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## ETHICS ON THE HORIZON. TOWARDS A COMPLEX ASSUMPTION OF A SECURITY CULTURE

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**Abstract:** *Military professionals face complex moral and ethical problems: not the garden-variety questions about whether one may lie, cheat, or steal, but rather sophisticated problems arising from conflicting legal and moral duties-and with a focus on important national security interests. In that sense, there could be great utility in codes of ethics that assist practitioners in addressing unique problems. The codes must not be an umbrella, a protection for the hierarchy and politicians. The codes must be a guide and a help. The soldier must be supported by his nation and must receive extensive education and training on military ethics.*

**Keywords:** *military ethics, code of ethics, ethics dilemmas, statement of core values*

### 1. INTRODUCTION

Armed forces will not be respected by their own populations, media and public opinion, if their behavior is not proper.

In sum, military ethics is at its core practical and professional. It is meant to be the handmaid of the profession of arms. It exists to assist thoughtful professionals to think through their real-world problems and issues. As in any other field of applied professional ethics, only those who have taken the time to understand the sphere of professional activity belonging to the profession are really in a position to be of much assistance. That requires learning the profession's vocabulary. It necessitates a deep understanding of the constraints under which the profession carries out its duties. It even requires an understanding of the internal structure and dynamics of the military profession, for example, the role of rank, promotion, division of military specialties, etc.

### 2. THE IMPORTANCE OF MILITARY ETHICS CODES

What is required of soldiers is however considerable. It is one among many reasons why the war should remain the last resort, because it places the combatants in tremendous dilemmas and difficulties. The codes must not be an umbrella, a protection for the hierarchy and politicians. The codes must be a guide and a help. The soldier must be supported by his nation and must receive extensive education and training on military ethics.

Here are the meaningful conclusions of the editors on a very important journal in ethics domain, Martin L. Cook and Henrik Syse, editors of Journal of Military Ethics. After years of managing scientific contributions about military ethics, in a preview presentation of their journal issue, they conclude that „it might be helpful to explicitly articulate our

core understanding of what military ethics is and ought to be"[1]:

Firstly and most importantly, military ethics is a species of the genus "professional ethics". That is to say, it exists to be of service to professionals who are not themselves specialists in ethics but who have to carry out the tasks entrusted to the profession as honorably and correctly as possible.

Secondly, critical assessment is a fundamental component of military ethics, understood as professional ethics. Most true professions have a body of law, giving both permissions and restraints to the profession distinct from those of ordinary citizens. So explorations of the limits of current legal guidance, and proposals for modification of law to be relevant to changing patterns of military practice, make a practical contribution to the body of professional military ethics.

Thirdly, historical contributions that present the contributions to critical thinking about war and the military profession are an essential piece of a comprehensive understanding of professional military ethics.

Fourthly, we have the contribution of religion to professional ethics. This is a complex field. Certainly for many individuals, the connection between their religious convictions and their professional activity may be deep and integral. However, confessional specific beliefs cannot serve as the basis of a general professional ethic in a pluralistic society.

Lastly, in a profession which requires courage and spirit, non-rational appeals that motivate have a role in encouraging those very attitudes and behaviors.

The follow lines brings us a challenging perspective of analyze the roots of conduct codes in military domain around the world. The study started in 2011 in the framework of a partnership between the French association Civisme Défense Armée Nation (CiDAN), and the foundation Charles Léopold Mayer for the Progress of Mankind, and came to some interesting conclusions, common creeds and behaviors, but some local specificity also [2].

The author says that all documents have studied around the world [3] identifies many common points, generally stressing the

followings duties of a good soldier: fulfillment of the mission; spirited research of victory and/or refusal of the defeat; service of the Nation, Fatherland, State, People, Party; physical bravery and moral courage, up to the sacrifice of one's own life; sense of honor; discipline and respect for hierarchy; comradeship and contribution to unit cohesion; professionalism and exemplary behavior; neutrality, restraint; respect for traditions; honesty, unselfishness and frankness; discretion, no disclosure of secret information; an ethical (moral) behavior.

In all studied cases, the soldier has to fulfill his mission, serving his fatherland, State or Nation, putting his life at risk. It is not the soldier's aim to kill an adversary, on delegation of his State, but it is sometimes the result of his actions, when he uses lethal force, in the last resort, in fulfilling the mission.

It is evident that these documents must not be only statements of good intentions. Their content has to be taught, known, checked, applied, and the faults must be punished. The situations are thus very different, regarding the presentations and the contents, depending on the countries and their various histories, cultures, traditions, legal backgrounds.

Most of the codes ask in fact the soldier, who is now in most countries a professional, to be firstly a good human being and citizen, applying values such as patriotism, professionalism, honesty, integrity, solidarity.

In an integrated approach of a possible future unique European army, it has been questioning this new role that European citizenship empowers the multiethnic troops. So, here are proposals made by student cadets of French Military Academy (Ecole Coëtquidan), Saint-Cyr [4]:

Art. 1: True to his country and defender of the European Identity, the soldier serves with loyalty and honor respecting cultural differences and the desire to keep national independences.

Art. 2: Attached to the history and culture of the continent, the European soldier lives in accordance with the European democratic values and traditions which he commits for.

Art. 3: Professional Soldier, able to take initiatives, he must maintain his physical and



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intellectual capacity to adapt to any circumstance.

Art. 4: Trusting in discipline and integrity, he obeys orders, respects laws, customs of war and international conventions.

Art. 5: With dignity, the European soldier lives in the respect of the military and political hierarchy; he shall safeguard national interests and security of the people and of Europe.

Art. 6: Member of a group of fraternal solidarity and struggle, and proud of his commitment, he acts with dedication, humor and candor; and work on cohesion, esprit de corps and the dynamism of its unity.

Art. 7: Aware that he may be required to take the life of his opponents, he seeks to fulfill his mission to the end, sometimes at the risk of his own life and that of his comrades, superiors and subordinates, with the will to win or defeat.

Art.8: The victory and future peace as his objectives in the long term, the European soldier controls his strength and respects opponent or enemy without ideological discrimination.

Art.9: He protects the poorest, and strives to promote justice and dignity by his example and his modesty; he does his best to offer a noble image of the armed forces and his unit.

Art.10: Fully-fledged citizen, the European soldier is a key player in the society to which he fully belongs and in which he must act for the common good.

### 3. MILITARY ETHICS IN EDUCATION

The experience in military education of some researchers is welcome to underlined for the case of ethics issue. In their opinion, to teach military ethics is to ensure the existence/to strive for meeting (some) of the following prerequisites [5]:

1. The military becomes a second family of the cadets. That means teaching ethics

needs to be part of the overall organization behavior.

2. For ethics education and training to be effective in the military, valuing the ancestors and traditions despite the contemporary trend towards relativism and fragmentation at the level of national symbols should be a focus in the military.

3. Given the two-fold role of cadets and employees of the Ministry of Defense (i.e. both a military representative and a citizen), ethics must underpin educational endeavors. In addition, difficult as its outcomes may be to assess, ethics education and training should be approached in an integrated manner. Thus, the values, competencies necessary to uphold them should be carefully formulated and planned for every career step a military takes in terms of education and training. Last but not the least, one should not forget that education in general and ethics education in particular is about developing formal competences.

4. Ethics education and training must take into account the cultural and national features. At the moment, most of the case studies presented in ethics classes are developed based on the characteristics of cultures different from the Romanian one.

5. The goal of introducing ethics in an integrated manner into the curricula of the higher education defense institutions in Romania is to enable undergraduates, graduates and postgraduates to make informed, educated decisions in order to reduce the risk of misdeeds and faulty steps. Thus, by involving those attending career courses and who, most likely, will fill in high ranking positions in the Ministry of Defense several goals can be achieved: inculcating/instilling into the mind of future decision makers the arguments in favor of approaching ethics education and training in an integrated manner; using their knowledge in a relevant manner in order to bridge the gap between the

'old guard' and the 'new guard', elaborating materials related to ethical issues that can be used as future reference for educational and training purposes.

Another study is inspired from the Romanians combat experience, with soldiers and commanders who acquired different competencies along years of communication with the field [6].

The observations and lessons learned from the theatres of operations are a good indicator for those in charge with designing, delivering and evaluating military education and training courses/programs that new behavioral standards are imposed by environment and, hence, wise innovative and knowledgeable techniques need to be swiftly put in place. In this respect, as with any effort towards adaptation, we believe that one of the untapped ingredients of success is meta-knowledge and, given the area of our research and interest, military ethical meta-knowledge. However, for this ingredient to be properly dosed in the education and training processes aiming at building upon/instilling/encouraging discovery or reflection upon the ethical values of oneself or of others the researchers/educators/ trainers need to become fully aware of the untapped knowledge pool of those who have already participated in one or more missions abroad.

Thus, through the marriage of the knowledge and expertise of academic professionals and the meta-knowledge gained by the military the issue of how to better approach ethical education and training from a didactical viewpoint may be partially addressed. However, one more ingredient is required for the recipe to come out right. In this respect, our source of inspiration is civil life and, more specifically, indoor team building games as action learning techniques employed by companies to develop the talent and skills of their employees.

#### **4. WHAT ABOUT INTELLIGENCE? ANY CODES AND ETHICS DILEMMAS?**

On February 16, 2012, the National Intelligence University (NIU) hosted a first-of-

its-kind conference, "Intelligence Professionalism: Ethical Basics, Codes of Ethics and the Way Ahead." The goal of this first conference was to discuss the importance of instituting ethical codes to assist intelligence professionals as they encounter morally ambiguous situations.

In a way this conference, together with other affiliation think-tanks and intelligence community gave birth to the very new National Intelligence Strategy of USA, lunched in autumn of 2014.

For the first time in the largest democracy of the world, as a result of events uncontrolled leakage of classified information there's the question of deep evaluation to a set of professional ethics values which should be undertaken by intelligence operators.

These principles are stated below, and reflect the standard of ethical conduct expected of all Intelligence Community personnel, regardless of individual role or agency affiliation and to set forth in a single statement the fundamental ethical principles that unite and distinguish intelligence professionals.

Here are the proposals for an Intelligence Community Codes of Ethics, after a tour of participants [7]:

1. Service. Our shared commitment to our national security mission must have priority, taking precedence over parochial interests, organizational as well as personal. We have an uncommon mission, and it requires selfless dedication to our nation and its citizens.

2. Integrity. We must have the courage to seek and speak the truth to power . . . to our leaders and policymakers, our superiors and subordinates, our colleagues and co-workers, accepting the consequences of doing so even in the face of personal or professional adversity.

3. Accountability. We must hold ourselves personally accountable for achieving results, as well as for adherence to all the laws and rules that govern how our most sensitive missions are to be accomplished.

4. Professionalism. We must always foster a competitive, highly trained, and proficient workforce. The value of intelligence starts with our people. Professionals in the intelligence field protect their sources and



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methods and disclose both corruption and questionable activities pursuant to law, rule, regulation, and executive order.

5. Duty. We must stand ready to deploy, engage against, and *destroy* the enemies of the United States of America, both foreign and domestic. *Duty to our country comes before individual desires.*

6. Agility. We must be adaptive to our rapidly changing world using mission-driven professionals who embrace innovation and initiative.

7. Tradition. "You can't move forward if you don't understand your past." The IC is the result of much more than the National Security Act of 1949. We cannot afford to make the same mistakes again ... the legacy we leave behind is directly related to the work we do today.

The same conference have released also a cover of fundamental military behavior, specific to organizations and personnel that comprise the IC, so here is the *Statement of Core Values*:

1. Integrity. We will be honest, fair, impartial, and unbiased as we collect, report, analyze, and disseminate information. We will be true to the law and report wrongdoing if it is encountered. Professionals protect their sources and methods, and they disclose both corruption and questionable activities pursuant to law, rule, regulation, and executive order.

2. Excellence. We will perform our duties in a manner that fosters a culture of excellence and high quality in everything we do. Our work ethic must reflect this goal.

3. Accountability. We firmly believe that our mission is a public trust. We will live up to this trust through safeguarding our resources and being good stewards of the American tax dollar.

4. Respect for Others. We recognize the inherent dignity and rights of every person, and we will do our utmost to fulfill our

responsibility to treat each person with fairness, compassion, and decency.

5. Loyalty. We will serve the American people, be true to the U.S. Constitution, be consistent with the law, and obey the leaders of the U.S. government. We hold the protection of the American way of life a sacred duty.

6. Diversity. We are committed to diversity because a wider range of backgrounds and experiences makes us a stronger learning organization and more effective in meeting our mission. Our employment policies prohibit discrimination.

7. Collaboration. We strive to share and disseminate our work to the widest possible audience. Members of the IC will cooperate with each other for the betterment of the country.

8. Courage. The defense of the nation requires both moral and physical valor. We aim to exhibit both.

9. Trustworthiness. We recognize that the work we do is inconsistent with openness and transparent government. We will mitigate this by sharing as much as possible and declassifying records. The inherent secrecy of the IC requires extra vigilance to adhere to this code of ethics.

During this period of the ethical code's birth, other professional voices call to be discussed the issue of the "jurisdiction" of the intelligence profession. So, the participants discussed, but did not agree on, the jurisdiction of the profession: Does the "profession" include collectors, analysts, and others defined by our unique mission? Or, does the "profession" also include administrative and support personnel not necessarily unique to the intelligence community? What does it mean to be intelligence professional?

In the meantime, a well known American expert on intelligence, Michael Andregg, story

us how “surveys a dozen U.S. intelligence agencies in early 2012” [8].

So Mr. Andregg tells us about Dr. Jan Goldman, de founder of International Journal of Intelligence Ethics, few details from his research work for ethics in intelligence. During years, dr. Goldman were the highest promoter of intelligence ethics around the western IC: “he provides much more detail on agency "ethics" codes than I will here in his Appendix A (pp. 379-93) on "Principles, Creeds, Codes and Values". He had to work like a dog to get those, even though he was employed by the Joint Military Intelligence College, had security clearance, and was working on an ethics PhD. Jan still had to pull teeth from chicken's lips because the bureaucracies truly are afraid of ethics. Many U.S. agencies would not respond to his requests for text on ethics no matter what assurances he gave. Knowing this background, I decided to do a simple survey in 2012 to see if things had moved forward during the last decade. Maybe, but the bureaucracies were more reticent with me and I was less persistent than Goldman.”

Now, M. Andregg try to prove the resistance of system to the ethics issue: “So I called and/or emailed when calling was not encouraged the following components of our U.S. intelligence community on or very near January 19, 2012: ODNI, CIA, NSA, FBI, DHS, NGIA, National Reconnaissance Office (NRO), DEA, Department of State's INR, Treasury, Energy, and the DIA. I spared the uniformed services on the theory that DIA and ODNI would do it for them. To each, after a call I sent a standard email request for any information they could provide, with three specific questions: 1) Does your agency have a code of ethics specific to it? 2) If so, may I get a copy? 3) And if so, how does your agency try to teach ethics to its employees? “

Here are the answers Andregg received: “The most substantive response came from a public affairs officer in the usually extra-secretive NRO. He did this because 1) he was a human being with a conscience, and 2) in conversation with his partner in the office (who suggested blowing me off) he offered that they did not want people thinking that the

NRO was "afraid of ethics." A prescient person, that one, and a better public affairs officer than most. One contrast would be the NSA whose unnamed public affairs officer sent me these exact words: "Good Afternoon, Thank you for your email and your interest in the National Security Agency. Due to the current ops tempo, we are unable to assist you at this time. Please visit our web site, [www.nsa.gov](http://www.nsa.gov), for information regarding the Agency. Have a great day." Of course, ops tempos are high everywhere; we thoroughly understand that. But this is also a perennial excuse to avoid ethical issues in many bureaucracies. They are just too busy to be bothered with ethical issues.”

## 5. CONCLUSION

Military professionals face complex moral and ethical problems: not the garden-variety questions about whether one may lie, cheat, or steal, but rather sophisticated problems arising from conflicting legal and moral duties-and with a focus on important national security interests. Moreover, practitioners are often called upon to make decisions in a time-sensitive uncertain environment, with varying context depending upon mission (practice) areas. In that sense, there could be great utility in codes of ethics that assist practitioners in addressing unique problems.

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3. The study was pursued in the framework of the International Society for Military Ethics in Europe (EURO-ISME). The author of this article got documentation from around the world including: Europe (France, Germany, United Kingdom, Netherlands, Portugal, Finland, Spain,



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- Romania); outside Europe (Colombia, USA, Russia, Kirghizstan, Israel, Japan, Senegal, Canada, China); International Organizations (United Nations, Organization for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights, Economic Community of West Africa States);
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