# modern
# military
# morality

**'Modern Military Morality'**


**Thesis to conclude the master course 'Applied Ethics' by**


**P.H. de Vries**

Dedicated to all those Dutch soldiers who were killed in action
while deployed in modern military conflict
but who will live on in our narrative

**Preface.**

In the last ten years of my career as a professional soldier I became more and more interested in the ethical dimensions of my profession in the then rapidly changing political and military context. In my opinion not enough attention was paid to the ethical implications of those changes for the military profession. On the other hand I fully acknowledged the cause of this omission: there were just to many other challenges the military had to cope with. After all I was there. Therefore I decided to study philosophy and applied ethics after my retirement and try to contribute to the development of the important issue of military morality. Before you is the result of my ambition.

I could not have realized my ambition without the assistance of many! First of all I would like to thank the tutors of the Ethics Institute of the Utrecht University who taught at the international master course 'Applied Ethics' and at the philosophy faculty. They proved to be highly knowledgeable and dedicated in teaching the theoretical context of ethics and pointing out the difficulties that may arise in defining the ways and means to apply these theoretical concepts in real life. In particular I would like to thank Dr. Marcel Verweij who not only taught but also coordinated the course. He proved to be a staunch supporter of my ambitions and greatly helped me in attaining my academic goals. Besides he took it on him to supervise the realization of my master thesis. I would like to extend my thanks to the co-supervisor of my thesis, Dr. Jan Vorstenbosch. I followed several of his courses and I have come to know him as a passionate teacher and highly versed in ethical theory and its application: he taught me a lot!

Second I must express my gratitude to my former colleagues in the military. I was retired five years ago and in spite of these passed years I found great assistance and support when I approached them for information, advice and criticism. I  felt that I needed their comments as my personal experience is by now largely obsolete. I especially would like to thank brigadier-general Otto van Wiggen, colonel Peter van den Aker and major Niels Roelen for their critical remarks. Without their assistance and that of others I would not have been able to write a thesis that could be really relevant for the present military. I hope and trust that my thesis will have real practical value and will not end up in a bottom drawer in a back office of the Dutch Ministry of Defence.

And last but not least I would like to thank my fellow students, who - in spite of my being somewhat older than most of them - adopted me as a regular member of their international community. It was great fun and very inspiring to be a member of your band of brothers (and sisters by the way).

Peer de Vries
Utrecht, 19 february 2009

**Summary**

The author aims at providing a coherent body of ethics, a shared moral standard, for a modern Dutch military. He starts by describing the historical context and the present situation of the Dutch military and the morally relevant aspects. These include notions of justice in committing armed forces and a professional ethos based on duty, proficiency, resilience and respect. The author rejects the recent introduction of a code of conduct, mainly because this code does not address the operational character of military practice and does not provide a tangible link with the strong tradition of the military

The author argues that a virtue-ethical approach will be best suited to provide a coherent shared moral standard. He chooses the theory of Alisdair MacIntyre to further elaborate a normative framework that addresses both the operational nature of military practice and provides a strong link with military tradition. The theory is based on an interconnectedness of practice, narrative and moral tradition and claims to provide an objective method to establish which virtues are relevant for a practice. The theory aims primarily at the internal goods of a practice that can only be acquired by participating in that particular practice. The virtues enable the practitioner to excel and so increase the benefits gained by participating in the practice. After examining MacIntyre's approach and reviewing several criticisms aimed at MacIntyre's theory, the framework is augmented, including the notion that a practice also has an external goal, a purpose. This purpose provides an extra dimension in ascertaining which virtues are relevant. Also the idea that the special virtues of a practice must somehow fit with wider ideas of morality is taken into account. The ideas of MacIntyre are further supplemented with a the need to establish the constitutive parts of a practice as well as a method to determine more exactly what is the meaning, the content, of a virtue.

The elaborated framework is than applied to Dutch military practice. First the constitutive elements of military practice are determined. Next is established what are the primary goods that people want to acquire in participating in military practice. Based on these goods, eight military virtues are identified: duty, military professionalism, comradeship, respect, resilience, discipline, courage and justice. The content of these virtues is further elaborated. The author continues to show how these virtues fit into a narrative and how this narrative enhances the individual virtuousness. The result is a coherent body of professional ethics. Next the author examines the role of the military institution and its place in Dutch society. In Dutch society the military has no reason to expect a priori status or power. Political control over the military is complete and widely accepted as a necessary and valuable feature of civil-military relations. The only way to acquire status by the military is by excelling: a feature that fits well in Dutch general moral tradition. The nature of the Dutch Armed forces as a closed institution provides the next perspective. This feature entails the reciprocal values of duty and trust. The organisation has the duty to look after its soldiers and trusts that they will do their job, as well as the soldiers have the duty to execute their mission in the trust that the armed forces organisation will look after their wellbeing. Duty and trust are the core values of the organizational morality of the military. The notions duty and trust also provide a linking pin between ordinary morality of society and the organizational morality of the

military and eventually the professional morality of the sailors, soldier, airmen and marechaussees[1]. The government has the duty to care for its military and trusts that the military will do their job; on the other hand the military has the duty to perform well and trusts that the government will take proper care of them. In this way a fit is also established between ordinary morality and military morality.

The author concludes that the modified model he developed, based on the virtue-ethical theory of Alisdair McIntyre, provides indeed a suitable way of establishing what could be the content of a modern military morality for the Dutch armed forces. He claims that a soldier educated and trained in accordance with the virtues will not only be a better soldier, but will also enhance military effectiveness and eventually this soldier will be a better person and a better citizen as well.

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[1] Members of the Dutch Royal Military Police, the 'Koninklijke Marechaussee'.

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**Chapter I: introduction**

<u>Historical context.</u>  In the last decade of the twentieth century several largely **political developments** took place which had a profound impact on the Dutch military - and not on the Dutch military alone. The cold war ended and the ideological struggle between communism and liberalism/capitalism more or less disappeared from the stage of world politics. In the wake of this development the apocalyptic - but eventually not very probable - threat of a 'mutual assured destruction' eventually disappeared into the background as well. Also the conventional military underwent many changes. In Europe the NATO military had to say goodbye to their household enemy, the regular forces of the Warsaw Pact. That goodbye was also aimed at one of NATO's main theatre of operations, the well known North German plain; also the sector of the wartime deployment of 1(Netherlands) Army corps and the belt of air defence units in which the Dutch Air Force participated. The North Atlantic, the major theatre of operations for the alliance fleet in which the Royal Netherlands Navy took part, lost much of its military significance as well. The peace dividend was collected and in the Netherlands this meant that the size of the Dutch armed forces was reduced in a number of steps from their erstwhile wartime strength of well over 500.000 sailors, soldiers and airmen to the present establishment of an ample 70.000.  At the same time conscription was formally suspended and the Dutch military was transformed into an all volunteer force. This measure affected the army the most, as this service had the largest establishment and took in most of the conscripts. In short a lot of the certainties that determined Dutch military reality for well over 40 years disappeared in less than a decade.

The changing perspective was not only visible in the material sense. The **ideological and moral perspective** changed also. There was no longer a matter of fact division between the 'bad guys' who wanted to usurp our nations and enforce on us an authoritarian regime and the 'good guys' who wanted to prevent that and protected our ideals of liberty and equality.  The 'bad guys' may have had might, but the 'good guys' had right on their side.  But although they were the 'bad guys', still our then opponents were members of the international community of states and their armed forces were our regular enemies. If a war would break out, the 'jus ad bellum' and the 'jus in bello' pertained to all parties. These certainties have disappeared too.

Nowadays it is not obvious at all who our enemy is. On the other hand it is quite sure there are some parties who consider us to be their enemies. But these parties are not necessarily members of the international community of states; recent developments have shown they are mostly not. The same developments have shown us that these parties do not feel obliged to adhere to the international humanitarian laws and the laws on international armed conflict, on the contrary. In the last decade the moral face of battle has changed considerably as well.

These changes imply a new kind of conflict which is currently labelled as **asymmetric warfare**[2]. One of the consequences of this kind of conflict is that armed confrontations are mostly a small unit affair. There is no longer a 'classical' battlefield in which large units operate in an orchestrated manoeuvre. On the 'classical' battlefield the individual soldiers were tangibly part of a larger unit, the commanding officers of which were responsible for the conduct of their units. Moral issues were a top-down responsibility. The modern asymmetric battlefield is getting emptier. This means that small units and even individual soldiers operate relatively isolated. Situations may change in a matter of seconds, resulting in an immediate compulsion to act and heavy psychological pressure. In these kinds of situations one cannot always refer to a nearby superior level: small unit commanders and even individual soldiers must often deliberate on their own and make their own decisions. And as these decisions pertain to the use of violence, there is automatically a moral dimension involved. In the 'classical' war, small units and individual soldiers were seldom morally challenged; this was mostly the officers concern. In modern asymmetric warfare the moral dimension is present at all levels, always: it is a bottom-up affair.

Another aspect of asymmetrical warfare is that the opponent wilfully violates the 'jus in bello'. This does not only pertain to the means used, but also to the distinction between combatants and non-combatants[3]. In asymmetric warfare the opponents wilfully ignore this distinction and use the civilian population as a means in their operations. As a result it is often unclear whether an individual is an innocent civilian or an opposing warrior. On the military side 'mistakes' are easily made and this may well corrupt the moral standards. After a few mistakes in which innocent civilians are killed or wounded and attacks by other not so innocent civilians continue, the already difficult distinction between combatants and non-combatants is easily considered to be a liability if not irrelevant. The formal distinction between combatants and non-combatants may be appreciated as an unworkable limitation and abidance to that rule an obstacle for military effectiveness. So why not forget it! Even if the military tries to abide to this rule they will be blamed for any mistake anyhow, so it is tempting to bend the rules: to drop a weapon next to a body of a killed civilian in order to portray him as an insurgent, etc[4].

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[2] The term asymmetric warfare was coined by Qiao Liang and Wang Xiangsui, two colonels in China's Peoples Liberation Army, who published a treatise in 1999 titled "Unrestricted Warfare." The treatise was not an official publication of the Chinese government, but it was published by the official PLA publishing house, indicating at least some degree of acceptance. The treatise aims at solutions for overcoming a military superior enemy and contains chilling instructions on using asymmetric attacks in such a manner that the enemy may not even realize they are under attack until it is too late to respond effectively. The techniques they describe include cyber warfare, attacks against financial institutions and critical infrastructure, terrorism, manipulating the media, biological warfare, chemical warfare and a variety of other ruthless methods.

[3] Formally the members of armed forces have the legal status of combatant as far as they are not part of the medical cops or chaplain. Combatants heave the legal right to participate directly into the fighting if and only if the distinguish themselves from the civilian population by carrying their weapons openly and wear a uniform. Furthermore combatants must be organized, lead and subjected to a internal system of disciplinary law. See Koninklijke Landmacht, Landmacht Doctrine Publicatie II deel C *gevechtsoperaties tegen een irregulier optredende tegenstander* (Den Haag: Landmachtstaf, 2003) paragraph 2247-2254.

[4] Chilling accounts of these practices are found in: Glantz, A. *Winter Soldier: Iraq and Afghanistan: Eyewitness Accounts of the Occupations*. (Chicago: Haymarket books, 2008).

This difficulty in distinguishing friends from foes creates a lot of uncertainties and adds a new moral dimension with which the military has to cope.

Still **other issues** play a role as well. In western democratic societies more emphasis is placed on individual autonomy and responsibility. Being a member of a larger whole does not exempt an individual from his or her responsibility. On the other hand individuals request that their autonomy is respected. Another issue is that political and moral pluralism has increased. This means that notions on 'good' and 'bad' have become more diverse. These developments have to be taken into account and they further emphasize the many challenges the modern military faces.

So here we are, in a completely changed world and these changes are material as well as moral. Of course the Dutch military - as well as the rest of the world - adjusted itself to this new context. Equipment was improved and adapted to the changed circumstances and new doctrines and training programs were developed. Also efforts were made to develop moral standards and improve ethical consciousness.

Moral perspective.  The need to adjust the moral standards of the military in order to get a better 'fit' with the changed context was eventually widely accepted, but on the question how to realize that change there was no common opinion. Ethics did become part and parcel of military primary education. However, teaching was primarily descriptive; a coherent prescriptive dimension was (and is) largely missing. The services did develop codes of conduct. However the introduction of these codes was more or less a single event: action as to make these codes a living part of the soldiers mental make-up was at best half-hearted and eventually failed. In several publications the importance of ethical education and leadership was stressed, but an orchestrated effort to realize an appropriate moral education throughout the armed forces was not realized. Ethical education remained a matter of a few well meant, but not very coherent efforts[5]. Ethics was introduced in the curricula of officers and non-commissioned officers, but in a largely descriptive way.

When we look at the development of a shared ethos of the Dutch armed forces, there are indeed reasons to be worried. A recent (2006) research project revealed a disquieting lack of consensus in the minds of cadets and officers that participated in this survey as to the ideals, values and virtues of their profession[6]. This was a worrying conclusion as especially officers are by tradition supposed to be the bearers of the

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[5] A handbook was published which advocated at times a consequentialist approach to ethical problems. [van Iersel, A.H.M en van Baarda, Th. A. *Militaire ethiek, morele dilemma's van militairen in theorie en praktijk* (Budel: Damon, 2002) pp 299-311]. The Royal Netherlands Army in 2006 published an instruction pamphlet (Instructie Kaart) on mental training, an abridged version of a handbook on mental training. This publication is largely based on a values and virtues. [Commandant Landstrijdkrachten. *IK 2-16 Mentale vorming* (Weert: SLO, 2005)]. These are a few of the efforts that were made to pay attention to the ethical dimension of military service, apparently without an underlying coherent prescriptive view.

[6] A sample of 93 cadets and (junior) officers were questioned on their professional ideals. The investigators succeeded in reducing the very diverse answers to still no less than eighteen (18!) different values and ideals. In Kole, J. en de Ruyter, D. *Werkzame idealen* (Assen: Koninklijke van Gorcum, 2007) pp: 126-138.

shared military ethos. If they do not have a shared standard, how can we expect the armed forces as a whole to have one?

In 2006 a number of incidents of improper behaviour by members of the armed forces were published in several newspapers and TV programs. The media coverage suggested that such misdemeanours were rife in the armed forces. The ensuing political debate made the government decide to take action. In the best of Dutch traditions a committee was founded (de commissie Staal) to advice the Minster of Defence on a policy on how to put an end to these kind of incidents. In September 2006 the committee produced its report with a large number of recommendations[7]. These recommendations included the need for explicit norms, integrity was to be secured at all organizational levels, and a special and professional staff department was to be realized in order to provide a tangible foundation for a serious implementation of the recommendations. The deputy commander of the armed forces was appointed to chair the working-party that would develop proposals on how to implement the recommendations of the Staal committee.

The working-party first made an inventory of existing codes both in the military as well as in a number of large Dutch (international) companies. Based on this inventory the working-party developed a tentative first concept. This concept was evaluated by approximately 1000 employees of the Ministry of Defence. This evaluation resulted in a second more substantial proposal. This proposal too was evaluated and the feedback on this second proposal led to a definite proposal in March 2007. This proposal for a **Code of Conduct** for the Dutch armed forces[8] was discussed at the highest levels within the Ministry of Defence, accepted by the minister, presented to parliament[9] and implemented. An evaluation at the end of 2007 proved that more than 80% of the respondents knew there was a code of conduct and even succeeded in reproducing the major tenets of the code. Also measures have been taken to make sure that the content of the code of conduct[10] is part of the education of military and civilian personnel.

The aforementioned development seems wonderful, but still there is plenty room for some serious criticisms[11]. First of all there is the general criticism that codes as such do not necessarily produce any results. Codes of conduct aim at creating an explicit yardstick for the conduct of the members of an organization and aim at assisting the members in (mutually) evaluating and improving their conduct. Also these codes are a tool for changing the conduct of those members who do not (yet) adhere to general or specific rules. However, a code as such will not necessarily result in establishing (organizational) proper conduct and changing (unwanted) conduct. The majority of the non-abiders know perfectly well what is expected of them and they just do not do it.

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[7] Ministerie van Defensie. *Ongewenst gedrag binnen de krijgsmacht- rapportage over onderzoek naar vormen en incidentie van en verklarende factoren voor ongewenst gedrag binnen de Nederlandse krijgsmacht* (Den Haag: Staatsdrukkerij, 2006).

[8] See annex A.

[9] Ministerie van Defensie. *Brief aan de voorzitters van de Eerste en Tweede Kamer der Staten Generaal, tweede rapportage implementatie commissie Staal* (Den Haag, 4 april 2007).

[10] Van der Vlugt, J.M. *Interview* (Den Haag: Ministerie van Defensie, 19 augustus 2008)

[11] These normative judgments are strictly my own and can be in no way attributed to mr. van der Vlugt: he informed me about the factual proceedings and did not in any way cast a critical light on the result. My comments are the result of a critical analysis and personal experience in the Dutch Ministry of Defence.

There has to be an additional effort to reach these non-abiding members of the organization[12] and convince them to change their attitude and behaviour. The present arrangement for the Dutch military does not (yet) provides such a mechanism.

But apart form this general criticism; there are also specific grounds to criticize the proceedings and the result. The working party used a highly instrumental approach. Primarily, it was felt, there was a need for practicable tools to address manifest problems. The instrumental character of the code of conduct becomes clear when it is realized that it could easily be transferred to any kind of organization. It provides only general norms and has no direct connection to the military. Generally a professional code of conduct is based on the practice it refers to: it establishes what is valuable in a practice and what the specific responsibilities are of the (autonomous) professionals who engage in this practice. The present code lacks such a foundation. Furthermore those tenets in the code that are of a military nature aim primarily at the conduct in peacetime. Operational considerations are almost completely lacking. This is even more strange, as it are the very special operational conditions in which the military has to perform its task that create the need for a specific kind of morally appropriate conduct. There is for example no reference to steadfastness, neither to the need of flexibility in fast changing circumstances as a desirable kind of competence. As a consequence it is not surprising that the present code neither has a clear relation with military tradition and its morals. The values of the code of conduct which do have a 'fit' with military tradition are not presented as such and other values that do form a part of military tradition are not incorporated in the code. Obvious notions as courage, comradeship and loyalty as traditional features of proper military conduct are not mentioned. On the contrary values pertaining to safe working-conditions that are included in the present code are easily understood as contradicting with the military tradition of accepting danger.

The shortcomings of the code are particular evident with the issues of responsibility and a safe working environment[13]. These paragraphs breathe the tenets of risk-management which is a predominant element in Dutch laws on working-conditions[14]. And last but not least the present code of conduct cannot be anything else but a compromise. The lack of a more conceptual framework makes this inevitable and is further demonstrated by the abovementioned (albeit often implicit) reference to working-conditions which is primary importance to the quartermaster-general (materiel) and the adjutant-general (personnel).

The lack of a more conceptual approach also explains the strange mixture of deontological, duty-ethical, utilitarian and consequentialist elements of the code of conduct[15]. Paragraph 1 and 4 stress the importance of responsibility, autonomy and equality and these notions are an important feature of deontological normative ethical theories. In paragraph 2 the issue of subordination of private interests to general utility

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[12] Brien, A.(1998) 'Professional Ethics and the Culture of Trust', in: *Journal of Business Ethics* 17: 392
[13] See Annex A par. 3 and 5.
[14] The so called 'Wet arbeidsomstandigheden'
[15] See Annex A.

is stressed: a utilitarian concept. In paragraph 3 and 5 the need for safety and providing a good example is elaborated: an appeal to consequentialism.

So here we are. After years of well meant, but not always effective, efforts to improve the moral dimension of the professional ethos of the Dutch armed forces, an orchestrated effort is made to come up with a code of conduct for all services of the armed forces. However the result lacks a comprehensive (theoretical) framework and as a result it shows a remarkable patchwork of theoretical influences and practical considerations. The code misses intrinsic coherence. Another limitation of the present code is that it provides a very general framework and does not address the primarily operational nature of the armed forces and the ensuing need for a shared moral standard that fits with traditional military values. In short, there still is room for considerable improvement[16]. At the same time the military is confronted with ever demanding deployments and challenges with an ever increasing moral dimension. More than ever there is a need for a comprehensive moral framework that will support the military in the execution of their difficult missions. **The problem** is that in spite of several serious efforts nowadays The Dutch armed forces still lack a coherent shared moral standard that addresses the challenges the modern military faces almost every day.

<u>End, ways and means.</u> In this thesis it is my aim to contribute to the necessary moral adjustment and the improvement of ethical awareness of the Royal Netherlands Armed Forces. I want to realize this by developing a comprehensive moral framework which takes into account the operational nature of the armed forces and fits with traditional notions of military morality. Such a moral framework will address the challenges the Dutch military is facing and will offer the members of the armed forces an appealing account. This means first that I want to develop a framework that comprises a descriptive military professional morality. Second I want to develop the foundation of a military organizational morality. The professional morality must be closely linked to the organizational morality. This organizational morality in its turn must be closely linked with the ordinary morality of the wider Dutch society. The professional and organizational morality should both be aimed at the core business of the military and take military traditional notions into account. The link with military tradition clearly points in the direction of virtue ethics as a theoretical foundation for the framework I want to develop. Military virtues have always played an important role in military ethos, and still do! Therefore in this thesis the central question I want to answer is whether I can design such a comprehensive moral framework based on a virtue ethical theory. I will found my effort on the virtue ethical theory which the American professor Alisdair MacIntyre developed in his book 'After Virtue'[17]. In this book he claims to provide an objective method to identify virtues that are relevant to a specific practice. In this way I hope to contribute to the already high professional standard of the Dutch military. This is the overall **end** of my thesis.

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[16] A recent development is the founding of the 'Nederlands Instituut voor Militaire Ethiek' (NIME - the Netherlands Institute for Military Ethics) at the Netherlands Defence Academy in Breda in October 2008. This institute aims at research and policy advice on military ethical topics.
[17] MacIntyre, A. *After Virtue*. (London: Gerald Duckworth & Co, 2007).

The **way** to my strategic end is to critically analyze the normative moral ideas developed by MacIntyre and to correct and supplement his theory. This will result in a theoretical normative moral framework that will enable me to accommodate conceptions of a professional morality as well as an organizational morality and the link between these and with ordinary morality. After that I will develop and elaborate these conceptions into tangible and practical moral standards for the Dutch military.

The **means** I will use in my enterprise are of course references to relevant literature and my extensive experience in the armed forces, both as a commanding officer and as a staff officer in several policymaking agencies. As I was retired form the active service some five years ago, I will also invite comments from former colleagues who are still on active duty.

The way ahead. I will first elaborate on the changed context of the Dutch military. I will analyze more extensive the changed political context and character of the armed forces, the radically changed nature of armed conflicts and enemy conduct, as well as the impact of changing theatres of operations. The aim of this analysis is to paint a more complete background in order to better understand the present context and to identify those aspects that are morally relevant and need to be addressed in the development of a moral framework. (Chapter II).

Next I will develop a theoretical framework: the way to arrive at relevant improvements. I want to establish to what extent the theory developed by MacIntyre is suitable to establish a morality that fits Dutch military practice. In my analysis of his theory I will also take into account the criticisms aimed at MacIntyre's ideas. I will elaborate his theory further using two different perspectives. First I will develop a framework from the individual perspective (bottom up). I will establish to what extent the theory MacIntyre proposes is complete and I will fill in any lacunae. Next I will look at a framework from an institutional perspective (top down). On the institutional level I will also touch on issues pertaining to the institution as a political instrument. My efforts will result in an elaborated framework that addresses both the internal and external purpose of a practice and provides a sound basis for a more detailed application than the theory presented by MacIntyre (chapter III).

After having established the way by developing a framework I will continue by applying this framework to the military practice. First, I will identify the constitutive parts of military practice. Next I will determine the internal goods of military practice and the related virtues as well as what these virtues contain. After that I will investigate how these virtues can be fitted into a narrative that provides a context and meaning for the military. This will result in a body of morality that is relevant for the participants in military practice: a body of professional morality (chapter IV).

I will proceed in a similar way at the institutional level, in the course of which I will identify the relevant external goods of the military practice, and to what extent these are determent for the military institution. I will then address the role of the institution and the ensuing organizational morality and how this organizational morality fits with ordinary morality and political practice (chapter V).

In the last part of my thesis I will recapitulate the results so far, a body of professional morality that fits logically with the tenets of an organizational morality, which in its turn fits with ordinary morality embedded in the democratic constitutional state of the Netherlands (chapter VI).

**Chapter II: causes for change**

In this chapter I will address in more detail the developments that shaped the present context of the Dutch military. In the first part of this chapter I will give a summary sketch of some of the consequences of the Dutch membership of the North Atlantic Treaty Organisation (NATO) and the static way of thinking that the ensuing bi-polar view of the world eventually produced. Next I will elaborate on some of the recent discontinuities and how these affected the military. I will address conscription, the process of professionalization, the actual commitment of Dutch forces and their expeditionary deployment, the changed political context and asymmetric warfare. In the second part I will review to what extent these changes have morally relevant implications.

Bi-polarity. The Netherlands have been a loyal member of the North Atlantic Treaty Organisation (NATO) ever since that organisation was founded in 1948 to repel the communist threat. The idea of a mutual defence was explicated in article 5[18] of the North Atlantic Treaty[19] and the 'layer cake' defence in which each nation was allotted a sector of the common territory to defend. This arrangement was maintained until the collapse of the Soviet Union and the Warsaw pact in 1991.

The bi-polar arrangement had its impact on all aspects of the armed forces. Organization and armament were based on a defence against a massive armoured attack. But also from a moral point of view the bi-polarity permeated our thinking. As a defensive organization we were morally right to defend our nations: right was on our side as a matter of fact. The forces of evil were on the other side of the 'Iron Curtain'. The righteousness of our cause was beyond doubt as we had to defend the values embedded in our way of living. As a member of NATO the correct application of the 'Jus ad bellum' was never in any serious doubt. This 'jus ad bellum' meant that the use of armed force was just when it was to defend the vital interests of the state as an inevitable means of last resort and when this force was primarily directed at the armed forces of the enemy and other military targets[20]. The end was to defeat the enemy's forces and thereby breaking the will to fight[21], after which NATO and the nation states[22]

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[18] *NATO Handbook* (Brussels: NATO Public Diplomacy Division, 2007), article 5: "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 5 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area."

[19] The first and last time this article was invoked was after the attack on the twin towers in New York on September 11 in 2001

[20] For a summary of the most important term of the 'Jus ad bellum' and the 'Jus in bello' and the problematic issues see: van Baarda, Th. A. en Verweij D.E.M. *Military Ethics: The Dutch Approach, a practical guide.* (Leiden: Martinus Nijhoff, 2006), Ducheine, P.A.L. *Krijgsmacht, geweldsgebruik en terreurbestrijding*. (Nijmegen: Wolf Legal Publishers, 2008), Koninklijke Landmacht, *Landmacht handleiding humanitair oorlogsrecht*. (Den Haag: Landmachtstaf, 2005) and Koninklijke Landmacht, *Military doctrine.* (Den Haag: Landmachtstaf, 1996).

[21] von Clausewitz, C. *On War* (Princeton: UP, 1976), book 8 chapter 2.

involved, would negotiate a peace settlement that would conclude the conflict- at least for the time being.

The forces of the Warsaw Pact were our well established enemies, and they were considered civilized enemies. There was no doubt that the international rules on the conduct of war, the 'jus in bello', were to be generally respected by all potential belligerents. The most important issues that are addressed in this 'jus in bello' are: the strict distinction between the military and civilians, military force should be aimed at military targets only; the use of violence must have an attainable goal (it must be subsidiary); the use of violence must not inflict unnecessary harm (it must be proportional); only lawful military means are allowed to be used; the violation of the afore mentioned regulations does not create sufficient reason to retaliate in kind[23]. In practice this meant that the ethical issues that were thought to be relevant were limited to these formal rules, in particular the Geneva Conventions and the attached protocols.

The bi-polarity that was preponderant in the five decades after WW II resulted in a rather static view on the implications of the use of military force[24]. As to the practical aspects it was clear what kind of armed forces were needed as it was evenly clear who was the enemy and what was to be our theatre of operations. As to the moral aspects, there was no doubt about the justness of an eventual Dutch contribution in a war as a member of NATO. Neither was there any serious doubt as to the basically decent and appropriate conduct of the soldiers of all sides involved in a future armed conflict. The tenets of the 'jus ad bellum' and the 'jus in bello' were thought to be sufficient to humanize the inherent inhuman practice of war.

Conscription. In the Netherlands conscription has been a part of life ever since Napoleon occupied our country in 1805. The system - until 1997 when conscription was formally suspended - is based on a relatively small core of professional officers and non-commissioned officers and a large number of conscripts, most of them in the other ranks. And although nowadays many former conscripts and professional soldiers still savour fond memories of their service, there are enough reasons for a more critical evaluation of the system as it was implemented after WW II and the following decades.

 In the years after WW II and the international crises in its aftermath, the threat of an all out war became less imminent and a number of successive reductions in the size of the Dutch armed forces took place. These reductions resulted also in a diminishing requirement of conscripts and eventually only 40% of the eligible males were drafted. Also the time of service was reduced from 24 months in the early fifties to eventually 10 months in the late nineties. The policy of ameliorating the burden of conscription

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[22] The role of the nation state has been reduced and is largely transferred to the international community, e.g. the United Nations, NATO, OSCE etc. However the main tenets of 'jus ad bellum' have not changed.
[23] See footnote 20.
[24] Sheenan, J. *The monopoly of violence* (London: Faber and Faber, 2008) pp 173-177.

resulted not only in shortening the time of service but also in attempts to make military service less rigorous. The military discipline was to reflect civilian values and norms[25].

The majority of the conscripts saw their national service at best as an inconvenient interruption of their social career and for some it came to a coerced stay in a military they thoroughly disliked. Generally there was little enthusiasm to fully master the skills required to operate the often complex weapon systems. The mastering of skills was further impeded by the successive reductions in time of service. Furthermore the majority of the conscripts was largely preoccupied with other things than their temporary military job. They generally had a waiting attitude and they tried to do the minimum required and preferably less. The comradeship was largely based on a sense of solidarity between partners in misfortune. Those who succeeded best in avoiding unpleasant scores were admired. Of course there were plenty conscripts who served cheerfully enough and with involvement, however the paramount of conscript ethos was the soldier who managed to get out. On the other hand Dutch conscript military teams often achieved very good results in international military competitions, like tank gunnery, reconnaissance, shooting, military sports, etc. However we must bear in mind that the conscripts that participated in these teams were almost all volunteers and received extensive additional training. Their accomplishments in no way reflected the average standard of training and motivation.

Due to the way in which conscription was eventually implemented, professionalism eroded; not only of the conscripts who had to execute relatively simple tasks, but also of the 'regular' professionals. The increasing speed of the flow of conscripts meant that their duties were limited to the relatively simple, basic military tasks as well. As a result the majority of the professional military was not challenged in developing their professionalism. This did not only pertain to technical skills but also to the mental attitude. The development of mental strength and harsh training was seen as a largely unnecessary strain on the already much burdened conscripts. In the social climate of the seventies, eighties and nineties being conscripted was considered a piece of 'bad luck' which did not have to be deteriorated by harsh training, and a rigid discipline. In spite of the general development there were of course many regular officers and non-commissioned officers who gained and maintained the best standards of professional knowledge and physical and mental resilience. But these were not able to stop the general trend of slow erosion of military professionalism.

Professionalization. After the fall of the Iron Curtain many of the elements that were part of the context sketched in the first part of this chapter rapidly evaporated. The first piece of 'peace dividend' that were collected in the Netherlands, was the suspension of conscription and the transformation to all volunteer professional armed forces, combined with massive reduction(s) in the size of Navy, Army and Air Force. The volunteers who joined this smaller force had a quite different attitude towards military service than their conscript predecessors. They wanted to join! They saw military service

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[25] The so called 'socialisation of the armed forces' ('vermaatschappelijking van de krijgsmacht') which incorporated a slackening of traditional military discipline and the introduction of civil norms instead. See also Sheenan, J. *The monopoly of violence* (London: Faber and Faber, 2008) pp 178.

as a challenge; they wanted to do 'something completely different'. They were attracted by adventure and physical challenges. They fancied the prospect of a regular job and the possibilities of further education and improving themselves.

In education and outlook the men and women that filled the professional other ranks were no longer an average sample of Dutch society. The other ranks were to a large proportion filled from the lower social strata. Among those were a relative large number of Dutch residents of non-Dutch decent. The new soldiers were generally less educated and less physically fit than the former conscripts. In short, in time a completely differently kind of sailor, soldier, airman and marechaussees[26] manned the ranks[27].

The completely different motivation, level of education and physical fitness of those that enlisted, required a different, professional attitude from the former 'regular' officers and non-commissioned officers (NCO). The new kind of soldiers wanted to know how things exactly worked and were eager to learn and the former 'regulars' had to provide the answers! They were challenged in their professional knowledge and skills. Also another kind of leadership was required. It is true, the new soldiers were less educated than the average conscript, but they were intrinsically motivated for the military and wanted to be led. In the expectations of this new kind of soldier true military professionalism further required physical and mental stamina, resilience. They wanted to be trained and expected high standards. Besides a conscript soldier was relatively easily replaced; a professional soldier was not. This too required a totally different attitude than was the rule in the days of conscription: leadership got a new meaning. The officers and NCOs had to have physical and mental stamina, resilience, and proficiency in skills, while at the same time showing didactical qualities and empathy. This change was largely neglected; it was not considered a serious problem that needed special attention. Besides, other - mainly financial, procurement and organizational - problems required all attention of the military policymakers and planners. After a few years it became clear that not all the former regulars were able to respond to the new relations. It took many years more before both sides had grown accustomed to these new challenges and a professional ethos started to emerge. With this professional ethos is meant the fundamental character of a profession, its underlying sentiment that informs the beliefs, customs and practices of a group: its knowledge, expertise and competence. The main tenets of this emerging ethos were the result of the professional motivation of the modern soldiers. It involved proficiency in military skills, mutual respect between the ranks as fellow professional members of the armed forces and discipline as one of the traditional features of service in the armed forces.

Commitment. The drive to improve professionalism was enhanced by the actual commitment of Dutch forces in armed conflicts. The introduction of an all volunteer force reduced the reluctance of politicians to commit Dutch armed forces to high risk conflict zones. Developments made clear that the success of military interventions

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[26] In 1998 the Royal Military Police, in Dutch 'Koninklijke Marechaussee', became a separate service of the Dutch armed forces

[27] In following instants - for the sake of brevity - I will often refer to the members of the armed forces as soldiers. With this general description I mean to indicate members of all the services of the armed forces, male of female.

largely depended on the credibility of the force employed; in quantity as well as in quality. The casualties the Dutch armed forces suffered, confirmed the conviction that a modern military should be well prepared! This does not only pertain to the equipment and training, but also to the earlier mentioned professional ethos.

Expeditionary deployment. The commitment of Dutch armed forces to conflict zones nowadays is always of an expeditionary nature. That is far away from home in a completely different geography and climate and among peoples with a totally different culture. This does not only provide a strain on the equipment, but also on the soldiers. On the one hand it requires tenacity and resilience to maintain oneself on the battlefield. On the other hand it also requires flexibility, empathy and patience in dealing with the local population. Especially the cultural dimension of the mission has become more important: respect and impartiality towards other comprehensive conceptions of the good are required. This issue can get an extra dimension when members of the armed force are resented by the local population as being no more than 'armed tourists' which are only present for a short time and have a negative opinion of the cultural environment in which they operate. On the other hand the members of the armed forces can be considered an ally by (some parts of) the local population because of their ethnical or religious background. This issue can get even more confusing when sympathy or resentment is levelled at those members of the armed forces who have a specific religious or ethnic background which is recognized as such and even shared by the local population. Coping with the peculiarities of expeditionary deployment requires a professional ethos which enables soldiers to respect local culture while maintaining a professional attitude as a soldier. Soldiers must be able to create a bond with the civilian population without getting emotionally involved in such way that it will cloud their professional attitude. In this way they can avoid problems of loyalty and resentment.

Political context. The creation of an all volunteer army also reduced the hesitation to commit armed forces in risky operations. And as these operations are mostly not a result of a direct threat to NATO area they require a political motivation. The government must argue and explain why a deployment is necessary and how this serves the (vital) national interests. This means that there must be a legal justification of committing troops. In this the government is bound to abide by the constitution and the international treaties to which it is a signatory. The legitimacy of the decision to commit troops has to be established beyond doubt. In fact this means that nearly always a decision by the UN-security council is required. This legal justification is the prerequisite for acquiring and maintaining political support in parliament and public support from society in general[28]. The fact that the deployed forces could be confronted with serious (asymmetrical) warfare in which they may suffer substantial casualties, gives an extra weight to political decision making and the need for public support.

The political argument to participate in a military action in support of the international rule of law involves nearly always a moral dimension. The breach of international law is considered to be of such nature that participation in a military action to undo this

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[28] The dictum by von Clausewitz: "war is merely the continuation of policy by other means." Still seems valid. See von Clausewitz, C. *On War.* (Princeton: UP, 1976) pp 87

breach is not only legally justified, but also morally required. We position ourselves on 'the moral high ground'. Being on this high ground implies also that we want to adhere to the rules of 'jus in bello'. The main reason we want to adhere to the rules of international humanitarian law is of course that these rules are part of binding international law. But these rules are also considered to be the product of moral development. They are the legal products of agreement among civilized nations on how to limit the atrocity that is inherent to war. If we were to ignore these rules, we would place ourselves outside the community of civilized nations[29]. But by adhering to these rules we claim to occupy the 'moral high ground' and we assume a moral superiority to our enemies, as far as they wilfully ignore those rules[30].

Legitimacy and sound political backing as well as the moral support of society are widely accepted as the formal and materiel prerequisites for a decision to commit Dutch troops in armed conflicts[31]. These preconditions are also necessary to support the morale of the troops deployed in the face of grave danger and (a rising number of) casualties. It is hardly fair - to say the least - to require that soldiers run a risk of life for a cause that has only limited political backing and is not supported by the wider public.

Furthermore it is more than probable that in modern armed conflicts the opponents we face do not necessarily have the same moral standards as we do. Besides, our morality is often seen as a weakness and is considered a vulnerability that is open for attack. Our troops will be (and are in fact) often confronted with illegal forms of warfare and atrocities. War crimes will be committed in order to break our will to continue the operation. In such situations it will be very tempting to retaliate in kind. But if we do, we will loose our 'moral high ground', one of the very reasons to participate in the operation in the first place. Relapsing to the same immoral means and tactics as the opponent, would degrade our moral stature and would place our own forces on the same level of immorality as our opponents. Thus the awareness of occupying the moral high ground can be used as an extra motivation to adhere to the rule of international humanitarian law. In that way this awareness is an extra stimulant to abide by the rules of subsidiarity and proportionality and so helps in keeping a check on the conduct of armed operations.

So, in consequence justice is of paramount importance: first as a legal, political and social justification for the commitment of troops and second in the modus operandi of the forces deployed. These two conceptions of justice are different, but they are nevertheless closely linked. The difference is that formally the rules are clear and their necessity is undisputed, but in a material sense it is not always clear how to ascertain what the right conduct is and which practical yardstick to use. Often the soldier in question will be the sole judge. A material notion of justice therefore requires a moral awareness of the conception of justice. The formal and material notion of justice is also

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[29] Bellamy, A.J. (2004) 'Motives, outcomes, intent and the legitimacy of humanitarian intervention' in: *Journal of military ethics*. 3(3): 216-232.

[30] van Baarda, Th. A. en Verweij D.E.M. *Military Ethics: The Dutch Approach, a practical guide.* (Leiden: Martinus Nijhoff, 2006) pp 2-8.

[31] *Kamerstukken II 2001-2002, kamerbrief Toetsingskader 2001 van 19 juli 2001.* Den Haag: Staatsdrukkerij, 2001.

linked in another way. It is obvious that a just war requires a just cause and a just conduct of the war. An unjust conduct of the war in a material sense will eventually erode the formal justness of the war. Troops are expected to reflect in their conduct the moral justness of the case they were sent to fight for. And here is the catch: what is the moral authority of requiring a material just conduct in a war that is formally not justified? This is a hard question to answer. Some soldiers will refuse to participate in an unjust war and will resign form the force and some will not bother at all. Others however will be in doubt over their participation in the war and this doubt could eventually erode the moral authority of those in charge of the war. From this perspective it could be more difficult to uphold the moral standards of military conduct.

<u>Asymmetrical warfare.</u> Operations in the conflict zones to which Dutch military are deployed, turn out to be something completely different than what was trained for in the cold war era. It is not the kind of confrontation that develops when to large armoured forces collide; it is asymmetric. In asymmetric warfare[32] the opponents are not on the same level of organisational proficiency with a smoothly running command and control system, extensive and specialised training and the availability of technological advanced equipment. The lesser of the belligerents therefore does not attack the strength of their enemy, but the weaknesses. These weaknesses are not limited to military means, but encompass all aspects of the enemies operation, including the political and public support at home: the moral dimension.

This concept pertains to peace support operations as well as combat operations. Even in peace support operations - in which conflicting parties formally agree with the deployment of a peace support force - asymmetry is an inherent aspect of the operation. In spite of the formal consent with the deployment of a peace supporting force, local outbursts of hostilities will occur: these may be intense and may involve heavy fighting. These outbursts of hostilities may be directed at competing factions, at the civilian population and even at the peace supporting forces. The operational freedom of the peace support force to respond is often severely constrained. The mandate, under which the peace support force operates, is based on consent. This means that often violence may only be used in case of self-defence against an open attack in which the attackers are identified beyond doubt. Also from a wider perspective the use of violence by the peace support force is discouraged. The force is required to support the development of peace and in this role it is expected to be impartial and even-handed. Even in long running peace support operations local conflicts can erupt and hostilities can be aimed at the peace supporting forces. And although these incidents do not necessarily involve the use of lethal violence, they can severely disrupt the ongoing operation. These circumstances and uncertainties put extra strain on the members of a peace supporting force.

In the doctrine of asymmetric warfare all means are considered acceptable. For example decapitating a truck driver and promulgating video clips of the proceedings, will effectively thwart hiring native truck drivers to support the logistic effort. The mutilation and killing of captured soldiers can seriously impair the political will to continue a

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[32] See note 2

nation's contribution to an international force[33]. A suicide bomb-attack on a busy street will 'demonstrate' that the peace supporting or intervening forces cannot effectively protect the general public. And there are more examples, like the attack on the twin towers using commercial airliners, hostage taking, the use of bombs against tourist resorts, using civilians as 'human shield', the commitment of child soldiers, etc. But also less violent means can be used like inserting false stories in the media, sabotage of relief operations, incitement of political unrest, etc.

In asymmetrical warfare the rules of 'jus ad bellum' and 'jus in bello' are ignored by the opponent: they are considered irrelevant. This means amongst other things that most of the time it is totally unclear who are the actual combatants and who are not. As the rule of law prescribes that the application of military force should be aimed at military targets only and that the civilian population should be protected from unnecessary harm, the military is faced with a huge problem. This problem is not only a practical one (whom to attack?), but also a moral one (what can I attack?). A further specification of the rules of law in the so called Rules Of Engagement (ROE)[34] which are issued by the force commander, do not always provide a clear answer to difficult practical and moral questions: reality is just too complex.

Another aspect of asymmetrical warfare is the fact that many of the actions are fought in isolation at the level of small units, or even by individual soldiers. In modern asymmetric warfare there is no clear front line in which a large number of units is deployed. There is no immediate higher command present that will tell one what to do and solve 'problems'. In these kinds of operations small units are dispersed over a large area facing a largely unseen and unpredictable enemy. Often the situation requires an immediate response and is there neither time nor the means to consult with the higher echelons. As a consequence the corporal on the spot will have to take decisions that may well have an impact on the strategic level. This puts an extra strain on all soldiers and emphasizes the need for an in all aspects able bodied military.

<u>Moral consequences.</u> A lot of the certainties that were part of the cold war era have been lost. Operations are no longer mere play in a training area: they are real! Soldiers get wounded and killed. Further more it is no longer a matter of course that the Dutch armed forces are on the right side: that they are the good guys. Expeditionary deployment adds further uncertainties and stress. The commitment of troops needs a case by case and explicit justification and this justification puts more weight on the need of a just conduct of operations. A just conduct of operations is made even more complex by the fact that the opponents in the conflict may use asymmetric methods and means. Uncertainty, moral doubts and stress increase even further.

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[33] The killing and maiming of 18 US Rangers in the streets of Mogadishu in October 1993 eventually led to the decision by the US government to stop its contribution to UNOSOM II. Similar actions took place in Iraq against the Japanese contribution to western forces in that country: a total of 7 Japanese citizens in Iraq were kidnapped, 2 of them were killed. The Japanese government did not withdraw its forces but neither did it extend the deployment. See also: Koninklijke Landmacht, *Peace operations*. (Den Haag: Landmachtstaf, 1999) pp 67-72.

[34] For every mission a set of Rules Of Engagement is established that reflects the mandate under which the mission is executed especially the limitations to the violence that is allowed in a number of specified 'standard' cases. See: Koninklijke Landmacht, *Military doctrine.* (Den Haag: Landmachtstaf, 1996) pp 97.

From the preceding paragraphs several moral consequences emerge. First of all the disappearance of the bi-polar struggle in Europe and the ensuing moral outlook requires a reconsideration of the morals involved in military conflict. The political justification of participating in an armed conflict is largely covered[35]. The moral implications for military conduct still are largely implicit. An explicit body of morals would assist in promoting understanding and moral support in the general public and would also provide a moral compass for the military. The suspension of conscription created the opportunity to develop a true professional military ethos for the Dutch armed forces, but that opportunity has largely been neglected until now.

A professional military ethos, including a shared moral standard, is all the more required, because of the difficult circumstances in which the modern military professional has to operate. These difficulties are very real, even life threatening. A far cry from the cold war! The difficulties are greater as the uncertainties increase. In modern conflict there is often no well defined front line, nor an easily recognized enemy. The difficulties are more complex due to expeditionary deployment and the ensuing confrontation with strange cultures and peoples. The complexity is further enhanced by the asymmetric nature of the conflict involving an enemy that is largely unseen and not constrained in its actions by moral considerations and in which isolated small units and even individual soldiers must make their own decision with almost always moral implications. A shared moral standard will help soldiers to cope with these challenges.

However there is another aspect of morality that plays a role in asymmetric conflict and that has to do with the moral justification of an act. Killing an enemy soldier may well be within the bounds of the rule of law and in accordance with the ROE, but nevertheless the act may create a moral problem for the soldier in question. Suppose the enemy he killed was a child-soldier. Suppose the man he killed was not setting of his suicide bomb vest, but merely wanted to show his merchandize? And although he cannot be legally blamed for his act, the moral burden for the soldier in question has to be taken care of. The soldier must get some kind of 'absolution' for his act[36]. He must be able to put his moral doubts to rest. His morality will be strengthened by such a process. If not these kind of experiences will make him suffer unnecessarily as a human being, he will doubt his judgment and that may erode his effectiveness as a soldier. But in order to be able to grant absolution and to relieve the soldier's psychological burden, there must be a known and shared moral standard by which his conduct can be judged[37]. This shared moral standard does not only pertain to his peer group but also to the society that sends the military on a mission. The members of society too must face the hard facts of military operations. These inevitably involve death and destruction and it is not always possible to ascertain the liability. Members of society too must be adherents of the shared moral standard.

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[35]  See note 31

[36] Ibid, pp 221-224.

[37] De Vries, P.H. (2007) Ethisch handelen op het gevechtsveld: een illusie? In: *De militaire spectator* 176 (6): 244-250.

The shared moral standard must be internalized by the soldiers. It is not enough to write the moral standard down and promulgate a brochure. Moral standards must become part of the character of the soldier. In an acute potentially lethal confrontation there is no time to do some reading: the situation requires immediate action. If morality has to have any relevance, the idea of morality must then be embedded in the soldiers mind[38].

The shared moral standard must provide guidance as to what it takes to be a true professional, who knows his trade, who is a team player and who can face and overcome the difficulties that he will encounter. The shared moral standard will also have to provide guidance as to what is just; as well in relation to his fellow soldiers, as in relation to his opponents and the others that he gets involved with. This guidance must ultimately provide comfort for the soldier.

Sub-conclusions. In this chapter I sketched the events that shaped the present political and military context in the Netherlands. In the first part I explained the political-military background that shaped the Dutch military in the cold war era. I elaborated on some of the developments that led to the present situation. In the course of this I have identified issues that need to be addressed in a modern military morality for the Dutch armed forces. These issues I elaborated in the second part of this chapter. The main conclusion is that we need an explicit shared moral standard that will assist the soldier to face the challenges of modern conflict. This shared moral standard must provide guidance on how soldiers should conduct themselves in uncertain and complex difficulties in which they have to respond immediately and often independently. As in such compelling situations there is little to no time for reflection, it is essential that the shared moral standard is internalized by the soldier: the moral outlook embedded in the shared standard must be part of his character.

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[38] Seiler, S. (2006) Developing responsible leaders - few roads lead to Rome. Paper presented at the conference "*The moral dimension of asymmetric warfare*" in Amsterdam, October 2006.

**Chapter III: the framework**

In this third chapter I will first explain the need for a normative moral framework and the choice of virtue ethics and the specific interpretation thereof by Alisdair MacIntyre as a theoretical foundation. Than I will analyze and interpret MacIntyre's approach and develop additions to the framework of his theory. I will also elaborate on some of the criticisms aimed at MacIntyre's concept and I will seek ways to accommodate these criticisms and further expand the framework. I will conclude this chapter with a concise description of the framework that is eventually developed.

<u>Why a moral theory?</u> In the preceding chapters I argued that a shared moral standard is needed in order to provide the military with some kind of guidance in increasingly complex situations. I also argued that the present attempt to provide such guidance by issuing a code of conduct is insufficient: in my opinion a more comprehensive approach is necessary. One of the reasons why the present code of conduct is inadequate, is that it is a general and externally imported code and is in no way linked to the tradition of the military practice. Military practice and the ensuing ethos are not something new: it has a history as long as mankind. As a result military practice has many traditions. First of all there are typical military values like courage, steadfastness, physical and mental strength, discipline etc. Military organization has many traditional features as well, like dress, ranks, expressions and ways of speaking. The tradition and history of units is symbolized in regimental colours and the like. Military ceremonies express traditions as well. Ceremonies as the change of command, the taking of an oath or a military burial are steeped in tradition. Tradition also plays an important role in conveying specific standards of conduct: 'this is the way we do things around here'. Tradition is one of the means to crate an 'esprit de corps' a sense of belonging and comradeship that enhances the strength and trustworthiness of a unit. The 'esprit de corps' is often capped in the motto of the unit[39]. Traditions play an all important role in imbuing the required military ethos. Traditions thus shape military behaviour and as such they also influence the moral component of military conduct. If we want to provide guidance on proper military conduct we must take tradition into account! A guidance that is rooted in modern military practice and also pays tribute to military tradition will be more easily accepted and internalized.

Ignoring traditions often proves to be counterproductive. This was demonstrated in Canada. In 1968 the Canadian government issued a law that unified the services of the armed forces. The measures taken included the introduction of unified headquarters and one type of uniform and rank-system for all members of the armed forces. The managerial rationale for this  law was to aim at financial gains, improve operational effectiveness and to create a unified corporate identity. In 1980 a parliamentary taskforce was formed in order to review this law. In its final report the task force concluded that it was: "impossible to identify the aggregate savings" and that "the intended goal of increased efficiency and flexibility of command and control could not be demonstrated as having been attained" and "the common identity was identified as a

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[39] Like the motto of the First regiment of cavalry 'Huzaren van Sytzama': "Door het juiste te doen, vreest gij niemand" which in translation means: "By doing the right you will fear no one".

decisive morale breaker" as it affected 'esprit de corps' instead of strengthening it. The law was duly recalled and the separate services were reinstated[40].

However, tradition is not enough. Tradition easily leads to rigidity; not a characteristic that is very supportive in complex and volatile situations in which the modern military operates. Tradition may lead the wrong way: for example strict traditional discipline may hamper creativity and the willingness to bear responsibility; strict traditional discipline may lead to situations in which illegal orders are given and obeyed and worse[41]. Also traditional conceptions may well be at odds with more modern convictions as to the autonomy of individuals and to what kind of conduct is morally acceptable. So we need to critically reflect on the applicability and acceptability of our military traditions. A proper normative theory provides a framework for this kind of critical reflection. A moral theory can provide groundwork for moral evaluation and can guide correct moral reasoning. A theory provides a logical framework for critical evaluation. In its application the situational diversity can be taken into account, while maintaining the theoretical logic. In this way a theory creates distance from everyday problems and facilitates critical reflection. A theory will be helpful in explaining why a certain kind of moral reasoning is required, both internally and externally. Internally it can provide a plausible normative explanation why certain normative notions are necessary and why specific actions are required. Externally it provides a transparent normative framework that is used to guide the actions of the military. A transparency that may well assist in gaining and maintaining political and public support for the armed forces. Furthermore the availability and application of a theoretical framework will enhance consistency in moral reasoning. In this way a normative theory supports the development of morally becoming conduct.

Application of a normative theory can provide the practical flexibility that a mere call on tradition lacks; and flexibility is a feature that is very much needed in a fast changing world. First there is the changed composition of the armed forces. The ethnical and cultural background of the professional sailors, soldiers and airmen, their NCOs and officers grows more diverse. The background of certain traditions does not necessarily fit with the background of the new kind of soldiers. A neutral theoretical framework with practical relevance may well be easily accepted. Second, there is the changed way of waging war. Participating in asymmetric conflicts puts a far greater strain on the moral character of our soldiers than is the case in conventional - force on force - armed confrontations. It is questionable whether under these kinds of conditions traditions provide adequate guidance. A practical relevant theory may provide a better guidance.

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[40] Shaw, G.D.T. *The Canadian Armed Forces and Unification* (Washington: the American Military University, 2000) pp 15-16.

[41] Illegal orders are often the result of a combination of misunderstanding a situation and ignoring the constraints that apply. Discipline (and personal loyalty) all too often lead to the execution of these illegal orders. An appeal on orders ("Befehl ist Befehl") however will not stand in any legal procedure. Proper education and instilling an appropriate sense of duty as well as a sense of responsibility and respect for personal integrity is vital to prevent these practices. Moral theory can provide the appropriate framework for military education in which the purpose and limitations of tradition is elucidated and the individual responsibility (and liability) is explained.

 It is hard to visualize the moral education of the military without a theoretical backing. There must be a coherent explanation why some actions are right and others are wrong. A theory furthermore provides consistency in evaluating military conduct and thus will give adequate direction in the education and training of the military. A coherent framework with a solid theoretical backing will also be more easily internalized than a mixture of more and less serious traditions and managerial 'new speak'. As a result practical moral reasoning will gain in consistency. All in all there are plenty of reasons why the military needs a shared moral standard based on a sound normative moral theory.

But which normative theory are we to use as a means to reflect on our traditions and to provide a framework for our shared moral standards? It must be a theory that has practical relevance, pays tribute to tradition and has sufficient explanatory power. Virtue ethics is the obvious candidate for such a theory, especially the elaboration of that theory by Alisdair MacIntyre. This choice is supported by the practical fact that many nations founded their military ethics on the concept of the virtues[42]. Further support comes from the realization that on the battlefield there is little time for moral reasoning. In decision making on the battlefield the situational considerations are all important and separate moral considerations are hardly taken into account[43]. This does not mean that moral considerations do not play a role at all. However these moral considerations appear to be more dependant on the moral disposition of the individual soldier than on the bare moral requirements of the situation.  Research supports the notion that on the battlefield moral considerations are basically a matter of prior education and training, rather than situational moral reasoning. Moral considerations appear to be more a matter of character; and character building is what virtue ethics aims at. Alisdair MacIntyre furthermore explicitly connects a practice with relevant virtues and sees an important role for narrative and moral traditions. In his theory narrative has an important function. Primarily stories are a means to imbue moral standards, but narrative also helps in explaining moral standards to a wider community. MacIntyre claims a role for stories. Stories like that of the rear-admiral Karel Doorman who in 1942 attacked a superior Japanese fleet in the course of which he sent his famous signal: "All ships follow me". Karel Doorman perished with his ship which he refused to abandon: an example of valour and duty in the best of Dutch naval tradition. Stories like that of air force major Duivesteyn who in 1999 while on a mission over former Yugoslavia in his F16 was attacked by enemy anti aircraft missiles and who after escaping death, finished his mission with great show of resilience and professional skill. Stories of courage, sacrifice and comradeship; like the story of soldier Wesley Schol who in 2008 near Deh Rahwood in Uruzgan made a valiant attempt to save the life of his heavily wounded comrade. Both men were killed in the course of this action. These kinds of stories are part and parcel of military tradition and make moral standards tangible: all the more reasons to use the theory of Alisdair MacIntyre which is partly based on narrative, as the foundation of my attempt to develop a prescriptive normative framework for the Dutch military.

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[42] Robinson, P. (2007) 'Ethics training and development in the military'. In: *Parameters*. 37 (1), pp 28.

[43] Seiler, S. (2006) Developing responsible leaders - few roads lead to Rome. Paper presented at the conference "*The moral dimension of asymmetric warfare*" in Amsterdam, October 2006.

My choice is further supported when we take a short look at the other main normative ethical theories. The most prominent are: deontological (duty based) theories and utilitarian theories. Many comments have been made on the rigours of a duty-based, Kantian, approach. The demands of the categorical imperative are strict to such a degree that it is already hard to live up to this imperative in normal life, let alone in the exceptional environment of a battlefield. Besides it seems quite a challenge to create a Kantian moral framework of categorical en hypothetical imperatives that is easily accessible for a wide variety of people, soldiers, who are not familiar with complex philosophical theories. Furthermore it seems a hard task to connect such a framework with relevant military traditions. Many comments have also been made on the inconclusiveness of utilitarianism and the difficulties that arise when we try to reconcile personal aims with general utility and how to ascertain consequences and effects. On a battlefield these difficulties will take on proportions that are virtually impossible to overcome. Again it will be a challenge to condense the theory into a framework that has practical value for a wide variety of soldiers in a large diversity of situations. Furthermore also utilitarianism claims impartiality and objectivity and is hard to see how tradition will be fitted in a utilitarian framework. But apart form the practical implications of these theories there are also theoretical limitations. From a theoretical point of view many comments have been aimed at the origin and validity of the principles and values on which these theories are based. Supporters of one theory are always able to point out the flaws in another theory and vice versa. Some claim that this debate is an example of conceptual incommensurability[44]. Both from a theoretical point of view and a practical angle, these theories are hardly suitable to apply in the context of military conflict.

MacIntyre's theory. In his book 'After Virtue' McIntyre introduces his framework for a virtue-ethical morality. He identifies three stages in the development of the virtues: the practice, the narrative and the moral tradition. In the part pertaining to the practice he explains how it is possible to establish which virtues are relevant for a specific practice. While virtue-ethics is traditionally linked with consensus on a comprehensive conception of the good, the good life, MacIntyre claims to be able to objectively define the virtues connected with a specific practice. This is an advantage for defining a moral standard for the military practice in which the participants do not necessarily share a vision on the good life.  In the next stage, the narrative, he explains the all important role of narrative to imbue these virtues. According to MacIntyre narrative plays an essential part in the construction of the moral subject. In the military narrative is also used in conveying traditions and as such the narrative is ideally suited to link theory with tradition. In the last part, the moral tradition, MacIntyre emphasizes the need for a moral tradition that provides the context to arrange the practices, virtues and narratives in human life. In this way the shared moral standards of the practice are connected to the wider morality of the community which the military supports. MacIntyre's theory thus also provides the transparency that is needed for external explanation and for gaining support. These three stages are not strictly separated: the development of the virtues is an iterative process in which the practice, the narrative and the moral tradition mutually influence

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[44] Timmons, M. *Moral Theory*. (Lanham: Rowman and Littlefield PI, 2002) pp 3-7 and Verweij , D.E.M. (2000) 'Moed: mythe of morele kwaliteit?'in *Militaire Spectator*.169: pp 84-85.

each other. In the next paragraphs we will elaborate on the different elements of MacIntyre's theory.

In the first part of his theory McIntyre defines a **practice**[45] as 'any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, an partially definitive of, that form of activity, with the result that human powers to achieve excellence and human conceptions of the ends and goods involved are systematically extended.' This definition is long and complex but nevertheless speaks largely for itself. But even than an explanation and interpretation of some of the notions MacIntyre uses, is desirable as any inconclusiveness could hamper my further proceedings. According to MacIntyre a practice is a human activity that people engage in together. They do this because they want to gain from it. The activity, the practice, people engage in, provides certain benefits for those who participate in it. These benefits he calls internal goods. The activity is complex and socially established and cooperation is necessary. This implies that individual activities that do not require cooperation are not considered a practice. The quality of the engagement is measured by standards of excellence. By aspiring towards a better performance one can increase the amount of benefits, internal goods, gained. In spite of this extensive definition, it is not a simple affair to determine which activities qualify as a practice and which not. In this respect MacIntyre himself is rather vague and he even goes so far as to state that the question as to the precise range of practices is not of the first importance. He states that a further explanation of the notions he uses in his definition will provide the appropriate insight into the defining qualities of a practice[46]. He then elaborates on internal and external goods and the notion of virtue. I will follow this line of reasoning as well.

The **internal goods**[47] of the practice cannot be had in any other way than by participating in the activities of the specified or a similar practice. These internal goods can only be recognized by the experience of participating. According to MacIntyre a practice is self-contained, autotelic. This means that the activities central to the practice are primarily exercised for the sake of acquiring the internal goods that are specific for the particular practice. The aim of a practice seems to be the participation in the activity as such, rather than to achieve the goal which the activity aims at. The internal goods to be gained pertain to the pleasure one finds in a good performance, to the stimulation of imagination that is needed to grasp the possibilities of the practice and to the pleasure one experiences in acting as a skilled practitioner. In order to fully enjoy these internal goods we must excel in the activity which is central to the practice. Internal goods cannot only be had and experienced by participating in the practice but are only to be specified in terms of the practice. It is participating in e.g. a game of rugby that counts and not necessarily winning the game. In participating as such, one finds pleasure and fulfilment that are inherent to the game. The game can only be explained in terms that are specific for that game, like 'scrum', 'knock on', 'line out', etc.

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[45] MacIntyre, A. *After Virtue* (London: Duckworth, 2007) pp 187.
[46] Ibid, pp 187,188.
[47] Ibid, pp 184.

MacIntyre also distinguishes **external goods**[48] of a practice. These have to do with the context of the practice and involve money, power and status. These can be acquired **by** a successful participation in a practice, but not **in** participating in a practice. These external goods are related to the role of **institutions** that support practices. These institutions are necessary to support practices. The institutions provide organizational structure and procedural frameworks by codifying rules and setting standards. Within the framework of institutions power is wielded, positions acquired and status (and money) earned: in short are the external goods of the practice acquired. According to MacIntyre practices cannot survive for any length of time unless sustained by institutions. Without proper and consistent organization of the internal conditions and characteristics of a practice it will not develop into a specific and as such recognized activity. A practice will not be able to manifest itself as such, without the proper and consistent organization of the external circumstances, conditions and rules and an authority to uphold the rules under which the practice is realized.  Institutions are the organisations which facilitate the practice by providing the conditions, means and context for its continuous existence. The rugby-club provides the context for the game. It organizes matches, appoints referees, and provides a turf. The rugby-club provides opportunities for people to become member of a committee or even president of the club. That position involves power, status end sometimes even money!

Next MacIntyre introduces his definition of a **virtue**[49], which he describes as 'an acquired human quality the possession and exercise of which tends to enable us to achieve those goods that are internal to practices and the lack of which effectively prevents us from achieving any such goods.' Virtues are the qualities that enable us to achieve excellence in the activities that are central to the practice. By participating in the practice in a virtuous way we gain the internal goods of that practice. Virtues are acquired and this means that they are at first taught, then put into practice and eventually embedded in the individual's character[50]. Playing rugby well enhances the pleasure one experiences in the game and in being a rugby player. Playing rugby better will increase this pleasure. Technical ability to handle the ball and team-spirit are virtues that enable the rugby-player to increase the pleasure he experiences in participating in the game. By improving his realization of these virtues the participant will achieve greater joy in the practice. To strive for excellence is an important feature of virtuous conduct.

 After the conceptualization of a practice and the relevant virtues, the next stage in the development of the model is the **narrative**: personal realization by means of telling stories, to others and to oneself. According to MacIntyre[51] the narrative captures best the central characteristics of human life and agency and creates human life as an entity. Narrative is an indispensable means to give historical and moral coherence to human life as a whole and its place in the community. The practices in which the individual participates and the amount of excellence achieved in these practices, determine the

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[48] Ibid pp 190.
[49] Ibid, pp 191.
[50] Aristoteles, *Ethica Nicomachea* (Budel: Damon, 2005) book II. 8. 8-9.
[51] Ibid, pp 121, 141-145 and 216-223.

individuals virtuousness and place among his fellow human beings. Narratives confirm this social interdependency. It is within the community that the individual enacts his narrative (and that of others)[52].

According to McIntyre the virtuous realization of internal goods in itself is not enough. These accomplishments need to be recognized as an important element in the life of a human being. This recognition is a matter of personal digestion and of appreciation by others. Narrative provides the means for recognition and reflection, both internally and externally. Narrative is a means to assimilate experiences into the mental make-up of the audience and the narrator and creates understanding and sympathy for the difficulties of the main characters in the story. Narrative thus plays an important role in the construction of the moral subject. But not only of the individual subject, the identity of the group, the culture one belongs too, is also largely constructed by narrative. Narrative provides coherence and strengthens the social fabric. Narrative establishes continuity.[53]

Narrative is rich in details and allows people to be touched and moved, even if the people in the narrative are long deceased strangers or even characters in a novel. Emotions create empathy with the object of the narrative and as such helps to develop a moral understanding of what happens in the story; in life. Narrative also creates distance and thereby supports reflection on situations and moral dilemma's that play a part in the story[54]. Narrative as such does not need a theory to be convincing, but a theory that includes the importance of narrative will gain in cogency.

The introduction of others, of the community provides the link to the last element in MacIntyre's model for the development of the virtues and that is the **moral tradition**. It is in being a part of a community and a moral tradition that the individual's life and the virtuousness of his demeanour get a deeper meaning. It is the moral tradition that provides the context to arrange the practices, virtues and narratives in human life. The moral tradition is an integral part of the community and its history. To be part of this moral tradition provides the overall goal, the telos of men's life. This seems to mean that the concept of a virtue requires some prior account of the good life: a comprehensive conception of the good[55]. This conception is closely related with the moral tradition within which the individual and the community may flourish. However, this conception of the good has to be accepted by all members of the community. In this respect it is a matter of overlapping consensus[56]. In MacIntyre's framework it is therefore necessarily a 'thin' conception of the good[57]. If not, it would encroach on the virtues of the practices and that would be at odds with the objective nature of these virtues.

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[52] See also Ahrendt, H. *Vita activa* (Amsterdam: Boom 1994) pp 184-185.

[53] Wood, D. (Editor) *On Paul Ricoeur. Narrative and interpretation* (London. Routledge, 1991) pp 20-33 and pp 188-199 and De Mul, J. *Cyberspace odyssee* (Kampen: Klement, 2002) pp 194-210 and 205-210.

[54] Nussbaum, M. *Wat liefde weet: emoties en moreel oordelen* (Amsterdam: Boom, 1998) pp 13-24 and 124-129.

[55] MacIntyre, A. *After Virtue* (London: Duckworth, 2007) pp 186-187.

[56] Rawls, J. E*en theorie van rechtvaardigheid* . (Rotterdam: Lemniscaat, 2006) pp 398-399.

[57] MacIntyre, A. *After Virtue* (London: Duckworth, 2007) pp 199-203.

In short, MacIntyre bases his framework on the notion of a practice and the internal goods to be gained by participating in the practice. These internal goods can only be acquired by participating in the practice and the amount of internal goods gained, can be increased by excelling in the activities that comprise the practice. Virtues are those acquired human qualities that allow us to achieve excellence. In this way MacIntyre links the virtues directly and objectively to the activities that comprise the practice. Narrative helps in establishing the position in which the individual practitioner is situated in relation with others. In this way the internalization of virtues is stimulated and supported. Narrative than provides recognition and moral standing. This recognition and moral standing of the individual is that one among others and as such it is measured by the moral tradition of the community one is part of. In this way narrative provides the linking pin between objectively established virtues and the moral tradition of the community the practitioner is a part of. MacIntyre so creates a link between objectively established virtues on the one hand and the subjective moral tradition of a community on the other hand.

<u>Criticisms and additions to MacIntyre's framework.</u> The theory of MacIntyre is quite clear in its main elements but nevertheless leaves room for criticisms and improvement. As I explained his conception of a practice is rather vague, other issues are not addressed at all. How we to ascertain what internal goods are relevant? What exactly is an internal good? Is a practice only relevant because of the internal goods to be gained, or are there other considerations as well? What is the content of a virtue? What is the connection between ordinary morality and the morals embedded in the virtues of a particular practice? I have identified six criticisms and I will address these issues in the following paragraphs.

The first issue I want to address is how to identify the internal goods of a practice. MacIntyre does not give a method on how to establish which internal goods are relevant for a specific practice. He seems to rely on intuition. In my opinion that is not enough: we need a more analytical approach that may add to the plausibility of the theory. In order to ascertain which internal goods are relevant, we must first have a proper view of the practice and the elements that make the practice to what it is. This means that - after having identified a practice - we must first deconstruct the practice in order to establish what are the constitutive parts of that practice are. Further analysis of these constitutive parts may help to identify the internal goods that are connected to that practice. By deconstructing a practice we at least can find arguments in identifying internal goods, instead of merely referring to intuition. This deconstruction and analysis must therefore be part of the framework.

The second issue MacIntyre more or less ignores, is what is the content of **the conception of an internal good**? How are we to interpret that conception? MacIntyre states that it is a good that cannot be acquired in any other way than participating in the practice[58]. But why would we want those goods? Why do people want to participate in a practice? This is a question that some people are able to answer quite easily: they want to be a medical practitioner because it is a family tradition or because they want to help

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[58] Ibid, pp 188-189.

and cure people. Especially in socially accepted practices a justification for participating in a practice is easily found and easily accepted. Others find it hard - or even impossible - to answer. Some of them are not able to come up with anything more than "I just want to do it". Others simply refer to external circumstances "I had no choice". Especially with practices that are not readily socially accepted people find it sometimes hard to explain their choice. But internal goods are not to be confused with motives. Internal goods appeal to individuals often only because of intuitive drives that they want to satisfy. Only after these intuitive drives have been reflected upon by the use of reason, rational labels, motives, are attached[59]. These public motives are then flagged as justifications for certain individual choices. In the context of this thesis the notion of an intuitive individual drive or motive suffices. I call on 'est quandam prodire tenus' [proceed until a certain limit] and I will not further elaborate on the issue of the conception of internal goods. On the other hand I have made it clear that in MacIntyre's theory an internal good is a very personal kind of drive.

MacIntyre next connects the internal goods with virtues: virtues enable the practitioner to increase the internal goods to be gained. But what is exactly meant by a virtue? A third issue therefore is that his definition of a virtue lacks any reference as to the **meaning of a virtue**. In short, what can be considered as the content of the conception of a virtue? Once we have determined what a relevant virtue is, we must also provide some idea of the content. How do we establish to what extent a specific kind of conduct is virtuous or not? I will address this question in line with McIntyre's virtue-ethical framework which is basically Aristotelian[60]. Therefore I will refer to Aristotle[61] too in developing a scheme for establishing the meaning of virtues.

According to Aristotle the virtue is the mean between two kinds of moral anomaly, of vice. On the one hand there is the vice of excess and on the other hand there is the vice of defect[62]. So by its essence virtue occupies the middle, but in the result the virtue occupies the high ground. In order to determine what is the virtuous, we must first realize to what we are attracted in order to realize pleasure and to avoid pain. Then we must force ourselves to disengage ourselves from this attraction and see what the extreme opposite position is. By distancing ourselves from vicious conduct we will find the right mean, the virtuous position[63]. An indication for the correctness of our choice of the virtuous position is found in the support or criticism by others (endoxa)[64]. Actions that are in accordance with the virtues will be applauded and those that divert from the virtuous will be criticised. Furthermore Aristotle emphasizes that our choice must be well considered and it must be a voluntarily choice. A choice should be limited to feasible options that are within our power[65].

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[59] Schopenhauer, A. *De wereld als wil en voorstelling* (Amsterdam: wereld bibliotheek, 2008) Deel 1 pp 194, 198-201 and 265-269 and Deel 2 pp 266-267.
[60] MacIntyre, A. *After Virtue* (London: Duckworth, 2007) pp 161-164.
[61] Aristoteles, *Ethica Nicomachea* (Budel: Damon, 2005).
[62] Ibid, book II, par 6.
[63] Ibid, book II, par 9.
[64] Ibid, book VII, par 9.
[65] Ibid, book III, par 2 and 5.

In order to establishing the proper meaning of a virtue - what is the right way to act in accordance with the virtue - Aristotle uses antonyms, pairs of contrasting notions. He establishes what is virtuous by choosing the mean between the vice of excess (too much) and the vice of defect (too little). As to the right way to act, he first considers the options that are within our power. Than he deliberates on the basis of his knowledge and the conclusion of this deliberations must direct his actions. The action must be in accordance with the conclusion of the deliberation[66]. Experience will eventually lead to the development of practical wisdom: an acquired disposition to know what is virtuous in a given situation and act accordingly[67].

Than there is a fourth issue as to the **interpretation of the conception of a virtue**. The opening question is whether the virtue is in the process of deliberation, or in the decision that is made, or in the actual result, the action. Although McIntyre does not address this issue, it is clear that from the perspective of the practice it is the activity as such that counts. So the virtue is realized in visible conduct. However it is clear that a certain kind of conduct is preceded by the decision to act in a certain way and that decision in its turn is preceded by deliberation. It is logical to assume that consistently virtuous conduct can only be the result of virtuous decisions that are preceded by virtuous deliberation. Eventually the overall conduct is a matter of having a virtuous disposition[68].

In relation with the interpretation of the conception of a virtue there is another point that needs clarification. This point pertains to the question whether the conception of the virtue is broad or narrowly defined. A broad interpretation aims at the role of the virtues in life in general. A narrow interpretation links the virtue primarily to a specific practice. MacIntyre seems to use both conceptions. He uses the narrow conception in order to establish objectively which virtues are relevant for a practice. But than he goes on to say that these virtues must be internalized by means of narrative which is in itself must fit into the wider moral tradition and become a part of it. The notion of a moral tradition assumes a broad interpretation of what is virtuous. It assumes a connection between the virtues and a shared comprehensive conception of the good. However this can only be a 'thin' notion[69]. I will also use both a narrow and a broad interpretation of the virtues: narrow with regard to establish which virtues are relevant to a practice and broad as to the embedding of these in a wider context.

The fifth issue I want to address, pertains to the interpretation of the virtues as internal to a practice or based on a wider context. Is a virtue something autotelic, a goal in itself, or is it a means to a higher goal? This criticism is articulated by Miller[70] and pertains to the view of MacIntyre of a practice as a self-contained phenomenon. According to Miller this is a too limited a view on the virtues of a practice. I his view practices are not

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[66] Ibid, book III, par 3 and book VI, par 5.
[67] Ibid, book VI, par 5 and 8.
[68] Ibid, book II, par 5 and 6.
[69] as I explained in the first paragraph on page 28.
[70] Miller, D. *Principles of social justice* (Cambridge Mass: Harvard UP, 1999).

pursued only for the sake of acquiring internal goods, some of them serve social ends beyond themselves[71]. These **purposive practices** also can - and should - be reviewed from the perspective of the end(s) they are meant to serve. The conception of a purposive practice allows for a wider evaluation of the virtues involved[72]. The standards of excellence are not a matter of the participants in the practice only, but are also a matter of achieving the wider purpose of the practice in an excellent way. Medicine is not practiced solely to find better cures, but also to increase public health! This means that a critical assessment can be made both from within the practice as from the perspective of the social ends served by the practice. As a consequence of Miller's criticism, institutions have a more substantial role than just sustaining a practice. Institutions embody the purpose of a practice: institutions do not only provide means to sustain a practice but also provide direction and guidance. This means rules and regulations and standards of excellence that are relevant to the social ends that are served by the practice. Institutions play a role in the community and can be a part of a moral tradition of a community. As such there are also reasons connected with McIntyre's concept why they cannot be ignored. This is evident in practical moral reasoning - as part of a practice - which is at least partly based on institutional and social values.

In my opinion the criticism by Miller cannot be ignored: there are just too many examples of his kind of purposive practices. Especially with a view on the military practice there is no doubt that a purposive perspective is indispensable. Without a social purpose, a public institution and (legal) rules and regulations, some aspects of the military practice - killing other soldiers - would come to nothing more than wanton killing: murder. However the criticism of Miller does not imply that the complete concept of MacIntyre is invalid. The idea of internal goods and their function as to establish what kind of virtues are relevant, is not refuted by Miller's criticism. Nevertheless Miller's argument is convincing that there are more influences relevant as to establishing which virtues are important, than just those which facilitates the acquirement of the internal goods of the practice. Practices seem to have a double character. In this thesis I will therefore use the concept of a purposive practice in addition to the framework developed by McIntyre and as such it will provide an extra and necessary perspective of evaluation.

The sixth and last issue that needs attention pertains to the moral dimension of a practice. As virtues provide guidance on how to act rightly, it is obvious that there is also the possibility to act wrongly. For an individual this choice is often a mere practical choice. But a practice involves cooperative and complex human activities and questions regarding right and wrong are therefore often moral questions. The virtues of a practice therefore have a moral dimension as well as a practical dimension. This moral issue is addressed by Freedman[73], who questions how normal morality and the morality of a practice relate to each other. Freedman aims at the morality of a practice as a professional morality. However not every practice is developed into a profession and not

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[71] Ibid, pp 117.

[72] Ibid, pp 120.

[73] Freedman, B. (1978) 'A meta-ethics for professional morality'. In: *Ethics*. 89 (1), pp 1-19.

every professional activity can claim the status of a practice. On the other hand do the concepts of a practice and a profession overlap in many instances as to warrant the question as to how **professional morality** can differ from and even be in conflict with ordinary morality in certain respects? Freedman wonders how this is possible, as professional morality and ordinary morality stem form the same source and both find their essence in a decisive ought: an 'ought' that is mandatory to adhere to, or to be blamed for failing to. How is it possible that an agent will follow the dictates of professional morality in contravention of ordinary morality? According to Freedman a system of rule-utilitarianism could help to solve (circumvent) this problem. In Freedman's view society endorses that specific values are safeguarded by specific professionals, and in the course of this safeguarding these professionals are allowed to breach norms of wider morality.

The issue that Freedman addresses is indeed a serious one. Especially in the military in which practice it can be expedient to kill other human beings: a 'privilege' that ordinary morality most strictly forbids, "Thou shall not kill". The solution of this problem that Freedman proposes, means that a rule of law is created in which the military is allowed to kill in order to safeguard worthwhile values of wider society. The solution Freedman proposes will both do and will not do in real military life. It will do because it provides a clear and strict rule. This rule can even be (and in many cases is) formalized in a law. However it is not at all clear on which conception these kinds of rules are based. Freedman rejects deontology but it is obvious that many legal rules are based on some kind of deontological moral conception. On the other hand there are laws that are based on a utilitarian approach. So the solution as proposed by Freedman to use a rule-utilitarian approach may result in a formal rule that will do as it is a clear rule, but his solution is arbitrary. He does not address the issue on which kind of theory of values, axiology, and his rules should be based. This lacuna in his solution eventually results in a kind of inconclusiveness that is a general feature of utilitarianism.

The other possible method to repair this lacuna is to elaborate the main rule with exceptions, constraints and so try to turn the main rule in a more tangible set of normative rules. However it seems impossible to cover all kind of circumstances and individual reckonings in this manner. In this way rule-utilitarianism will eventually collapse into act-utilitarianism with all the connected disadvantages.

But a formal rule-utilitarian approach will neither do in the material sense. I have already explained that a formal rule often lacks material practicability and can not be used as an instrument in a calculus. Especially in combat situations this is not feasible, as the situational pressures are to high. But also in a material sense morality is hardly a feature in a calculus; it is irrelevant compared with other, more important considerations (how to survive)[74]. Moral consideration do play a role, but as a background of morality, of character! Virtue-ethics aims at education, at the building of character. Virtue-ethics are furthermore based on the moral tradition of a community, a society. There is the link between ordinary morality and professional morality. The community has to endorse the morality of the practice and will provide guidance to

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[74] See footnote 38.

what is acceptable and not. The (purposive) social institutions will further regulate the way in which this professional morality is realized within the institutional context.

However this does not mean that professional morality is merely a matter of 'osmosis' with ordinary morality. Especially when the professional morality involves serious deviations from ordinary morality; as is the case with military killing. It is obvious that in these instances extra attention must given to ethical education and training. In this kind of education the special position of the military and the kind of trust society vests in the military must be explained. The values of society that are to be protected by the military - which is the purpose of the military practice - must be the bedrock on which the moral values of the military are founded[75]. In that way also the spirit of military elitism can be avoided[76]. In short, the issue of how to connect ordinary morality and professional morality is important and needs to be addressed in the framework. MacIntyre addresses this issue implicitly in connecting the virtues, with narrative and wider ordinary morality, but the importance of the issue warrants in its application a more explicit treatise.

<u>Sub-conclusions.</u> In this chapter by analyzing the framework of MacIntyre, supplementing missing elements and taking criticisms into account, I have developed a framework that is suitable for on a military practice. This framework remains based on the iterative interaction between the practice, the narrative and the moral tradition. I have analyzed and elaborated these components in the preceding paragraphs. MacIntyre's theory provides ample opportunity to create meaningful links with military tradition while maintaining critical distance and leaving room for critical reflection. From this perspective his theory seems very promising to provide a practical moral framework for the Dutch military.

My analysis results in a logical sequence in which the components of the elaborated theory are embedded in the framework. In the first step the results of my analysis of a practice as such are addressed. I have addressed the need of a proper analysis of the practice as a means to establish what internal goods are relevant. Based on these internal goods we can analyse which virtues are relevant to the practice, after which an instrument is developed which helps to establish the meaning of those virtues. It is only than that we can elaborate on the link with the narrative. All these issues pertain to the practice and the practitioners. In the second step the purpose of the practice is discussed. Only than can we elaborate on the role and function of the institution in supporting the practice. After that we can investigate how the institution fits into the wider social fabric and the moral tradition of the community. These issues pertain to the organizational dimension of the practice. The third step identifies how the results of the first two steps, the practice and organization, are morally connected and how this connection can be maintained and strengthened. The overall result is a more detailed normative framework which allows for a more profound practical application. In the next chapters I will examine whether the framework can be applied successfully. That means whether the application of the framework will result in a credible and practically viable shared moral standard for the Dutch military.

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[75] Foot, P. Morality as a system of hypothetical imperatives, in: *Philosophical review*. 8 (3) pp 305-316.

[76] Robinson, P. (2007) 'Ethics training and development in the military'. In: *Parameters*. 37 (1), pp 22-36.

The framework I developed is made up of the following components.

a. The practice.
   i. Deconstruct the practice and establish the constitutive parts of a practice.
   ii. Analyze the constitutive parts and establish the internal goods.
   iii. Analyze the internal goods and establish which virtues are relevant.
   iv. Establish the meaning of the virtues.
   v. Relate how these virtues fit within a narrative.

b. The institution.
   i. Establish the purpose of the practice.
   ii. Analyze the purpose and establish the external goods of the practice.
   iii. Analyze the external goods and establish the values of the institution.
   iv. Relate how this role fits in a moral tradition.

c. The narrative and moral tradition
   i. Establish how the narrative and moral tradition are connected.
   ii. Indentify issues for moral education.

**Chapter IV: the military practice.**

In this chapter I will apply the framework I developed in the preceding chapter on (Dutch) military practice. I will subsequently address the constitutive elements of the practice, the internal goods served by the practice and the related virtues, after which I will establish the meaning of the virtues. I will conclude with relating how these findings can be incorporated in a narrative.

My aim is to develop a prescriptive, coherent body of easily shared morality that can be embedded in the military character. As I explained in my introduction such a shared morality embedded in character is necessary to safeguard moral conduct. Especially in complex situations in which there is little to no time for deliberation the morality of conduct is a matter of character, of previous education and training. This does not mean that deliberation and critical analysis is superfluous. Deliberation and critical analysis are important features of education. Understanding is necessary in order to be able to accept certain ideas and their consequences. Education and training support and enable understanding and provide experience in using deliberation and critical analysis when there is plenty of time. They are also important as methods to reflect on what has happened and how improvement can be achieved. A proper theory that provides a logical and coherent framework of morality is indispensable for the education, training and operational reality of all soldiers!

But before examining the constitutive parts of Dutch military practice we must address some issues concerning the context of my analysis. When we are discussing the Dutch military practice we must first bear in mind that the military is an instrument of the state to safeguard the external security of the state, if necessary by the use of violence. We could say that for the military violence is a means of first resort. The military practice therefore pertains to violence. Military practice is violent by definition. The internal security of the state is a responsibility of the police. The police are there to maintain law and order within the state. To fulfil this task the police are authorized to use violence, but only as a means of last resort. The military can of course be used to support the police or other national agencies, but in those cases the military operates under the control of the police or those other agencies and is to abide by the same rules. Second we must realize that we look at a modern organization which is the result of a long development. We are not looking at an abstract notion. This means that I will not address philosophical questions like whether the military is necessary as a state instrument, nor whether it is necessary the military uses arms in executing their task. Third we must bear in mind that the Dutch state is a democratic constitutional state. This means that the use of military violence as such, as well as the way in which it is used is subject to the rule of law. In present Dutch military practice these are undisputed facts of life! The last remark I want to make is that this chapter does not stand alone. In some respects it will use as a starting-point and will elaborate on the developments I described in chapter II. These constraints will avoid unnecessary, largely theoretical, digressions and will add focus to my enterprise.

<u>Constitutive parts of military practice.</u> When we look at the present Dutch military and try to deconstruct this organization as a practice, we can discern several elements that are typical of that practice. Without these elements there would be no military practice as such. First of all the practitioners are aiming at something, a goal, while participating in the practice: they have a task to fulfil. The general task of the military is articulated in the constitution. To fulfil that task the military is deployed by the government which has the legal authority to do so. This governmental decision to deploy the military will result in more specific tasks for the military. These specific tasks will be disseminated into many minor tasks that underlie military practice. What this entails I will address later. For the moment it suffices that we have established the notion of a **task** as a constitutive part of military practice. In the Dutch context there would be no military practice without an authorized task.

Next the military practice implies the use of weapons. We cannot in reality picture a modern armed force without weapons. These weapons involve a vast array of weapon systems and related special equipment. The organization and equipment to maintain weapon-systems, the lorries that are used to transport spare-parts, fuel and ammunition, as well as food and water for those who operate the weapon-systems. All these elements are necessary to bring violence to bear. So we can conclude that the wielding of **arms**, of specialized equipment**,** is an integral part of military practice.

Another aspect of military practice is the involvement of large number of people in executing complex activities which necessitates close cooperation. Without this cooperation the military could not function in any coherent way. Besides, according to MacIntyre human cooperation is one of the elements that define a practice as such. So **cooperation with others** is definitely a constitutive part of military practice.

A practice is always related to a specific time and place. It is only within bounds of time and place that human cooperation can take place. A practice is often confined to a specific time and place (a medical operating room during working hours or a sports playing ground in leisure time). The time and place in which military practice is realized, is called a battlefield. This is where military practice of wielding violence is realized. Of course there are training areas where the military prepares for their tasks, but these are not the places where military practice finds its ultimate realization, its 'raison d' être'. A battlefield used to be determined. It is that space in which the battle will take place (like the Northern German Plain of the cold war) or has taken place (like the battle of Waterloo). Its duration used to be predictable as well (like the invasion of Sicily), or is determined post hoc (like the Dutch eighty year war of liberation). As I explained in the second chapter, it is typical of modern military practice that the place (battlefield) and the time (a period of conflict) could be anywhere and anytime. This typical feature of an **undetermined time and place** in which the practice takes place, is very much a constitutive feature of modern military practice.

But in spite of this indeterminateness the military practice can be recognized as a practice. If a specific practice is to be recognized as such, it must be similar in appearance, even at different time and places. There must be some internal

structure that enables the recognition of a practice as an activity we have experienced before. These repeating features are captured in some kind of basic rules. Rules are often also the determining factor in setting the goal that is central to the practice. Without some kind of rules it would be hard, if not impossible to recognize a practice as such. But there are also rules that are inherent to military practice. These rules are meant to control the use of violence. These rules constitute the 'jus in bello' and are articulated around the two basic principles: subsidiarity and proportionality. Other rules are meant to control large number of people who live and fight together under sometimes extreme circumstances. These rules constitute the military regimen, the formal embedding of military discipline. So **rules** are a constitutive part of all practices - the military included - and specific rules determine military practice. As to the task and rules of the military we must bear in mind the wider purpose of the military, which is the defence of the nation and its institutional ordering in its widest sense. The task and the rules are set by the highest authority of the realm: the government. This means that the military is not autonomous in setting its overall goal and the rules that govern the achieving of that overall goal. The military has only a limited autonomy to determine the objectives and rules that are necessary to enable achieving the higher goal. I will elaborate on this relationship between the military and the government in chapter five.

There are still other elements that determine military practice. The military is used to secure the vital interests of the state through the threat or actual use of violence. This means by definition that there is some kind of opposing force as well. This opposing force, the **enemy,** will equally defend its vital interests and is willing to use violence as well. The potential mutual use of violence could ultimately result in (mortal) **danger** for those who participate in the military practice. Military practice is unequivocally connected with operations against an enemy. And as the enemy has lethal weapons as well, there can be no military practice without danger.

Are the aforementioned constitutive parts really characteristic of the military as a practice? Of course there are other practices that require special equipment and necessitate cooperation with others and in some way are dangerous as a result primarily of the opponent's conduct: like in ice-hockey. But this is a game which does not involve the intention of deliberately harming the opponent. But also the police practice is different, although many features of that practice seem similar to the military. The police too have a task and have to abide by rules. Cooperation is also a feature of police practice, albeit on a smaller scale. The purpose however is totally different; the purpose of the police practice is aimed at maintaining law and order. Violence is a means of last resort and the danger that ensues from policing is an exception rather than a defining characteristic. In consequence there are no enemies, only fellow citizens, some of which break the law and need correction. And these citizens are living in the same area the police officer lives in as well. The area of responsibility of participants in the police practice is the area they live in. The main difference however between police practice and military practice is the feature of the potential use of violence as a means of first resort that aims at spreading harm - or worse death. This is typical for the military, and is lacking in any other practice. But violence alone does not typecast military practice in full: the other elements (task, arms and cooperation as well as rules) are also constitutive, without these the

practice could well refer to individual psychopaths and banditry instead of the military: psychopaths are not known for their willingness and capacity to cooperate and bandits lack state authority in the rules they are subject to and in the goals they aspire to.

So the constitutive elements of military practice I identified, define that practice. Together they make up the characteristic feature of military practice. They are all part of a whole and if one part is missing the entity will be lost. From this perspective of connectivity of the constitutive elements, it also follows that is virtually impossible to establish a priority or hierarchy between these elements. In the elaboration in the following paragraphs I will therefore proceed from the same order as I used in the preceding paragraph.

<u>Internal goods of military practice.</u> Related to these constitutive parts internal goods can be discerned as well as - in the next stage - virtues that enable the soldier to achieve these internal goods. By deconstructing the practice in its main constitutive parts we have established a means to proceed in a more analytical way, instead of trusting merely on our intuition. We will try to identify the internal goods of military practice by a further analysis of the constitutive parts.

In relation with the task the following internal good can be discerned: the sense of fulfilment and achievement over a responsibility shouldered after fulfilling your task, sometimes in spite of adverse, even sheer impossible circumstances. The quality of the accomplishment can add to the achievement, and the internal good gained. As to the use of arms and other specialized equipment deep felt satisfaction and pride as well as a sense of power is produced by the skilful and professional mastery of powerful systems - that can wreak havoc and death. The quality of skill and expertness can ad to the internal good. The cooperation with others results in the comfortable feeling to belong and the warmth of a very special human relationship as a result of shared hardship and (mortal) danger. Also there is the warmth and comfort in being valued and admired as a member of a very special group, as well as in expressing admiration and esteem for others. The requirement to act on a battlefield undetermined in a time and space produces the thrill of participating in an adventure in which the outcome is unsure and the stakes are high. This experience and the tension it involves ads to feeling of being alive. This feeling is enhanced by a sense of relieve and satisfaction of having accomplished what you were expected to after being brought to exhaustion. This exhaustion is the result of sheer physical effort, lack of rest and sleep and stress created by uncertainty and danger. Rules create stability and a peace of mind in a for the rest chaotic environment. Adhering to the rules helps to overcome the sometimes bewildering experiences of the battlefield. They provide comfort in difficult situations and result in contentment having lived up to them. Facing danger, real physical even mortal danger, brings excitement, elation and joy over being alive and completing a successful action in the face of sometimes heavy odds. And last but not least there is the deeply felt atonement and tranquillity at the way the enemy is treated after he has been overcome, without brutality and without contempt and brazen superiority.

The interconnected experience of the internal goods is only to be had in military practice. Of course one can experience satisfaction, joy and contentment in other practices as well, but the interconnectedness of the goods I identified in a violent context is characteristic of the military. Many of these internal good can only be described in terms of the military practice. Dangerous in a military context has a different meaning than in the context of a heavy flow of traffic, or a game of rugby. Belonging to a military group that has fought together is of a totally different nature than being a member of a rugby team that played together.

Looking at the nature of the internal goods we have discerned in the preceding paragraph we can conclude that these are very much a matter of personal appreciation. Some people are attracted to them, others are not. Those individuals, who are attracted, share at least this kind of interest. This shared attitude is an important advantage for later cooperation in the practice. Another feature of external goods is that they are basically of an emotional nature. From this perspective it is not easy - if not virtually impossible - to discern exactly what is one kind of passion and what is another. This is even harder, as some of the internal goods seem to be connected to more than one constitutive part. But this condition also creates an interconnectedness that enhances the overall entity and inherent value of the internal goods. This kind of entity mirrors the interconnectedness of the constitutive parts and the ensuing entity of military practice. A further characteristic of internal goods is they entail pleasure in participating and achieving an improved ability to do so. This improvement is the result of getting a better grasp of what the practice is about and gaining in skills inherent to the practice. These characteristics create a bond between the participants and the practice and among the participants. Those individuals who fail to develop such a bond will in general leave the practice, as they do not like the practice, they are not able to master even the most basic skills, they do not feel challenged, and they just feel useless and disappointed.

It seems that identifying internal goods that are characteristic for a specific practice requires a lot of psychology. One has to identify the motives and intentionality of individuals for wanting to participate in a specific practice. This is clearly beyond the scope of my thesis. Based on the notion of internal goods as forwarded by MacIntyre I made an attempt to identify which internal goods are inherent to the military practice. The goods I identified are based on both my personal experience as a (former) participant in the practice as a commanding officer and an instructor of military personnel, as well on the extensive literature that is available. In my opinion I made a plausible case and although there is always room for improvement I assume I have given the notion of military internal goods enough body to proceed with the next element of MacIntyre's theory.

Military virtues identified. A lot has already been written, shown and said about military virtues and vices. Courage is a classical military virtue, as cowardice is a classical military vice. The reason why these are extolled has to do with the inherent violent character of military practice. The circumstances are exceptional and the stakes are high: instead of a peaceful life there is struggle and battle over life and death, freedom and oppression and even mere honour. But there are other virtues and vices as well, lots of them! The advantage of MacIntyre's theory is that it aims at

establishing by objective standards which virtues are relevant to a practice. So we must try to forget all preconceived ideas and attempt to follow the logic of MacIntyre's theory.

MacIntyre defines virtues as: *'an acquired human quality the possession and exercise of which tends to enable us to achieve those goods that are internal to practices and the lack of which effectively prevents us from achieving any such goods.'*[77] According to this definition the virtues are acquired qualities that enable the participant to achieve the internal goods that are inherent to participating in the practice. This means that virtuous conduct is at first taught, then put into practice and eventually embedded in the individual's character[78]. By excelling in these acquired qualities the amount of internal goods gained will increase. In the preceding paragraphs I have identified which are the internal goods that are inherent to the military practice. So next there remains the task to establish what kind of acquired human qualities will enhance the experience of the internal goods I identified.

When we look at the notion of a task as one of the constitutive parts of military practice we have identified as the connected internal goods, a sense of fulfilment and achievement over a responsibility shouldered after fulfilling your task, sometimes in spite of adverse, even sheer impossible circumstances. It seems that a sense of duty will enable the individual soldier to achieve this kind of satisfaction over tasks accomplished, sometimes in spite of adverse circumstances. A sense of duty is a feature that is strongly linked with the accomplishment of obligations and a task to perform can be seen as an obligation. Especially in the face of adverse circumstances a **sense of duty** is a virtue that will make one continue and complete the task at hand and thus fulfil the obligation one is under. Not everybody has a natural inclination to live up to his obligations, basically this is a matter of upbringing and the culture one belongs to. However, there are lots of examples how a sense of duty can become an integral part of an individual's character. So there is no reason to assume that this characteristic cannot be developed.

As to the internal goods related to the wielding of arms and other specialized equipment with an enormous, even lethal power, I have indentified pride and satisfaction over skill and proficiency in handling these systems as the connected internal goods. To acquire these skills and proficiency one must have a professional attitude: the will to master the weapon systems one is entrusted with. **Military professionalism** in its broadest meaning can be identified as a virtue, because it is a necessary condition for achieving proficiency and skill in handling arms and other special equipment and the ensuing feeling of pride over the accomplishment. Skills and proficiency are relatively easy to learn, that is why I added the adjective military. With this adjective I want to emphasize the stamp of quality that goes beyond only skill and proficiency. Military professionalism entails more than skills, it entails care and keeping the arms and other equipment in a perfect working order, it entails the ability to repair and improvise if regular functioning proves impossible, it entails a thorough understanding of the possibilities and limitations of mechanical systems

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[77] MacIntyre, A. *After Virtue* (London: Gerald Duckworth & Co, 2007) pp 191.
[78] Aristoteles, *Ethica Nicomachea* (Budel: Damon, 2005) book II. 8. 8-9.

both in serving (weapon) systems and in the effects they are able to produce. Military professionalism can be taught and trained at and eventually become a second nature of a true military professional.

The successful cooperation with others results in a sense of belonging and warmth. The notion of being a successful member of a primary group creates contentment and peace of mind. **Comradeship** seems the virtue that enhances the establishment of a strong social fabric within a group. Comradeship can be given substance by an active care for the wellbeing of your fellow soldiers and enjoying and appreciating their friendship in return. However, comradeship and friendship are not the same. Friendship is something which can start spontaneously and develop in all kind of settings and circumstances. Basically it is a special kind of relation between two individuals. Comradeship is connected with a specific context. Comradeship is not a matter of individual choice, it is a matter of being brought together by chance and it is a matter of being thrown on each other's society. Comradeship enables a group to work together in good harmony and more effectively as a result of this. Comradeship entails giving and taking, giving and getting assistance, to support and be supported, to correct and to accept criticism. The skills to enhance comradeship can be taught, their value can be demonstrated and experienced in training Having experienced the value of comradeship it will be relatively easy to acquire the disposition to build and foster comradeship as the key to successful and emotional gratifying cooperation. Especially in the face of discomfort and danger, comradeship is an indispensable virtue. But cooperation with other also entails a respectful attitude to the other soldiers that are not a member of the exclusive fabric of the primary group. These involve soldiers from other units, subordinated personnel as well as superiors. Successful cooperation with these others requires respect. The virtue of **respect** is the key to successful cooperation in a wider perspective. It is out of respect that we assist and obey colleagues who are relative strangers. Without the virtue of respect, cooperation with others would hardly get going and would be of little quality.

The conditions on the battlefield that can be anywhere and on which action can take place at any time, produce the internal good of experiencing being alive and recovering after long during and exhausting action. To cope with these harsh conditions one needs physical and mental stamina. The satisfaction over quick recovery after heavy duty is enhanced by resilience. The virtue of **resilience** enables a soldier to belittle the recent heavy experience and optimistically face the next challenge. Physical and mental training are the prerequisites to develop resilience. Military training provides ample opportunity to incorporate the developing of mental a physical stamina. Improving these is almost always experienced as enrichment and is easily embedded in the military mind. As a result many individual soldiers pay great attention to their physical fitness: they appreciate its value as part of being a true military professional.

The rules a soldier has to adhere to, are often experienced as superfluous constraints: they limit the margins within which the soldier operates. On the other hand do rules create certainties and provide comfort in sometimes extreme circumstances. Rules however are not a matter of choice: one cannot pick those one

likes and disregard those one does not like. Discipline is required to cope with rules: to accept the limitations they impose and to benefit from the security they offer. **Discipline** is a virtue that enables a soldier to live with and love rules as an integral part of military practice. The military regimen is part and parcel of being a member of the armed forces which entails living in barracks, on board of vessels, in tented camps, airbases, etc. Outward discipline is a means to achieve internal discipline, that is the acceptance of the necessity of rules and to abide by them: not out of fear of being caught trespassing, but out of the conviction that rules are there for a reason.

Danger is another integral part of military practice and produces the internal goods of excitement and joy after having faced a dangerous situation. The classical military virtue that is connected with facing danger is **courage**. It is in courage that the soldier finds the ultimate way of coping with danger in such way that he survives and experiences the excitement and the joy that goes with it. The question is whether courage can be taught, trained at and embedded in the military character. To some extend this is indeed possible. This entails a call on tradition and narrative, as well as discipline and comradeship. Tradition and narrative help to explain what courage entails and what it means. Discipline helps to overcome ones fears and continue doing what should be done. Comradeship provides the support to live up to ones obligations and the contempt if one fails to do so: comradeship is a powerful incentive for courageous conduct. Not every soldier is a hero, but this does not mean that there is no courage where there are no heroes.

The proper treatment of an enemy, after he has been overcome - as he is either wounded or captured - and is at our mercy, requires besides respect - as for any other combatant and civilian on the battlefield - also a deeply felt sense of righteousness, of justice. A **sense of justice** is a virtue that is required to experience the satisfaction of moral righteousness, to have remained on the moral high ground. Again the question can be raised whether this virtue can be taught, trained at and embedded in the individual's soldier character. The answer is similar to the answer given in the case of courage. Narrative, discipline and comradeship are the means to instil this disposition in the military character.

In the preceding paragraphs I have identified eight military virtues, qualities that can be acquired and will enable the soldier to enjoy the internal goods that can be found in the military practice[79]. These are: a sense of duty, military professionalism, comradeship, respect, resilience, discipline, courage and a sense of justice. Why did I identify these eight military virtues and not others or less, or more? The first question can be answered as follows. The virtues I identified are the result of a careful analysis: first I deconstructed military practice, than I identified internal goods which are closely related to the constitutive parts of the practice. The virtues are those acquired human qualities that enhance the experience of the internal goods identified. My identification of the virtues is the result of a careful analysis and a logical elaboration of MacIntyre's theory.

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[79] See also Blaschke, P.H. and Gramm, R. and Sixt, W. *De officio* (Hannover: LV, 1985) pp 230-235.

As to the exact number of virtues - why eight and not more or less - I prefer to answer these questions after I have elaborated on the meaning of the virtues I identified so far. This is the next element in the framework I developed, based on MacIntyre's theory.

<u>The meaning of military virtues.</u> As to the proper meaning of the virtues I will use the Aristotelian method of using antonyms. First I will examine the virtue of a **sense of duty**. How can we determine the content of this virtue? First we will look at the vice of too little. A deficiency will result in not fulfilling the allotted tasks. In the military it is somewhat risky not to execute an order, but there are ways to circumvent a direct confrontation: slow moving might go unnoticed and eventually nullify the task. Another strategy is blaming circumstances that prevented a proper execution. Especially on the battlefield this excuse sounds plausible, and countervailing facts are hard to check. Outright lying may do the trick as well, but involves a higher risk. Risk avoiding and laziness are motives that play in role in a defective sense of duty. But there is a flip side: the vice of too much. On the other side there is the fanatical attitude that puts duty before everything else. This kind of zeal may well result in taking risks that could easily have been avoided and puts soldiers and materiel to unnecessary risks. This kind of behaviour too seldom leads to the required result. It provokes annoyance and leads to passive or active resistance by those who have to bear the brunt of this relentless ambition. A proper sense of duty will find the mean between the irresponsible love of the easy and blind zeal[80].

The virtue of **military professionalism** pertains to the skills and attitude of the soldier. The soldier is furnished with arms and other special equipment to perform his tasks. His deficient attitude towards his equipment can be light hearted. He thinks that he will be able to use his equipments after a few instructions and experience will do the rest. He will be negligent in training and in the maintenance of his equipment as he thinks that there is little chance he will come into a position in which he will depend on the proper functioning of his tools. On the battlefield he will pay dearly for this attitude. On the other hand it is possible that the soldier takes an exaggerated care of his equipment. This care may result in reluctance to use his equipment in order to avoid wear. As to the use of his tools this kind of soldier is also very precise indeed: everything must be done by the book, no matter how long this may take. This attitude too can cost him dearly. A proper sense of military professionalism means that the soldier wants to know how to use his equipment and the range within which it can be used properly. He will want to know what the possibilities are and limits in using it and what are the effects of its use. The many exercises and training will give him a proper idea within which constraints he can use his equipment and how to keep it in an optimal working order[81].

But military professionalism is not limited to the personal individual skills. True military professionalism requires attention for the proficiency of others as well. It means the willingness to assist others in acquiring the proper knowledge and skills. It also means the willingness to address others who fail to live up to professional

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[80] Holmes, R. *Acts of war, why men fight* (London: Cassel, 2003) pp 234.
[81] Ibid, pp 235.

standards. As the performance of military missions is teamwork, it is important that every member of the team knows his job! True military professionalism and comradeship will never allow unprofessional conduct.

This brings us to the much extolled virtue of **comradeship**. The feature that pre-eminently defines military practice is the fact that on the battlefield soldiers live and act together in close cooperation. The hardships they endure together and their mutual dependence creates a very special bond indeed. The primary military group is a micro cosmos, like a family, a 'band of brothers'. Military effectiveness largely depends on the healthy social fabric of primary groups[82]. But even within a family one can nevertheless withdraw from the obligations that are entailed by family ties. A deficiency in comradeship, individual egotism can be very demanding. The result will be that the 'family' withdraws its support as well and will leave the strayed member to its own. But this will inevitably create tension within the primary group and this may afflict the internal cohesion and eventually may even destroy the primary group. On the other hand there are those who put their 'family' before everything else. Everything the members do is done well. No criticism is accepted. This attitude too will create tension and will impede the ability to create well balanced relations within the group. So proper comradeship is based on the awareness that cooperation is necessary and that this cooperation entails more than just working together. Living together promotes the founding of special bonds. Sharing hardship and danger further strengthens these ties. True comradeship aims at supporting and actively maintaining these ties. True comradeship further fosters mutual trust and support. This true trust and support entails constructive criticism as well. True comradeship exists to the benefit of all who share in this phenomenon[83].

The virtue of **respect** is closely connected to the virtue of comradeship: respect is also a part of comradeship. But respect entails more. Respect does not only pertain to the members of the primary group, but also to others the soldier has to cooperate with. The military is a hierarchical organisation which implies there are military superiors as well as military subordinates. Both the superior and the subordinate can be the object of contempt. This contempt can have no other ground than the relative position of the other. Also contempt can be the result of peer pressure: we all have contempt for this person and so will you. As to subordinates this attitude of contempt for them can result in an authoritarian and even dictatorial conduct. And with superiors, this contempt can result in a reluctance to comply with orders or even outright sabotage. Contempt impedes forwarding appropriate criticism. On the other hand superiors and subordinates can be the object of infatuation or exaggerated admiration. In this situation there is no room for criticism either, just for approval and compliments. This too can have negative effects. The object of admiration may well be induced to think he really is very gifted if not infallible. Also it can undermine discipline as the necessary distance will disappear between the idol

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[82] Marshall, S.L.A. *Men against fire: the problem of battle command in future war* (Gloucester, Massachusetts: Peter Smith, 1978) pp 151; Sheenan, J. *The monopoly of violence* (London: Faber and Faber, 2008) pp 78 and 128 and Keegan, J. *The face of battle: a study of Agincourt, Waterloo and the Somme*. (Harmondsworth: Penguin books ltd, 1983) pp 301-303.

[83] Holmes, R. *Acts of war, why men fight* (London: Cassel, 2003) pp 26, 272-274 and Van Crefeld, M. *The transformation of war* (New York: MacMillan, 1991) pp 157.

and his fans. Leadership of primary groups still requires distance. Distance is necessary if one has to act with authority. Especially if orders are to be issued that involve danger and hardship. Too close a relationship may well interfere with necessity. The right mean between contempt and uncritical admiration lays in paying proper respect[84]. This respect is in the first place based on the functional position of the other(s). This kind of respect is inherent to being a member of a military, hierarchical organisation. In the second place this respect should be based on the appreciation of the exemplary way the superior or subordinate conducts himself[85]. Respect thus also entails the duty to criticize and question those functionaries with the aim to broaden the personal appreciation and insight and that of the other. All members of a unit, as well as the unit as such will profit from a respectful conduct by all.

But there are more 'others' who deserve a respectful treatment as well. The expeditionary battlefield can be anywhere and as such it is seldom empty. Besides the mere concept of asymmetrical warfare entails that war is waged among civilians. These civilians and their property on the battlefield are an inevitable feature of modern military operations. Their presence can be seen as an impediment for combating the enemy. Their interests are therefore easily considered to be irrelevant. In such situations the military is at best not interested in their fate. At worst they are seen as accomplices of the enemy or even as the enemy itself. On the other hand their fate cannot be considered to be merely a matter of bad luck. In asymmetrical warfare the civilian population is part of the equation. To ignore them is counterproductive. Not to make a distinction between the enemy and the civil population in general, will at best undermine the willingness of civilians to cooperate and at worst will sow hatred and resentment amongst them. The right mean between indifference and pity is respect. The proper attitude is one of empathy for people who are involved in a conflict against their will; an attitude of respect for their interests, property and cultural heritage. Proper respect will result in a conscientious weighing of military necessity and civil desirability.

Circumstances on the battlefield are harsh. Social laws and regulations do not apply. Adequate housing is never sure, nor are regular meals. Rain or snow, day or night, rough terrain: none of these are an excuse for not conducting military operations[86]. The planned outcome of these is not sure either: friction will disturb the conduct of the operation in a smaller or larger amount[87]. The virtue of **resilience** based on physical and mental stamina will enable the soldier to overcome these adverse conditions. A deficiency in this respect will affect the morale. As a result the soldier will neglect taking proper care of himself and his equipment. His willingness to carry his part of the general burden will erode. Eventually the soldier will succumb to self-pity and inertia. On the other hand can the soldier ignore the messages of his body? He thinks that sleep deprivation will not floor him. He will mock those who do take a nap when possible. Overestimation of ones possibilities will eventually result in a

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[84] Holmes, R. *Acts of war, why men fight* (London: Cassel, 2003) pp 142.

[85] Blaschke, P.H. and Gramm, R. and Sixt, W. *De officio* (Hannover: LV, 1985) pp 41-50.

[86] Holmes, R. *Acts of war, why men fight* (London: Cassel, 2003) pp 148-175.

[87] von Clausewitz, C. *On War* (Princeton: UP, 1976), book 1 chapter 7.

collapse and that collapse will probably take place at a most inconvenient place or time, or both. Surviving on the battlefield requires that soldiers are in a good shape. They have to be physically fit and this physical fitness is a prerequisite for mental stamina and resilience. This means self-knowledge and the willingness to train physical and mental capacities. According to Aristotle the proper resilience will enable the soldier to: "bear the hazards of fate harmoniously… and accept setbacks in all calm and not because he is insensible of pain, but because he is truly noble and great"[88].

The military operates with large numbers in exceptional circumstances which involve many and high risks. Under these circumstances to create order, rules are indispensable. The virtue of **discipline** enables the soldier to cope with these rules. When discipline is insufficient, the soldier will ignore rules. By doing so he can bring himself and his fellow soldiers in (great) danger. But he will ignore these dangers as well, if only out of ignorance. He can also try to bend the rules, to look for loopholes and petty excuses. On the other hand the soldier can be very strict in adherence to the rules. He than often refers to the literal wording of the text and not to the intrinsic meaning of the rule. He will do everything by the book and this attitude could also endanger himself and his fellow soldiers[89]. A notorious example of this 'doing everything by the book' took place on 21st of January 1897 during the battle of Isandlwana in which the British forces engaged the Zulu warriors of king Shaka. During this battle a British NCO insisted on opening ammunition boxes according to the time consuming regulations. He was found among the 858 other British soldiers that were killed that day. He was stabbed to death over his ample store of ammunition[90]. So the proper mean between ignoring and bending the rules and attaching paramount importance to them is the virtue of discipline: a disposition to adhere to the rules but not uncritically and deviate when necessity requires so. Proper discipline is internalized, it involves being in control over oneself.

The virtue of **courage** enables the soldier to overcome the dangers on the battlefield. Of course he can try to avoid danger. He will put his personal interests first and will avoid everything that will imperil his personal wellbeing. In justification of his conduct real and imagined dangers are exaggerated and eventually his ability to act will be paralysed by fear. On the other hand the soldier can ignore danger in the superstitious conviction that he cannot be hurt. In his recklessness he will take unnecessary risks and endanger not only his own life but that of his fellow soldiers as well. The right mean between fear and recklessness is courage. In a courageous act the soldier has taken the dangers into account and - sometimes after cool deliberation, sometimes on an impulse - decides to face these dangers and act resolutely but wisely[91]. This decision is rooted in a moral conviction that one has to act.

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[88] Aristoteles, *Ethica Nicomachea* (Budel: Damon, 2005) book I, par 10.

[89] Dixon, N. *On the psychology of military incompetence* (London: Jonathan Cape, 1976) pp.176-188.

[90] Porch, D. *Wars of Empire*(London: Cassel & Co, 2000) pp. 118-123.

[91] Holmes, R. *Acts of war, why men fight* (London: Cassel, 2003) pp 143-145 and 147-148

This virtue too has a double kind of meaning. Courage is not only a matter of facing physical danger. Courage also pertains to the willingness to stand up against wrong doings in general even in spite of possible personal repercussions. Courage has a physical as well as a moral dimension.

The last military virtue of the model is **justice**. This virtue pertains especially to the confrontation with the enemy. Without an enemy there is no military, so the soldier will always have to confront an enemy who is out to thwart his aim, if necessary by killing him. This confrontation can lead to anger and even revulsion or hatred for the enemy. This may result in bloodthirstiness and cruelty: killing becomes the first aim of combat and the enemy that falls into our hands alive awaits a dreadful fate. On the other hand one cannot expect the soldier to regard the enemy as a tragically misled victim of an ill-informed nation: an enemy that can be convinced of his erring by peaceful means. A too lenient approach could easily imperil the soldier's own safety as the enemy is willing to kill as well. So the proper mean between brutality and hatred on the one side and compassion and leniency on the other hand, lays in justice. This means that the enemy is confronted with unyielding effort using all the legitimate means at our disposition: if necessary the enemy will be killed. But as soon the enemy has yielded, either freely or forced, than he is entitled to a humane treatment. If the victor fails in this respect he will loose his moral superiority and imperil the justness of his case[92].

But justice entails more. It is also a virtue that provides grounds for reflection on what to do; not only of what is just, but also on what is right. Justice is a virtue that supports practical reasoning. As I explained military practice is complex, creates stress and requires sometimes far-reaching decisions even on the individual level with little time for reflection. But afterwards (as well as beforehand) reflection and critical analysis is necessary in order to really develop a virtuous attitude, a virtuous character. This character will result in a disposition to do the right thing. The virtue of justice stimulates that kind of reflection.

By elaborating on the meaning of the virtues I identified, I also aimed at clarifying any remaining unclear issues as to what is meant by these military virtues and how they are connected and mutually reinforce their practical relevance. The virtues I identified are tangible, they accommodate the pursuit of excellence and provide clear goals - and yardsticks by the way - for military education and training. Their theoretical foundation facilitates critical analysis and provides a base for reflection. Based on MacIntyre's theory and with the practice as a starting point I was able to create a logical and coherent picture of the appropriate elements of a military morality. In doing so I also - albeit implicitly - identified starting points for further elaboration and analysis.

So now I can also better answer the question pertaining to the number of virtues. As to the exact number I can make the following argument. If I would delete one of these eight virtues, I would ignore one of the constitutive parts of military practice

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[92] Sherman, N. *Stoic warriors, the ancient philosophy behind the military mind* (Oxford: UP, 2005) pp 151-153.

and the internal goods that are closely related with it. I would have presented a flawed composition.

But why did I not identify more than eight? As we have seen an inherent characteristic of internal goods is that they are emotional in nature and it is difficult to ascertain where an emotion stops and the next begins. As a consequence it would be relatively easy to insert other emotions that stimulate the imagination for grasping the practice and are articulated in a way that is specific for military practice. We could even come up with a suggestion for connected virtues. Are not integrity, responsibility and loyalty virtues as well? Well they could be labelled as such. But there are reasons not to identify these qualities as virtues.

According to MacIntyre's definition the virtue is an acquired quality which enables us to achieve the internal goods of a practice. This quality is a conception that can be interpreted in different ways: broad and narrow. A broad conception would eventually lead to the idea of a single virtue. This is what Aristotle suggests when het speaks about a single goal in life and the virtuous way in which to achieve that[93] requires only one single virtue: practical wisdom. But Aristotle himself considers this not very practical as 'people can be good in one way only, but bad in many ways'[94]. I endorse this point of view. It does not seem very practical to found a system of military morality on one virtue only. On the other hand it already has become clear that some notions are closely connected and it would be hard to envisage how one can be virtuous in one respect and vicious in another that is closely related. By defining virtues that are in some respects related, they will be mutually reinforcing and so may come close to the conception of single virtue.

This means that a narrow conception seems more practical, which means the identification of several virtues. But an unlimited narrow approach would lead to a great number of virtues and it could be hard to tell exactly what the distinction between them is. The number of virtues is therefore too a matter of establishing the right mean. Integrity for example is an important issue, but is it a virtue? In my opinion it does not deserve the status of a separate virtue. Integrity is a characteristic of the virtuous deliberation that will lead to the right choice of the options available. In that sense integrity is indispensable for the notion of virtue as such, but it is not a virtue in itself.  Sense of responsibility is an ingredient of duty and of professionalism and resilience. The notion of responsibility is - like integrity - an important consideration in the deliberation what to do, but it is not necessarily a virtue. If we would accept responsibility as a virtue it would mean that the other virtues - in which accepting responsibility and acting accordingly are part of the virtuous deliberation - would have no ground for the claim of being an independent virtue. There is a difference between an acquired quality and elements of practical reasoning. Adding responsibility as a virtue would hardly add anything and would damage the logic and conciseness of the framework. Loyalty, another pretended virtue, is an aspect of comradeship and team-spirit, as it is always related to others.

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[93] Aristoteles, *Ethica Nicomachea* (Budel: Damon, 2005) book I. 7.1.; 8.8. and 10.13., as well as book II. 6 12-17.
[94] Ibid. book II. 6. 14.

But comradeship encompasses more than just being loyal; it entails sharing and supporting even if this means correction and censure. Loyalty stands in the way of correction and censure. Loyalty infers unconditional support, a notion that is contrary to true military professionalism, respect and comradeship. Loyalty is also limited: it pertains to a cause, a person or a unit. As such it is difficult to envisage loyalty as an acquired quality, an internalized trait of character. So the notions of integrity, responsibility and loyalty are important, but they are already implicitly included in the virtues I identified or are part of virtuous deliberation. The eight virtues I identified cover all relevant aspects of the military practice: less would not do and more would not add anything, but merely confuse the issue.

The role of military narrative. According to MacIntyre the virtuous realization of internal goods in itself is not enough. These accomplishments need to be recognized as an important element in the life of a human being. This recognition is a matter of personal digestion and of appreciation by others. The narrative provides the means for recognition and reflection, both internally and externally. The question is whether storytelling does or can play such a role in the military. This is not a difficult question to answer. Stories mostly refer to the exceptional and unexpected and these elements are rife on a battlefield. So it is not surprising that there are such a lot of stories about all aspects of the military practice. Storytelling seems to be already an integral part of the military practice. These stories are ancient as well as modern and in this way they convey the idea of being part of a tradition. In this respect the stories form a coherent framework of a past, a present as well as the possibility of a future. The idea of a past, a present and a future is part of the concept of human life. By telling stories soldiers become a part of this framework and confirm their living a human life. They become members of tradition and that adds to their 'wholeness'. Stories told about individual soldiers enhance their membership of this tradition. By partaking in narrative they become part of that narrative as well[95].

Stories are experienced as an important feature of the military. They are a part and parcel of the history and traditions of units and regiments. The names of places where the units performed noteworthy deeds are embroidered in their colours and ensigns. These stories provide vivid pictures of exemplary conduct and as such they are a powerful means that is used in the informal and formal **education** of soldiers. Stories are a vehicle for introducing and elaborating military virtues in a tangible way. Stories provide opportunities for empathy and reflection[96]. This critical reflection is necessary in order to develop a virtuous character. Stories help soldiers to further internalize these military virtues. The virtues I have identified provide ample food for edifying stories. There are already a lot of stories that extol the relevance of these virtues. The point is to present these stories as part of coherent body. The framework I developed, provides such a perfectly suitable vehicle.

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[95] See also Habermas, J. *Postmetaphysical thinking: philosophical essays* (Cambridge: MIT press, 1992) pp 184-186.

[96] See Nussbaum, M.C. *Love's knowledge* (Oxford: UP, 1990) pp and Verweij , D.E.M. *Denken in dialoog, ethiek en de militaire praktijk*. (Breda: NLDA, 2008) pp 7.

Stories are close to the real life world the soldier experiences. Stories relate incidents that are easily recognized by those who are member of the military community. Stories are essentially 'bottom up'. Stories are not 'abstract'; they are real and promote the development of a moral subject. They do not need an underlying theory to be acceptable and even considered valuable. This closeness to the real military life enhances the force of stories as a means to create a unity of opinion, **a shared moral standard**. As such narrative is an indispensable element of military practice. Stories pertaining to a practice create expectations and as such assist in the successful internalization of military virtues and add to the social fabric of military primary groups. As a result the sharing is enhanced.

Narrative further creates visions and expectations by non-practitioners as to the internal goods to be acquired by participating in the practice. Narrative creates an appeal for outsiders to participate in the practice. As such narrative is also of assistance in the maintenance of a practice.

In short the function of narrative in MacIntyre's theory is compatible with the present use of stories in the Dutch military. However, this storytelling is presently very much an informal affair. If a virtue-ethical approach to moral education is to be successful, storytelling and research of stories needs to be an integral part of the military curriculum. This also means that the stories which are told as part of that curriculum are to be carefully selected. This requires analysis and critical reflection. A normative theory produces the required distance and consistency which mere tradition lacks. The theory as developed by MacIntyre provides a critical framework while allowing traditional input!

<u>Sub-conclusion.</u> In this chapter I identified the constitutive elements of military practice as task, specialized equipment, cooperation with others, the undetermined character dimension of time and space, rules, danger and the enemy. I than analyzed what internal goods are connected with these constitutive elements, after which I established which virtues would contribute in acquiring these internal goods. I identified eight military virtues: duty, military professionalism, comradeship, respect, resilience, discipline, courage and justice. I argued that these eight virtues cover all relevant aspects of military practice. Next I elaborated on the content of these notions by using the Aristotelian approach, applying antonyms. In doing so I also clarified the virtues in their context and I identified issues for narrative. Application of the framework based on MacIntyre's theory resulted in a logical and coherent set of moral notions that are relevant to military practice. The application leaves ample room for critical distance and reflection, while allowing a close link with traditional military notions.

In the last paragraphs I explained the value of narrative in internalizing these virtues and their meaning. Narrative will contribute to the creation of a shared moral standard. As narrative also creates expectations, it is a powerful instrument in instilling these virtues in the professional military mind. However if narrative is to get this important function a more structured approach of narrative will be necessary.

In this application of the first part of MacIntyre's (modified) framework, I have covered all relevant aspects of (Dutch) military practice in a logical, coherent and plausible way. Hereby I have developed the first part of a prescriptive professional ethics, a shared moral standard, a professional morality.

**Chapter V: the military institution.**

In this chapter I will further complete the framework I developed in chapter III. First, I will describe the purpose of the Dutch armed forces. Next I will address the external goods served by the practice and the institution that supports military practice. I will than explain how these findings could be incorporated in Dutch moral tradition and how this ordinary morality is linked with organizational morality and professional morality. I will conclude by establishing which subjects should be part of Dutch military moral education.

<u>Purpose of military practice.</u> The purpose, the social end, of the military in the Netherlands is **embedded in the constitution**[97] and is further elaborated in three main tasks in the 2000 Defence White paper[98]. In a concise version these are: defence and protection of the national territory and interests, promotion of the international rule of law and support of civil authorities. The rule of law that governs the international commitment of the armed forces is embedded in international treaties to which the Dutch government is a signatory. These include the UN Charter and the treaties and protocols of the Geneva Convention. These treaties constitute the body of the 'jus ad bellum' which stipulates when it is legal to go to war[99]. These rules state that an armed conflict is legal if taking up arms is the inevitable means of last resort as all other ways to solve the conflict failed. The aim of a war must be just as well: revenge can never be a motive to go to war. And last, war can only be decided on by the legal government of a nation-state[100].

This purpose of the armed forces requires **full political control**. The armed forces are an instrument of force in the hands of the legitimate political government to defend the sovereignty of the nation. In order to serve its purpose the military must be trustworthy in the discharge of its duty, it must be credible in equipment and training and reliable as to its abidance to the law. This also requires that those who are in factual charge of the military organization subordinate themselves to this control unconditionally and willingly. The idea of political primacy must be an integral part of the mental 'make up' of the military mind. In the Dutch context this means that the notion of the democratic constitutional state and the values embedded in it, must be an integral part of the military shared moral standard.

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[97] *Grondwet van het Koninkrijk der Nederlanden.* (Den Haag: Kluwer, 2002) art. 97: 'ten behoeve van de verdediging van en ter bescherming van de belangen van het Koninkrijk, alsmede ten behoeve van de handhaving en bevordering van de internationale rechtsorde is er een krijgsmacht.'

[98] *Kamerstukken II 1999-2000, 26 800 X, nr 46.* (Den Haag: Staatsdrukkerij, 2000) pp 41: 'De hoofdtaken van de krijgsmacht zijn: beschermen van de integriteit van het eigen en bondgenootschappelijke grondgebied, bevorderen van de internationale rechtsorde en stabiliteit, ondersteunen van civiele autoriteiten bij rechtshandhaving, rampenbestrijding en humanitaire hulp, zowel nationaal als internationaal.'

[99] For a summary of the main aspect of the 'jus ad bellum' and its problematic aspects see: Koninklijke Landmacht *Military doctrine* (Den Haag: Landmachtstaf, 1996) pp 28-30; Norman, R. *Ethics, killing and war* (Cambridge: UP, 1995) pp 117-121 and Walzer, M. *Just and Unjust Wars. A Moral Argument with Historical Illustrations* (New York, Basic Books, 2003) pp 152-153.

[100] The role of the nation-state in this respect has diminished and is largely taken over by the international community, notably the U.N. The tenets of 'jus ad bellum' have not changed though.

As a formal confirmation of the special status the military has as an instrument of state violence and to assure that the military will dutiful execute its special task, all Dutch soldiers are required to take an oath. In this oath they swear allegiance to the king, abidance to the law and subordination to military discipline[101]. Allegiance to the king is not a personal allegiance, but allegiance to the king as the formal head of the democratically chosen and legitimate government. Abidance to the law means that the military will abide to the laws of the realm and of 'jus in bello': this formula speaks largely for itself. Subordination to military discipline means that the soldiers will respect their legal superiors and obey their orders faithfully, as well as adherence to the other elements of the military regimen.

The swearing of an oath and the ensuing abidance to the rule of law and the tenets of the democratic constitution does not mean that the military is a passive instrument of state. It is possible that individual soldiers do not agree with the political goals and/or the means used to achieve those - otherwise even legal - goals. Also it is possible that soldiers do not agree with the organization, equipment and standards of training, or other materiel or moral practices within the military. In that case they are faced with a moral dilemma, from which they can escape only in one way, which is to take their leave and quit the military organization. The most proper way to do so, would be after a formal protest against the policy or practices they do not agree with. That would give ample opportunity to discuss the development that is protested.

In the eighties of the last century a small number of officers left the armed forces because they objected to the possible use of weapons of mass destruction on the grounds that unleashing those arms would constitute a war-crime. Although their opinion was corroborated neither by the judiciary nor the law, their decision was respected and they were acquitted of their oath and granted an honorary discharge. However if they had not protested and in case of war had refused to execute the orders to launch such a weapon-system, they would have been arrested and brought to trial for refusing to obey a legal order issued by the appropriate legal authority. In short, members of the military are free to protest to proceedings and regulations which they consider to be illegal or not in accordance with their own moral standards. If their protests are not accepted, they must either accommodate their misgivings or quit the armed forces.

This also counts for interferences with moral and other standards in the armed forces. In the seventies of the last century some officers left the armed forces because they could not accept the encroachment on military discipline and military justice in order to ameliorate the burden of conscription. They protested, and when their protest was not accepted they quitted the armed forces. This shows that military professional morality too can provide grounds for protest and the ensuing consequences.

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[101] The formal text of the Dutch military oath is: "Ik zweer/beloof trouw aan de koningin, gehoorzaamheid aan de wetten en onderwerping aan de krijgstucht. Zo waarlijk helpe mij God almachtig/Dat beloof ik." In translation that is: "I swear/promise allegiance to the Queen, abidance by the laws and subordination to military discipline. So help me God almighty/ So I promise."

<u>External goods of military practice.</u> According to MacIntyre's theory a practice - apart from internal goods - also provides a means to acquire external goods for the practitioner. These external goods are not the result of participating in the practice but by the practice as such. MacIntyre in his theory identifies the following external goods that can be acquired by a practice: money, power and status. By participating in military practice military personnel is entitled to a salary, but hardly any other financial benefits. The times of plunder as a substantive addition to their pay are long gone. So **money** is hardly to be counted as a relevant external good of military practice. But because of the state monopoly of violence, military practice provides a special power and status. The **power** that is produced by the military practice is primarily based on the credibility of the armed forces as the state instrument of war. This means that the armed forces must be well equipped, well manned and well trained. This is basically a matter of adequate budget. The amount of social power that the armed forces actually have, can be ascertained by measuring the military budget in relation to other sectors that are financed by the state. The budget of the Dutch armed forces is modest, and so is the power acquired by participating in military practice. Within the Dutch context this fact does not constitute any problem: it is well accepted fact of Dutch reality.

**Status** is another external good. In the Netherlands status is primarily a matter of money, excellence and tradition. As I explained in the preceding paragraph money is hardly a source of military status and neither is power. Nor seems tradition a source of external goods: the Netherlands have no living military tradition like for example the United Kingdom or France[102]. Some traditional status can be derived from the connection of the armed forces with the monarchy, but this kind of status hardly seems appealing for the larger part of the Dutch military. So in the Netherlands armed forces excellence in its performance is the only serious means to acquire status. This kind of status can be expressed in admiration, honours, public praise, etc. Recent deployments in Iraq and Afghanistan and the fine stories about the excellent performance of the Dutch troops there, have greatly contributed to the increasing status of the Dutch armed forces: national as well as internationally. On the national level this increased appreciation for armed forces and their excelling fulfilling of their duties, is also visible in the changed attitude towards the veterans of passed conflicts. As a result of both assertive action by the veterans themselves and an increasing awareness of political responsibility the status of the veterans of the armed forces is substantially improved. This improved status and recognition is visible in the presence of high standing politicians and other officials at veteran's commemorations, the introduction of an official 'veterans day', the founding (and funding) of the independent Veterans Institute and the introduction of material benefits for veterans[103].

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[102] Klinkert, W. *Van Waterloo tot Uruzgan, de militaire identiteit van Nederland*. (Amsterdam: UvA, 2008).
[103] A comprehensive survey of activities and developments regarding Dutch veterans can be found in the year report 2007 of the Veterans Institute.

Also on the institutional level excellence is the only means to acquire the external good of status as described by MacIntyre. This striving for institutional excellence runs parallel with the pursuit of excellence as embedded in the virtues of military practice. But besides power and status that is derived from the - still relative weak - position of the Dutch armed forces in society, the individual soldier also can acquire these external goods by being a member of the military organization. Power and status can also be acquired by the position a soldier holds within the institution. This can be a matter of rank or expertise. Formal status and power go with rank, and rank requires ambition and education. Informal status and power are a matter of personality and special knowledge and/or skills. This kind of status is basically a matter of character and expert knowledge that is sharpened by experience. Education and training are the means to build character and enhance professionalism and thus acquire status. So also on the individual level the aspiring for external goods (status) by excelling in an institutional context runs parallel with the pursuit of excellence as embedded in the virtues of the military practice. On the individual level the quest for external and internal goods of the practice mutually reinforce another.

Application of MacIntyre's theory provides an insight in the necessity of excellence. Excellence provides the means to acquire status both from an institutional point of view and form the point of view of the individual military practitioner. From an institutional point of view excellence will enhance the quality of the organization and create support in society: "we have every reason to be proud of our military" and "although we do not agree politically with their deployment, we greatly appreciate and respect their efforts, their professionalism and their sacrifice". This kind of support is necessary to create the institutionally required continuity. At the same time the theoretical background allows for critical reflection on excellence. Is it merely a means to promote the interests of the institution or the individual members, or is it an inherent element of military practice. Is aspiring after excellence an asset or a liability? Is it a necessary feature to improve the overall quality of military practice, or is merely a means for institutional and individual advancement? MacIntyre's framework and the Aristotelian features in it supports reflection on these issues and helps to clarify the difference between the two. On the individual level it provides instruments for analysis that could assist in discerning what is a healthy ambition to excel and what can be labelled as blind zeal.

Military practice and the institution. In MacIntyre's theory the military institution is not only a vehicle for acquiring external goods related to the practice; it is also a necessary means to sustain the practice. This means that an institutional organization is required to create the prerequisites for realizing the practice. Modern military practice is a very special kind of practice that requires skills that are not widely available and do not have any value for other practices. For example a naval demolition-expert, an army tank-gunner and an air force weapons-handler are not in great demand in other practices and education and training of these military practitioners requires a lot of time and money. Sustaining the practice therefore requires continuity, personnel, materiel, organization and rules. These prerequisites are realized by the institution, the military organization.

In order to function properly in the extreme conditions on the battlefield, military organization all over the world is hierarchical, based on military regimen and the line-staff model that enables unity of command. As a result armed forces are also bureaucratic and cumbersome[104]. But as the conditions on the modern battlefield are more volatile than ever and the unit of action is more and more at the lower levels, there is also a greater demand for creativity and independency. So the organization has to cope with sometimes contradictory demands: the precise execution of orders versus flexibility and creativity; discipline versus independency and initiative; etc. These contradictory demands can be overcome by an appropriate doctrine and leadership. Doctrine is defined as "the formal expression of military thought valid for a certain period of time. It describes the nature and the characteristics of current and future military operations in times of crisis and conflict. Doctrine is general in nature and describes fundamentals, principles and preconditions of military operations at the different operational levels"[105]. Doctrine provides direction for the organization and equipment of the armed forces and for the planning and execution of military operations. Leadership aims at setting appropriate the goals and inspiring people to achieve those goals. In the Dutch Armed forces leadership is based on situational analysis. In the army this system is realized by the method of mission-command. Mission command means that subordinate commanders are told what is their unit's mission in the overall aim of the higher commander's plan. They are told what to do and not how to do it. By this method unity of effort is created without impeding the freedom to act[106]. This method requires adequately educated leaders on all levels of the organization; leaders that stimulate and support creativity, initiative and independency.

Another thing that the institution provides, are rules that regulate the practice. There are several types of rules. The 'jus ad bellum' provide the rules for the legal commitment of the armed forces in an armed conflict. The 'jus in bello' provides the legal rules for the soldier's conduct on the battlefield. These rules refine the concepts of proportionality and subsidiarity, respectively the amount of violence used in relation to the goal(s) and the necessity of the application of violence. Military disciplinary law provides the legal framework of the regimen in the armed forces: the dos and don'ts. Adherence to the rules implies discipline and respect for others (military as well as civilians) in their application.

The military institution further is a so called **closed institution**. This means that is totally self supporting and encompasses almost all aspects of life. As I explained before military skills are not readily available in the labour market. The military cannot place an advertisement in a national newspaper in which naval demolition-experts, an army tank-gunners and an air force weapons-handlers are invited to react. The armed forces have to recruit, educate and train their own personnel. The military also provides housing (in barracks or tents), food, clothing (uniforms) and

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[104] Morgan, G. *Images of organization* (Thousand Oaks: Sage, 2006) pp 18-22.

[105] Koninklijke Landmacht *Military doctrine.* (Den Haag: Landmachtstaf, 1996) pp 11.

[106] Koninklijke Landmacht. *Leidraad commandovoering* (Den Haag: Landmachtstaf, 2000) pp 47-53.

medical care. They have to, as these assets are generally not readily available on the battlefield. But there are other reasons as well why the military organization has an obligation to care for its personnel and that is the inherent dangerous job soldiers have to perform. They perform their duty in the expectation and trust that the organization will take proper care of them and will continue to do so if anything happens to them. If the organization fails to take proper care of its soldiers, this will eventually erode their willingness to pull their weight.

MacIntyre defines an institution as a means to support military practice and not as an end in its own. This approach allows for a more critical analysis of institutional policy and action. Why is a course of action chosen? Is a policy to the benefit of military practice or is it only a method to protect institutional positions? Is a policy in support of achieving excellence or is it merely an alibi for gaining institutional power? For example decisions on the procurement of military equipment are sometimes influenced by considerations other than what is best for the military. National and international economic and trade interests - sometimes with implicit (or even explicit) cooperation of agencies of the ministry of defence - prevail instead of military necessity. This kind of institutional behaviour takes place in almost every country; sometimes openly, mostly covertly. To put the military practice in the centre of the institution and to see the institution as a means to promote the interests of the practice, creates a powerful yardstick to evaluate defence policies and to reveal mere traditional or other more opportunistic arguments. From this perspective it is also made clear why the institution has a moral obligation to take care of those soldiers who actually participate in military practice. So also from a wider perspective MacIntyre's theory provides a useful instrument in analyzing military practice and establishing responsibilities.

<u>Institutional morality.</u> The moral standard of the military institution must accommodate the requirements of military practice - materiel and moral - and at the same time it must also fit with ordinary morality[107]. The requirements of military practice entail that the armed forces are well equipped and well manned a well educated and trained. Only than are the armed forces a credible asset of state policy. The credibility of the armed forces in doctrine, equipment, recruitment and education and training is primarily the responsibility of the overall commander of the armed forces, the so called 'Commandant der Strijdkrachten' (CDS). He must bear that responsibility within the constraints set by the parliamentary established budget. This notion will be supported by both the government in control and the military leadership in charge of the organization. Opinions though may differ whether these requirements can be met within the constraints of the budget allocated. In this respect the moral judgment is primarily a matter of the military leadership. If the CDS has serious doubts as to the preparedness of the troops about to be committed, he has the duty to bring this to the attention of his political

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[107] van Baarda, Th. A. en Verweij D.E.M. *Military Ethics: The Dutch Approach, a practical guide* (Leiden: Martinus Nijhoff, 2006) pp 2-6.

superiors. If they fail to take the proper measures to redress the shortcomings, he has no other choice but to resign[108]. This resignation will undoubtedly trigger a political debate in which a political conclusion will be reached. This conclusion sets the stage for further action. So although professional morality may collide with political appreciation, there are strict rules how to deal with such confrontations.

Professional morality requires excellence in professional proficiency in all its aspects and excellence in character. This professional requirement is in accordance with the function of the 'Aristotelian principle'[109]. The importance of proper education is intrinsically tied to this conception. So education and training must aim at realizing high professional standards in military skills and in building virtuous soldiers who will gracefully accept the burden of duty and discipline while maintaining their independency of mind which is the prerequisite for creativity. The prime responsibility for the proper military education and training rests with the institution, the organization and those in command of it: the officers and NCOs of the armed forces. This is not a mere materiel responsibility, but also a moral one, as the survival in military practice depends on proper equipment, adequate manning, education and training, but also on an appropriate professional morality!

This brings us to the important element of morality: both professional and institutional morality. Institutional, or - in the military context - organizational morality, should be based on the facts that the military practice entails heavy risks and that the military organization is a closed institution. These facts create a moral interdependency that is characteristic of the military. Military organizational morality defines the moral requirements that are set for military personnel as well as for the military organization as a whole[110]. However organizational morality is not identical with professional morality. If this was the case, the military organization would define professional morality and thus limit the moral freedom and responsibility of the individual members of the armed forces. Or - on the other hand - if the soldiers would define the normative framework of the organization, they could ignore organizational moral demands. This means that from an organizational point of view, the organization can set moral standards that apply to military personnel, like discipline and respect and military professionalism and a proper sense of duty. From a professional point of view the soldiers can require moral standards from the organization as well, like justice, and respect. However it is obvious that organizational morality cannot be at odds with professional morality. In

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[108] In 1994 the then CDS, general A.K. van der Vlis quit his office and the armed forces when his protest against the suspension of conscription was ignored.

[109] "...other things equal, human beings enjoy the exercise of their realized capacities (their innate or trained abilities), and this enjoyment increases the more the capacity is realized, or the greater its complexity." Rawls, J. E*en theorie van rechtvaardigheid* . (Rotterdam: Lemniscaat, 2006) pp 431-438.

[110] van Iersel, A.H.M en van Baarda, Th. A. *Militaire ethiek, morele dilemma's van militairen in theorie en praktijk* (Budel: Damon, 2002) pp 23-36.

this system of reciprocal dependency the conceptions duty[111] and trust have a special meaning. The organization has the duty to support and maintain military practice. This implies that the organization has the duty to care for their soldiers and in return it will trust the soldiers to do their job. The soldiers on the other hand, trust the organisation to take care of them and in response they will do their duty. In my opinion duty and trust should be the motto of Dutch organizational ethics[112].

If this notion of institutional responsibility - and the reciprocal dependency it entails - fails, disaster will follow. This was shown during the Vietnam War. In 1961 Robert S. MacNamara became secretary of defence of the United States. He came from a business background and introduced managerial techniques and a corresponding ethos in the US MOD. As a consequence eventually military goals and objectives were translated in quantitatively measurable targets: 'victory by numbers'. As a result the body-count was introduced to measure progress in the war against the Viet Cong. In the field this led to cutting of ears in order to corroborate claims of enemies killed. Nobody asked questions on where the ears came from. The tragic nadir of this development was the massacre of My Lai in 1968, in which callous officer led American troops destroyed the village and brutally massacred 504 inhabitants; only eleven villagers survived. This derailing was also the consequence of introducing an entrepreneurial ethos in the officers-corps. Officers were stimulated to take their fate into their own hands and create their own career opportunities. In order to facilitate career opportunities and to provide every officer with the opportunity to get combat experience, the US MOD shortened the tour of duty for officers to six months, while the other ranks served for a year (or even longer) in Vietnam. This meant that a platoon could have as much as three commanding officers during their deployment in a combat-zone. These officers did not get the opportunity to come to know their soldiers and often they were not even interested. They wanted to limit their personal risk, finish their tour of duty ('get their ticket punched') and return to the USA to further their career. Mutual distrust between the ranks emerged and this distrust even resulted in actual violence between the ranks. In the period 1969 – 1972 (sic!) over a thousand documented assaults took place of which over 400 were aimed at officers and NCOs. In these attacks 86 officers and NCOs were killed ('fragging'): a sad result. Institutional policies that were alien to the traditional military values, corrupted institutional morality and in turn professional morality was corrupted as well. Duty was ignored and trust evaporated. It took the US army decades to recover from this moral disaster[113].

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[111] Duty in this respect is a notion related to virtuous conduct, the necessity to do the best one can. In this context this is something different than the deontological notion of duty as a categorical imperative to adhere to the moral law at all times. See Kant, I. *Fundering van de metafysica van de zeden* (Amsterdam: Boom, 1997) pp 49,75 and 85 for the articulation of the moral imperative.

[112] Presently the Netherlands Armed Forces lack a motto or device and 'Duty and Trust' could well fill that gap.

[113] Gabriel, R.A. and Savage, P. *Crisis in command, mismanagement in the army* (New York: Hill and Wang, 1978) pp 29-50 and table three.

Duty and trust fit well into MacIntyre's theory. These notions bring to light the difference between the practice and the institution and allow for a critical reflection on the relation between the two. What is military practice aimed at and what entails the supporting role of the institution? The motto 'Duty and Trust' helps to bring focus to organizational activities. Also this motto highlights the moral obligation the institution has, regarding those who participate in the practice. There must be engagement on part of the institution: this is its duty. Those who participate in the practice expect that institutional engagement.

But this motto works as a two way street. Just as the individual practitioner accepts a duty and may trust that the institution will fulfil its duty towards him, the institution has to accept its duty and may trust that the individual soldier will do its duty. So this motto provides a powerful link between organizational morality and professional morality. This link adds to the sharing of moral standards. The same counts for the notion of excellence. This Aristotelian principle counts for the acquisition of both internal and external goods. Virtuous participation in the practice by way of excelling runs parallel with excellence as a means to advancement in the closed institution that the military organization is. Also in this respect there is strong link between professional and organizational morality. MacIntyre's theory proves to be a powerful instrument in identifying the shared moral standard of professional and organizational morality. Application of his theory also helps in clarifying the difference between practice and institution and the ensuing conceptions of organizational and professional morality. Duty and trust, the motto of organizational morality does not only create a moral focus for institutional policy, but also reinforce the virtues of the shared professional moral standard.

<u>Dutch moral tradition.</u> What remains to be done is to argue how the tenets of professional and organizational morality fit with Dutch ordinary morality, with Dutch moral tradition. We must bear in mind that in MacIntyre's theory this notion of ordinary morality is necessarily a 'thin' conception. From a practical point of view this means that we only have to investigate whether the central notions of the shared military morality fit within Dutch moral tradition. These central notions are the eight military virtues I identified and the ensuing ideal of excellence and the motto 'duty and trust', also backed by the ideal of excellence.

Dutch political morality is first of all based on democratic principles[114]. The very founding of the Dutch nation-state is based on resistance to absolutism. Autonomy in the own sphere of life has been one of the constancies in the Dutch political development. This implies the willingness to respect the autonomy of others as well; therefore it is not surprising that autonomy, equality and tolerance are hallmarks of Dutch society[115]. Neither is it surprising that the political ordering of Dutch society to a great extent reflects the conception of an 'overlapping consensus'[116]. In this

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[114] Popper, K.R. *De open samenleving en haar vijanden*. (Rotterdam: Lemniscaat, 2007) pp 216-220.

[115] Klinkert, W. *Van Waterloo tot Uruzgan, de militaire identiteit van Nederland*. (Amsterdam: Oration, 2008).

[116] Rawls, J. *Collected papers*. (Cambridge: Harvard UP, 1999) pp 421-440.

conception the people agree over a regulative political conception of justice in spite of differences of opinion over the comprehensive conception of the good they have and foster as guidance to their individual life. This political morality also permeated Dutch ordinary morality: autonomy, equality and self-determination and tolerance became features of ordinary morality.

But no matter how tolerant the Dutch were - and are - in their attitude and conduct towards others, the main creed was Protestantism. This instilled an attitude in which it was a sin to waste one's talents and not to work hard. The conception of duty was an ever present truth. As a result it was socially appreciated to excel and have success in one's profession, if only as a tribute to the protestant God[117]. Another aspect was that the legal government was seen as an institution that derived its authority form God and the scriptures. In short the tenets of Dutch tradition of ordinary morality include: duty, a - albeit reluctant - respect for the authorities and abidance to the law, as well as individual autonomy, equality, tolerance and excellence.

For centuries Dutch social order has shown a remarkable gradual development. There have been no revolutions, no military coups, and no civil war (the Belgian secession excluded). Also the Netherlands largely managed to keep out of conflicts with neighbouring nations. And if an armed conflict ensued, it was mostly about trade and had little or nothing to do with ideology or plain power-broking. Even when at the same time these developments were rife in the rest of Europe[118]. One of the results is the rather modest position the military traditionally has in Dutch society and that no military class developed. As a result military morality did not deviate much from the mainstream of ordinary morality. The institution of conscription further strengthened the predominance of ordinary morality in military affairs.

This development also led to the inexorable acceptance of full political control over the military. This logically includes subordination of the military to the constitutional democratic rule and the values it entails. This is the meaning of the first phrase of the Dutch military oath. The government is bound by the same rules and this circumstance means that the commitment of the military will be legitimate (that is in accordance with the Dutch constitution and the international rule of law). The commitment of the armed forces will also be expected to be morally just[119]. This is also mirrored in the second phrase of the Dutch military oath. Moral justness is an important prerequisite to organize political a public support, which is essential to sustain morale in the military.

The last element of the Dutch military oath refers to discipline, to duty. As I explained in chapter two, this aspect has been under - sometimes severe - strain,

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[117] Weber, M. *The protestant ethic and the 'spirit' of capitalism* (London: penguin, 2002) pp105-122.
[118] Klinkert, W. *Van Waterloo tot Uruzgan, de militaire identiteit van Nederland*. (Amsterdam: Oration, 2008).
[119] See the preceding chapter II.

due to the impulse to alleviate the burden for the conscripts. On the other hand we can see that with the introduction of all volunteer armed forces and their deployment in conflict-zones there is a changed appreciation of the military and their ways. Discipline and duty are no longer 'contaminated' terms. However, military discipline must be Dutch that means a functional kind of discipline with no room for traditional 'bull'[120]. Compared with other nations it is sometimes amazing how in the Dutch armed forces the ranks relate to each other: easy going when possible, strict when required[121]. This is in line with another element of Dutch moral tradition, which is its critical attitude towards almost everything. Recent history shows that there is only one way to accommodate that kind of criticism and that is transparency that allows for criticism. Transparency and a tangible explanation are important prerequisites to counter unjust criticism and to allow just criticism to take effect.

As to the professional morality expressed in the eight military virtues backed by striving for excellence. I see no reasons why they would not be acceptable within the bounds of Dutch ordinary morality. MacIntyre's theory provides a perfectly logical framework and explains why these virtues are essential for appropriate military conduct. This logical explanation together with the transparency it entails will probably be easily accepted by a large majority of the Dutch public. There will be broad understanding for the military necessity to deviate from ordinary morality, especially in the strictness of adhering to military virtues. The ideal of excellence is already widely accepted in Dutch morality, and so that will not create a problem either. This internal and external logic is missing in the present code of conduct, as is the focus on what it is about in the military. Because it is so 'unmilitary' the wider public will not have any problem with the code of conduct. But it is also the question whether it will help the wider public to grasp what military morality is about.

As to the tenets of organizational morality I do not expect any difficulties in acceptance either. The central notions of duty and trust are not only reciprocal for practice and institution, but also for the military institution and society. The society has a duty to provide the military with what is needed to fulfil its dangerous tasks. When society has met that duty it is a matter of trust that the military will stand up to its duty to perform those tasks. The military must trust society that it will provide the necessary means and if society has met that requirement, the military can be expected to perform its duty. The combination of trust and duty thus provides a linking pin between ordinary morality and organizational morality and between organizational morality and professional morality. The importance of this tie cannot be overestimated[122].

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[120] Dixon, N. *On the psychology of military incompetence* (London: Jonathan Cape, 1976) chapter 16 'Bullshit'

[121] An example may illustrate this. The use of first names is between the ranks is generally frowned upon (to say the least) as it may affect authority. The proper use of military rank is required. From this respect the use of first names is considered to be a sign of disrespect. With Dutch soldiers it is often the opposite. When an officer is consistently addressed by his rank he has every reason to worry about his authority. The occasional use of the first name is considered to be a token of real respect and an officer is proud when he overhears his soldiers talking about him as Jan instead of as the lieutenant.

[122] Sheenan, J. *The monopoly of violence* (London: Faber and Faber, 2008) pp 78.

In short, I argued that the conceptions of a professional and organizational military morality are not in any way in contradiction with the 'thin' conception of Dutch morality. Some aspects of military morality have a 'natural' fit with ordinary morality, like striving for excellence and the notion of duty. Other aspects are logical parts of a transparent framework that pertains to typical military prerequisites the public has come to respect and appreciate. The absence of a military class in society and the very down to earth approach that application of MacIntyre's theory provides, will further enhance the acceptance of the tenets of professional and organizational morality I developed.

<u>Acquiring virtues.</u> The question how to acquire the virtues I have identified using MacIntyre's theory is not an easy one and is actually beyond the scope of my thesis, but I think it is appropriate to address this issue, albeit concise. In this thesis I identified which virtues are relevant for an appropriate military conduct. These eight military virtues are to be the bedrock of military morality. They are logically connected to the military practice and the need for excellence is easily explained. The virtues provide a solid ground for critical analysis and reflection by the soldiers. This reflection is required to develop and maintain a virtuous character which is necessary to face the challenges of modern conflict. Second I elaborated the importance of narrative not only as a means to create and confirm human identity and convey traditions, but also as means for the internalization of values and norms. Narrative creates expectations as how to behave. These 'oughts' pertain to oneself as well as others. Narrative is therefore a powerful instrument. The power of narrative can be enhanced by exemplary conduct. Exemplary conduct confirms the importance of the virtues and strengthens the power of narratives. The fit of narrative with the military moral tradition further underpins the importance of narrative. Narrative as a connection with the moral tradition of society strengthens the bond between the military and society as a whole. The morale of the armed forces will benefit from this bond as will the morality as this bond creates expectations as well.

 The virtues and narrative can be easily incorporated in military education and training. The importance of excellence is also logically positioned. This will create a stimulating atmosphere in military education and training. Exemplary conduct - especially by junior leaders - will further confirm the overall importance of excellence. The powerful instrument of narrative has to be used to the maximum extent possible. In training there should be ample time for the informal exchange of narrative. In this informal exchange all kind of issues will be addressed, including deficiencies and excesses in conduct. This will strengthen the social fabric of the primary group. A strong primary group will in its turn create more expectations and this will enhance the internalization of the virtues and the need for excellence.

But acquiring virtues is not only a matter of the soldiers and the officers and NCOs by whom they are commanded, the institution has an obligation as well. The institution must meet the soldier's expectations of duty and trust. If these expectations are not

met, the soldiers will eventually doubt the value of the virtues and the credibility of the institution that wants them to embody those notions. The institution, the ministry of defence, the navy, the army, the air-force and the marechaussee plays a crucial part in establishing and maintaining a shared moral standard.

<u>Sub-conclusions.</u> In this chapter I discussed the formal purpose of the Dutch armed forces and the implications thereof. The most important of these is the primacy of politics and the ensuing political control over the military. As to the external goods that can be acquired by participating in the military practice, I have argued that excellence is probably the only means to acquire socially acceptable military status. Next I had a closer look at the role and characteristics of the military institution. I have discussed the military as a closed institution and the ensuing responsibility to care. Also I have elaborated on the function of the institution and its organizational consequences: a need for discipline, unity of effort and the adherence to rules. I argued that military education needs to aim at excellence in military professional skills as well as in character. Next I discussed in what way the military is part of a wider moral tradition. I argued that professional and organizational morality fits in many ways with a 'thin' conception of ordinary morality. I have not discovered any problematic lack of such a fit. The values of duty and trust constitute the linking pin between ordinary morality and organizational morality and between organization morality and professional morality.

I elaborated the further application of the framework based on the theory of Alisdair MacIntyre described in chapter III to Dutch military practice. I argued that the military virtues and narrative fit into the moral tradition of the Netherlands. This fit between ordinary morality (the nation), organizational morality (the institution) and professional morality (the practice) provides a coherent body of ethics that will suit the need of all three entities. It will enhance transparency and so facilitate public support. It will add focus to the responsibilities on the organizational level with respect to education and care in general. But above all it will provide an intelligible and practical support for the soldier on the battlefield.

MacIntyre's theory proved to be a valuable instrument in analyzing military practice and critically reflect on the morality that is required for such a unique kind of practice. Based on his theory I was able to develop a coherent framework that is transparent and offers plenty of opportunity or further reflection and analysis. These are necessary to develop and maintain a virtuous character necessary for appropriate moral practical reasoning. The framework allows for traditional input while maintaining scientific distance. Whether application of this framework in the education and training of the Dutch military will result in better and more consistent practical moral reasoning remains to be seen, but I am confident that it will.

**Chapter VI: conclusions**

I will start this chapter with a conclusion that I reached in the preceding chapters. I will then proceed with a plainly formulated description of a modern morality for the Dutch military. I will conclude my thesis with a final appreciation.

<u>Conclusions.</u> I began my thesis with the appreciation that the Dutch military lacks a coherent and shared moral standard that provides practical guidance to address the challenges of modern conflict. The present attempt to fill this lacuna by issuing a code of conduct is in my opinion insufficient. The code neither addresses the operational nature of the military nor takes into account the military tradition and the ensuing values. It is the aim of my thesis to produce a moral framework that does address these important notions. My aim is threefold: first I want to develop a coherent and prescriptive framework of military professional morality; second I want to develop the foundation for a prescriptive organizational morality; third it is my ambition that these bodies of morality are closely linked and fit within wider ordinary Dutch morality. I used the virtue-ethical theory of Alisdair MacIntyre to realize my ambition. His theory provides a method to objectively identify the virtues that are related to a specific practice and how they can be connected to moral traditions by means of narrative. This strand of virtue-ethics, especially the use of narrative, leaves room to take tradition into account - an important feature of the military practice - while providing strong instruments for deliberation, analysis and critical reflection.

Critical reflection is necessary. Modern conflict is too complex to trust on standard operating procedures. Practical moral reasoning is required more than often. On the other hand the challenges soldiers are faced with leave hardly any room for deliberation; almost always immediate action is required. In such cases a moral disposition, a virtuous character is indispensable. So moral character is what the military needs and virtue ethics provides the means to develop such a character. By using a theoretical framework and analytical and deliberative methods a proper understanding is facilitated and understanding is the prerequisite for acceptance and eventually internalizing the ideas and consequences of a shared moral standard.

In the course of my analysis of military practice I identified eight virtues which together cover all relevant features of military practice. These eight virtues - a sense of duty, military professionalism, comradeship, respect, resilience, discipline, courage and a sense of justice - together constitute the body of professional morality. The use of narrative provides a powerful means to convey the meaning and consequences of virtuous conduct and instil these virtues in the mind of the military. I have argued conclusively that this part of the moral framework answers my first ambition.

In the next part I analyzed the purpose role and role of the institution in supporting military practice and promoting excellence. I identified the reciprocal values of duty and trust as the main tenets of organizational morality. The institution has a duty to care for its members. This care encompasses material needs as well as moral requirements. The fulfilment of this duty will justify the trust we invest in soldiers.

Also the dutiful conduct of soldiers is based on the trust they have in the military organization to look after him and his interests. I have made it plausible that these notions provide an appropriate motto for the Dutch armed forces and answer to second part of my ambition.

Duty and trust do not only have an internal purpose but also provide a linking pin with Dutch society. Society has a duty to support the military and can trust the military to perform its job. The military trusts society to fulfil its duty towards the military and it will dutifully fulfil the tasks it is entrusted with. The tenets of professional morality are closely linked with the specific features of military practice and will be accepted easily because of the logic that is entailed and the transparency that is provided. The military oath provides further guarantees for a military that will uphold democratic and other moral standards. This part of the framework I developed provides in my opinion an answer to my third ambition: a strong link between professional morality, organizational morality and the wider morality of Dutch society. In the last part I also indicated how the framework I developed could be introduced in the Dutch military.

From this application of MacIntyre's theory a picture emerges. It is the picture of a soldier, who during his service becomes aware of the value of sharing and cooperation. A soldier who contributes to the strong social fabric of the primary group of which he is a member. A contribution that substantially enhances military effectiveness. It is also a picture of a soldier who gains insight in what is like to shoulder responsibility and fulfil ones duty towards his fellow soldiers and towards his unit, his organization and the wider society of which he is a part. A soldier who is part of a narrative which is linked to Dutch society and by which he learns to appreciate the values of democracy that provide the wider context and support for his soldiering: values that enable him to face the difficulties of his job. This soldier eventually will be a better man, as well as a better citizen.

<u>Straightforward modern military morality.</u> In the preceding chapters and paragraphs I analyzed and argued and I have drawn conclusions on how a comprehensive moral framework could be developed. This development necessarily involves theoretical as well as practical arguments. It could be that because of this the reader lost track of the overall practical result. For these and for those who are not very much versed in ethical, sometimes even philosophical reasoning I will next offer a plainspoken summary of the practical results of my ambition.

There are many opinions ad convictions as to what is the aim of human life. These convictions are based on religion, nationality, other elements of cultural background and individual personality.  Within all these different convictions there is one element that almost all have in common: all aim at what is supposedly best for men. So no matter to what religious or cultural background men belongs, he has to make the best of his life. Not as a matter of resignation, but as an ambition! Man enjoys when he does things good, he enjoys it even more when he does things better and he enjoys it most when things are done best. All men enjoy excelling in what they do. The more complex the task, the more challenging it is to realize it and the more

enjoyment one experiences at the successful accomplishment. **To excel in all kind of activities is a goal that anyone can recognize and accept**.

But **what to excel in**? In what practice to participate? This **is a matter of personal choice**. Eventually it is a matter of being attracted to a special practice or practices. This attraction is **based on intuition and the expectations one has of the joy,** the fulfilment, participating in a practice brings.

Every practice has these very special features that a person enjoys when he participates in a practice. **Participation in a practice is the only way in which these special features can be experienced and enjoyed**. You can read a book about rugby, you can watch rugby on television but you will never experience the specific features of rugby if you never touch an oval ball as a member of a rugby-team. These very special features are internal to the practice; they are connected to the elements that make up the practice.

The **parts that make up military practice** are easy to establish. The soldier has to perform a task, using arms and other special equipment in cooperation with others on a battlefield anywhere at any time in the face of danger and an enemy who is willing to harm him while still abiding by rules.

The internal **special features of the military practice** are related to these elements. They include  satisfaction over the accomplishment of difficult tasks; pride of mastering complex and lethal weapon-systems; the feeling of belonging as a member of a team; the warmth over being respected and respecting others; the thrill of adventure and the kick of having faced the adverse circumstances of the battlefield; the support one experiences by simple and efficient rules; the elation of having faced the danger and the calm contentment over the humane treatment of an enemy at our mercy.

We enhance our joy, pride and satisfaction, if we succeed in increasing the benefit of participating in the military practice and experiencing the internal features. In order to acquire an increased benefit, we must excel in all areas of military practice; we must show the right conduct. **We can identify these areas of right conduct, these virtues** by combining the distinguishing parts and special features of military practice. There are eight military virtues that can be identified. These  are:  a sense of duty as a means to excel in the fulfilment of ones task and benefit of the related satisfaction; military professionalism as a means to experience the pride over mastering complex weapon-systems; comradeship as a means to share the feeling of belonging; respect as a means to express and receive appreciation and enjoy the warmth it entails; resilience as a means to realize the kick of having faced and overcome the hardships on the battlefield; discipline as a means to feel the support rules can give you, courage as a means to experience what it is like to be alive after wilfully having faced - sometimes mortal - danger; justice as a means to realize deep satisfaction and moral righteousness to have treated well a fallen enemy.

But how to know what is virtuous? How do we know what is the right conduct? **We can establish the meaning of right conduct by looking at the opposite possibilities we have**. We look at what would be too much and what would be too little. Choosing the mean is the right way. A true sense of duty finds the right mean between blind zeal and the irresponsible love of the easy. True military professionalism is the right mean between neglect and exaggerated care, between going easy and caustic criticism. Real comradeship is the right mean between egotism and uncritical appreciation of group-performances. Respect is the right mean between contempt for your fellow soldiers, subordinates and superiors and blind admiration. Physical and mental stamina, resilience, is the right mean between weakness and overestimation of ones powers. Discipline is the right mean between casually ignoring rules and exaggerated strictness in abiding by them. Courage is the right mean between cowardice and recklessness. Justice is the right mean between brutality and hatred on the one side and compassion and leniency on the other hand.

How can we acquire these virtues? **We can acquire this virtuous conduct by education, training and experience and the will to excel.** Commanders at all levels have the responsibility to provide the proper education and training and create opportunities to gain experience. Individual soldiers have the duty to do their best to achieve the standards set for them. Eventually virtuous conduct will become part of the character of a true soldier. An important means to acquire a virtuous character is by listening to stories about good and wrong military conduct. You will also experience real life instances of good and bad military conduct. Do not let these instances pass unnoticed. Address these issues: it will make you a better soldier and it will make the other a better soldier as well! There is always room for improvement!

The **military organization** will provide the necessary education and training and all other things a soldier needs to excel and perform well in his difficult job. The military organization has a **duty to care for its soldiers**. On the other hand the organization has an unshakable **trust in its soldiers** that they will do their utmost to achieve the level of excellence that is within their power and accomplish the task allotted to them. The proper functioning of the military organization requires of all its member discipline and mutual respect. For all members this entails adherence to the shared moral standard as well. A proper military conduct means a virtuous conduct.

The duty to care for and the trust in, pertains also to the military organization as a whole in its relation with the government and society as a whole. **The nation has a duty to care for its military.** On the other hand **the nation expects the military to be a trustworthy instrument**. We can show to be worthy of this trust by achieving excellence in our performance and preparation, by our virtuous conduct based on a transparent shared moral standard. That standard mirrors the elements of the Dutch military oath and that oath binds us to the democratic order of our society and its laws.

This democratic order and laws are the result of a long history, part of which is embedded in our **moral tradition** of freedom, equality and tolerance. It is our duty to protect this moral tradition. In return we can expect the nation's appreciation and respect for the sacrifices of its soldiers.

<u>Final appreciation.</u> The plainly worded recapitulation in the preceding paragraphs illustrates in a simple and perhaps more eloquent way the coherence between the elements of the model. It further demonstrates the interconnectedness of professional ethos, organizational ethics and ordinary morality. I have demonstrated that the framework I developed, based on the virtue-ethical theory of Alisdair MacIntyre provides a coherent body of morality. This moral standard is made up of simple building blocks and as a result is easily shared. It is also easily shared because of its firm link with military tradition and its values. Acceptance is further enhanced as it is founded on and firmly embedded in some tenets of Dutch moral tradition while neither appealing to a specific comprehensive conception of the good, nor conflicting with the multi-cultural backgrounds of the members of the armed forces.

The underlying idea of the moral standard I developed is based on the practical application of the conception of an overlapping consensus based on a thin notion of a comprehensive conception of the good. The practical elaboration in specific virtues - the moral standard to be shared - has hardly any connection with these kinds of conceptions. The virtues are based on the internal goods that are to be had by participating in the military practice. The virtues enable the soldier to acquire these goods. The virtues are objectively established without referring to any cultural bias.

The framework provided by MacIntyre and modified by me, provides a practical means and a feasible way to introduce in the Dutch Military a coherent body of modern military morality, which is the end of this thesis.

Annex A to Master Thesis Applied Ethics 'Modern military morality'

**Code of conduct.**

In the next paragraphs is inserted the text of the code of conduct as issued by the Dutch Ministry of Defence. An abridged translation can be found on the last page of this annex.

Gedragscode Defensie

Defensie staat voor vrede en veiligheid, in eigen land en daarbuiten. Wij leveren een bijdrage aan stabiliteit en vrijheid in de wereld en dienen daarmee de samenleving. Defensie is snel en flexibel inzetbaar en kan overal ter wereld optreden, ook onder de zwaarste omstandigheden. In nauwe samenwerking met anderen en gesterkt door een rotsvast vertrouwen in elkaar. Defensie wil een betrouwbare werkgever zijn. Defensiepersoneel is goed opgeleid en getraind, uitgerust met modern materieel. De militair kan indien nodig verantwoord omgaan met geweld. In het uiterste geval met gevaar voor eigen leven. Dat is Defensie.

Deze kernboodschap is voor het personeel vertaald in een defensiebrede gedragscode die uitgaat van de eigen verantwoordelijkheid en staat voor professioneel gedrag, fatsoenlijke omgangsvormen en goede samenwerking. De code is een onderlinge afspraak en is gebaseerd op vijf pijlers:

**1**. **Ik maak deel uit van een professionele organisatie.**
Ik houd mijn kennis en vaardigheden, zowel vakinhoudelijk als sociaal, op het vereiste peil. Daardoor kan ik, ook onder moeilijke omstandigheden, mijn taken goed uitvoeren.

Toelichting: *Wij vinden het normaal dat we in ons dagelijks werk voldoende verantwoordelijkheden en bevoegdheden krijgen. Wij willen dat ook. Wij zijn immers volwassen en professioneel met ons werk bezig. Onze verantwoordelijkheden gaan verder dan onze directe taken. Defensie schept de randvoorwaarden voor een professionele, veilige en plezierige werk- en leefomgeving. Maar we zijn zelf verantwoordelijk voor het op peil houden van onze kennis, vaardigheden en fysieke conditie. We houden rekening met de mensen om ons heen en zijn steeds bereid rekenschap te geven over gemaakte keuzes. We nemen de regels in acht zonder ons erachter te verschuilen.*

**2. Ik ben lid van een team met een gemeenschappelijke taak.**
Ik werk samen met collega's en ben mede verantwoordelijk voor hen en het team. Ik spreek anderen aan op hun gedrag en accepteer dat anderen mij op mijn gedrag aanspreken.

*Toelichting: Wij maken deel uit van een team met één taak of doelstelling, gebaseerd op wederzijds vertrouwen. Dat betekent dat we geregeld onze eigen belangen ondergeschikt maken aan de belangen van het team. Binnen het team hebben we allemaal een eigen taak. Toch zijn we niet alleen verantwoordelijk voor ons eigen*

*gedrag, we dragen medeverantwoordelijkheid voor wat de anderen in ons team doen. Het beste resultaat behalen we alleen als we elkaar scherp houden en als we elkaar durven coachen en durven aanspreken op de kwaliteit van het werk en op ons gedrag. Leidinggevenden in onze organisatie hebben een bijzondere verantwoordelijkheid. Zij geven te allen tijde het goede voorbeeld. Zij durven de leiding ook daadwerkelijk te nemen. Tegelijkertijd geven zij teamleden ruimte voor inbreng.*

**3. Ik ben mij bewust van mijn verantwoordelijkheid.**
Ik schaad de belangen van Defensie niet en geef in houding, voorkomen en gedrag het goede voorbeeld. Ik ga verantwoord om met defensiemiddelen en gebruik deze zorgvuldig en rechtmatig.

*Toelichting: Wij staan voor vrede en veiligheid en dat brengt specifieke verantwoordelijkheden met zich mee. Negatieve gedragingen van de individuele defensiemedewerker hebben, meer nog dan bij andere organisaties, een negatieve uitstraling op de overige medewerkers en op de Defensie als geheel. Wij realiseren ons dat we voor de buitenwereld 24 uur per dag, 7 dagen per week defensiemedewerker zijn. Wij gaan verantwoord om met gemeenschapsgeld.*

**4. Ik ben integer en behandel iedereen met respect.**
Ik accepteer geen ongewenst gedrag zoals discriminatie, (seksuele) intimidatie en pesten, niet ten aanzien van mijzelf of anderen. Ik houd mij aan de geldende wetten en regels en misbruik mijn macht of positie niet.

*Toelichting: Wij zijn eerlijk, oprecht, betrouwbaar en zorgvuldig. We maken deel uit van een organisatie die veiligheid creëert. We accepteren dat we daarbij fysiek gevaar kunnen lopen. Dat kan alleen vanuit een sociaal veilige werkomgeving. We versterken het team door ons te realiseren dat we niet allemaal hetzelfde zijn maar wel gelijkwaardig. We behandelen anderen met respect zoals wij ook met respect behandeld willen worden.*

**5. Ik zorg voor een veilige werkomgeving.**
Ik voel mij verantwoordelijk voor de veiligheid van anderen en mijzelf. Dit geldt voor alle vormen van veiligheid, zoals operationele veiligheid, informatieveiligheid en veilige arbeidsomstandigheden. Ik laat mij niet in met drugs. Alcohol mag nooit invloed hebben op mijn functioneren.

*Toelichting: We werken met wapens en met zwaar materieel. We oefenen bij nacht en ontij. We treden bij ernstoperaties klokrond op onder fysiek en mentaal zware omstandigheden. We kunnen dat alleen maar succesvol doen als we oog hebben voor de veiligheid van anderen en onszelf. Daarin passen geen drugs. Gebruik en bezit van of handel in drugs zijn dan ook verboden. Ook alcohol kan onze veiligheid in gevaar brengen. Het gebruik van alcohol tijdens operaties, oefeningen en dienst uitoefening is daarom niet toegestaan tenzij na uitdrukkelijke toestemming van de bevoegde commandant.*

Abridged English version of the Dutch military code of conduct

1. **I am part of a professional organization**.
   I maintain my professional knowledge and skills on the acquired level as well as technical as socially. Thus I can perform my tasks well even under adverse circumstances.

2. **I am a member of team with a common job.**
   I work together with my colleagues and also I am responsible for them and the team. I confront others with their conduct and I accept that others confront me with mine.

3. **I am aware of my responsibility.**
   I do not harm the interests of the defence department and I will be exemplary in my attitude demeanour and conduct I use defence equipment in a responsible way and will use these carefully and legitimately

4. **I am a person of integrity and I treat everybody with respect.**
   I do not accept unwanted behaviour like discrimination (sexual) intimidation and harassment. I will abide by the law and regulations en will not abuse my power or position.

5. **I will look after safe working conditions**
   I feel responsible fort the safety of others and myself. This pertains to al kinds of safety, like operational security, information security, and safe working conditions. I do not use drugs. Alcohol may never impair my performance.

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