

Competent Authority, Proper Training, and Adequate Resources: An Ethical Dilemma

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As the military takes on more unconventional missions, such as non-combatant evacuation, infrastructure rebuilding, disaster relief, environmental clean-up, humanitarian intervention, medical relief, drug wars, border patrol, prison duty, arms control verification, and other missions, we have to ask ourselves – are we, the military, the right ones to take on these missions? The issue of competent authority, proper training, and adequate resources are the root of an ethical dilemma the Army faces daily. When things go wrong, due to a lack of competent authority, proper training, and adequate resources, whom should we hold accountable? Senior leaders are put into moral and ethical situations to punish those who do not execute as we expect them to, regardless of the before mentioned mitigating circumstances. Some would argue that competent authority, proper training, and adequate resources are not issues for the military due to our extensive training in Army ethics. Most would argue that the Army values that are constantly instilled in us as professional Soldiers from the very start serves as our standard meter. Moreover, many will say that despite the challenges mentioned, we have been successfully executing unconventional missions for years.

A dilemma many leaders are faced with is when a lack of competent authority is the root of an unlawful act or immoral conduct while in the execution phase of an unconventional mission, whom do we – as senior leaders – hold responsible? Is it ourselves for placing the Soldier in a particular situation they are not competent enough to handle? Or the Soldier themselves for not executing the mission exactly as we expected them to?

Then there is the debate about the proper training of our armed forces. The debate centers on proper training verses adequate training. Due to the complexity of many of the

unconventional missions the military is taking on today, it is difficult to determine how and what our forces should train on. Much of the training that falls outside of our traditional military education is incident-triggered, especially when there is a violation of human rights, accepted values, and norms. For the Army, Basic Training alone does not adequately prepare the average Soldier to execute all the complex duties entailed in some of the before mentioned unconventional missions.

The point where our traditional military training falls short is where the leadership is responsible for picking up and being accountable for what the Soldier does right, or fails to do correctly. The Abu Ghraib Prison scandal, although disgraceful and dishonorable to our nation, is an example where many would argue the issue of both competent authority and the lack of proper training of the Reserve Soldiers involved. However, any military leader will tell you that the situation manifested due to poor leadership. I question at what point does simply relieving the Chain of Command and prosecuting the Soldiers directly involved become not enough. At what point does the most senior leader seriously reflect on the fact that we are not always setting our military up for success by placing its members in situations they are not properly trained, or prepared for? Again, we face the ethical issue of who do we discipline when things go wrong. Is it the subordinate leader or the most senior leader who made the decision to place the Soldiers into the situation or mission?

The issue of adequate resources is just that: an issue. Faulty equipment, inadequate replacement parts, and out of date resources are areas where the government is striving to make improvements. The unfortunate reality is that we are tasked to execute the mission “with the Army we have now”, as quoted by our Secretary of Defense. The

ethical dilemma surfaces when we, as senior leaders - and in accordance with military regulation, standards, and laws - have to hold Soldiers accountable for their actions when they refuse to settle for what we know to be substandard conditions or equipment.

In October 2003, eighteen Soldiers from the 343<sup>rd</sup> Quartermaster Company, a reserve unit from Rock Hill, North Carolina, gained national attention while deployed to Iraq. The Soldiers refused to execute a transportation mission to deliver fuel to another base. There were several reasons for their refusal to obey orders. Among them were allegations that their equipment was old, unreliable, and in desperate need of repairs; they were rolling out on missions in vehicles that were not hardened, or protected by armor; and lastly, the Soldiers alleged the fuel they were to deliver to a base (that had been rejected by another base the day prior) was contaminated. Thus, they believed the mission was futile and too dangerous to risk.

Deeper probing revealed that the Soldiers' allegations were true. There were deficiencies in training, morale, leadership, and unit cohesiveness. The senior leadership was faced with the ethical dilemma of how to deal with the Soldiers involved. In the end it was determined the Chain of Command would be relived and the Soldiers would be dealt UCMJ, or non-judicial punishment, a lesser charge than mutiny, which was the original proposal prior to investigations and fact gathering.

Abu Ghraib and the situation with the 343<sup>rd</sup> are examples of the many issues and ethical decisions we will have to face as the military transforms and takes on more unconventional missions. When and if things go wrong, we have to stop and think about the gray areas of competent authority, proper training, and reliable resources and equipment. Ninety percent of the time, we will find at least one of these issues at the root

of any problem we encounter in the execution of our duties. As senior leaders, we owe it to our Soldiers to take all the issues discussed into account before we make a final decision to assign or execute a mission- especially one deemed unconventional. Those same considerations should be applied when we are obligated to discipline a Soldier who does wrong, or fails to do what we thought they 'should' have known to be right.