent Canada in future operations.

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ANNEX A

Moral/Ethical Decision Making
Canadian Forces Interview Protocol

I. Demographic and Military Experience

1. (When possible, document how long participant has been in the Canadian Forces)

2. (State Rank)

3. (State sex.) Male or Female

4. (Researcher identify operations interviewee participated on from interview transcript)

II. Ethical Dilemmas and Moral and Ethical Decision Making

A lot of people know when they're in an ethical dilemma, but describe it in various ways. One reason for this is that there are different kinds of ethical dilemmas. One kind of ethical dilemma might be when the rightness of an action varies depending on the circumstances. Another might be that you have two obligations to fulfil but can only fulfil one at the sacrifice of the other.

5. Without providing an example, how would you describe an ethical dilemma?

6. Please describe to me, in detail, an ethical dilemma that you personally faced. (*Please include details, such as when it happened, where you were, who was with you, what you were doing before the situation arose, how you were feeling*).

7. Why would you consider this an ethical dilemma?

8. What factors led to or put you in this ethical dilemma?

9. How did you feel at the time when you were faced with this ethical dilemma?

10. Please explain to me, in detail, how you resolved this dilemma?

11. How did your previous experience in other military activities (e.g. operations) influence your decision? Had you been in a situation like this one before?

12. How did your own sense of personal responsibility guide the resolution of this ethical dilemma?

13. What were your thoughts and feelings immediately after making this decision?

14. People are affected by many things when they make moral and ethical decisions, for example, personal beliefs, values, and feeling; personal experience; the context of the situation; training; ROE; the mission itself; societal expectation; the people or environment that this kind of decision impacts; etc. We're interested in understanding which of these influenced you and how they influenced you when you resolved the particular ethical dilemma that you described?

15. Thinking about all of the influences we have just discussed, which one would you say was the most influential in your decision making and why?

16. Could you describe the course of action you chose to fulfil this particular dilemma?

17. What motivated you to act in this particular way?

18. In hindsight, would you say that this was the best course of action? What alternative courses of action were available to you?

III. CF Ethics Training and Doctrine on Ethical and Moral Decision Making

19. What kind of morals and ethics training did you receive from CF? Was it adequate to help resolve your dilemmas?

20. How did your general CF training and CF doctrine prepare you for this kind of ethical dilemma? What specific CF training and doctrine do you see as most relevant to the issue of moral and ethical decision making?

21. What might be done in future CF training to better prepare members to face an ethical or moral dilemma?

IV. CF Defence Ethics Program

22. Are you familiar with the CF Defence Ethics Program (DEP)? (If "yes"…) *What can you tell me about it? How might it help CF members resolve moral and ethical dilemmas in military activities?*

V. Other

23. Why do you think the CF is interested in the issue of ethical and moral decision making? How important do you think this is for CF personnel? Why do you say that?

24. How have the moral and ethical decisions that you made affected you in the longer term?

Voluntary Consent Form
Moral and Ethical Decisions in the Canadian Forces

Protocol Number: L-459

Research Project Title: Moral and Ethical Decision Making in the CF

Principal Investigator:	Dr. Barbara Adams	519-836-5911
Principal DRDC Investigator:	Dr. Megan Thompson	416-635-2040
DRDC CO-Investigator:	Dr. Joe Baranski	416-635-2146

I, _____ (name) of _____ (address and phone number) hereby volunteer to participate as a subject in the study, "Moral and Ethical Decision Making in the CF" (Protocol L-459). I have read the information letter, and have had the opportunity to ask questions of the Interviewer. My current questions concerning this study have been fully answered to my satisfaction. However, even after my interview is completed, I may obtain additional information about the research project and have any questions about this study answered by contacting any of the Investigators listed above.

I have been told that I will be asked to participate in a personal interview lasting 1-2 hours related to the moral and ethical decisions that I faced during previous military operations. I will also be asked to complete a short background form.

I have been told that, in general, there is minimal risk associated with this research. However, if I should feel any discomfort talking about the issues raised in the interview I have been assured that I may decline to answer any questions, and I may terminate my participation at any time, without penalty. I have also been provided with a list of professional resources if I wish to discuss in more detail the issues that we will talk about today. I have been told that there are no other known or anticipated risks to me as a participant in this study.

I have been advised that the data concerning me will be treated as confidential, and not revealed to anyone other than the DRDC Toronto Investigator(s) and the HSI® research team without my consent, except as data unidentified as to source.

I have been told that I should not mention specific individuals by name or provide enough details to identify individuals, in the course of this interview, as further protection to me in the unlikely event of an Access of Information request. I have also been told that my interview is covered by the Privacy Act, and that any information that may identify me personally cannot be released without my consent.

I understand that I am free to refuse to participate and may withdraw my consent for any reason without prejudice or hard feelings at any time. Should I withdraw my consent, my participation as a subject will cease immediately. In this case, I will have the option of requiring that any data that I have provided be destroyed. I also understand that the Investigator(s), or their designate, may terminate my participation at any time, regardless of my wishes.

For Canadian Forces (CF) members only: I understand that I am considered to be on duty for disciplinary, administrative and Pension Act purposes during my participation in this experiment and I understand that in the unlikely event that my participation in this study results in a medical condition rendering me unfit for service, I may be released from the CF and my military benefits apply. This duty status has no effect on my

right to withdraw from the experiment at any time I wish and I understand that no action will be taken against me for exercising this right.

Participant's Name _____ Signature: _____

Date: _____

FOR SUBJECT ENQUIRY IF REQUIRED:

This research has been reviewed and approved by the DRDC Toronto Human Research Ethics Committee and has been approved by the Directorate of Human Resource Research and Evaluation,

Should I have any questions or concerns regarding this project before, during, or after participation, I understand that I am encouraged to contact Defence R&D Canada Toronto (DRDC Toronto), P.O. Box 2000, 1133 Sheppard Avenue West, Toronto, Ontario M3M 3B9. This contact can be made by surface mail at this address, or in person, by phone or e-mail, to any of the DRDC Toronto numbers and addresses listed below:

- Principal DRDC Toronto Investigator: Dr. Megan Thompson, 416-635-2040, megan.thompson@drdc-rddc.gc.ca or DWAN: thompson.mm@forces.gc.ca
- DRDC Toronto Co-investigator: Dr. Joe Baranski, 416-635-2146, joe.baranski@drdc-rddc.gc.ca
- Chair, DRDC Toronto Human Research Ethics Committee (HREC): Dr. Jack Landolt, 416-635-2120, jacklandolt@drdc-rddc.gc.ca

I understand that I will be given a copy of this consent form so that I may contact any of the above-mentioned individuals at some time in the future should that be required.

I grant permission to have my interview recorded.

Participant's signature_____ Date _____

I grant permission to the principal investigator to quote directly from my interview, but without attribution or reference to my identity. I have been informed that I will have the opportunity to review my interview transcript to indicate any portions that should not be quoted in reports, publications, or presentations, and that this may include the entire transcript, even if I give permission to quote from my interview below.

Participant's signature_____ Date _____

Resources for CF personnel

The CF has resources available to assist military personnel concerning issues or medical problems related to their military experiences.

Individuals should contact their local medical assistants, medical officers, padres or social workers for further information or referrals.

The CF also operates five Operational Trauma and Stress Support Centres (OTSSCs) across Canada. The mission of the OTSSCs is to provide assessment and treatment for a range of problems arising from deployments including PTSD. The clinics are located in Halifax, Valcartier, Ottawa, Edmonton & Esquimalt. More information about the OTSSCs is provided at the following website:

http://www.forces.gc.ca/health/services/engraph/otssc_home_e.asp?hssubmenu

The Operational Stress Injury Social Support (OSISS) Project, created in May 2001, is a group of veterans who operate a peer support network that is independent of the military chain of command OSISS has 13 active peer support sites across Canada. OSISS resources are available at: 1-800-883-6094 or at http://www.osiss.ca

Moral and Ethical Decision Making in the CF
Introduction Letter

Dear Participant:

We work with a consulting firm called Humansystems in Guelph, Ontario, and we have been contracted by DRDC Toronto to conduct a study related to moral and ethical decision making in Canadian Forces. To assist us with this study, we are requesting 1-2 hours of your time to participate in a one-on-one interview. This project has been approved by the Human Research Ethics Committee (HREC) of Defence R&D Canada (Protocol Number L-459). The research has been approved and coordinated through the Director Human Resource Research and Evaluation (DHRRE). I would like to provide you with more information about this project and what your involvement would entail, should you choose to participate.

It is clear from recent history that the role of Canadian Forces personnel in multinational peacekeeping operations has presented a distinct set of problems for moral and ethical decision making over and above the problems inherent in conventional warfare. The goal of the present study is to contribute to a better understanding of moral and ethical decision making by interviewing CF personnel who have had to make moral and ethical decisions in operational contexts. The rich information gained from these interviews will enable the creation of generic scenarios to be used in future training and research that reflect the unique Canadian military experience in making moral and ethical decisions.

Your participation in this study is completely voluntary. It will involve participating in a single one-on-one personal interview to discuss moral and ethical decision making in the context of your previous military experience. It will also involve completing a short Biographical Data Form. The interview will be approximately 1-2 hours in duration. All interviews will be conducted by the Primary Investigator, Dr. Barbara Adams, and a member of the interview team, at a site mutually convenient to you and the interviewers.

The information that you provide in the interview is considered completely confidential and we ask that you do not identify or name specific individuals during your interview. The interview will be recorded and transcribed, with your consent, and will be kept in a secure location to which only researchers associated with this project will have access. The transcript will contain no information that identifies individuals. If you wish, you can choose not to be tape-recorded but still participate in an interview. The content of your interview will not be made available or accessible to supervisors and your participation will have no impact on your career. Although your base commander or commanding officer may be aware that this study is taking place, he or she will not be given a list of participant names. After your interview has been transcribed, you will have the opportunity to review its contents (point out any errors, etc.) and to indicate any portions that you would like not be referred to in any reports, publications or presentations (this may include the entire transcript). Results communicated or reported will contain no identifying information. If excerpts from interviews are to be used in reports or publications, under no circumstances will identifying characteristics be reported; where applicable, only aggregate results (i.e., with no identifying information) will be communicated.

The risks associated with your participation in this study are minimal (i.e., the possibility of harm or discomfort is anticipated to be no greater than what you will encounter in your daily life or occupation). However, participation in this research will involve discussing aspects of your work life that you may find uncomfortable. To offset this risk, you may take a break at any time, you may decline to answer any questions, and you may terminate your participation at any time, without penalty. It is also important that you know we understand that these kinds of issues may be difficult to talk about and we will be providing you with a list of professional services that you can contact if you feel like you want to talk to a professional in more detail about your experiences. There are no other known or anticipated risks to you as a participant in this study.

On completion of this study, a research report will be provided to you, submitted to a variety of journals, and presented to conferences.

If after reading this letter you have any questions regarding this study or would like additional information, please feel free to contact Dr. Barbara Adams, 519-836-5911, Dr. Megan Thompson, 416-635-2040, Dr. Joe Baranski at 416-635- 2146 or LCol. Peter Lomasney, 416-635-2130. Thank you in advance for your interest in this project. It is greatly appreciated.

Yours sincerely,

Dr. Barbara Adams
Senior Consultant
Human*systems*® Inc.

Content Analysis Definitions

Factor Type	Factor	Definition and Description	Paradigmatic Examples
Person-based	Self-identity	how an individual perceives and understands themselves within their role, holistically and as distinct from other people – self-definitional statements (e.g. Who am I?), personal goals, aspirations, and expectations; this includes an individual's belief in specific attributes, such as self-confidence, courage, etc.; it also includes statements about others that coincide with an exemplar category	"I prefer to be able to look at myself in the mirror while I serve and after my military career." "If you don't have self-confidence, you don't make a decision." "You constantly ask yourself, 'am I right or am I a stubborn guy defending a point of view which is at adds with the logic?'"
	Attitudes/values	privately evolving, beliefs about the world, stemming from participation in family, religion and other organizations; CF leadership values might include integrity, loyalty, commitment to the well-being of subordinates, etc.; an attitude would be the thoughts and feelings about those values in particular, or anything in general	"A profession that I found was very noble and honourable." "For me, loyalty is very important." "To me there is only one acceptable outcome – mission success." "I will never lie to the public of Canada." "I think there is nothing wrong in showing how you feel." "My personal values are very much a reflection of army and CF ethos." "The way I dealt with it was 'Take it or leave it.'" "When you saw irregulars, with automatic weapons, under the influence of alcohol, going into the village, you knew something could go very wrong."
	Moral development	the process by which individuals have and sustain their moral position, principles, beliefs, etc. over time; this includes socialization processes, etc. They include statements that describe how people's morality develops over time and as the result of life experience. Moral development should be distinguished from development as the result of training or direct or identified contextual factors.	"That's how I was brought up." "I grew up in a household where my father worked and my mother stayed home and raised us."
	Ethical ideology	ethical principles that help an individual justify judgements and actions that they take; these are higher order principles	"The ends justify the means." "Everyone should be treated as an ends and not as a means." "An action is right only in light of the consequences." "There is something higher than regulations, it's the greater good."
	Emotion	the way an individual reflects or describes the feelings that they had regarding a particular phenomenon; sometimes, but not always associated with noticeable change in tone of voice (e.g. happiness or sadness, agitation or disturbance – either positive or negative)	"You can feel the pressure that I had on my shoulders."
	Personal responsibility	amount of responsibility that the target believes he/she must assume; statements that indicate a recognition and acceptance of personal responsibility.	"My responsibility was to lead the military campaign." "It should have been the job of UNHCR or ICRC, but they were totally absent from my area."

Factor Type	Factor	Definition and Description	Paradigmatic Examples
Contextual	Organizational culture	includes the structural, normative and cultural factors associated with an organization, such as the CF, the UN, NATO, etc.	"In the States you do not have the command relationship between superiors and subordinates to have this dialogue when you have ethical dilemmas." "As a Force Commander, I was a UN agent working for the UN in New York. In other words, I was not under Canadian chain of command." "Other nations just froze. They took care of their troops and did nothing more." "After the Somalia crisis, we had a national headquarters in Ottawa that was very gun shy."
	Military training	training can include daily indoctrination and socialization, coaching in ethical standards, classroom ethical teaching; experience will include length of time in the military, rank, travel, and missions as well as how the current knowledge structure that a soldier maintains impacts perceptions, interpretations and decisions	"I would say that most of the time junior leaders will make the correct decision because they feel empowered, they feel trained." "My whole training had prepared me for this." "I had studied operational art." "You need to be guided by a sound competence, which is a sum of experience and the sum of the skill sets you've acquired." "With what I know today, I cannot say I would do it again and I cannot say I would not do it."
	Societal norms and values	these stand outside the individual (viz., they are general enough to be interpreted broadly by individual members of society, and they may not be necessarily be personally endorsed by all members of society) and are reflected in normative institutions, such as the legal system, general societal expectations, etc.	"As Canadians, we have a greater understanding of multicultural, multiethnic issues." "What you were doing was defending principles and values to which Canada has adopted as a member nation of the UN." "As a senior commander, you must be able to relate everything you do with the values for which this country stands."
	Mission Type	missions can be warfighting, peacemaking, peacekeeping; missions can be purely national or international	"The UN police will develop and train the local police." "The purpose was to move from a military security posture to a nation building effort." "By mission creep, we were providing some help to a lot of the refugees and displaced persons." "You did not have the authority to use lethal force."
	Rules of Engagement	Specific statements and directives originating from formal bodies that define how military effort will be directed	"*I had requested from New York five specific ROE. One of them was the authority to use lethal force to protect <u>any</u> human being, … …So I had requested authorization to use lethal force to protect any human being and New York had agreed with it. However, Ottawa refused to subscribe to that.*

Factor Type	Factor	Definition and Description	Paradigmatic Examples
Situational	Risk	the possibility of incurring loss or misfortune	"We drove by slowly and then they started cocking their weapons."
	Uncertainty	not knowing the outcome of an event; uncertainty and risk are closely linked. This includes statements that refer to ambiguity.	"We were about 80% sure there was some skimming." "When you are a commander, you have to operate in conditions where guidelines are missing or lacking."
	Time pressure	how much time will be available to the decision maker	"We're here now, and I had to think fast."
	Moral intensity	characteristics of the moral issues, which emphasizes the degree of responsibility based on proportionality. Include magnitude of the consequences, social consensus, probability of effect, temporal immediacy, proximity, concentration of effect.	"What was I to do, stand by and watch? These were people like myself who needed immediate assistance." "For me, the gravity of the situation justified it."
	Available choice alternatives	when an individual reconstructs the event, they reflect on the courses of action that were available to them. In some instances, only one possible course of action exists in the mind of a decision maker because it was consistent with his or her ideals, either moral or general. However, more often than not, a moral and ethical decision maker has a variety of options available. Choice is shaped by the decision maker's construal of the situation, which is driven by their own values and belief systems. This variable represents the actual courses of action that were available to moral and ethical decision makers as well as the perceived courses of action.	"There was only one concept of operation acceptable to me and it would be the one that leads to mission success." "I could have gotten on my high horse, and complied with the bureaucrats in Ottawa. But I chose to provide assistance to those people who needed our help." "Yes, I have made enemies." "The bluff worked, they let us pass and they never, never hampered us again."

DOCUMENT CONTROL DATA
(Security classification of the title, body of abstract and indexing annotation must be entered when the overall document is classified)

1. ORIGINATOR (The name and address of the organization preparing the document, Organizations for whom the document was prepared, e.g. Centre sponsoring a contractor's document, or tasking agency, are entered in section 8.)

Publishing: DRDC Toronto

Performing: Humansystems Inc., 111 Farquhar St., 2nd floor; Guelph ON, N1H 3N4

Monitoring:

Contracting: DRDC Toronto

2. SECURITY CLASSIFICATION
(Overall security classification of the document including special warning terms if applicable.)

UNCLASSIFIED

3. TITLE (The complete document title as indicated on the title page. Its classification is indicated by the appropriate abbreviation (S, C, R, or U) in parenthesis at the end of the title)

Moral and Ethical Decision Making in Canadian Forces Operations (U)

4. AUTHORS (First name, middle initial and last name. If military, show rank, e.g. Maj. John E. Doe.)

Michael H. Thomson; Barbara D. Adams; Jessica A. Sartori

5. DATE OF PUBLICATION
(Month and year of publication of document.)

January 2006

6a NO. OF PAGES
(Total containing information, including Annexes, Appendices, etc.)

148

6b. NO. OF REFS
(Total cited in document.)

20

7. DESCRIPTIVE NOTES (The category of the document, e.g. technical report, technical note or memorandum. If appropriate, enter the type of document, e.g. interim, progress, summary, annual or final. Give the inclusive dates when a specific reporting period is covered.)

Contract Report

8. SPONSORING ACTIVITY (The names of the department project office or laboratory sponsoring the research and development − include address.)

Sponsoring:

Tasking:

9a. PROJECT OR GRANT NO. (If appropriate, the applicable research and development project or grant under which the document was written. Please specify whether project or grant.)

16kf03

9b. CONTRACT NO. (If appropriate, the applicable number under which the document was written.)

W7711−7−017703 call up 7703−13

10a. ORIGINATOR'S DOCUMENT NUMBER (The official document number by which the document is identified by the originating activity. This number must be unique to this document)

DRDC Toronto CR 2006−013

10b. OTHER DOCUMENT NO(s). (Any other numbers under which may be assigned this document either by the originator or by the sponsor.)

11. DOCUMENT AVAILABILITY (Any limitations on the dissemination of the document, other than those imposed by security classification.)

Unlimited distribution

12. DOCUMENT ANNOUNCEMENT (Any limitation to the bibliographic announcement of this document. This will normally correspond to the Document Availability (11), However, when further distribution (beyond the audience specified in (11) is possible, a wider announcement audience may be selected.))

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13. ABSTRACT (A brief and factual summary of the document. It may also appear elsewhere in the body of the document itself. It is highly desirable that the abstract of classified documents be unclassified. Each paragraph of the abstract shall begin with an indication of the security classification of the information in the paragraph (unless the document itself is unclassified) represented as (S), (C), (R), or (U). It is not necessary to include here abstracts in both official languages unless the text is bilingual.)

(U) The purpose of this study was to generate first hand accounts of moral and ethical dilemmas that Canadian Forces (CF) personnel faced in operations in an effort to promote greater understanding of the personal, situational and contextual factors that comprise dilemma situations, as well as understanding the process of ethical decision making. A second goal was to elicit realistic exemplar scenarios for experimentation purposes. Fifteen currently serving and retired senior officers in the CF were interviewed from 19 May 2004 to 3 March 2005 using an unobtrusive conversational protocol. Participants were encouraged to speak freely and openly about moral and ethical dilemmas that they faced in operations, in order to document the ethical decision making process (and the factors that influence it) in operational contexts.

Moral and ethical decision making was shown to be influenced by a number of factors not strongly emphasized in existing accounts of ethical decision making. These influences stemmed from the person (e.g. self−identity, values and attitudes), as well as several situational (e.g. moral intensity) and contextual factors (e.g. rules of engagement and organizational culture). Results also showed that moral and ethical decision making was not merely a linear, rational process, but a complex and multi−determined one, in which reason, emotion and intuition often worked together to determine ethical decision making. In addition, participant accounts suggested that ethical decisions are often simultaneously influenced by issues of self−identity in relation to contextual factors such as social norms and organizational culture. Participant descriptions, therefore, point out the significance of one's social role and self−identities in shaping and guiding the moral and ethical decision making process.

14. KEYWORDS, DESCRIPTORS or IDENTIFIERS (Technically meaningful terms or short phrases that characterize a document and could be helpful in cataloguing the document. They should be selected so that no security classification is required. Identifiers, such as equipment model designation, trade name, military project code name, geographic location may also be included. If possible keywords should be selected from a published thesaurus, e.g. Thesaurus of Engineering and Scientific Terms (TEST) and that thesaurus identified. If it is not possible to select indexing terms which are Unclassified, the classification of each should be indicated as with the title.)

(U) moral; ethical; Canadian Forces; dilemma; decision making