

Jus in Militaribus and Moral Injury

A *Jus in Militaribus*-Based Approach to Enhancing Military Moral Injury Management
Capability

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Abstract

This study analyses the following problem: due to limitations in familiar (classic and modern) formulations of the just war tradition- (JWT) based moral-ethical decision-making guidance in US military doctrine, current military moral injury management capabilities are not entirely fit for purpose. Military doctrinal discussion of the JWT generally focuses on the legal, compliance-centered considerations of *jus ad bellum* and *jus in bello* principles. This focus results in two important limitations from the moral injury management perspective. Firstly, the resulting guidance does not cover the full range of military tasks and responsibilities. Military tasks and responsibilities exceed the limits of *jus ad bellum*- and *jus in bello*-based guidance and yet can still generate betrayals resulting in moral injury. Secondly, this guidance does not provide a model of military institutional trust. This entails that the US military doctrinal moral-ethical decision-making guidance typically fails to adequately address the trust violation related sources of moral injury.

The addition of what Jonathan Shay referred to as *jus in militaribus*, that is, attention to the justness and unjustness of the policies and practices of the military institution itself, to the military doctrinal articulation of the JWT is necessary to enable the development of a more effective military moral injury management capability. Using *jus in militaribus* as a framework for JWT-based moral-ethical guidance formulation, including a model of military institutional trust, within official military doctrine will enable more effective moral injury management capability development. This *jus in militaribus* framework-based moral injury management capability will better prevent moral injury occurrences, ameliorate the effects of moral injury, and enable recovery from moral injury across the full range of military activities than the current approaches.

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Acronyms

1	DOTMLPF	Doctrine, organization, training, materiel, leadership, personnel, facilities
2	IHL	International humanitarian law
3	JWT	Just war tradition
4	LOAC	Law of armed conflict
5	MI	Moral injury
6	OODA Loop	Observe, orient, decide, and act loop
7	PMIE(s)	Potentially morally injurious event(s)
8	ROE	Rules of engagement

Chapter 1: Introduction

1.1 Introduction

Lara Salahi's 2023 article "'When They Came Home They Were on Their Own'—National Guard Grapples With Suicide Rate" tells the story of the Massachusetts Army National Guard 182nd Infantry Battalion during and after its deployment to Afghanistan in 2011.¹ Salahi explains that while as of February 2023 four service members in the Massachusetts National Guard had died in combat, sadly, at least thirty-six died by suicide, including twelve in the 182nd Infantry Battalion, since 2001.²

The 182nd Infantry Battalion faced multiple events/conditions during their 2011 deployment that could be considered potentially morally injurious events (PMIEs). As further discussed in Chapter 2, PMIEs are events an encounter with which may cause moral injury (MI) and/or the conditions under which MI might be more likely to occur.³ Examples of potentially morally injurious events include the following: experiencing betrayal, killing, harming civilians, violence, and sexual assault within the unit.⁴ Salahi describes how, upon arrival in Afghanistan, part of the unit was immediately called upon to help with the evacuation and care of thirty-eight other service members, including giving blood for the wounded. One service member directly witnessed a medic die when, as he was attempting to offload the wounded from the helicopter, he was hit by one of the helicopter blades. Following the immediate exposure to violence and death, the unit was later engaged in a firefight with the Taliban. During the engagement, the Provincial Reconstruction Team (PRT) leadership failed to resupply the unit appropriately. This betrayal led to the unit nearly running out of ammunition, rendering them vulnerable to defeat by the Taliban. Upon completion of the deployment, the unit members dispersed. Some returned to civilian jobs, others did not. In any case, the unit cohesion collapsed, and service members were left on their own to reintegrate into society. Efforts to maintain

¹ Lara Salahi, "'When They Came Home They Were on Their Own'—National Guard Grapples With Suicide Rate," *The War Horse*, February 2, 2023, <https://thewarhorse.org/national-guard-grapples-with-suicide-resilience/>.

² Salahi, "'When They Came Home,'" 1.

³ Debate about the conditions that might give rise to MI, as distinct from particular events, is less developed but underway. See, for example, Brian S. Powers and John Swinton, *Full Darkness: Original Sin, Moral Injury, and Wartime Violence* (Grand Rapids: William B. Eerdmans Publishing Company, 2019).

⁴ B. T. Litz et al., "Moral Injury and Moral Repair in War Veterans: A Preliminary Model and Intervention Strategy," *Clin Psychol Rev* 29, no. 8 (Dec 2009): 700, <https://doi.org/10.1016/j.cpr.2009.07.003>, <https://www.ncbi.nlm.nih.gov/pubmed/19683376>.

the relationships were *ad hoc* and the results of individual effort. They were not a result of a systematic approach on the part of the National Guard. As will be discussed in Chapter 2, feelings of betrayal and a lack of unit cohesion can constitute sources of moral injury, as reported by serving military personnel and veterans. Within the next twelve months, four members of the 182nd committed suicide.⁵ This study does not claim to diagnose the causes of the high suicide rate attached to this unit. It is suggesting, however, that the military must enhance the moral ethical decision-making guidance in its doctrine in order to both better prepare service members for the moral-ethical decisions they will face and enable institutional capability development, including moral injury management capability development, to investigate and respond to the issues, including service member suicide.⁶ Even in future military forces employing artificial intelligence, unmanned systems, and cyber domain-based capabilities, high degrees of moral-ethical decision-making competency, and the capability to manage moral injury, will remain essential.

Chapter 2 discusses MI research in more detail and traces the development of the MI definition. To inform understanding of this introduction, the definition of moral injury used in this study is as follows:

Moral injury is a form of severe moral conflict that may emerge after an encounter with a potentially morally injurious event (PMIE) resulting from (1) a betrayal of what's right (2) by someone who holds legitimate authority (civilian or military) or the self (3) in a high-stakes situation across the full range (not only in combat) of military activities.⁷

⁵ Salah, "When They Came Home." In a UK Army example, a private who accidentally shot a child in Afghanistan, also in 2011, and who finally killed himself in 2019, provides another example of suicide resulting from an PMIE/C

⁶ James Cook commented on the contemporary military context thus: "These and other events our young century haven't just engendered disagreement but have disgorged a steady stream of casualties: pyres' worth of dead and physically maimed, plus enormous numbers of morally injured veterans." James Cook, "A Little Lower but Still in the Fight," *Journal of Military Ethics* 22, nos. 3–4 (2023): 156, <https://doi.org/10.1080/15027570.2024.2324565>.

⁷ Analyzed more comprehensively in Chapter 2, a moral injury is a severe form of moral stress, potentially leading to severe interpersonal and psychological consequences. See Brett T. Litz and Patricia K. Kerig, "Introduction to the Special Issue on Moral Injury: Conceptual Challenges, Methodological Issues, and Clinical Applications," *Journal of Traumatic Stress* 32 (2019); Hazel R. Atuel et al., "Understanding Moral Injury From a Character Domain Perspective," *Journal of Theoretical and Philosophical Psychology*, Advance online publication (2020): 3. This research is based on Shay's definition of moral injury, which addresses the individual and institutional aspects of the moral injury phenomena: "Moral injury is present when (1) there has been a betrayal of what's right (2) by someone who holds legitimate authority [or the self] (3) in a high-stakes situation," Jonathan Shay, "Casualties," *Daedalus* 140, no. 3 (2011): 183, <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,ui>

This Massachusetts National Guard vignette is illustrative of a much wider literature base, indicating that the experience of PMIEs is widespread among US military personnel. Currier et al. provide a summary of the scope of potential moral injury:

Military service can entail morally troubling events that lead veterans to make decisions or act in ways that violate deeply held values/beliefs. When compared to life-threatening events, these types of experiences can have a unique mental health impact with distinct psychological, social, and spiritual sequelae that both transcend and overlap with psychiatric diagnoses.⁸

Charles W. Hodge et al. report that in addition to engaging in combat, and thus experiencing exposure to the combat-related PMIE/Cs, 83% of Marines deployed to Iraq and interviewed in their study reported experiencing the PMIE/C consisting of witnessing ill or injured women or children who they were unable to help.⁹

These are two examples of the growing MI literature, further analyzed in Chapter 2. However, while the clinical literature is becoming increasingly comprehensive,¹⁰ and the military professional literature by scholars concerned with military morality ethics is growing, the understanding of moral injury in official US military doctrinal publications remains underdeveloped. This study focuses on how US military doctrinal integration of the developing understanding of MI will enable the military institution to better meet service member and veteran MI management needs.

As a result of this focus the critique performed by this study is very narrow; it does not claim that understanding of moral injury is absent within the broader set of professional moral-ethical decision-making knowledge. It does, however, claim that

d&db=edsgao&AN=edsgcl.263252918&site=eds-live&scope=site.

⁸ Joseph M. Currier et al., "Development and Evaluation of the Expressions of Moral Injury Scale—Military Version," *Clinical Psychology & Psychotherapy* 25, no. 3 (May 2018): 475, <https://doi.org/10.1002/cpp.2170>, <https://search.ebscohost.com/login.aspx?direct=true&db=pbh&AN=130001006&site=ehost-live>.

⁹ Charles W. Hoge et al., "Combat Duty in Iraq and Afghanistan, Mental Health Problems, and Barriers to Care," *New England Journal of Medicine* 351, no. 1 (2004): 18, <https://doi.org/10.1056/NEJMoa040603>.

¹⁰ See, for example, A. J. Phelps et al., "Addressing Moral Injury in the Military," *BMJ Mil Health* 170, no. 1 (Jan 25, 2024), <https://doi.org/10.1136/bmjilitary-2022-002128>. Justin T. McDaniel, Evan R. Seamone, and Stephen N. Xenakis, *Preventing and Treating the Invisible Wounds of War: Combat Trauma, Moral Injury, and Psychological Health* (Oxford, United States: Oxford University Press, Incorporated, 2023); Victoria Williamson, Neil Greenberg, and Dominic Murphy, "Moral Injury in UK Armed Forces Veterans: A Qualitative Study," *Eur J Psychotraumatol* 10, no. 1 (2019), <https://doi.org/10.1080/20008198.2018.1562842>, <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=aph&AN=141618225&site=eds-live&scope=site>. V. Williamson et al., "Development of an Intervention for Moral Injury-Related Mental Health Difficulties in UK Military Veterans: A Feasibility Pilot Study Protocol," *Eur J Psychotraumatol* 13, no. 2 (2022), <https://doi.org/10.1080/20008066.2022.2138059>.

this understanding is not articulated in Joint and Service *doctrine*. As a result, the military institution has not systematically formulated an adequate institutional response to moral injury (e.g., developing training, education, and other components of a moral injury management capability). Responses remain *ad hoc* and disconnected from institutional efforts.

Is it possible to prepare for encountering PMIE/Cs through independent study? This study claims that it is. Existing resources—for example, Shay’s work, George Lucas’s *Military Ethics: What Everybody Needs to Know*, Nancy Sherman’s *Afterwar*, and other texts—provide the guidance necessary. However, I claim that the military institution is responsible for providing the necessary guidance through structured training and education processes, just as it provides structured training and education for other military tasks. Official institutional activities are necessary to appropriately reduce the impact of MI on service members and veterans.

This study recognizes that adding *jus in militaribus* and moral injury to US military doctrine will not obviate the need for the rich body of professional knowledge articulated in the books and other texts produced by scholars at the service academies, war colleges, and leadership centers.¹¹ The doctrinal addition is necessary, but not sufficient to enable moral injury management capability development. The doctrinal addition will, however, provide an anchor point, an official foundation to which other professional knowledge sets can refer, and, importantly, which curriculum developers and leaders can use as a starting point for their own training, education, and provision of guidance to service members.

As discussed further in the rationale section below, the inclusion of *jus in militaribus* and MI in military doctrine is necessary because doctrine provides foundational direction and guidance for leader training and education to deal with specific issues in institutionally sound ways.¹² As discussed in Chapter 2, PMIE/Cs are not defined in US military doctrine, and the nature of betrayals—trust violations—also remains vague, as traced in Chapter 3. Nor is moral injury defined within the US Department of Defense (DOD) dictionary or included as a specific topic within US DOD annual reports on suicide in the military. While the report does refer to

¹¹ For example, at the US Naval Academy, the Navy Leadership and Ethics Center (NLEC), the US Military Academy, the US Air Force Academy, the US Coast Guard Academy, and the war college organizations such as the Stockdale Center at the US Naval War College.

¹² Curtis E. LeMay Center, *A Primer on Doctrine*, ed. Department of the Air Force (Maxwell AFB, Alabama: Curtis E. LeMay Center, 2020), 1.

“trauma—or—stressor related disorder,”¹³ it does not mention moral injury. Absent sufficient conceptual clarity, the military institution is unable to appropriately prepare leaders to act in ways that reduce moral injury and enhance the possibilities of recovery.

In view of the need for better integration of existing and still predominant just war framing of much military moral-ethical decision-making guidance, this thesis extends the classic just war tradition to include a *jus in militaribus* dimension.¹⁴ At its core, this study consists of an unfolding of the possibilities entailed in Jonathan Shay’s almost throw-away comments in a footnote in his *Odysseus in America*. Shay calls for increased focus on *jus in militaribus*, that is, attention to the justness and unjustness of the policies and practices of the military institution itself.¹⁵ Following Shay, this thesis argues for expanding the JWT (in all its diversity) to develop a more effective military moral injury management capability. In my view, the current doctrinal treatment of the just war tradition is not incorrect, but it is insufficiently comprehensive to adequately address the full range of moral-ethical decision-making challenges service members face.

To this end, this thesis links insights and expertise from the research base in MI under development by psychologists, chaplains, clinicians, and other experts, and the moral philosophy/ethics literature that continues to enrich the JWT. It is, therefore, an exercise in just war tradition-based reasoning. This study’s working supposition is that psychologists, chaplains, clinicians, and other experts have broadly reached a shared understanding of the MI syndrome (this process is described in Chapter 2). However, points of contact with military doctrine and moral-ethical decision-making guidance are not yet developed to the level needed to adequately support serving personnel and veterans. As a result, a sufficiently robust understanding of moral injury has not yet adequately diffused throughout the military institution. That is, the incorporation of a comprehensive understanding of moral injury (including causal factors and amelioration and recovery methodologies) and a model of institutional trust to prevent and enable recovery from betrayals constituting

¹³ Under Secretary of Defense for Personnel and Readiness, Annual Report on Suicide in the Military Calendar Year 2022, Including the Department of Defense Suicide Event Report (DoDSER) (Washington, D.C.: Department of Defense, 2023), 11.

¹⁴ See George Lucas, *Military Ethics: What Everyone Needs to Know* (New York, NY: Oxford University Press, 2016), 70–99. for the definition of the JWT used in this study.

¹⁵ Jonathan Shay, *Odysseus in America: Combat Trauma and the Trials of Homecoming* (New York, NY: Scribner, 2002).

potentially morally injurious events remains incompletely articulated in military doctrine and institutional policies and practices. As a result, service members are not yet appropriately prepared—through learning experiences (both in the classroom and on the job)—to respond to the moral injury “threat.” This is not to say that an understanding of moral injury is entirely absent—it is not—but that the level of understanding is not fully adequate for the decision-making challenges service members face.

Making connections between military doctrine, military ethics, and MI research requires *inter alia* understanding the full scope of the causes, impacts, and responses to moral injury and grasping more effectively the connection between justice (the traditional focus of the *jus ad bellum*, *jus in bello*, and *post* components of the military ethics discipline) and trust. This is necessary in order to understand institutional betrayal, in addition to personal actions, as sources of PMIEs possibly resulting in moral injury.¹⁶ To this end, this study offers a model of military trust within a framework based on what Jonathan Shay refers to as *jus in militaribus*—the rightness of the policies and practices of the military institution—as a contribution to the development of enhanced military moral injury management capabilities.¹⁷ It also strives to take seriously the issue that, even if not recognized as such, moral injury has long constituted a problem for militaries while the challenges posed by moral injury have, according to researchers, increased in the twenty-first century.¹⁸ For example, David Wood designates moral injury as the “hidden signature wound” of twenty-first-century military activity.¹⁹ As Shay’s reading of Homer implies, the problem is endemic across the ages and continues today. Hence, there is an urgent need for cross- and multi-disciplinary consideration of how military personnel and veterans might be better served. It is perhaps right and proper that a degree of shock and disappointment is experienced upon realizing afresh that the institutional capabilities for managing moral injury remain inadequate. It is of concern that this inadequacy increases vulnerability to and hinders service member recovery from moral injury.

This study suggests that the failure to prepare service members to face

¹⁶ And supplemented with conditions.

¹⁷ Shay, *Odysseus in America*, 291.

¹⁸ Litz et al., “Moral Injury and Moral Repair in War Veterans,” 697.

¹⁹ David Wood, *What Have We Done: The Moral Injury of Our Longest Wars* (New York, NY: Little, Brown and Company, 2016), 10.

encounters with PMIEs appropriately constitutes an institutional-level betrayal. In other words, the failure to develop and operationalize a moral injury management capability, to prevent the occurrence of moral injury when faced with PMIEs, ameliorate the effects of the encounters, and enable recovery constitutes an institutional-level violation of the mutual trust required for military operations across the full range of tasks. Military institutions should, and indeed, this study claims, do have an obligation to do better.

Thus, this research contributes to enhancing institutional moral injury management capabilities development efforts by providing an articulation of *jus in militaribus* and a model of institutional trust based on that theoretical framework. Although focused on the US military, the recommendations contained in this study may prove useful to other militaries as well. This study proceeds in seven steps to articulate the *jus in militaribus* framework, a model of military trust nested within that framework, and the portrayal of its utility for enhancing military moral injury management.

- Step One introduces this study (Chapter 1).
- Step Two (Chapter 2) reviews the literature associated with the historical development of the definition of military moral injury. Scholars have differentiated MI from post-traumatic stress disorder (PTSD), have produced a comprehensive definition of the moral injury syndrome, and exposed the impacts of MI on not only service members and veterans but also on military units and family members. They have thus produced the theoretical understanding necessary to inform military moral injury capability development adequate to the need.
- Step Three (Chapter 3) reveals, through a literature review of US military professional publications and doctrine, that although the importance of trust to the military constitutes a prominent theme in the literature, military trust itself remains poorly defined. Yet, as Chapter 2 will have shown, trust violations—betrayals—are a major source of moral injury. A theoretically robust understanding of trust in the military is therefore necessary to formulate responses to trust violations generating moral conflict, including moral injury. The

academic literature on organizational trust, also analyzed in Chapter 3, provides a more granular set of definitions relevant to organizational trust. However, the trust analysis is not explicitly applied to the military context. The literature review in Chapter 3 thus reveals a gap this study intends to help fill.

- Step Four (Chapter 4) defines the “military” component of military moral injury and military trust, through an analysis of the relevant literature on the nature and character of the military institution. Surprisingly, the military institution is not defined in US doctrine, and this chapter aims to fill the resulting theoretical gap.
- Step Five (Chapter 5) builds on the academic model of organizational trust and related definitions presented in Chapter 3 and the definition of the military institution in Chapter 4 to formulate a model of *military trust*. This tailored model of military trust, serves as a component of an enhanced military moral injury management capability.
- Step Six (Chapter 6) develops the concept of *jus in militaribus* and shows how a model of military trust might operate within that framework.
- Step Seven (Chapter 7) presents the outline of an enhanced moral injury management capability based on the model of military trust within the *jus in militaribus* framework articulated in terms of the Doctrine, Organization, Training, Leadership, Materiel, Personnel, Facilities, and Policy (DOTMPLF-P) capability development paradigm.²⁰

1.2 Rationale

This section looks in more detail at the need for the inclusion of a *jus in militaribus*-based approach within military doctrine to enhance military moral injury management capability.

Deeply rooted in classic Western tradition(s), the concepts of *jus in bello* and *jus ad bellum* address centrally important considerations in military (and political)

²⁰ Joint Staff, "DOD Dictionary of Military and Associated Terms" (Washington, D.C.: US Joint Staff, April 18, 2020), 286, <https://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/dictionary.pdf?ver=2020-01-24-100230-123>.

life.²¹ My purpose in this thesis is not to dispense with these guiding considerations but to supplement them to better support MI anticipation, prevention, endurance, and recovery. By proposing the incorporation of *jus in militaribus* category of military ethics considerations into military doctrine, my purpose is to address a deficiency that currently tends toward the delaying of MI considerations until the point at which MI is experienced. *Jus in bello* and *jus ad bellum* address extremely specific “slices” of military activity. *Jus in bello* covers moral-ethical decision-making in combat during declared wars. *Jus ad bellum* defines the justness and injustice of the decision to go to war. These are, of course, critically important. However, the performance of the military function—the provision of protection to society through deterrence, and when deterrence fails to act to restore the credibility of deterrence—exceeds the scope of activities covered by these two sets of moral-ethical considerations. As a result, a significant gap in decision-making guidance “coverage” persists.

At its most general, the claim in this thesis is that the existing governing categories of *jus ad bellum* and *jus in bello* are beneficially complemented and supplemented by *jus in militaribus*—both because the military institution is a possible agent of betrayal and cause of moral injury, and because the military institution carries duties for the care of serving personnel and veterans.

US military doctrine has developed over many years and, despite having a certain coherence, is not uniform in its philosophical influences and modes of expression. Thus, no unitary conception of the JWT may be assumed. Consider the US definition of the law of war and the approach to the just war tradition as currently articulated in the US DOD *Law of War Manual* (updated 2023):²²

The Just War Tradition describes customs, ethical codes, and moral teachings associated with warfare that military thinkers and philosophers have developed over centuries to seek the moral justification of and the limitations to war. The Just War Tradition provides part of the philosophical foundation for the modern law of war and has considered both *jus ad bellum* and *jus in bello*. The Just War Tradition developed criteria or principles that have provided the foundation for modern *jus ad*

²¹ See Cook, Martin L. *Moral Warrior, The : Ethics and Service in the U.S. Military*. Suny Series, Ethics and the Military Profession. Albany, NY: SUNY Press, 2004. Book. 21-22.
<https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=e000tna&AN=143208&site=eds-live&scope=site>.

²² This manual is not a doctrinal publication.

bellum rules. Similarly, law of war treaties that provide jus in bello rules, such as the 1949 Geneva Conventions, are also rooted in the Just War Tradition. The Just War Tradition remains relevant for decisions to employ U.S. military forces and in warfighting.²³

The just war tradition is distinguished from the law of war, but remains closely related to it:²⁴

For the purposes of this manual, the law of war is that part of international law that regulates the resort to armed force; the conduct of hostilities and the protection of war victims in both international and non-international armed conflict; belligerent occupation; and the relationships between belligerent, neutral, and non-belligerent States.²⁵

This definition defines the constraints and restraints associated with the use of armed force by the military and the relevant subjects of those constraints and restraints. Significantly, from the moral injury capability development management perspective taken in this study, the US military institution itself is not addressed as a subject of the law of war.

The law of war and understanding of the JWT in the *Law of War Manual* are based on a legalistic conception of justice as consisting of what Craig L. Carr refers to as the “Equal Treatment Principle (ETP).”²⁶ He defines the ETP as “Treat equal (like) cases equally (alike), and unequal (different) cases unequally (differently).”²⁷ The ETP assumes fundamentally that justice means treating individuals equitably. The JWT law of war, *jus ad bellum*, and *jus in bello* of the JWT seriously define the actors and activities constituting cases subject to military decision and action and provide the criteria by which those cases should be adjudicated according to the “Equal Treatment Principle.” *Jus ad bellum* criteria of right intention, proper authority, just cause, last resort, reasonable chance of success, and broad proportionality on the decision to use or refrain from use of military capabilities all presuppose the ETP,

²³ Stephen W. Preston, *Department of Defense Law of War Manual*, 26 (Washington, D.C.: Office of General Counsel Department of Defense, 2023).

²⁴ Preston, *Department of Defense Law of War Manual*, 7.

²⁵ Preston, *Department of Defense Law of War Manual*, 7–8.

as do *jus in bello* criteria for just action expressed through the enactment of discrimination, necessity, and due care. These are all correct and necessary. My purpose in this study is not to dispute but to supplement these foundational considerations. The claim is that alone they are too limited to adequately address the moral injury challenge.

Shay's work enriches the conception of justice. Shay emphasizes a conception of justice based on the Greek term "*themis*," that is, "what's right." This concept supplements, in military relevant ways, the legally focused ETP conception of justice informing the law of war. It is this study's position that Shay's emphasis on "what's right" provides a rich starting point for the development of *jus in militaribus* as a framework for enhancing military moral injury management capabilities.²⁸

Florentina Grigore provides additional insight into *themis* and its utility for informing military moral injury capability development activities. In her article, she raises a distinction between justice as legal compliance, treated by the term *dike*, and justice in a larger sense, *themis* that provides the foundation for the legal system but is not reducible to it. *Themis* concerns the rules and duties performed by a leader in both everyday life and alliances, marriages, and, most significantly for this study, battles.²⁹ *Dike* is concerned with what must happen in every case, that is, decisions are made in accordance with the ETP. The law and the judge together pronounce the sentence.³⁰ Although beyond the scope of this study to fully explicate, the distinction between *themis* and *dike* understandings of justice provides a framework for understanding both the necessity for and limitations of legal compliance. Further discussed in Chapter 5, MI management exceeds the boundaries of a purely rule compliance-focused understanding of just action. Legal compliance, while necessary, is not sufficient to ensure adherence to *themis*, and thus avoid betrayal constituting a potentially morally injurious event. The demand for adherence to *themis*, "what's right," similar to Lord Moulton's call for "obedience to the unenforceable" as a criterion for moral-ethical excellence (further discussed below), enables making sense of the need for attention to the justice and injustice of institutional policies and practices.³¹ Service members, especially senior leaders, are

²⁸ Shay, *Achilles in Vietnam*, 5.

²⁹ Florentina Grigore, "The Concept of Justice ('Dike' and 'Themis') as It Is Revealed by the Teachings of Neagoe Basarab to His Son Theodosie," *Agathos* 7, no. 1 (2016): 25.

³⁰ Grigore, "The Concept of Justice," 26.

³¹ Lord Moulton, "Law and Manners," *The Atlantic*, 1942, 33.

required to adhere to a higher standard of justice in order to maintain the trust between the military and the society served.³²

Against this backdrop, a contention in this thesis is that definitions of the law of war and the relatively narrow conception of the JWT in US doctrinally based guidance act as a set of “blindings,” that is, screens that prevent gaining a fuller picture, thereby limiting the ability of the institution to perceive the full scope of the moral injury “threat.” Within the framework established by the *jus ad bellum* and *jus in bello*, moral injury will only occur due to individual failure. That is, MI occurs in cases in which the individual is personally responsible for an action that violates the law of war and the rules of engagement (ROE) based on that law. The limited US military articulation of the JWT framework, as seen in the *Law of War Manual*, risks concealing other potential sources of moral injury, such as institutional action in regard to its own members, and moral injury resulting from LOAC compliant action. Its working understanding of justice as the “Equal Treatment Principle” and potentially other such principles is insufficiently comprehensive to incorporate the bigger picture of “what’s right” in the relationship between the military institution and its personnel, whether serving or veteran.

As the literature on moral injury reviewed in Chapter 2 will show, prominent sources of moral injury include matters for which the institution bears responsibility, not least the military’s doctrinal approach to moral-ethical decision-making. Subsequent chapters in this thesis consider how overly narrow readings of the JWT and constrained concepts of justice have tended to obscure obligations pertaining to the institution, and hence the need for more explicit attention to *jus in militaribus*. The limited conceptions of the JWT informing US military doctrine have created a theoretical gap. This gap has led to neglect of the institutional and individual decisions and actions generating moral conflicts, including PMIE/Cs, across the full range of military activities. The gap in military doctrine reduces the preparedness of service members to manage moral conflict, including moral injury, while engaged in what Don Snider defines as the core activity of the military professional—making discretionary judgments in conditions of uncertainty.³³

In what follows, this thesis will show that this kind of neglect results in what

³² See Lucas, *Military Ethics*, 104–110.

³³ Don M. Snider, “American Military Professions and their Ethics,” in *Routledge Handbook of Military Ethics*, ed. George R. Lucas (New York, NY: Routledge, 2015), 18.

Chris Argyris refers to as organizational “camouflage.” Camouflage is the hiding, disguising, and/or denying of errors and faulty processes. Camouflage generates two major obstacles for enhancing individual and organizational effectiveness. First, camouflage, by hiding the problem or making it appear like something else, hinders solution discovery. For example, defining moral injury as primarily an individual decision-making failure is a form of camouflage supporting an organizational defensive routine. Second, the effort to maintain camouflage bleeds energy off the system, energy that could be used to accomplish organizational objectives.³⁴ The camouflage and concealment of these moral injury sources has hindered the development of more effective moral injury management capabilities.

Briefly, four deficiencies in the US military’s doctrinal approach to the just war tradition moral-ethical decision-making guidance necessitate this study: limited scope of moral-ethical decision-making guidance in US military doctrine; inadequate articulation of the relationship between trust and the justice and injustice of military action; a bias toward managing risk through compliance-focused control systems; and a lack of a model of military institutional trust. The following section examines each of these in more detail.

1.2.1 Limited Scope of Moral-Ethical Decision-Making Guidance in US Doctrine

The US military, in all services, has a rich professional literature addressing military moral-ethical decision-making as informed by the JWT.³⁵ The critique in this study focuses on the doctrinal articulation of the moral-ethical guidance, not the broader, comprehensive professional literature.

Military doctrine constitutes a body of texts officially developed by the military institution and the services within that institution. It is distinct from the larger professional military morality-ethics literature. The US military uses both Joint and Service doctrine. Joint doctrine is defined as follows: “Fundamental principles and standardized terminology that guide the employment of United States military forces in coordinated action toward a common objective and may include tactics, techniques, and procedures.”³⁶ Why is doctrine necessary? As the DOD dictionary asserts, “Joint doctrine enhances the operational effectiveness of the Armed Forces

³⁴ Chris Argyris, *Reasoning, Learning, and Action* (San Francisco, CA: Jossey-Bass Inc., 1982), 93.

³⁵ Lucas, *Military Ethics*, 70.

³⁶ Joint Staff, "DOD Dictionary 100" (Washington, D.C.: Department of Defense, 2024).

by providing official advice and standardized terminology on topics relevant to the employment of military forces.”³⁷ Doctrinal texts are official, that is, they are approved by the institution itself; they are texts that the institution has deemed valid. If a term and the concepts associated with that term are in doctrine, the US military has authoritatively declared that the term must be taken seriously and used to inform action. Alternatively, non-doctrinal terms have a lesser claim on institutional attention and resources.

The services (Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard) are guided by Joint doctrine and their own Service-specific doctrine. For example, the Army Doctrinal Publication (ADP) 1-01 *Doctrine Primer* defines doctrine as the professional knowledge necessary for the army to perform its tasks. “Doctrine establishes the language of the profession.”³⁸ ADP 1-01 compares the knowledge contained in doctrine to that held by physicians.

Just as physicians must remain proficient and current regarding the body of medical knowledge, Army professionals must remain proficient and current in doctrine. The lives of the men and women who make up the Army—not to mention the security of the Nation—rely on all leaders and Soldiers to be proficient in the Army’s body of professional knowledge: doctrine.³⁹

However, doctrine does not exhaust the full set of knowledge required of the Army—it is a subset of “Army knowledge.”

Doctrine fits into a larger body of Army knowledge. Each organization develops specific ways to do things—policies about the conduct of its tasks. Large, complex organizations often require more than one body of knowledge to address the variety of tasks they perform. The Army is such an organization. Some policies are prescriptive and include penalties for failure to follow a procedure while others are simply accepted, descriptive ways to do things. Some organizations call these operating procedures, rulebooks, or some other term for organizational guidelines. For the Army, this larger body of knowledge includes, but is not limited, to the following:

³⁷ Joint Staff, “DOD Dictionary 100,” 2.

³⁸ ADP 1-01 *Doctrine Primer*, 1-1 (Washington, D.C.: Headquarters, Department of the Army, 2019).

³⁹ ADP 1-01 *Doctrine Primer*, 1-1.

- Army regulations and pamphlets, which address the administration of the Army.
- Doctrine, which addresses the conduct of operations.
- Training publications, which address specific training tasks and procedures.
- Technical manuals, which address specific equipment-related topics.⁴⁰

Doctrine is the foundation of operational conduct. ADP 1-01 defines Army doctrine as

fundamental principles, with supporting tactics, techniques, procedures, and terms and symbols, used for the conduct of operations and as a guide for actions of operating forces, and elements of the institutional force that directly support operations in support of national objectives.⁴¹

Training publications and technical manuals are based on doctrine. Manuals, handbooks, and so on are not official doctrine, though they do constitute part of the body of professional knowledge. Indeed, the US military has generally excluded the provision of moral-ethical decision-making guidance from articulation in doctrine. Thus, what Don Snider refers to as the “moral-ethical cluster” of professional military expertise is not doctrinally articulated.⁴² The broader guidance for leaders on moral-ethical decision-making is mainly addressed in the service academies and war colleges. Discussion of the JWT is generally limited to analysis of the legal considerations around ROE. Therefore, while the JWT informs doctrine, as a result of the role it plays in military culture, JWT considerations are not addressed directly in doctrine articulating, for example, the military decision-making process or the Joint and Service planning processes.⁴³ Thus, while the service academies and war colleges and the scholars affiliated with them have generated an outstanding contribution to the body of professional military knowledge relevant to moral-ethical decision-making, this knowledge has not been integrated, in a precise and structured way, into official military doctrine.

⁴⁰ ADP 1-01 Doctrine Primer, 1-1.

⁴¹ ADP 1-01 Doctrine Primer, 1-2.

⁴² Snider, "American Military Professions and their Ethics," 20.

⁴³ For example, Stuart B. Munsch, *Joint Publication 5-0 Joint Planning* (Washington, D.C.: Department of Defense, 2020). and Navy, *Naval Planning NWP 5-01* (Norfolk, VA: Navy Warfare Development Command, 2013).

The role of doctrine in providing standardized terminology is especially important for the purposes of this study. If a term is not in doctrine, it is very difficult to direct funding resources to “man, train and equip”—the function of the services—as necessary in relation to that term. Current US military doctrine does not include “moral injury” as a term. Thus, applied to the subject matter of this study—moral injury—that absence of the term “moral injury” in Joint and Service doctrine entails that the military institution will not, in a systematic and structured way, develop capabilities addressed to moral injury. Moral injury does not, from the perspective of the institution, officially “exist”; it is “invisible.” Since moral injury is not an official term, and the fundamental principles for dealing with moral injury are not contained in doctrine, a command or leader desiring to develop a program to deal with moral injury would find it very difficult, if not impossible, to justify the associated funding and time expenditure. Therefore, the primary recommendation of this study is that *jus in militaribus*, as a framework for addressing moral injury, be included in the Joint and Service *doctrine* as a starting point for capability development.⁴⁴

1.2.2 Overemphasis on Control System-Based Approaches to Manage the Risk of Unjust Action

Concerns about the risk of unjust military action drive this thesis. Risks of inadequate military MI management capabilities are broadly approached as a symptom of potentially larger problems in a healthy, ethical institution. Further discussed in Chapter 4, military risk management of unjust action by service members operates through both what Roger C. Mayer, James H. Davis, and F. David Schoorman refer to as “control systems” and “trust systems.”⁴⁵

The US military, the focus of this study, has tended to emphasize use of control systems, relying on compliance with rules and regulations to manage the risk of unjust military action. These rules and regulations include the US Constitution, law of armed conflict, and the laws governing the activity of the DOD and the military

⁴⁴ As ADP 1-01 explains, “The Army approaches solutions to problems through changes to broad categories of doctrine, organization, training, materiel, leadership and education, personnel, and facilities (DOTMLPF). Doctrine is usually the first approach taken as it is often the easiest and quickest to change and can dramatically impact the conduct of operations. In some cases, the impact of changes in the other factors cannot be fully realized without a significant change in doctrine. Doctrine can also serve as the basis for changes in the other DOTMLPF categories.” ADP 1-01 Doctrine Primer, 1-1.

⁴⁵ Roger C. Mayer, James H. Davis, and F. David Schoorman, “An Integrative Model of Organizational Trust: Past, Present, and Future,” *The Academy of Management Review* 32, no. 2 (2007), <https://doi.org/10.5465/AMR.2007.24348410>.

services.⁴⁶ The just war tradition-based guidance (*jus ad bellum* and *jus in bello*) within the war/armed conflict vs. peace paradigm reinforces the emphasis on control system-based compliance. Individual compliance with these rules is, of course, necessary.

Trust and control systems are not mutually exclusive ways of managing risk.⁴⁷ Control systems, by providing a “scaffolding” between existing levels of trust and the scope of the exposure to risk (the vulnerability) necessary to enable effective action, can foster trust development. However, control systems can also “crowd out” the use of trust systems. Schoorman, Mayer, and Davis write,

If there is a very strong system of controls in an organization, it will inhibit the development of trust. Not only will there be few situations where there is any remaining perceived risk but trustworthy actions will be attributed to the existence of the control system rather than to the trustee.⁴⁸

The attempt to rely predominantly on control systems resulting in the undermining of trust as a means for risk management can produce negative effects on the development of moral-ethical decision-making in general and moral injury management capabilities specifically.

Trust violations, as the history of the development of the moral injury definition (traced in Chapter 2) will show, constitute a major element of the moral injury syndrome. The overemphasis on compliance through control systems has tended to camouflage and conceal the role of institutional trust in moral injury, hindering the development of more effective moral injury management capabilities.

1.2.3 Lack of Model of Institutional Trust

Although closely entwined with questions of justice and often referred to as the “bedrock” of the military profession, trust and responses to violations of trust (betrayal) are not explicitly addressed in the US military doctrinal articulation of the JWT.⁴⁹ Due in part to this deficiency, US military doctrine lacks a fully articulated

⁴⁶ Preston, *Department of Defense Law of War Manual*.

⁴⁷ Schoorman, Mayer, and Davis, "An Integrative Model of Organizational Trust," 346.

⁴⁸ Schoorman, Mayer, and Davis, "An Integrative Model of Organizational Trust," 347.

⁴⁹ Leonard Wong and Stephen J. Gerras, *Lying to Ourselves: Dishonesty in the Army Profession*, U.S. Army War College, Strategic Studies Institute (Carlisle, PA: U.S. Army War College Press, February 2015), x, 33, 25, <http://www.strategicstudiesinstitute.army.mil/pdf/PUB1250.pdf>.

model of institutional trust. Given the lack of a specific theory and a literature explicating and refining that theory on how to maintain, enhance, and restore institutional trust, institutional leaders generally respond in an *ad hoc* manner to trust-degrading deficiencies. These responses generally take two forms. The first consists of additional training on the specific deficiency. The institution will, for example, call for a “stand down” during which all service members are subjected to PowerPoint-based briefings on the topic, or are required to review similar instructional content via an online presentation using the existing training platforms like Joint Knowledge Online (JKO) or the service-specific online training systems. The second response consists of “organizational defensive routines” to camouflage and conceal the problem.⁵⁰ This can take the form of, for example, completely ignoring the issue, firing the individuals involved (indicating that the deficiency was a result of a purely individual failure in accordance with the “dogma of responsibility”), or outsourcing the response to other agencies.⁵¹ This study contributes to the development of a structured theoretical framework to inform more effective institutional cultivation of trust and response to its decline than the existing approaches.

Given the lack of a formal model of trust, although the military often talks about its importance this discourse is primarily what Cook and Syse refer to as “hortatory” and lacks theoretical precision.⁵² This gap in the conceptual architecture, further described in Chapter 3, increases the difficulty of responding to trust violations. As will be seen in Chapter 2 while analyzing the history of the MI definition, trust violation as a source of PMIEs has been minimized in the MI literature in favor of a focus on personal responsibility. However, trust violations can directly generate moral conflicts, including PMIEs, and indirectly contribute to a general decline in trust between the military and the society served. This study argues that the lack of a model of institutional trust hinders the development of effective responses to both the direct and indirect effects of trust violations.

Thus, the justification for this study issues from three separate but related

⁵⁰ G. Smith Ken and A. Hitt Michael, *Great Minds in Management: The Process of Theory Development* (Oxford: Oxford University Press, 2005), 265.

⁵¹ Eliot A. Cohen and John Gooch, *Military Misfortunes: The Anatomy of Failure in War* (New York, NY: The Free Press, 1990).

⁵² Martin L. Cook and Henrik Syse, “What Should We Mean by ‘Military Ethics’?,” *Journal of Military Ethics* 9, no. 2 (2010): 121, <https://doi.org/10.1080/15027570.2010.491320>.

sources: inadequacies in the US military doctrinal articulation of the JWT, overreliance on control system approaches to risk management, and inadequacies in the understanding of trust in military doctrine and policy. The US military doctrinal understanding of the JWT has focused on the just use (or the refraining from use) of military capabilities by political leaders (*jus ad bellum*) and just action of military members in combat (*jus in bello*).⁵³ This study adds an additional vector for analysis—just action by and within the military institution itself—based on the path indicated in the work of Jonathan Shay.⁵⁴ Following Shay, this study, stimulated by the need to address the role of institutional betrayal—violations of trust—as a source of PMIEs leading to moral injury, focuses on the role of trust in service members’ moral-ethical decision-making.

1.3 Costs of Inadequate Theoretical Understanding as Indicated by Recent Surveys

The costs of the theoretical underdevelopment of the notion of trust are evident in the institutional difficulty of responding to declines in trust as indicated by recent surveys. This section briefly reviews the results of several surveys indicating a significant decline in trust in the military institution.⁵⁵ As will be addressed in Chapter 3, current military definitions of trust are inadequate for enabling remedial action formulation in response to this decrease. This theoretical deficiency hinders both trust repair and moral injury capability development.

Declines in trust in the federal government in general, and in the military in particular, are not new factors of the US experience.⁵⁶ David C. King and Zachery Karabell, tracing the decline and resurgence of trust in the US military, write that,

Throughout much of the Vietnam War, the military was widely perceived as a duplicitous, ineffective, and inefficient

⁵³ Preston, *Department of Defense Law of War Manual*.

⁵⁴ This work is analyzed further in Chapter 2.

⁵⁵ Jennifer Kavanagh et al., *The Drivers of Institutional Trust and Distrust: Exploring Components of Trustworthiness* (Santa Monica, CA: RAND Corporation, 2020), https://www.rand.org/pubs/research_reports/RRA112-7.html. Lydia Saad, "Military Brass, Judges Among Professions at New Image Lows," *Gallup*, January 12, 2022, <https://news.gallup.com/poll/388649/military-brass-judges-among-professions-new-image-lows.aspx>; Chris Anderson et al., *Reagan National Defense Survey Executive Summary*, Ronald Reagan Institute (Simi Valley, CA, 2022), 2, <https://www.reaganfoundation.org/media/359970/2022-survey-summary.pdf>. Recent surveys do not ask about the inadequacy or adequacy of military control systems. However, surveys do inquire about the degree to which Americans trust the military and its leaders.

⁵⁶ David C. King and Zachary Karabell, *The Generation of Trust: Public Confidence in the U.S. Military Since Vietnam*, American Enterprise Institute (Washington, D.C.: The AEI Press, 2003), 1.

organization, beset by terrible racial problems, rampant drug abuse, under skilled officer and noncommissioned officers, and a general inability to adapt to the times.⁵⁷

Yet in the mid- and late 1970s the military rebuilt trust both within the services and between the services and broader society such that the military became one of the most trusted institutions in the 1980s. King and Karabell attribute this increase in trust in the military to three factors: performance, professionalism, and persuasion.⁵⁸ The demonstration of functional competence in the execution of military tasks, and the integrity-based professionalism with which those tasks were accomplished, provided the foundation for the restoration of trust.⁵⁹ In addition, King and Karabell describe how the military engaged in a systematic campaign to provide additional information about the military and its operations. The aim of this ultimately successful campaign was to actively persuade the public served, through explaining the nature and character of the institution, that the military was deserving of trust.⁶⁰

Following the trust recovery of the 1980s, the American public, according to national polls, maintained a high level of trust in the military throughout the 1990s, 2000s, and 2010s. For example, in the 2006 national pride in specific domains survey, 73.5% of Americans answered that they were “very proud” or “proud” of their country’s armed forces.⁶¹ In 2018, the Pew Research Center reported that “80% of Americans said they have confidence that the military will act in the best interests of the public.”⁶² Also in 2018, a Ronald Reagan Institute survey concluded that “In both relative and absolute terms, trust and confidence in the U.S. military is high. Ninety-three percent of Americans say they have confidence in the U.S. military (70% say ‘a great deal of confidence’).”⁶³ The RAND American life panel survey, conducted in April 2018, showed trust in the military exceeded that of other institutions, such as Congress and the media.⁶⁴

⁵⁷ King and Karabell, *The Generation of Trust*, 6.

⁵⁸ King and Karabell, *The Generation of Trust*, 3.

⁵⁹ King and Karabell, *The Generation of Trust*, 84.

⁶⁰ Chapter 5 will show how the model of military institutional trust makes sense of that outcome.

⁶¹ King and Karabell, *The Generation of Trust*, 5.

⁶² Courtney Johnson, *Trust in the Military Exceeds Trust in Other Institutions in Western Europe and U.S.*, Pew Research Center (Washington, D.C., 2018), 49, 1. “Trust” and “confidence” are often conflated. See Mayer, Davis, and Schoorman, “An Integrative Model of Organizational Trust,” 713, <https://doi.org/10.2307/258792>, for a discussion of the disambiguation of the two terms.

⁶³ Anderson et al., *Reagan National Defense Survey Executive Summary*, 2.

⁶⁴ Kavanagh et al., *The Drivers of Institutional Trust and Distrust*, 49.

1.3.1 An Abrupt Decline in Trust ca. 2020 and 2021

Between 2018 and 2021, trust in the US military declined significantly. The Ronald Reagan Institute's 2021 survey indicates the significance of the sudden decline:

For the first time in our survey, a minority of Americans—only 45%—report having a great deal of trust and confidence in the military. Alarming, this is down 25 points in the last three years. Increasing numbers of Americans say they have little or not much confidence in the military, which is up 15 points in the last three years.⁶⁵

Thus, trust decreased, and distrust increased. The 2022 version of the survey saw a minor increase in trust, from 45% to 48%, perhaps indicating stabilization in opinion at a low level. By comparison, the Gallup survey indicated trust in the military of approximately 60% in 1975.⁶⁶

The surveys offer some insight into the reasons for the decline. The Ronald Reagan Institute survey of 2022 included questions indicating the sources of the decline, including that the “military leadership [is] becoming overly politicized.”⁶⁷ Due to this politicization and the expenditure of organizational attention resources on issues perceived as far outside the range of appropriate military institutional action, according to the *Wall Street Journal*, “Americans think the military is no longer an institution that runs on excellence, merit, and individual submission to a larger cause.”⁶⁸ This article explicitly links the decline in trust in the military to the Vietnam era. It suggests that reversing the decline in trust will require efforts similar to those by the US Army to restore its trustworthiness in the eyes of the public after Vietnam.⁶⁹

1.3.2 Military Affiliated Organizational Surveys

Organizations closely connected to the military have also undertaken surveys indicating a decline in trust within the military institution itself. Kerry Foshier's work,

⁶⁵ *Reagan National Defense Survey*, Ronald Reagan Institute (Simi Valley, CA, 2021), 4.

⁶⁶ King and Karabell, *The Generation of Trust*, 5.

⁶⁷ Editorial Board, "Americans Are Losing Trust in the Military," *Wall Street Journal* (New York, NY) 2022. Anderson et al., *Reagan National Defense Survey Executive Summary*.

⁶⁸ Editorial Board, "Americans Are Losing Trust in the Military," 2.

⁶⁹ Editorial Board, "Americans Are Losing Trust in the Military," 2.

for example, describes Marines' perception of institutional trust. Through extensive interviews with Marines of all ranks, the report uncovers challenges associated with interpersonal and organizational trust specifically within this area of the military.⁷⁰ Of special relevance to this study, the report indicates that the emphasis on control system approaches, what the author refers to as an "audit culture" leading to micromanagement, has had a significant impact on the erosion of trust. This trust erosion in turn decreased professional motivation.⁷¹

1.3.3 Significance of Surveys

For the purposes of this study, the surveys are significant not for their degree of precision (which is very limited) but for the directional indication they provide of a decline in the degree of trust in the military institution. The declines in trust, as seen in the surveys, indicate that the US public's willingness to accept the risks inherent in allowing itself to become vulnerable to the military has decreased significantly. This decline constitutes a demand signal among the noise of daily activities for focused institutional attention on the issue of trust.

The reported decline in trust is significant for two reasons. One, declines in trust between the military and society can lead to declines in resource provision to the military institution by the society served. The military performs tasks that society cannot otherwise perform.⁷² In order to perform this function, the military institution requires resources. These resources include money and personnel. Society will only provide the resources necessary for military operations if it trusts the institution to use them properly.⁷³ High degrees of institutional trust lead to sufficient resource provision, while low degrees of institutional trust lead to insufficient resource provision. This dynamic creates either virtuous or vicious circles. In a virtuous circle, increased *trustingness* based on demonstrations of justified *trustworthiness* leads to continued resource provision (financial and human).⁷⁴ This resource provision enables increased protective capability. The effective provision of protection based on the adequate provision of resources enabling the development and deployment of

⁷⁰ Kerry Fosher, *Insights from the Marine Corps Organizational Culture Research Project: Trust in the Marine Corps—the Good, the Bad, and the Ugly*, Center for Advanced Operational Culture Learning (Quantico, VA: Marine Corps University, 2020), 1.

⁷¹ Fosher, *Insights from the Marine Corps*, 28.

⁷² Snider, "American Military Professions and their Ethics," 16.

⁷³ King and Karabell, *The Generation of Trust*, 80.

⁷⁴ Trustingness and trustworthiness are further defined and discussed in Chapter 3. See also entries in the glossary.

protective capability creates a virtuous spiral of increased protective capability. Conversely, in a vicious circle, declines in *trustingness* generate two major sets of effects: declines in resource provision, including declines in recruiting, and reduction in scope for autonomous professional action. The first, decreases in resource provision, is readily apparent. The decrease in resource provision—the money and people that society is willing to spend on the military—results in capability and capacity losses. Funding decreases can generate a cascade of negative effects. Not only does a lack of money reduce operational capability today, but by constraining maintenance in existing capabilities and the development of new capabilities in response to emerging threats, it undermines readiness in the future. Correcting decreased readiness levels requires more than increased funding. The maintenance and construction of the technological tools and the training of the people to operate those tools demands extensive investment in supply chains and industrial base capabilities, as well as a robust system of learning (through training, education, exercises, and wargames) that takes time to re-establish.⁷⁵

The decline in recruiting (which could be seen as a decline in human resource provision) is most difficult to address as it is the result of thousands of individual decisions, beyond the power of the military to influence directly.⁷⁶ The loss of trust as a factor in reduced recruiting is especially apparent in the decline in the willingness of current and retired service members to encourage their children to enter the military.⁷⁷

The second major effect of a decline in trustingness is less easily observed

⁷⁵ See the following for discussion of the complexity of military equipment acquisition and operation, and the importance of regular funding: Matt Bassford et al., *Sustaining Key Skills in the UK Military Aircraft Industry* (Santa Monica, CA: RAND Corporation, 2010), <https://www.rand.org/pubs/monographs/MG1023.htm>; John Birkler et al., *Keeping a Competitive U.S. Military Aircraft Industry Aloft: Findings from an Analysis of the Industrial Base* (Santa Monica, CA: RAND Corporation, 2011), <https://www.rand.org/pubs/monographs/MG1133.html>; Fabian Villalobos et al., *Time for Resilient Critical Material Supply Chain Policies* (Santa Monica, CA: RAND Corporation, 2022), https://www.rand.org/pubs/research_reports/RRA2102-1.html.

⁷⁶ The complexity of recruiting is beyond the scope of this study. See Richard Brady, *Recruiting the All-Volunteer Force: New Approaches for a New Era*, Heritage Foundation (Washington, D.C., 2022), <https://www.heritage.org/military-strength/topical-essays/recruiting-the-all-volunteer-force-new-approaches>, and *RAND Research on Military Recruiting* (Santa Monica, CA: RAND Corporation, 2023), https://www.rand.org/pubs/corporate_pubs/CPA2660-3.html.

⁷⁷ Brady, *Recruiting the All-Volunteer Force*; Meredith Kleykamp, Daniel Schwam, and Gilad Wenig, *What Americans Think About Veterans and Military Service: Findings from a Nationally Representative Survey* (Santa Monica, CA: RAND Corporation, 2023), https://www.rand.org/pubs/research_reports/RRA1363-7.html, and *RAND Research on Military Recruiting*. Joel Kupersmith, "The 'Broken Veteran Narrative' and U.S. Military Recruiting Woes," *Wall Street Journal*, Oct 19, 2022, <https://www.wsj.com/articles/military-recruitment-readiness-national-security-soldier-veteran-ptsd-education-public-school-11666126638>. Ben Kesling, "Military Recruiting Crisis: Even Veterans Don't Want Their Families to Join," *The Wall Street Journal*, October 19, 2022; WSJ, "The 'Broken Veteran Narrative' and U.S. Military Recruiting Woes," WSJ, October 19, 2022.

and therefore is more difficult to address. In conditions of low trust, the military becomes more and more constrained in its application of expertise. This leads to, as discussed in Chapter 4, an increase in the “procedural” or “bureaucratic” character of the institution. Don Snider explains the costs of military bureaucratization in his “Five Myths about Our Future.” Bureaucracies do not generate and apply expert knowledge—professions do. Snider refers to the failure of the US Army to respond quickly to the insurgency in Iraq in 2003 as an example of institutional failure due to bureaucratization. He writes,

An egregious failure had occurred by senior stewards of the 1980s and 1990s who failed to keep the profession’s knowledge and practices current to future needs. After Vietnam, the Army simply dropped the essential knowledge of counterinsurgency and instead focused narrowly on fighting Soviet forces in central Europe...So the point here is straightforward – as recent history demonstrates, whether the US Army is a bureaucracy or a profession makes all of the difference in combat effectiveness.⁷⁸

Thus, bureaucratization reduces the capability of the military institution to perform its professional function in complex, dynamic, uncertain contexts. The resulting decrease in professional competence leads to further decreases in *trustworthiness*, which inspires further reductions in social *trustingness*. This creates a vicious circle of degraded capability, rendering the military institution incapable of performing its protective function. As a result, society’s ability to protect and promote its interests using the military instrument of power is reduced, and society’s vulnerability to coercion is increased. These reasons combine to generate two related justifications for this study to develop a model of military trust within the *jus in militaribus* framework.

1.3.4 The Need for Increased Theoretical Precision

First, the lack of granularity in the surveys concerning the sources of the decline in trust and increases in distrust prevents the military institution from using the surveys as effectively as they could to respond. Thus, the ambiguity in the survey responses provides another demand signal for the formulation of a military trust

⁷⁸ Don M. Snider, “Five Myths about Our Future,” *Parameters* 46, no. 3 (2016): 57.

model, enabling a richer analysis of the trust relationships. Without such a model, survey developers are able to formulate only general questions concerning trust and the military. For example, questions often ask if respondents trust military leaders or the institution.⁷⁹ Respondents then provide answers based on their judgments within the broad category of “trust.” However, the ability to articulate why the degree of trust has increased, decreased, or remained the same is limited by the lack of a model that articulates the elements of trustworthiness and the way in which each element contributes to an overall evaluation of the degree of trust. Thus, the diagnosis of the reasons for the decline or enhancement of trust remains imprecise and unactionable. Researchers have indicated awareness of this problem. For example, the RAND study “The Drives of Institutional Trust and Distrust, Exploring Components of Trustworthiness” attempts to address this lack by using the model of institutional trust, as utilized by Roger C. Mayer, James H. Davis, and F. David Schoorman to inform their approach.⁸⁰ However, Mayer, Davis, and Schoorman’s model, discussed further below, is not tailored for military institutional analysis. This study’s presentation of a model of military trust within the *jus in militaribus* framework is intended to contribute to remedying this deficiency.

1.3.5 Role of Moral Injury Management Inadequacies in Assessments of Institutional Trustworthiness

Second, related specifically to moral injury, the surveys do not provide insight into the degree to which the military’s inadequate response to moral injury does or does not affect overall assessments of institutional trustworthiness. Thus, while the surveys do indicate directionally a decline in trust, due in part to a lack of a model of institutional trust enabling formulation of precise questions as to the sources of the decline, the literature associated with the surveys does not indicate the degree to which inadequacies in MI management capabilities are the source of the declines in trust.

Some research, however, indicates that the negative effects of moral injury “leak” beyond the individual to the familial and social levels, as analyzed by William

⁷⁹ Kavanagh et al., *The Drivers of Institutional Trust and Distrust*.

⁸⁰ Mayer, Davis, and Schoorman, “An Integrative Model of Organizational Trust,” 44.

P. Nash and Brett T. Litz.⁸¹ In addition, the combat journalist David Wood explicitly links the problem of moral injury to the relationship between the military institution and the society served. The “we” in the title of his book *What Have We Done* includes the military as an institution, civilian political leadership, and the society of which the military is a part. The book, therefore, speaks directly to the citizens (voters, taxpayers, recruitment sources) who are, in democratically organized countries like NATO members, ultimately responsible for the effectiveness of their militaries. This responsibility motivates Wood to surface moral injury as a policy issue potentially influencing the relationship between the military institution and the society it serves. He argues that in order to manage moral injury effectively, the military as an institution and the citizenry on whose behalf the military acts must “finally pay urgent attention to the moral dimension of war.”⁸² His research, published in 2016, indicated that the military institution's civilian and military leaders were falling short in their responsibility to manage moral injury. The recent surveys analyzed in this section indicate that the institutional efforts to manage moral injury remain inadequate.

While further research is required to determine the precise causes of the continued inadequacy, this study claims articulation of *jus in militaribus* and the model of military trust contained within *jus in militaribus* will better enable diagnosis of MI management-related deficiencies potentially causing declines in the degree of trust society holds for the military institution, and trust relationships between service members and the institution. As a result, future researchers will become better equipped to answer questions on the relationship between moral injury management capabilities and trust in the military.

1.4 Research Question

Given these conditions, this research asks the following question: what addition to the US military doctrinal articulation of the JWT will enable the development of military MI management capabilities adequate to the need? By *moral*

⁸¹ William P. Nash and Brett T. Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," Review Paper, *Clinical Child and Family Psychology Review* 16, no. 4 (2013): 397, <https://doi.org/10.1007/s10567-013-0146-y>.

⁸² Wood, *What Have We Done*, 12. Shay strikes a similar note, writing, “However, until we end wars, we will need men and women to do the military work of collective security that allows the establishment of peace. Peacekeeping and peacemaking will require soldiers. In the face of this necessity, we must protect these soldiers with every strength we have, and honor and care for them when inevitably they are injured by their service.” Shay, *Achilles in Vietnam*, 209.

injury management capability, I am referring to the doctrine, organization, training, leadership and education, personnel, facilities, and policy to prevent, reduce the occurrence of, ameliorate the effects of, and enable appropriate recovery from moral injury.⁸³ This capability is further articulated in Chapter 7.

1.5 Research Hypothesis

Inspired by the intent of supporting Shay's advocacy of *jus in militaribus* as a core part of the just war tradition in a way similar to Brian Orend's surfacing of *jus post bellum*,⁸⁴ the research hypothesis of this study is: the formulation of a model of military trust within the *jus in militaribus* framework, and inclusion of the *jus in militaribus* framework in military doctrine, will enable a more effective moral injury management capability development. The actual testing of the proposed *jus in militaribus*-based approach to moral injury management is beyond the scope of this preparatory study and remains a subject for future research. In the meantime, a new model of military institutional trust within the *jus in militaribus* framework will enable the development of a more effective military moral injury management capability for two reasons: one, the *jus in militaribus* framework enables enriched moral-ethical decision-making guidance formulation appropriate for moral injury management across the full range of military activities within the twenty-first century operational context; and two, the model of institutional trust built within the *jus in militaribus* framework enables more effective responses by the stewards of the profession to the trust violation as a major source of moral conflict, including the generation of potentially morally injurious events. The increased granularity of the military trust concept within the model enables a more precise formulation of recommended remedial actions in response to trust deficiencies potentially generating moral conflicts than the current vague, general treatment of trust as found in US military doctrine.⁸⁵

⁸³ The Department of Defense Dictionary defines capability as follows: "Capability—the ability to complete a task or execute a course of action under specified conditions and level of performance." Capabilities consist of doctrine, organization, training, leadership and education, personnel, facilities, and policy. (DOTMLPFI-P) Joint Staff, "DOD Dictionary of Military and Associated Terms," 286.

⁸⁴ See Brian Orend, *The Morality of War* (Peterborough, Ontario, Canada: Broadview Press, 2006); Brian Orend, "Just Post Bellum: The Perspective of a Just-War Theorist," *Leiden Journal of International Law* 20 (2007). See also George Lucas, "'Methodological Anarchy': Arguing About War—and Getting It Right; Brian Orend, *The Morality of War*," *Journal of Military Ethics* 6, no. 3 (2007): 248.

⁸⁵ The deficiencies of the current doctrinal treatment of trust are examined in Chapter 4.

1.6 *Jus in Militaribus* as Moral-Ethical Decision-Making Framework

Theorists have responded to the problem of the narrow focus of the JWT through the formulation of additional “*juses*.” For example, George Lucas lists four categories, adding the categories of *jus ante bellum* (just preparedness for war) and *jus post bellum* (justice after war) to the traditional *jus ad bellum* (how to declare war with justification) and *jus in bello* (just conduct of war).⁸⁶ He also added *jus in silico* to address the moral-ethical aspects of cyberspace operations.⁸⁷ Brian Orend argues for including *jus post bellum*.⁸⁸ Nancy Sherman also offers a comprehensive list. She calls for attention to all the “norms of war—of going to war, fighting in war, using discriminate weapons in war, leaving war, creating conditions for stability and peace after war.”⁸⁹ Michael Walzer added *jus ad vim*, concern with the use of force below the “war” threshold, to the set of military moral-ethical concerns.⁹⁰

In a footnote to *Odysseus in America: Combat Trauma and the Trials of Homecoming*, Jonathan Shay also suggested an addition. He wrote,

The two traditional topics in military ethics, *jus ad bellum* (rightness in the aims and circumstances of war) and *jus in bello* (rightness in the conduct of war), are much in need of enhancement by a third, *jus in militaribus* (rightness in the policies and practices of military institutions), which interacts in numerous ways with the first two.⁹¹

This study, as in effect a constructive exegesis of this footnote of Shay’s, argues that the addition of *jus in militaribus* to the US doctrinal understanding of the JWT-based moral-ethical decision-making guidance is necessary to enhance institutional moral-ethical decision-making competence across the full range of

⁸⁶ Lucas, *Military Ethics*, 92.

⁸⁷ George Lucas, *Ethics and Cyber Warfare: The Quest for Responsible Security in the Age of Digital Warfare* (New York, NY: Oxford University Press, 2017), 102–4.

⁸⁸ Orend, “Just Post Bellum: The Perspective of a Just-War Theorist,” 575–6.

⁸⁹ Nancy Sherman, *Afterwar: Healing the Moral Wounds of Our Soldiers* (New York, NY: Oxford University Press, 2015), 20.

⁹⁰ Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, fourth edn (New York: Basic Books, 2006), xv. See also Daniel R. Brunstetter, *Just and Unjust Uses of Limited Force: A Moral Argument with Contemporary Illustrations*, 1st ed. (Oxford: Oxford University Press, 2021), 4. Jai Galliot (ed.), *Force Short of War in Modern Conflict: Jus Ad Vim* (Edinburgh University Press, 2019), <http://www.jstor.org.uoelibrary.idm.oclc.org/stable/10.3366/j.ctvggx3k3>. C. Anthony Pfaff, “Military Ethics below the Threshold of War,” *Parameters* 50, no. 2 (2020): 70. Lasiello asked, in his “Jus Post Bellum,” “Has the time come to expand the theory of just war and to develop a third category—the post bellum dimension of war.” Louis V. Lasiello, “Jus Post Bellum,” *Naval War College Review* 57, 3 (2004), <https://digital-commons.usnwc.edu/nwc-review/vol57/iss3/5.#37>. See also Lucas, “Methodological Anarchy,” and Orend, *The Morality of War*, on Orend’s formulation of the *jus post bellum*.

⁹¹ Shay, *Odysseus in America*, 291.

military activities. *Jus in militaribus* consists of the conceptualizations of just and unjust policies and practices of the military institution shaping operations and risk management through both control and trust systems, mapped against the full range of tasks—to both *generate* and *operate* military capabilities—that the institution performs to protect society. As a result, it enables the formulation of moral-ethical decision-making guidance, by both individuals and the institution of which they are a part, required to better manage moral injury.

Within this study, *jus in militaribus* is presented as a theoretical component of the modern just war-based tradition(s), designed to meet the requirements presented by the demands of the current and future security environment. Just as the concept of *jus in bello* is typically used to combine the concepts, legal requirements, heuristics, and guidance for individual decisions on the use of force in combat, so *jus in militaribus* provides a framework for formulating institutional theories of practice suited to the twenty-first-century demands of military moral-ethical decision-making across the full range of military activities. Attention to and development of moral-ethical decision-making guidance in accordance with the theoretical framework provided by *jus in militaribus* will better enable the stewards of the profession to address the military institution's moral-ethical responsibilities more effectively.⁹²

The content of *jus in militaribus* is divided within this study into two main parts: one, the policies and practices of the military institution designed to enhance the justice of military action and manage the risk of unjust action through control systems; and two, the policies and practices of the military institution designed to enhance the justice and manage the risk of unjust action through trust systems.⁹³

The control systems component of *jus in militaribus* is well articulated, though, as described in Chapter 6, poorly integrated across the full range of military tasks. The trust system component is less well articulated. This study is intended to help fill this theoretical gap. As will be analyzed in Chapter 3, while the military doctrinal and professional literature often states the importance of trust for military action, the actual definition of military trust remains vague. Combined with the centrality of institutional betrayal in the experience of moral injury—that is, violations of trust as a

⁹² I am using "stewards of the profession" in Snider's sense of the institution's senior leaders, both officer and enlisted. See Snider, "American Military Professions and their Ethics," 27, for more discussion of the nature of the stewards of the profession.

⁹³ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 347.

source of PMIEs—this inadequacy has hindered the development of military moral injury management capabilities.

1.7 Research Context

The challenges to understanding the military function caused by rapid changes in the technological and social context within which military activity unfolds is a reoccurring theme in the military related literature.⁹⁴ For example, “The Operational Environment and the Changing Character of Warfare” by the US Training and Doctrine Command (TRADOC 525-92) provides a useful overview linking environmental changes (change in context) with conceptions of changes in the activities and actors prevalent in the early twenty-first-century professional literature:

The nature of war, which has remained relatively constant from Thucydides through Clausewitz to the Cold War, and to the present, certainly remains constant through the Era of Accelerated Human Progress. War is still waged because of fear, honor, and interest, and remains an expression of politics by others means. However, as the Era of Accelerated Human Progress advances, and we move to the Era of Contested Equality, it becomes apparent that the character of warfare has changed to the point where other basic questions, such as those contemplating the very definition of war or those looking at whether fear or honor are removed as part of the equation.⁹⁵

Therefore, while the *nature* of war persists, contextual changes resulting from technological advances and other forms of social, economic, and informational change directly shape the *character* of the forms of violent and non-violent interaction.⁹⁶

⁹⁴ MacGregor Knox and Williamson Murray (eds.), *The Dynamics of Military Revolution, 1300–2050* (Cambridge: Cambridge University Press, 2001) (Knox & Murray, 2001).

⁹⁵ Theodore D. Martin, *The Operational Environment and the Changing Character of Warfare* (Fort Eustis, Virginia: US Army Training and Doctrine Command, 2019), 29.

⁹⁶ See also T. X. Hammes, who focuses on the distinction between the nature and character of war. He argues that the nature of war remains constant, and in accordance with Clausewitz’s definition. The character of war, on the other hand, varies with the social, economic, political, and technical aspects of the societies in conflict. T. X. Hammes, “The Future of Conflict,” in *Charting a Course: Strategic Choices for a New Administration*, ed. R.D. Hooker (Washington, D.C.: National Defense University Press, 2016), 17. He argues that as a result of technological change, power is diffusing more through the international system beyond the nation state to insurgents, terrorists, sub-national groups, and criminal organizations. The technological changes associated with electronic miniaturization, additive manufacturing, nanotechnology, space systems, drones, and artificial intelligence mean that military technology is now “small, smart and many,” which entails that the national state

The military tends to focus on the implications of the contextual changes for the technical cluster of professional expertise.⁹⁷ For example, the US Navy's *Design for Maintaining Maritime Superiority* asserts, "It has been decades since we last competed for sea control, sea lines of communication, access to world markets, and diplomatic partnerships. Much has changed since we last competed. We will adapt to this reality and respond with urgency."⁹⁸ However, the discussion concerning the contours of the response is generally limited to the technical aspects of military activity. For example, the USMC *Vision and Strategy 2025* mentions the importance of service members learning to face new challenges but focuses primarily on changes associated with the technical aspects of military activity—the material components of capabilities needed to compete more effectively in the future—not the moral-ethical aspects.⁹⁹ Excessive focus on the technical aspects is a mistake. Specifically addressing the temptation to focus on the technical changes, H. R. McMaster emphasizes the danger associated with focusing too intently on change in the technological aspects of warfare and neglecting the moral-ethical.¹⁰⁰ In light of the contextual changes and the inadequate military institutional moral-ethical decision-making guidance production response, Martin's assessment of the impact of the contextual changes leads him to a conclusion especially significant for this study: "The moral and cognitive dimensions are ascendant."¹⁰¹ Thus attention to the moral dimensions of professional military experience is required to generate operationally significant enhancements to moral injury management capabilities. Conversely, ignoring these contextual changes will hinder development of more effective moral injury management capabilities.

The failure of the doctrinal guidance on military moral-ethical decision-making to remain fully synchronized with post-Cold War contextual transformations (changes

advantage of huge defense budgets and high-end platforms is eroding constantly. Hammes, "The Future of Conflict," 29. These changes have not, according to Hammes, been fully incorporated into the defense acquisition process. He does not discuss in this article if the change in character, ranging across the full spectrum of conflict, from traditional interstate war to hybrid war to instability generated by narco-criminal organizations cooperating with terrorists for local advantage, has been adequately treated within professional military education. Addressing such questions, and the ethical import of the changes, is a specified task of the stewards of the profession. Attention to *jus in militaribus* enables more effective accomplishment of this task and thus enhances moral injury management.

⁹⁷ Snider, "American Military Professions and their Ethics," 20.

⁹⁸ J. M. Richardson, *A Design for Maintaining Maritime Superiority Version 2.0* (Washington, D.C.: Chief of Naval Operations, 2018), 2.

⁹⁹ James T. Conway, *USMC Vision and Strategy 2025* (Quantico, VA: USMC, 2008), 7.

¹⁰⁰ H. R. McMaster, "Remaining True to Our Values—Reflections on Military Ethics in Trying Times," *Journal of Military Ethics* 9, no. 3 (September 2010): 185, <https://doi.org/10.1080/15027570.2010.510850>.

¹⁰¹ Martin, *The Operational Environment*, 29.

in the operational environment) has hindered the development of a coherent response to the conditions generating increased susceptibility to moral injury. The actions of adversaries who do not adhere to basic JWT precepts—such as the distinction between combatant and non-combatant—raise difficult questions concerning the rules of engagement.¹⁰² For example, should service members treat malign actors as criminals and thus use international police guidelines, or as combatants and thus use JWT-based rules of engagement in accordance with the LOAC?¹⁰³ Indeed, Alasdair MacIntyre claimed that the changes in the operational environment have generated a “crisis” in military ethics.¹⁰⁴ An appreciation of earlier manifestations of these trends led Martin Cook to claim that “the moral foundation of military officership is showing all the signs of a fundamental revision.”¹⁰⁵ These assessments indicate that institutional moral-ethical decision-making guidance provided by the military in doctrine and policy is not entirely adequate to the demand, especially in regard to moral injury management.¹⁰⁶

1.8 Methodology

This study is text based and will not use interviews, surveys, or experiments. It relies on rigorous examination of the discussion of trust in representative military journals—the “professional literature”—US military doctrine, and the academic literature on moral injury and organizational trust as source documents.¹⁰⁷ Motivated

¹⁰² Lucas, *Military Ethics*, 92–95.

¹⁰³ Alasdair MacIntyre views these tensions as causing a “crisis” in military ethics. See Alasdair C. MacIntyre, “Military Ethics: A Discipline in Crisis,” in *Routledge Handbook of Military Ethics*, ed. Lucas, 12.

¹⁰⁴ MacIntyre argues that “Crises are recurrent and inescapable in the history of ethics, both in political and moral practice and in theoretical reflection on that practice. Why so? No matter how well established and well-functioning some mode of moral life is, from time to time the social context within which it has been functioning will undergo significant change. New issues arise, new questions are posed, and in the course of attempting to grasp and formulate those questions agents may have to recognize a need for new resources, resources that it may be difficult to provide.” MacIntyre, “Military Ethics, A Discipline in Crisis,” 3. The *jus in militaribus* is a new conceptual resource to meet the need. In terms of the focus on military ethics here, the salience of moral injury indicates that the tools of military ethics, the war/armed conflict vs peace paradigm and *jus ad bellum* and *jus in bello* as understood within that paradigm constituting the “central part of its subject matter,” are no longer entirely fit for purpose due to changes in the conflict environment. MacIntyre, *Military Ethics*, 6.

¹⁰⁵ Martin L. Cook, *The Moral Warrior: Ethics and Service in the U.S. Military*, SUNY Series, Ethics and the Military Profession (Albany, NY: SUNY Press, 2004), 53, <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=e000tna&AN=143208&site=eds-live&scope=site>.

¹⁰⁶ For example, Karin A. Orvis, *Department of Defense (DOD) Quarterly Suicide Report (QSR) 3r Quarter, CY 2021*, Defense Suicide Prevention Office (Washington, D.C., 2022), https://www.dspo.mil/Portals/113/Documents/TAB%20A_20211230_OFRRpt_Q3_CY2021.pdf?ver=GDK03pwWqkz1-OLGo_qlxg%3d%3d;Snider,%20American%20Military%20Professions%20and%20their%20Ethics%3d%3d;Wood,%20What%20Have%20We%20Done%3f%3d%3d; U. S. Government Accountability Office, “Military Personnel Additional Steps Are Needed to Strengthen DOD’s Oversight of Ethics and Professionalism Issues,” GAO, September 3, 2015.

¹⁰⁷ This research is also informed by domain expertise developed through a career in the US Navy, including two deployments to Afghanistan, and two years as an instructor at the US Naval Leadership and Ethics Center at Newport, Rhode Island.

by the desire to provide insights of practical utility for the military profession, this research was undertaken with a methodological approach consistent with established military decision-making processes such as the design process as articulated in the *Art of Design 2.0*, the joint planning process, and the lessons learned process.¹⁰⁸

The methodological approach taken to perform this research proceeds in four steps.¹⁰⁹ Step one consists of an analysis of the non-doctrinal, but generated by military professionals, literature on moral injury and trust. Step two analyzes US doctrine to uncover theoretical inadequacies in the textual discussion of moral injury and institutional trust. Step three consists of analysis of the philosophical-, psychological-, and chaplaincy-focused literature on moral injury and the organizational behavior literature on institutional trust. In step four, the discussion expands upon Shay's concept of *jus in militaribus* to develop a theoretical framework for the development of moral-ethical decision-making guidance enabling integration of the full set of military moral ethical guidance, that is, not only that applicable for the use of force in combat. Thus, *jus in militaribus* provides a framework containing not only the *jus ad bellum* and *jus in bello*, but the *jus ante bellum*, *jus in vim*, *jus post bellum*, and the moral-ethical guidance for the military activities associated with the generation of military capabilities—the full set of institutional activities associated with personnel policies, training and education, equipment development acquisition, and so on. This research claims that such an integrated framework is necessary to provide moral-ethical decision-making guidance adequate to the moral injury management need. Step five consists of formulating a model of military institutional trust based on the models of organizational trust found in the organizational behavior literature. These steps culminate in the articulation of the findings of this study, presented in terms of the NATO Lesson Learned process, and formulation of the proposed moral-injury management capability articulated in terms of the DOTMLPF-P capability development paradigm found in Chapter 7.

¹⁰⁸ On the design process see Stefan Banach and Alex Ryan, *Art of Design 2.0* (Fort Leavenworth, KS: School of Advanced Military Studies). On the Joint Planning Process see Munsch, *Joint Publication 5-0*. On the Lessons Learned process, see Joint Analysis Lessons Learned Centre JALLC, *Joint Analysis Handbook*, fourth edn (Monsanto, Portugal: NATO Joint Analysis and Lessons Learned Centre, 2022), 17, http://www.jallc.nato.int/products/docs/Joint_Analysis_Handbook_4th_edition.pdf.

¹⁰⁹ Seth Lazar, "Method in the Morality of War," in *The Oxford Handbook of Ethics of War*, eds. Seth Lazar and Helen Frowe (Oxford, UK: Oxford University Press, 2016).

1.9 Research Significance

This study adds value by contributing to the literature concerning the nature of military trust, the military institution's role as a moral-ethical actor, and the tasks senior leaders need to perform to reduce institutionally produced moral conflict and enhance responses to potentially morally injurious events, thus reducing the negative impacts of moral injury. Shaping appropriate theoretical and practical responses to moral injury is especially challenging for three reasons: the nature of military service, the increases in military operational complexity, and inadequacies in the military moral-ethical literature.

First, in many cases military service entails, as part of the everyday work of the profession, exposure to potentially morally injurious events.¹¹⁰ David Wood's definition of moral injury indicates the potential pervasiveness of the moral injury challenge. He writes,

In its most simple and profound sense, moral injury is a jagged disconnect from our understanding of who we are and what we and others ought to do and ought not to do. Experiences that are common in war – inflicting purposeful violence, witnessing the sudden violent maiming of a loved buddy, the suffering of civilians—challenge and often shatter our understanding of the world as a good place where good things should happen to us, the foundational beliefs we learn as infants. The broader loss of trust, loss of faith, loss of innocence can have enduring psychological, spiritual, social, and behavioral impact.¹¹¹

Thus a wide range of “normal” military activities and experiences can present PMIEs which may result in moral injury.

Jonathan Shay's research agrees with Wood's emphasis on the prevalence of potentially morally injurious experiences. Speaking of Vietnam veterans, Shay writes,

The social institution of war is a contest of two organized groups, each attempting to exercise tyranny over the other through violence, terror, and threat. In my view, war always represents a

¹¹⁰ Gadi Zerach and Yossi Levi-Belz, "Moral Injury Process and its Psychological Consequences among Israeli Combat Veterans," *Journal Of Clinical Psychology* 74, no. 9 (2018), <https://doi.org/10.1002/jclp.22598>, <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=cmedm&AN=29528102&site=eds-live&scope=site>.

¹¹¹ Wood, *What Have We Done?*, 8.

violation of soldiers' human rights in which the enemy and the soldiers' own armies collaborate more or less equally. However, until we end wars, we will need men and women to do the military work of collective security that allows the establishment of peace. Peacekeeping and peacemaking will require soldiers. In the face of this necessity, we must protect these soldiers with every strength we have, and honor and care for them when inevitably they are injured by their service.¹¹²

Second, as introduced in the background section above, the military decision space is, due to adversary actions, increasing in complexity both “vertically” and “horizontally.” Vertically, service members are no longer only called upon to move up the “spectrum of conflict” from peace to war and back again. They engage in “warfare,” the use of force to achieve national political objectives, in the absence of declared “war.”¹¹³ Horizontally, service members executing “integrated campaigns”¹¹⁴ within the cooperation/competition continuum perform a wide variety of activities requiring militarily sound moral-ethical decision-making congruent with the values of the society served—outside the clearly defined circumstances addressed by *jus in bello*. These changes in the “decision space” combined with adversary actions such as the intentional targeting of civilians and the failure to wear uniforms or other identifying markings indicating combatant status have placed the moral-ethical decision-making framework provided by the clear distinction between war and peace upon which the US military doctrinal understanding of the JWT is based under tension.¹¹⁵ Not only must service members make difficult moral-ethical decisions, but they must also make those decisions using a decision-making process that has been rendered somewhat problematic. The challenge is further discussed in Chapter 7.

Third, moral injury is poorly integrated into and represented in the mainstream military doctrine. Attention to the individual and institutional challenges associated

¹¹² Shay, *Achilles in Vietnam*, 209.

¹¹³ Colin S. Gray, *Recognizing and Understanding Revolutionary Change in Warfare: The Sovereignty of Context*, Strategic Studies Institute (Carlisle, PA, 2006). Michael Eisenstadt, *Operating in the Gray Zone: Countering Iran's Asymmetric Way of War* (Washington, D.C., 2020), <https://www.washingtoninstitute.org/policy-analysis/operating-gray-zone-countering-irans-asymmetric-way-war>. The implications of this distinction are discussed further in Chapter 5.

¹¹⁴ Paul J. Selva, *Joint Concept for Integrated Campaigning* (Washington, D.C.: Joint Staff, 2018), 6.

¹¹⁵ Gallio, *Force Short of War in Modern Conflict: Jus Ad Vim*, 4.

with moral injury is found primarily outside the professional military literature.¹¹⁶ For example, Wood provides an excellent overview of both the academic literature and the experiences of service members stimulating researcher interest in moral injury.¹¹⁷ Many of these researchers, primarily psychologists and others with a clinical focus, are affiliated with the United States Department of Veterans Affairs, including Jonathan Shay,¹¹⁸ Shia Maguen,¹¹⁹ Bret Litz,¹²⁰ and Yonit Schorr.¹²¹ The chaplaincy-based literature has also made valuable contributions to examining moral injury, especially on pathways and methods to enhance institutional responses.¹²² The professional military and military-focused academic theorists are increasingly gaining awareness of the challenges presented by the incidences of moral injury and inadequate institutional approaches to moral-ethical decision-making, for example, MacIntyre's reference to the "crisis" in military ethics, Sherman's work on post-conflict care for veterans, and others.¹²³ However, US military doctrine has not yet

¹¹⁶ See, for example, Yonit Schorr et al., "Sources of Moral Injury among War Veterans: A Qualitative Evaluation," *Journal of Clinical Psychology* 74, no. 12 (2018), <https://doi.org/10.1002/jclp.22660>; Litz and Kerig, "Introduction to the Special Issue on Moral Injury": Brandon J. Griffin et al., "Moral Injury: An Integrative Review" (Netherlands, January 2019). Deane-Peter Baker, *Morality and Ethics at War. Bridging the Gaps between the Soldier and the State* (London: Bloomsbury Academic, 2020).

¹¹⁷ Wood, *What Have We Done?*

¹¹⁸ Jonathan Shay, "Learning About Combat Stress from Homer's Iliad," *Journal of Traumatic Stress* 4, no. 4 (October 1991),

<https://uolibrary.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=edb&AN=24853345&site=eds-live&scope=site>; Shay, *Achilles in Vietnam*; Shay, *Odysseus in America*; Shay, "Casualties"; Shay, "Afterward: A Challenge to Historians," in *Disabled Veterans in History: Discourses of Disability: Disabled Veterans in History*, ed. David A. Gerber (University of Michigan Press, 2012); Shay, "Moral Injury," *Intertexts* 16, no. 1 (2012), <https://doi.org/10.1353/itx.2012.0000>; Shay, "Moral Injury," *Psychoanalytic Psychology* 31, no. 2 (2014), <https://doi.org/10.1037/a0036090>.

¹¹⁹ Shira Maguen et al., "The Impact of Killing in War on Mental Health Symptoms and Related Functioning," *Journal of Traumatic Stress* 22, no. 5 (2009), <https://doi.org/10.1002/jts.20451>; Shira Maguen et al., "The Impact of Killing on Mental Health Symptoms in Gulf War Veterans," *Psychological Trauma: Theory, Research, Practice, and Policy* 3, no. 1 (2011), <https://doi.org/10.1037/a0019897>. Shira Maguen and Brett Litz, "Moral Injury in Veterans of War," *PTSD Research Quarterly* 23, no. 1 (2012),

<http://www.ptsd.va.gov/professional/newsletters/research-quarterly/v23n1.pdf>. Shira Maguen et al., "The Impact of Reported Direct and Indirect Killing on Mental Health Symptoms in Iraq War Veterans," *Journal of Traumatic Stress* 23, no. 1 (2010), <https://doi.org/10.1002/jts.20434>.

¹²⁰ Litz et al., "Moral Injury and Moral Repair in War Veterans"; William P. Nash et al., "Psychometric Evaluation of the Moral Injury Events Scale," *Military Medicine* 178, no. 6 (June 2013), <https://doi.org/10.7205/MILMED-D-13-00017>; Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members."

¹²¹ Schorr et al., "Sources of Moral Injury among War Veterans." Although Veterans Affairs personnel and those on active duty interact, the Department of Veterans Affairs is separate from the Department of Defense. Thus, this division signals that moral-ethical injury is an *after*, not a *during* service issue of concern. I claim that this implication is incorrect.

¹²² Lindsay B. Carey et al., "Moral Injury, Spiritual Care and the Role of Chaplains: An Exploratory Scoping Review of Literature and Resources," *Journal of Religion and Health* 55, no. 4 (2016), <https://doi.org/10.1007/s10943-016-0231-x>; Timothy J. Hodgson and Lindsay B. Carey, "Moral Injury and Definitional Clarity: Betrayal, Spirituality and the Role of Chaplains," *Journal of Religion and Health* 56 (2017), <https://doi.org/10.1007/s10943-017-0407-z>.

¹²³ MacIntyre, *Military Ethics*. Sherman, *Afterwar*. H. R. Macmaster, "Reflections on Military Ethics"; H. R. Macmaster, "Preserving the Warrior Ethos," *National Review* (2021). Orend, *The Morality of War*. Pete Kilner, "How Leaders Can Combat Moral Injury in Their Troops," *Army Magazine* 67, no. 5 (May 2017),

adequately addressed the moral injury syndrome.

In light of these challenges, this study contributes to articulating a theoretical approach, based on *jus in militaribus* and institutional trust model, to perform four functions:

- One, to enhance moral ethical decision-making guidance so that service members can reduce moral injury through enriched decision-making. This study focuses on the most difficult component of the moral conflict management challenge: appropriately responding to PMIEs. An adequate response to this challenge requires expanding the moral-ethical guidance to encompass the full range of military activities—not only those in clearly defined wars.
- Two, to ameliorate the effects of moral injury when it occurs—as it often will—as a result of the demands placed on service members during the execution of their professional functions for society.
- Three, to facilitate recovery from moral injury, so that the experience results in enhanced capability to make moral-ethical judgments and service as a military professional—not a cascade of negative effects for the unit, individual, and society of which the individual is a part.
- Four, to inform guidance to prevent trust violations and enable the formulation of appropriate remedial actions when trust violations occur. This study's model of military institutional trust directly addresses this need.

Thus, this research makes a new contribution to the military moral-ethical discourse by supplementing the traditional focus of military ethics on the decision to use (or refrain from using) the military instrument of national power—*jus ad bellum*—and the wielding of that power through violence in combat—*jus in bello*—with a focus in addition on enhancing the moral-ethical component of institutional level strategic thinking to enhance moral-ethical decision-making. Articulating *jus in militaribus* as an approach to developing and monitoring the institutional theory of practice (as

instantiated in the organizational policies and procedures) associated with the justness of the decisions issued from the moral-ethical layer of military decision-making will provide a framework for the development of a model of institutional trust of sufficient granularity to inform professional decisions across the full range of military activities. The existing doctrinal treatment of trust, due to its vagueness and mixing of the different types of trust, obscures, rather than illuminates, the role of trust in military decision-making and the steps necessary to enhance trustworthy behavior and avoid mistrust-generating decisions and actions.

1.10 Research Audiences

This research has five main audiences: stewards of the profession, curriculum developers, defense institution builders, organizational leaders, researchers in military ethics and organizational trust, and doctrine developers. The following sections examine these in more detail.

1.10.1 Stewards of the Profession

This study aims to enhance senior leader effectiveness by articulating *jus in militaribus* as a metacognitive framework within which to monitor and cultivate trustworthy institutional and individual decision-making. This will enhance the trust with which the military and members of the military can manage the risk of unjust action across the full range of military tasks.¹²⁴ The metacognitive tools contained within this research will enable leaders acting as stewards of the profession to diagnose the institutional causes of moral conflict and appropriately respond to decreasing degrees of trust both externally (between the military institution and the society it serves) and internally (between the military institution and its members). The articulation of a model of military institutional trust as a component of the *jus in militaribus* framework in this study will enable the stewards of the profession to cultivate institutional trust more effectively by informing practical ways to respond to moral conflicts, beyond exhortations to “act with integrity” or to “renew emphasis on core values.”

1.10.2 Curriculum Developers

The study will be useful to military curriculum developers designing curricula

¹²⁴ Paul R. Pintrich, "The Role of Metacognitive Knowledge in Learning, Teaching, and Assessing," *Theory Into Practice* 41, no. 4 (2002): 219.

to support better moral injury management through an enhanced understanding of the JWT, trust cultivation, and avoidance of trust-degrading activities.

1.10.3 Defense Institution Builders

While focused on the US military, the study is also relevant to practitioners and theorists interested in defense institution building in other countries.¹²⁵

Therefore, the study may provide insight to individuals and organizations engaged in assisting military organizations' transformation efforts to enhance the productivity of the activities through which military institutions manage the problem of violence in morally and ethically sound and trust-enhancing ways.

1.10.4 Organizational Leaders

The study may also be useful to other organizational leaders in both business and government wrestling with the challenges of responding to trust-degrading events and cultivating institutional trust over time in the contemporary high-speed, multi-threat information environment.

1.10.5 Researchers

Researchers interested in moral injury and trust within the military may find this study useful.

1.10.6 Doctrine Developers

Doctrine developers will find background information on MI, a model of military trust, and a definition of *jus in militaribus*, which may inform future doctrine.

1.11 Assumptions and Limitations

1.11.1 Assumptions

Five significant assumptions operate in the background of this research. Firstly, this study does not claim that existing JWT, especially *jus in bello*-based guidance in US military doctrine, is *incorrect*. The claim is that the existing JWT-based moral-ethical decision-making guidance is *inadequate* to enable the required degree of military moral injury management capability development. Secondly, service members can thrive after moral injury—and most do. This study assumes that most service members, even those who have engaged in combat and killing,

¹²⁵ Robert O. Work, DOD Directive 5205.82 Defense Institution Building (DIB) (Washington, D.C.: Department of Defense, 2016).

excel after their military experience, agreeing with this statement by Nancy Sherman:

Many soldiers, the majority, come home healthy and thrive from the experiences of war. Many who I know, and have worked closely with over the years, grow from war, and go on to flourish in magisterial ways. They are high functioners, elite performers, able to take on more than a full plate and excel at what they do. The challenges of war that require astute leadership, split-second assessment and decisions, endurance, selfless care, and deep reserves of energy can grow individuals of simply remarkable virtue and wisdom.¹²⁶

The third assumption is that military moral-ethical guidance can and should provide pathways to operational excellence and post-traumatic growth. Such routes will help service members emerge from the (in many cases) inevitable moral-ethical injury suffered in combat as healthier—across multiple dimensions—human beings. This research is intended to support this coping/healing process, enabling service members to become more vigorous and more effective in all military activities, including killing and acting while being held at risk of being killed by others. It is not animated by an assumption that service members who have faced PMIEs, and/or experienced moral injury, are damaged beyond recovery, are weak, or require care within a mental health treatment paradigm.¹²⁷

Fourth, this research does not claim that moral injury is exclusive to the military or claim special status for military personnel's suffering.¹²⁸ Other professionals, including medical and police personnel, suffer moral injury.¹²⁹ Moral injury also occurs in the aftermath of disasters. This work is claiming that due to the nature of the professional military function, which requires excellence in killing and

¹²⁶ Sherman, *Afterwar*, 16.

¹²⁷ See also Macmaster: "The most damaging misconception of warriors and the warrior ethos may be the tendency to portray warriors as victims who enjoy no authorship over their future." Macmaster, "Preserving the Warrior Ethos," 6.

¹²⁸ As Shay wrote, "Veterans call it 'pissing contests' when one veteran denies the validity of another veteran's war trauma. Different survivor groups eagerly start these competitions as well, each claiming that their experience is the only significant one ... These pissing contests only serve the interests of perpetrators, all perpetrators. It gives me great pain whenever I hear such disagreement among veterans or among survivor groups. No person's suffering is commensurable with any other." Shay, *Achilles in Vietnam*, 205–206.

¹²⁹ V. Williamson et al., "Moral Injury: The Effect on Mental Health and Implications for Treatment," *Lancet Psychiatry* 8, no. 6 (Jun 2021): 454, [https://doi.org/10.1016/s2215-0366\(21\)00113-9](https://doi.org/10.1016/s2215-0366(21)00113-9). Rachel M. McCleary, "The Man Who Tried to Stop the Space Shuttle Challenger's Launch," *Wall Street Journal*, January 27, 2023 (New York, NY). See also Papazoglou et al., "Moral Injury in Police Work" (2019), for example. In addition, Louise Penny examines the nature of moral-ethical injury experienced by police officers in her novel *How the Light Gets In* (2013). Chief Inspector Gamache engages, with difficulty, in post-traumatic growth after a fellow police officer dies in a gun battle. His colleague, Jean-Guy Beauvoir, finds himself unable to move forward and descends into drug addiction.

destruction—in apparent violations of the moral-ethical commitments with which people enter the profession—military morality-ethics, as a discipline, must ensure it provides sufficient guidance in military doctrine to enable moral injury capability development designed for moral injury reduction, amelioration, and recovery.

The fifth and final assumption is that enhancing moral-ethical injury management capabilities is affordable and feasible. In accordance with the military planning process, potential courses of action must be achievable with given levels of resources and effort.¹³⁰ A course of action requiring the expenditure of unavailable resources and, for example, more training time to implement than available in a year is unaffordable and infeasible.¹³¹ Therefore, the approach to military morality-ethics described is intended for implementation within existing means and resources.

1.11.2 Limitations

The first limitation of this study is that it is focused on the need for greater moral-ethical decision-making guidance in official US military doctrine. The military has extensive doctrine for what Don Snider refers to as the “technical cluster” of military expertise.¹³² However, it has little official doctrine relevant to what Snider refers to as the “moral-ethical cluster” of military expertise.¹³³ This study is designed to support further doctrinal articulation of guidance relevant to the “moral-ethical cluster.”

The second limitation is that this study focuses on the US military. However, the US armed forces share many relevant similarities with other militaries. Mission command, which explicitly requires trust for its operation (as described in Chapter 3), is a core component of NATO doctrine as well. For example, the UK version of the Allied Joint Publication *Land Operations* states

Mission command is NATO’s command philosophy for the command of military operations. It is more than a leadership technique or command and control procedure. As the basic principle, it has a major bearing both on the attitude and leadership style of commanders and the conduct of their subordinates. The principles of systematically granting, accepting and demanding autonomy and calling for subordinate

¹³⁰ Munsch, *Joint Publication 5–0, III–32*.

¹³¹ See Wong and Gerras, *Lying to Ourselves*, 4, for a discussion of this point.

¹³² Snider, “American Military Professions and their Ethics,” 20.

¹³³ Snider, “American Military Professions and their Ethics,” 20.

commanders to display initiative and creativity permeate all echelons in the hierarchy.¹³⁴

Therefore, although not directly focused on non-US military institutions, given the congruent emphasis on mission command between NATO member the US and other NATO members this study may provide relevant insights for other NATO members and partners interested in enhancing their ability to improve institutional trust between their military and the society served and within the military institution itself.

Thirdly, this study focuses on understanding the approach to developing the theory of practice associated with the moral-ethical layer of military decision-making to better manage moral injury and its consequences. The research does not fully articulate a specific theory of military moral-ethical practice, or a suite of moral injury management capabilities. Instead, it offers an explication of *jus in militaribus* as framework for managing the risk of unjust individual and institutional action, and a model of military trust within that framework as a contribution to enhancing military MI management capability development.

1.12 Research Overview

Inspired by Shay's call to work to prevent moral injury, and in agreement with his claim that military practices are the primary site of more effective moral injury prevention, this study focuses on developing a richer understanding of military trust within the *jus in militaribus* framework to enhance institutional moral injury management capabilities.¹³⁵

The overall claim of this research is that better moral injury management requires further definition of *jus in militaribus* as part of the JWT-focused element of US military doctrine, and articulation of a military trust model within that framework. Action in accordance with that definition will enhance the conceptual architecture within which service members make moral-ethical decisions across the full range of military activities.¹³⁶ The enhanced model of military trust embedded within the *jus in militaribus* mental framework will enable the development of enhanced moral-injury

¹³⁴ UK Ministry of Defence, AJP-3.2 Allied Joint Doctrine for Land Operations, 41 (London, UK: UK Chiefs of Staff, 2022).

¹³⁵ Shay, *Odysseus in America*, 6.

¹³⁶ Chapter 7 focuses on the action in terms of "stewards of the profession" performance of moral injury capability development in relevant tasks.

management capabilities, resulting in better moral-ethical decisions by service members in accordance with the values of the societies they serve. This study is intended as a contribution to the initial phases of enhancing moral injury capability development.

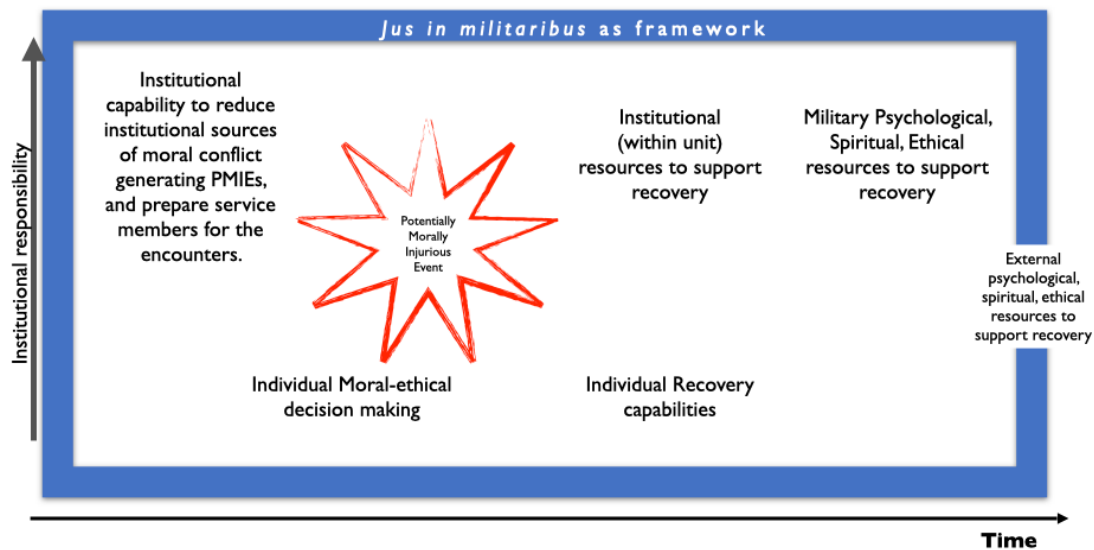


Figure 1: *Focus Area of Research*

Figure 1 portrays interventions surrounding the experience of encountering a PMIE. This study focuses on *jus in militaribus* as a framework for formulating institutional moral-ethical theory of practice and articulating guidance for moral-ethical decision-making to enhance the institutional moral-injury management capability. Therefore, this study is focused on the left-hand side of Figure 1 on the institutional policies, practices, and actions to better manage (prevent, ameliorate effects of, and enable recovery from) moral injury. It intends to get, in the language of improvised explosive device (IED) defense, “left of the boom,” before a negative response to a PMIE occurs. It therefore will not, beyond the discussion of the history of the moral injury definition, examine the extremely valuable, but outside the scope of this research, clinical responses to moral injury.¹³⁷

¹³⁷ See, for example, Williamson et al., “Moral Injury”; Atuel et al., “Understanding Moral Injury From a Character Domain Perspective.”

1.13 Chapter Overview

Chapter 2 defines the moral injury management problem for this study. In order to locate the problem of moral injury within the broader moral-ethical decision-making context, Part 1 of Chapter 2 defines moral injury as an extreme form of moral conflict. Part 2, through a literature review, traces the history of the definitional development of moral injury. The history shows the gradual integration of two “streams” of thought on the sources of moral injury. The first stream emphasizes individual response to PMIEs as the source of moral injury. This includes personal responsibility for non-compliant actions, that is, moral-ethical decisions and actions on the use of force in warfare not in accordance with the JWT-based law of armed conflict. The second stream focuses on institutional betrayals of trust as a major moral injury source. The *jus in militaribus*-informed approach provides a framework for the integration of personal responsibility and institutional betrayal sources of moral injury. This enables the formulation of a comprehensive definition necessary for moral injury management capability development.

Chapter 3 analyses relevant literature on military trust. The inadequate treatment of trust in the military professional and doctrinal literature results in the underdevelopment of an actionable understanding of the function of military trust in the policies and practices of the military institution. The lack of a model of institutional trust hinders response to the distrust/mistrust-based sources of moral injury. Part 1, through a literature review of the military professional texts discussing trust, and Part 2, through a review of the relevant military doctrine, reveal the inadequacy of the analysis of trust in the military doctrinal and other professional publications. The review of the relevant academic literature on institutional trust in Part 3 provides the foundation for the model of military trust presented in Chapter 5.

Chapter 2 revealed the importance of institutional trust violation—betrayals—as a source of moral injury. Chapter 3 analyzed the inadequate treatment of institutional *trust* in military doctrine and the military professional literature and showed that the academic organizational behavior literature on trust could provide valuable insights on trust within the military institution. Chapter 4 analyses the first component of *military* trust—the nature and character of the *military* institution. Part 1 analyzes the nature and character of the military institution relevant to moral-ethical decision-making and, thus, moral injury management. Part 2 describes the nature of

the military institution. Part 3 provides a typology for conceptualizing the different types of military institutions using James Q. Wilson's typology of government agency types. Wilson's typology is especially relevant to this study because it uses the degree of trust as a major differentiating factor between the types. Part 4 provides a case study based on Andrew Gordon's *Rules of the Game* to illuminate the significance of military institutional types for moral-ethical decision-making and managing the risk of unjust action. Chapter 4, by unpacking the nature of the military institution itself provides the foundation for the understanding of the role of trust, and how trust relates to moral injury management, within the military.

Chapter 5 presents a model of military institutional trust constructed by integrating Shay's insights with the academic organizational behavior model of institutional trust described in Chapter 3 and the definition of the military institution provided in Chapter 4.

Chapter 6 builds upon Shay's passing mention (in a footnote) of the need for *jus in militaribus* and defines *jus in militaribus* as a framework encompassing guidance for moral-ethical decision-making and risk management through control and trust systems across the full range of military activities. It also situates the model of military trust presented in Chapter 5 within that framework. Part 1 defines the *jus in militaribus* framework. Part 2 integrates the model of institutional trust based on the *jus in militaribus* framework. Application of the model of institutional trust within the *jus in militaribus* framework will enable more effective institutional trust cultivation, maintenance, and repair by the stewards of the profession and thus enhance moral injury management capability.

Chapter 7, the study's conclusion, reviews this study's findings, value, and application and recommends areas for future research. The findings section is presented in terms of the lessons learned process and the capability development DOTMLPF-P paradigm.

1.14 Conclusion

In conclusion, this study will provide insight for military leaders, the "stewards of the profession of arms," to enhance the effectiveness of their moral-ethical decision-making theory of practice formulation and articulation of decision-making guidance based on that theory of practice within the increasingly complex operational environment. This study contributes to enhancing moral-ethical decision-

making guidance formulation through the development of a model of military trust within the *jus in militaribus* framework. Articulation of the military trust model will enrich the institutional capability to provide effective moral-ethical guidance to strengthen individual and institutional moral-ethical decision-making and thus enhance capability development to better manage the complex challenges associated with moral injury.

Chapter 2: The Military Moral Injury Management Problem

This chapter reviews the relevant literature to reveal the contours of the military moral injury problem that the articulation of *jus in militaribus* and the model of institutional trust within that framework is intended to better manage. As discussed in Chapter 1, and as will be further explained in Chapter 7, the primary role of doctrine is to provide a theoretical understanding, including a standard terminology, to inform institutional decisions and actions. As the US Army ADP 1-01 *Doctrine Primer* puts it, doctrine produces the “language of the profession.”¹³⁸ This chapter reviews the literature by scholars, clinicians, chaplains, and military practitioners which has produced an articulation on the MI problem and a definition suitable for informing further MI management capability development. Thanks to their efforts, the definition of MI and theoretical understanding of the boundaries of the syndrome are now available for further capability building.

2.1 Structure

This chapter reviews how previous scholars have contributed to the MI problem definition task, such that the MI definition is now “ready to hand” to inform military MI management capability development activities.

First, explaining how attention to *jus in militaribus* will enhance military moral injury management capability requires defining moral injury and placing the experience of moral injury within a theoretical framework.¹³⁹ Not all moral-ethical conflicts constitute moral injury. Therefore, Part 1 of this chapter defines the specific qualities of moral injury. Moral injury, further defined below, is an effect of decision-making in response to encountering an extreme form of moral conflict. To support the development of the moral injury theoretical framework, Part 1 presents a taxonomy of moral conflict and places moral injury within that taxonomy.

Secondly, moral injury was often submerged, conceptually, within post traumatic stress disorder (PTSD). Indeed, the effects of moral injury are still often confused with PTSD.¹⁴⁰ Part 2 of this chapter provides a disambiguation of the

¹³⁸ ADP 1-01 *Doctrine Primer*, v (Washington, D.C.: Headquarters, Department of the Army, 2019).

¹³⁹ G. Smith Ken and A. Hitt Michael, *Great Minds in Management: The Process of Theory Development* (Oxford: 2005), 360.

¹⁴⁰ Salahi, “When They Came Home They Were on Their Own.”

terms.

Thirdly, the concept of moral injury has its own history. The moral injury literature was loosely divided into two schools of thought, or “streams.” The first, represented by Jonathan Shay in this research, focused on institutional betrayal as a major source of moral injury. The other, based primarily on the work of Brett Litz, focused on the individual experience—personal responsibility—when confronted with PMIEs. Part 3 of this chapter traces the gradual unification of the two “streams” into a single definition.

Fourth, to further demonstrate the need for enhanced moral injury management capabilities, Part 4 of the chapter describes the impact of moral injury on family members.

2.2 Part 1: Placing Moral Injury within the Moral Conflict Taxonomy

In order to define moral injury as a type of moral conflict, this section presents a taxonomy of the causes or sources of moral conflict and the moral conflict types, including moral injury.¹⁴¹ This section provides definitions of key terms relevant to understanding moral injury necessary for the development of enhanced moral injury management capabilities.

This research builds on the framework provided in “Introduction to the Special Issue on Moral Injury: Conceptual Challenges, Methodological Issues, and Clinical Applications,” which locates moral injury on a continuum of “moral stressors.”¹⁴² Understanding the types of moral conflict enables a more precise diagnosis of distrust and mistrust-generating activities—betrayals—including those sufficiently significant to constitute potentially morally injurious events. In the absence of a granular understanding of trust violations caused by moral conflict, the response to those violations often remains vague, haphazard, and incoherent, leading to inadequate remedial actions. The haphazard response allows for the operation of what Chris Argyris and Donald A. Schön refer to as “organizational defensive routines.”¹⁴³ These routines, such as blaming a failure on an individual and ignoring the institutional policies and practices that enabled that failure, may enable

¹⁴¹ For a different view of a moral injury typology (and a critique of Shay’s approach), see Edward Barrett, “Moral Injury: A Typology,” *Journal of Military Ethics* (2024): 159, <https://doi.org/10.1080/15027570.2024.2314807>.

¹⁴² Litz and Kerig, “Introduction to the Special Issue on Moral Injury,” 345.

¹⁴³ Ken and Michael, *Great Minds in Management*, 265.

camouflage and *concealment* of the root causes of the moral-ethical failures.¹⁴⁴ This leads to the persistence of suboptimal institutional conditions, degrading both motivation and organizational effectiveness.

2.2.1 Sources of Moral Conflict

The term *moral conflict* refers to potentially morally stressful situations.¹⁴⁵ Situations of moral conflict can occur over a wide range. Some moral conflicts are resolved quickly and automatically, requiring little consideration. Others are resolved only after greater cognitive and affective attention expenditure. Still others are irresolvable, susceptible only to more or less effective consequence management. These moral conflicts presenting or generating situations can be divided into two broad types: temptations and dilemmas.¹⁴⁶

Rushworth M. Kidder's distinction between *temptations* and *dilemmas* is relevant to the discussion here. The non-operational moral-ethical decisions service members face surrounding money and human resources within a large government organization generally consist of *temptations*—that is, people know what is the right thing to do, they simply choose to act wrongly to benefit themselves at the expense of the taxpayers (financial) or other people (sex, discrimination, etc.).¹⁴⁷ Temptations pose choices between right versus wrong in conditions of low ambiguity and high frequency. Succumbing to temptations results in *scandals*.¹⁴⁸ Compliance with established rules and regulations will generally indicate the appropriate answer when

¹⁴⁴ See Chris Argyris, *Reasoning, Learning, and Action* (San Francisco, CA: Jossey-Bass Inc., 1982), 93, for the sense of camouflage used here, and Chris Argyris and Donald A. Schön, *Theory in Practice: Increasing Professional Effectiveness* (San Francisco, CA: Jossey-Bass, 1974) for the use of concealment. The US Navy takes great pride in firing commanding officers (CO) when any deficiency in the operation of the ship occurs, or when the commanding officer's actions are such that the senior leaders have lost confidence in his or her ability to command. On the one hand this demonstrates a high regard for responsibility and accountability. On the other, it camouflages and conceals the *institutional* failures that allowed, in some cases, an incompetent or toxic leader to reach the senior levels of the organization. Firing the CO indicates that the problem is solved, freeing the organization to ignore the root causes necessitating the firing.

¹⁴⁵ Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 344.

¹⁴⁶ See also Lucas's discussion of Stephen Coleman's distinction between "tests of character" and "moral dilemmas," Lucas, *Military Ethics*, 116. Coleman's "tests of character" correspond to "temptations," and "moral dilemmas" to "dilemmas," as used in this study.

¹⁴⁷ Rushworth M. Kidder, *How Good People Make Tough Choices* (New York: Quill, 2003).

¹⁴⁸ Lacquement and Galvin write, "Scandal, the deliberate misconduct of professionals who bring a profession into disrepute, is straightforward. Professionals who make serious personal errors in judgment harm the profession and undermine trust. The military's recurring sexual harassment and assault scandals are examples of such misconduct occurring broadly across the military. Identifying the commission of such acts as abhorrent and a violation of professional norms is simple. Unfortunately, eliminating this misconduct has not been easy. That such scandals recur despite efforts to sanction and prevent such unprofessional behaviors is of great concern to civilian and military leaders. Research into the persistence of scandal and ways to effectively counter it could be helpful." Richard A. Lacquement Jr. and Thomas P. Galvin, *Framing the Future of the US Military Profession* (Carlisle: US Army War College Press, 2022), 65. This study constitutes a contribution to this research.

dealing with temptations.

Dilemmas, on the other hand, are composed of complex right versus right choices.¹⁴⁹ As a result, they are much more difficult to navigate and are irreducible to clear rules.¹⁵⁰ Dilemmas are, mathematically, multi-dimensional, non-linear dynamic system problems. They are irreducible, even in summary, to a single scalar value. Dealing with dilemmas requires expert judgment in what Snider referred to as the “moral-ethical cluster” of military expertise.¹⁵¹

In military dilemmas, for example, multiple sets of requirements with rules governing the associated activities, such as accomplishing the mission, avoiding civilian casualties, and managing risk to one’s own force, all remain valuable but in tension with one another. Thus, the complexity of decision-making when faced with moral-ethical dilemmas in complex, violent, uncertain, ambiguous contexts exceeds simple compliance with standard rules.¹⁵² The ambiguity and complexity of decision-making, when faced with dilemmas, require increased reliance on judgment.¹⁵³ Snider refers to making these sorts of “discretionary judgments” as the core task of the military professional.¹⁵⁴ Often, within dilemmas, especially military operational dilemmas, such as those facing the “strategic corporal,” all available choices are suboptimal.¹⁵⁵ Table 1 summarizes the moral conflict sources in the literature, divided into two general types—those issuing from individual decision-making and those issuing from institutional action.

¹⁴⁹ Kidder, *How Good People Make Tough Choices*, 4–5.

¹⁵⁰ Dilemmas are often embedded in “wicked problems.” See Horst W. J. Rittel and Melvin M. Webber, “Dilemmas in a General Theory of Planning,” *Policy Sciences* 4 (1973), and Jeff Conklin, “Building Shared Understanding of Wicked Problems,” *Rotman Magazine* (Winter 2009), for a discussion of wicked problems. See Andrew L. Crabb, “Toward Military Design: Six Ways the JP 5-0’s Operational Design Falls Short,” *Joint Force Quarterly* (2nd Quarter, 2022). for the difficulty the military faces in dealing with wicked problems within existing planning processes.

¹⁵¹ Snider, “American Military Professions and their Ethics,” 20.

¹⁵² MacIntyre, “Military Ethics: A Discipline in Crisis,” 12.

¹⁵³ The relevance of the *jus in militaribus* to managing temptations and dilemmas is discussed further in Chapter 6.

¹⁵⁴ Snider, “American Military Professions and their Ethics,” 18.

¹⁵⁵ Charles C. Krulak, “The Strategic Corporal: Leadership in the Three Block War,” *Marines Magazine* (January, 1999).

Table 1: Moral Conflict Sources

Moral Conflict Sources
Individual
Situations providing opportunities for lying, cheating, stealing
Situations of tension between values or value systems, e.g., civilian/military
Institutional
Unprofessionalism
<ul style="list-style-type: none">• Deliberate misconduct—using institutional position to lie, cheat, steal, using institutional position for personal benefit
<ul style="list-style-type: none">• Incompetence
Anti-professionalism
<ul style="list-style-type: none">• Bureaucratization/proceduralization
<ul style="list-style-type: none">• Careerism
<ul style="list-style-type: none">• Institutional policies and practices

2.2.1.a Individual sources of moral conflict

Individual temptations as sources of moral conflict—situations providing opportunities, for example, lying, cheating, and stealing—are well known. Control system-based approaches for dealing with temptations are prominent in military institutional policies and practices. Military moral-ethical training and education programs regularly emphasize compliance with the controls to manage temptations.¹⁵⁶ For example, statements of core values are often found within military guidance, such as the service academies' honor codes; the United States Air Force (USAF) honor code oath states, for example: “We will not lie, steal, or cheat, nor tolerate among us anyone who does.”¹⁵⁷ The requirement for this compliance is unproblematic.

Dilemmas require choices between two “rights.”¹⁵⁸ These “rights” may reside within the same value system or arise due to tension between value systems. For military personnel, as discussed further in Chapter 5, the tension between the civilian

¹⁵⁶ Les Aspin, *Joint Ethics Regulation* (Washington, D.C. 1993). Robert M. Gates, DOD Directive 5500.07 Standards of Conduct (Washington, D.C. 2007).

¹⁵⁷ “Honor Oath Code,” United States Airforce Academy, available at <https://www.usafa.edu/about/honor//>.

¹⁵⁸ Kidder, *How Good People Make Tough Choices*, 5.

value system, which commands “thou shall not kill,” and the military value system requiring, at times, killing to protect the society served, is a potential source of moral conflict and potentially morally injurious events.

2.2.1.b Institutional sources of trust violations/mistrust-generating actions and their relationship to moral conflict

As further discussed in Chapter 4, military morality-ethics literature has tended to emphasize the individual aspect of moral-ethical decision-making. It has relatively neglected the institutional component.¹⁵⁹ The bias against focusing on the institution itself as a moral-ethical actor has resulted in the persistence of the emphasis on individual action as the primary cause of moral injury within the moral injury literature. Yet viewing moral injury as primarily the result of personal failings generates a too narrow set of recommended remedial actions for enhancing moral injury management.¹⁶⁰

2.2.1.c Unprofessionalism and anti-professionalism

Institutionally (both when individuals are acting in their official capacity and in the formulation of institutional policies and practices creating incentives and providing guidance for professional behavior), the improper response to temptations and dilemmas results in two categories of actions, which Richard A. Lacquement and Thomas Galvin refer to as *unprofessionalism* and *anti-professionalism*. Unprofessional and anti-professional behavior can constitute sources of moral-ethical conflict (both temptation and dilemmas) through generating betrayal of three sets of “consumers” of institutional action: one, other members of the profession; two, those with whom the profession interacts; and three, the society served. Unprofessionalism and anti-professionalism can generate moral conflicts including, in their extreme forms, potentially morally injurious events.

2.2.1.d Unprofessionalism

Lacquement and Galvin define “unprofessionalism” as behavior that undermines trust.¹⁶¹ They further divided the unprofessional into two types of behavior: deliberate misconduct and incompetence. Deliberate misconduct is caused

¹⁵⁹ See the discussion of the development of the moral injury definition in this chapter for more on this point within the military moral injury literature.

¹⁶⁰ The impact of this underemphasis on moral injury definition development is examined further in Chapter 2, and the nature of the military institution is further examined in Chapter 6.

¹⁶¹ Lacquement and Galvin, *Framing the Future of the US Military Profession*, 64.

by succumbing to temptations (e.g., sexual assault and harassment, financial theft, misuse of resources, etc.).¹⁶² This deliberate misconduct generates *scandals*. The “Fat Leonard” scandal, in which US Navy personnel shared classified ship movement information with the husbanding agent in exchange for money, hotel stays, expensive dinners, etc., or the “Tailhook” scandal, provide two examples.¹⁶³ This form of unprofessionalism results from poor individual decision-making, violating the rules and expectations governing professional behavior.

In terms of incompetence, military professional expertise includes, and professional activity requires, competence in the use of the technical tools specific to the military (e.g., military weapons and platforms) as well as decision-making competencies, including, for example, knowledge of the military decision-making process, planning process, design process, and what Don Snider refers to as the “moral-ethical cluster” of professional expertise.¹⁶⁴ The second form of unprofessionalism is thus *incompetence*. Military incompetence is the inability to apply professional expertise appropriately and effectively.¹⁶⁵ The model of military trust presented in Chapter 5 includes incompetence as a component of untrustworthiness.

Institutional incompetence can take many forms at the tactical, operational, strategic, and grand strategic levels and within the components of military expertise, including the following: poor development and execution of national, geographic, functional, and institutional strategies; poor concept development activities; inadequate capability development resulting in a military unprepared for new forms of combat (e.g., the failure to prepare for World War II,¹⁶⁶ and the continued use of frontal assault tactics on the western front in World War I),¹⁶⁷ ineffective tactical and operational decision-making (resulting in losing engagements, battles, and wars); failing to study military history;¹⁶⁸ and, of most relevance to this study, poor moral-

¹⁶² Lacquement and Galvin, *Framing the Future of the US Military Profession*, 64.

¹⁶³ P. Davis, "The U.S. Navy's 'Fat Leonard' International Fraud And Bribery Case," *Journal of Counterterrorism & Homeland Security International* 22, no. 4 (2017), <http://search.ebscohost.com.nduezproxy.idm.oclc.org/login.aspx?direct=true&db=tsh&AN=122468942&site=eds-live&scope=site>.

¹⁶⁴ Snider, "American Military Professions and their Ethics," 20.

¹⁶⁵ Lacquement and Galvin, *Framing the Future of the US Military Profession*, 65.

¹⁶⁶ Cohen and Gooch, *Military Misfortunes*, 210.

¹⁶⁷ John Winthrop Hackett, "Society and the Soldier: 1914–18," in *War, Morality and the Military Profession*, ed. Malham M. Wakin (Boulder: Westview Press, 1962), 82–88.

¹⁶⁸ Seth G. Jones, *Three Dangerous Men: Russia, China, Iran and the Rise of Irregular Warfare* (New York: W. W. Norton and Company, 2021), 134.

ethical decision-making which can generate moral conflicts by generating temptations and dilemmas for others within the institution.¹⁶⁹

2.2.1.e Anti-professionalism

Anti-professionalism is characterized by the substitution of self-serving decision-making processes and decisions for decision-making processes and decisions intended to enable the performance of the professional functions for the society served. In other words, anti-professionalism occurs when the member of the profession uses the profession not as a vehicle to serve the broader society, but as a way to simplify their own lives and further their own ambitions.¹⁷⁰ Thus, in the military context, anti-professionalism consists of behavior that minimizes the need to perform the military professional's core task, the making of discretionary judgments concerning the application of the military instrument of national power in complex, ambiguous situations.¹⁷¹ Anti-professionalism manifests as *bureaucratization* and *careerism*. Bureaucratization privileges the formulation of standard procedures and rules over the application of professional expertise.¹⁷² Donald A. Schön refers to this tendency as "proceduralization."¹⁷³ He explains that proceduralization "attempts to reduce professional practice to a set of absolutely clear, precise implementable procedures, coupled with controls designed to enforce the procedures and eliminate surprise."¹⁷⁴ Thus, compliance with rules and regulations—rather than judgment—becomes the primary focus of decision-making. Such an approach is inappropriate in the dynamic, complex, violent context of military activity.

This is not to say that efficient, routine execution of reoccurring tasks is unnecessary—such activities are vital for large government agencies to function properly. What Peter L. Berger and Thomas Luckman refer to as "recipe knowledge" enables, in many cases, both more efficient task execution and frees up decision-

¹⁶⁹ We can map these onto the components of trust in the trust model. But if no trust model is available, then it is harder to determine appropriate remedial actions.

¹⁷⁰ Lacquement and Galvin, *Framing the Future of the US Military Profession*, 69.

¹⁷¹ This point is discussed further in Chapter 5. Don Snider defines the core task of the military professional as making judgments. He writes, "the practice or work of the military professional is 'the daily exercise of their discretionary judgment while making decisions and taking actions that fulfill their moral and legal obligations under their [oath],'" Snider, "American Military Professions and their Ethics," 21.

¹⁷² Lacquement and Galvin, *Framing the Future of the US Military Profession*, 70.

¹⁷³ Donald A. Schön, "Changing Patterns of Inquiry in Work and Learning," *Journal of the Royal Society of Arts* 135, no. 5367 (1987): 227.

¹⁷⁴ Schön, "Changing Patterns of Inquiry in Work and Learning," 227.

making capacity for complex decisions.¹⁷⁵ However, while routine action in accordance with recipe knowledge is required, recognition of the boundaries of the routine is essential for professional decision and action. This point is further analyzed in Chapter 6.

Within the complex, dynamic, ambiguous situations in which service members decide and act, what Schön referred to as the “indeterminate zones of practice,” effectiveness requires constant adjustment to the demands of the conflict environment in ways congruent with the guiding values.¹⁷⁶ Reducing decisions in these complex situations to simple algorithms is unlikely to generate appropriate effects. Thus, the emphasis on routine must remain within appropriate limits. Recipe knowledge directed internally to executing reoccurring functions is generally appropriate. Recipe knowledge applied externally to the achievement of the mission—the end of the use of the military instrument of power—is generally inadequate. Bureaucratization/proceduralization, as distinct from the appropriate use of standard operating procedures, exceeds those limits.¹⁷⁷

Careerism results from a desire to acquire benefits for oneself (pay, prestige, etc.) at the expense of the mission or success of the institution in general. Careerism is the primary “sin” of what Shay refers to as the “higher-echelon military and political authorities.”¹⁷⁸ Indeed, he argues that the gods in the military are used within the Iliad as “metaphors for bad military and political leadership.”¹⁷⁹ The efforts of the military and political leaders to further their own careers, at the expense of both service members within the institution and the society the institution serves, constitute an especially fruitful source of moral conflict.

2.2.1.f Overlap between individual and institutional sources of moral conflict

The institutional ramifications of individual action increase with rank and position—higher levels of moral-ethical decision-making are expected and required of senior leaders because of their positional authority, and thus power, within the institution. Thus, the unprofessional and anti-professional action by senior leaders acting as

¹⁷⁵ Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality* (Garden City, N.Y.: Anchor Books, 1967), 57.

¹⁷⁶ Donald A. Schön, "Educating the Reflective Legal Practitioner," *Clinical Law Review* 2, no. 1 (1995): 223.

¹⁷⁷ Andrew Gordon's *Rules of the Game*, discussed further in Chapter 3, surfaces the dangers of bureaucratization as it developed in the Royal Navy between Trafalgar and the Battle of Jutland. Andrew Gordon, *The Rules of the Game: Jutland and British Naval Command* (Annapolis, MD: Naval Institute Press, 1996).

¹⁷⁸ Shay, *Achilles in Vietnam*, 154.

¹⁷⁹ Shay, *Achilles in Vietnam*, 154.

“stewards of the profession” can generate *institutional* sources of moral conflict, while the unprofessional or anti-professional action by junior personnel may remain well within the *individual* realm of moral conflict. For example, a ship’s storekeeper is tempted to steal change from the Coke machine as he is emptying it as part of his daily work is faced with a mostly individual deliberate misconduct temptation. The ship supply officer taking kickbacks from the husbanding agent to overpay for fresh produce in western Pacific ports on deployment is both succumbing to an individual temptation and generating institutional-level moral conflict, constituting a potentially morally injurious event through his unprofessional deliberate misconduct.

Each of the moral conflict *sources* can generate any of the moral conflict *types*, as portrayed in Figure 2. The following section describes these moral conflict types.

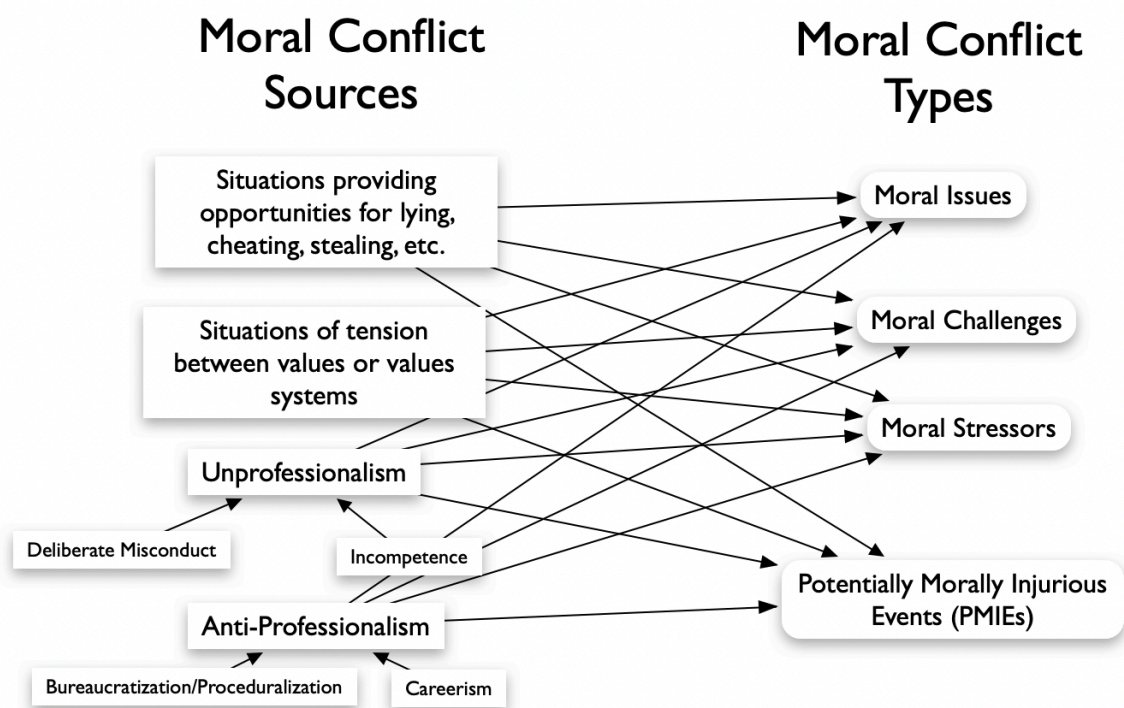


Figure 2: Moral Conflict Sources Linked to Moral Conflict Types (by the author)

2.2.2 Moral Conflict Types

Each of the sources or causes of moral conflict can result in any of the four types of moral conflict: moral issue, moral challenge, moral stress, or a potentially morally injurious event. The type of moral conflict generated by the moral conflict source depends upon three factors. One is the preparedness of the individual facing

the situation. Preparedness includes factors such as the strength of the internalized moral-ethical decision-making procedures, and readiness to mind of appropriate moral-ethical guidance. The absence of appropriate moral-ethical guidance increases the likelihood of an increase in moral conflict intensity. Two, the judgment difficulty—is the situation clear or ambiguous, and does the situation present as a temptation (a choice between right and wrong) or a dilemma (a choice between two rights)? Third, the significance of the severity of the situation as measured by the values at stake: status, money, power, life, death, etc.

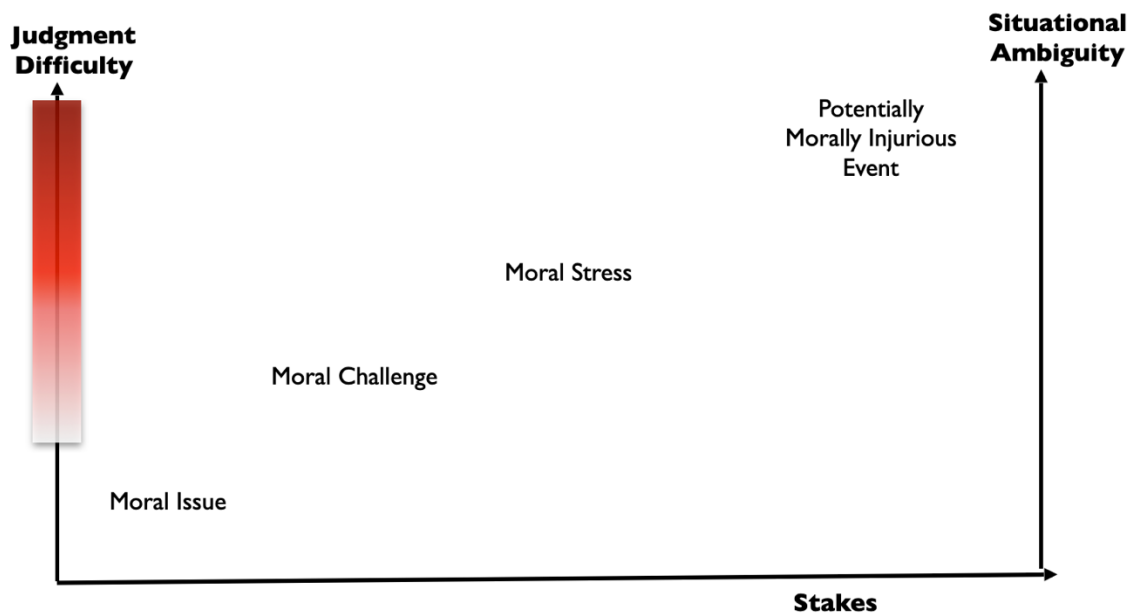


Figure 3: *Moral Conflict Types Associated with Judgment Difficulty, Situational Ambiguity, and Stakes (by the author)*

Figure 3 maps the types of moral conflict against the judgment difficulty and stakes significance. Moral conflict intensity is a combination of judgment difficulty, the stakes, and situational ambiguity. This increase is portrayed in Figure 3 as movement up and to the right. The left-hand axis indicates the degree of judgment difficulty. The higher the degree of difficulty, the higher the potential moral conflict. Judgments occurring in the lower left zone of the diagram—if they rise beyond the level of indifference—are readily made using conventional moral-ethical guidance. As the issues at stake in the decision increase in significance, so does the judgment difficulty.

The bottom continuum indicates the significance of the stakes from low to high. In high-stakes situations, such as those involving difficult judgments concerning life and death, for example, to accomplish the mission while also minimizing civilian

causalities, moral injury in response to potentially morally injurious events becomes more likely.¹⁸⁰

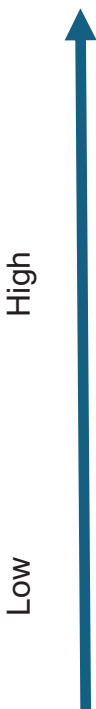
The right-hand axis indicates the degree of situational ambiguity. The complexity of the situation in which service members respond to sources of moral conflict varies. Easy moral-ethical judgments in low-stakes situations cause negligible levels of moral stress. As the situational ambiguity and stakes increase, so too does the judgment difficulty.

In terms of the movement from low to high degrees of moral conflict, beyond simple decisions free of moral conflict (the decision maker is indifferent because of the decision-making ease), making low-stakes judgments can present a *moral challenge*. If the stakes increase further, the decision-making becomes increasingly susceptible to *moral stress* and exposure to PMIEs.

Table 2 lists the types of moral issues against moral conflict intensity (from highest to lowest) and the corresponding effects of the experience of moral conflict encounters. The following paragraphs discuss the content of this table, beginning with more detailed descriptions of the types of moral conflict.

¹⁸⁰ Thus, effective decision-making at the higher levels of judgment difficulty requires the exercise of professional practical wisdom to inform judgments in high-stakes situations. As will be discussed in Chapter 7, senior leaders, the “stewards of the profession,” are responsible for enabling the cultivation of this expertise through the provision of explicit guidance, learning experience opportunities, and formal education and training.

Table 2: *Moral Issue Types Mapped Against Moral Conflict Intensity*



Moral Conflict Intensity	Effects	
	Positive (growth enhancing)	Negative (growth degrading)
Facing a Potentially Morally Injurious Event	Moral “muscle” micro-tear	Moral injury
Moral Stressor	Moral Exertion	Moral Distress
Moral Challenge	Moral Stretch	Moral Frustration
Moral Issue	Moral Attention	Moral Turbulence

2.2.2.a Moral issue

Encountering a situation requiring a decision affecting other people, a moral issue, is a normal part of everyday life. Most of the time, these moral issues are resolved with little consumption of attention and decision-making resources. Sometimes, they require more moral attention, like taking a moment to refrain from snapping back at a rude workplace colleague. However, other than the increased momentary demand on moral, ethical decision-making attention resources, the issue quickly resubmerges into the flow of everyday life.

The results of engagement with a moral issue may result in, upon reflection, a feeling of vague dissatisfaction with the self, that is, an effect on self and moral-ethical decision-making capability. A failure to respond in accordance with the individual’s moral-ethical expectations of themselves, by, for example, taking someone’s Diet Coke from the refrigerator, can result in moral turbulence. The decision-maker is briefly “shaken up” by the decision but quickly returns to normal. The moral turbulence may result in a feeling of slight dislocation within the moral-ethical decision-making framework, but the decision-maker generally quickly finds his or her way back into the normal flow of ordinary life. Dan Ariely refers to these sorts of issues as generally falling within someone’s ethical “fudge factor”—the zone

of self-tolerance for admittedly immoral/unethical behavior.¹⁸¹

2.2.2.b Moral challenge

A moral challenge consists of general issues requiring a higher degree of moral-ethical-decision-making attention than a personal, everyday moral issue. The moral challenge, like the lack of reliable, stable energy for use in hospitals, for example, confronts the decision-maker with a choice. However, the choice and impacts of that choice are distant in time and effect.¹⁸² Positively responding to a moral challenge requires more than the dedication of an extra amount of attention to making an everyday decision. Thus, attention to a moral challenge requires a “*stretch*”—exertion beyond the normal day-to-day range. An inability to respond to a moral challenge in a way the individual considers appropriate results in *moral frustration*. The decision-maker is unable to “stretch” far enough—he or she is unable to “reach” the moral resolution.

The reflection resulting from this frustration can generate a feeling of instability within the moral-ethical decision-making framework. Thus, the moral framework may appear *degraded*, as it was unable to facilitate decisions that avoided frustration. However, once attention shifts away from the challenge, decision-making returns to normal.

2.2.2.c Moral stressors and potentially morally injurious events (PMIEs)

Moral stressors and PMIEs are differentiated from *moral issues* and *moral challenges* by their increased propensity to stimulate what Farnsworth et al. refer to as “moral emotions.”¹⁸³ Farnsworth et al. divided moral emotions into three categories: painful self-conscious emotions (guilt and shame), other-condemning emotions (anger, disgust, and contempt), and positive emotions (compassion, elevation, pride).¹⁸⁴ See Table 3 for a moral emotion taxonomy based on Farnsworth et. al..

¹⁸¹ Dan Ariely, *The (Honest) Truth About Dishonesty: How We Lie to Everyone—Especially Ourselves* (New York, NY: Harper, 2012). Ethical fading, discussed below, can be viewed as excessive professional expansion of that “fudge factor.”

¹⁸² Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 345.

¹⁸³ Jacob K. Farnsworth et al., "The Role of Moral Emotions in Military Trauma: Implications for the Study and Treatment of Moral Injury," *Review of General Psychology* 18, 4 (2014): 250. Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 345.

¹⁸⁴ Farnsworth et al., "The Role of Moral Emotions in Military Trauma," 251–253.

Table 3: Moral Emotions

Moral Emotions								
Painful Self-Conscious Emotions			Other-Condensing Emotions			Positive Emotions		
Specified Guilt	Generalized Guilt	Shame	Anger	Disgust	Contempt	Compassion	Elevation	Pride

Encounters with the following two types of moral conflict—*moral stressors* and *potentially morally injurious event*—are differentiated by the intensity of moral emotions evoked. *Moral stressors* directly and immediately place demands on individual decision-making in one of two ways. One, as a moral agent making decisions with high moral ethical content. Two, experiencing the impact of negative moral decision-making by others.¹⁸⁵ These others include individuals and individuals acting collectively through institutions. Engagement with moral stressors can positively result in *moral exertion*—more effort is required to make a tough decision than that demanded by moral issues and moral challenges, but that effort pays off in a satisfactory resolution of the temptation or dilemma. Negative effects are generated when the decision-maker is unable to resist the temptation or adequately resolve the dilemma. In these situations, the experience of moral stress can result in *moral distress*. For example, a service member’s inability to resolve a dilemma involving a superior could result in a persistent (as long as the two are in the same command) source of *moral distress*.

The experience of moral stress can result in *disorientation* within the moral-ethical decision-making framework. The decision maker, due to moral stress, may become “lost” and feel guilt and/or shame toward him or herself as a result of his or her decision, or anger, disgust, or contempt at the decisions and actions of others. Significant effort may be required to “find the way back” and return within a comfortable range of the everyday moral-ethical decision-making process after an encounter with moral stress. However, this effort remains within the normal range of moral-ethical decision-making activity.

Potentially morally injurious events are events that involve exposure to a major moral transgression or a high degree of moral conflict between competing

¹⁸⁵ Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 345.

moral-ethical commitments.¹⁸⁶ They reside in the upper right quadrant of Figure 3. These transgressions can result from individual decision-making and action, the decisions and actions of other individuals within the military institution, civilian leaders, and/or the policies and practices of the military institution. Institutionally, PMIEs include unprofessional and/or anti-professional behavior that places individuals on the horns of moral-ethical dilemmas. Betrayal by leaders in a unit, or the leaders of the military institution, can also constitute PMIEs.

Litz et al. define PMIEs as follows:

Perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress deeply held moral beliefs and expectations. This may entail participating in or witnessing inhumane or cruel actions, failing to prevent the immoral acts of others, as well as engaging in subtle actions or experiencing reactions that, upon reflection, transgress a moral code. We also consider bearing witness to the aftermath of violence and human carnage to be potentially morally injurious.¹⁸⁷

Encounters with PMIEs tend to evoke high levels of moral emotions. They thus require a high level of moral-ethical decision-making expertise and pose a high risk of moral injury. Table 4 lists PMIEs categories informed by Litz and Kerig.¹⁸⁸

¹⁸⁶ Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 342.

¹⁸⁷ Litz et al., "Moral Injury and Moral Repair in War Veterans."

¹⁸⁸ Farnsworth et al., "The Role of Moral Emotions in Military Trauma," 250.

Table 14: PMIE Categories

PMIE Categories	Examples
Betrayal	Leadership failures, failure to act in accordance with values
Disproportionate violence	Harming civilians, excessive destruction of property
Killing	LOAC compliant killing, non-LAOC compliant killing
Incidents involving non-combatants/civilians	“Collateral damage” Causing unintentional death/injury/damage
Within ranks violence	“Friendly fire,” sexual assault

2.2.3 The Integrated Definition of Moral Injury Used in This Study

The work of scholars, researchers, and practitioners reviewed above has enabled the formulation of an integrated definition of moral injury. This study builds specifically on Jonathan Shay’s approach to moral injury definitional development. His definition, building on the work of the entire MI community of interest, integrates the individual and institutional causes or sources of PMIEs which can result in an individual experience of moral injury. He writes, “Moral injury is present when (1) there has been a betrayal of what’s right (2) by someone who holds legitimate authority [or the self] (3) in a high-stakes situation.”¹⁸⁹ In a more recent definition, reflecting the emergence of the shared understanding of the moral injury syndrome traced in Chapter 3 below, Williamson et al. write,

Moral injury is understood to be the strong cognitive and emotional response that can occur following events that violate a person’s moral or ethical code. Potentially morally injurious events include a person’s own or other people’s acts of omission or commission or betrayal by a trusted person in a high-stakes situation.¹⁹⁰

This definition combines the institutional betrayal and personal action dimensions of

¹⁸⁹ Shay, "Casualties," 183.

¹⁹⁰ Williamson et al., "Moral Injury: The Effect on Mental Health and Implications for Treatment," 453.

moral injury.

The “can occur” in Williamson et al.’s definition is worth emphasizing. Moral injury is a stressor-evoked consequence. The PMIE constitutes a stressor that *can but does not necessarily* produce moral injury. PMIEs present with a propensity to stimulate moral injury in a way that lower-level stressors tend not to do.¹⁹¹ However, exposure to a PMIE—as a stimulant or source—does not entail moral injury. Thus, an encounter with or exposure to a PMIE does not automatically result in moral injury.

In order to emphasize both the distinction between the encounter with the PMIE and the experience of moral injury and the pervasive potential for institutional generation of sources of potentially morally injurious events, this study is informed by the following definition of moral injury:¹⁹²

Moral injury is a severe form of moral distress that may result from an encounter with a PMIE resulting from (1) a betrayal of what’s right (2) by someone who holds legitimate authority (civilian or military) or the self (3) in a high-stakes situation across the full range (not only in combat) of military activities.

2.2.3.a Moral injury characteristics

In accordance with the step function character of moral conflict, shown in Figure 3, the effects of moral injury differ significantly from *moral frustration* and *moral distress*. Moral injury is not merely a “bad experience.” Unlike moral distress, which may cause, for example, trouble sleeping, feelings of guilt, and intrusive thoughts, moral injury is a form of *severe moral distress*. As a result, *moral injury* generates persistent effects. As Brett Litz and Patricia Kerig write, “Moral injury. . . entail[s] moral emotions that are very high in magnitude and impact, which. . . result in strong collateral impact and potentially chronic symptoms and problems.”¹⁹³ Moral emotions associated with moral injury can interfere with a wide variety of life processes.

Moral injury, as the most intense form of moral conflict, tends to create a growing series of negative individual effects that extend beyond the boundaries (in

¹⁹¹ Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 345.

¹⁹² This is based directly on Shay’s definition.

¹⁹³ Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 345.

time and space) of the particular decision taken in the face of a PMIE. These effects may include a high likelihood of persistent, broad-ranging impacts on personal identity, including sadness, anxiety, disgust, depression, drug and alcohol abuse, and increased suicidality.¹⁹⁴ PMIE exposure and moral injury can also negatively impact family relationships and generate other socially disadvantageous effects, such as difficulty functioning in the workplace, among others (see Table 5).¹⁹⁵

The individual features of moral injury are listed below in Table 5. Table 5 is based on Farnworth et al.'s "The Role of Moral Emotions in Military Trauma: Implications for the Study and Treatment of Moral Injury," and Hazel R. Atuel et al.'s "Exploring Moral Injury: Theory, Measurement, and Applications."¹⁹⁶

Table 15: Moral Injury Features

Moral Injury Features
Re-experience of the transgressive event
Motivated to avoid related thoughts, feelings, and triggering contexts
Suffer from emotional numbing including: <ul style="list-style-type: none"> • Disinterest • Detachment • Restricted range of effect
Relational <ul style="list-style-type: none"> • Intimacy avoidance • Anger • Aggression • Reduced trust in people. • Reduced trust in cultural contracts

¹⁹⁴ Litz and Kerig, "Introduction to the Special Issue on Moral Injury," 342–343; Atuel et al., "Understanding Moral Injury from a Character Domain Perspective," 3. Williamson et al., "Development of an Intervention for Moral Injury-Related Mental Health Difficulties in UK Military Veterans," 2.

¹⁹⁵ Williamson et al., "Development of an Intervention for Moral Injury-Related Mental Health Difficulties in UK Military Veterans," 2. Shay, *Odysseus in America*, 150; Shay, *Achilles in Vietnam*.

¹⁹⁶ Farnsworth et al., "The Role of Moral Emotions in Military Trauma," 250. Atuel et al., "Understanding Moral Injury from a Character Domain Perspective," 3.

Spiritual and existential problems

- Loss of spirituality
- Weakened religious faith.
- Negative attribution toward the divine
- Lack of forgiveness
- Crisis of meaning

Self-harm and self-handicapping including:

- Poor self-care
- Alcohol and drug abuse
- Recklessness
- Parasuicidal behavior
- Increased suicidality
- Low motivation to seek advancement or social connection

Enduring changes in self-schema or identity including:

- Confusion
- Bewilderment
- Sense of futility
- Demoralization
- Hopelessness
- Self-loathing

2.3 Part 2: Differentiating between Post Traumatic Stress Disorder (PTSD) and Moral Injury

The distinction between PTSD and moral injury was a critical step in the development of the moral injury definition.¹⁹⁷ This study, in line with its heavy reliance on the work of Jonathan Shay, begins the analysis of the differentiation with his work.

As a result of clinical interactions with Vietnam veterans, Shay gradually came to believe that the PTSD diagnosis was inadequate for understanding the root cause of veterans' psychological difficulties following their combat experiences.¹⁹⁸ In his 1994 book *Achilles in Vietnam*, Shay still links moral injury directly to PTSD. There, he uses Shakespeare's description of a combat veteran in Henry IV to surface the

¹⁹⁷ This differentiation has not propagated through the discourse surrounding service member response to combat experiences as much as someone immersed the literature on moral injury might initially expect. See, for example, recent articles and the continued absence of doctrinal treatment of moral injury in the US doctrine.

¹⁹⁸ Struck by the similarities between accounts by Vietnam veterans about their experiences and the account of Achilles's betrayal by the military leadership in the *Iliad*, Shay used the *Iliad* to approach clinical interaction with Vietnam veterans. Here is Shay on the connection: "In this paper, I offer the *Iliad* as resource text for learning to work with combat Veterans, I also suggest that we can learn from Homer to notice what we may be overlooking now." Shay, "Learning About Combat Stress from Homer's Iliad," 562.

symptoms of PTSD and to answer his question, “When a soldier is broken by combat, what breaks?”¹⁹⁹ However, over time, he came to criticize the diagnostic dominance of PTSD as the root cause of service member post-deployment difficulties. He framed his 2011 article “Casualties” by criticizing the reliance on PTSD as the primary diagnostic category. Drawing an analogy between physical and moral wounds, he argues that “Within military forces, it is entirely honorable to be injured, and that if one is injured and recovers well enough to be fit for duty, there is no real limit to one’s accomplishments, even if a prosthesis is employed.”²⁰⁰ Shay explains that embedding psychological injuries, like moral injury, in the “disorder” construct misrepresents the nature of the challenge. Injuries often happen in the volatility, uncertainty, complexity, and ambiguity of war—it is a dangerous environment. Yet recovery from injuries is possible and routine. “Disorder” resides within a persistent medical framework and thus limits the scope of recommended remedial actions to treatment within that framework. Therefore, referring to the psychological injury as a “disorder” creates a stronger impression of a persistent impact than warranted. He points out that we do not refer to Army General Shinseki, who lost a foot during combat in Vietnam and developed workarounds enabling him to continue to serve, as “suffering ‘missing foot disorder.’”²⁰¹

Shay is not alone in emphasizing the importance of distinguishing clearly between PTSD and moral injury. For example, Tyler Boudreau, a US Marine, calling for the disambiguation of PTSD and moral injury as a result of his active service rather than theory, wrote in 2011,

Moreover, the concept of moral injury is in its nascent stages, remains widely unfamiliar, and is, therefore, not yet available as a formal diagnosis or a commonly understood condition for people to rally around. So, when veterans or soldiers feel something hurt inside themselves, there is still only one brand to choose—PTSD. That’s not good. It’s not always accurate. And it renders soldiers automatically into mental patients instead of wounded souls. Since post-traumatic stress has been, so to speak, the only game in town, it has served as something of a one-size-fits-all response to any mention of grief by a veteran. This default medicalization of

¹⁹⁹ Shay, *Achilles in Vietnam*, 165.

²⁰⁰ Shay, “Casualties,” 181.

²⁰¹ Shay, “Casualties,” 181.

a veteran's moral angst has created an ongoing dilemma for the mental health community.²⁰²

A concern with the nature and impact of moral injury is not limited to members of the military and those closest to them. It is also due to the impact of moral injury on military functional effectiveness—the ability of the military to perform its professional function on behalf of the society, which provides it with people and financial resources, that is, blood and treasure—of interest to the society at large. David Wood examines the connection between moral injury and the responsibility of the society that ultimately serves in, trains, and equips the military. His *What Have We Done* provides a robust overview of the moral injury landscape and calls for better management of moral injury by the military and society served.²⁰³

Wood also draws attention to the inadequacy of using PTSD to refer to psychological injuries. He writes,

In recent years, we have begun to recognize that the psychological damage suffered in war far exceeds physical injury. That many of those who were caught up in war struggle during and after their service with the mysterious, troubling emotional storms that often afflict them. We have come to group all these psychological injuries under the label “PTSD.” That’s wrong.²⁰⁴

Wood’s work describes how theorists and clinicians, dissatisfied with PTSD as a description of the root causes of veteran post-deployment difficulties, also investigated moral injury in order to structure the development of more effective therapies.

Like Shay, experience with service members within the U.S. Department of Veterans Affairs also stimulated Brett Litz’s approach. A psychologist specializing in

²⁰² Tyler Boudreau, "The Morally Injured," *Massachusetts Review* 52, no. 3/4 (Autumn/Winter 2011): 749, <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=ofs&AN=527591983&site=eds-live&scope=site>.

²⁰³ Wood, *What Have We Done*.

²⁰⁴ Wood, *What Have We Done*, 15. Further examination of the separation of the ideas of PTSD, which is primarily physiological, and Moral Injury, which is psychological/spiritual, is beyond the scope of this research. Shay writes, "The DSM diagnosis, Post Traumatic Stress Disorder (PTSD), does not capture either form of moral injury. PTSD nicely describes the persistence into life after mortal danger of the valid adaptations to the real situation of other people trying to kill you. However, pure PTSD, as officially defined, with no complications, such as substance abuse or danger seeking, is rarely what wrecks veterans' lives, crushes them to suicide, or promotes domestic and/or criminal violence. Moral injury—both flavors—does." Shay, "Moral Injury," 184.

trauma, his work with veterans involved in peacekeeping in Somalia in the 1990s led him to question the diagnosis of PTSD as primarily fear-based in origin. As Wood explains,

Their distress wasn't caused only by fear stemming from a life-threatening incident but also from emotionally and morally disturbing incidents in war. Often, Litz found it was remorse, shame, and guilt from feeling they had failed in some way to act heroically in the face of peril.²⁰⁵

As a result of thinking through the limitations of PTSD to describe the veteran's experience and whether or not the fear associated with PTSD was the root cause of their post-deployment symptoms, in 2009 Litz and colleagues formulated an extremely influential definition of moral injury.²⁰⁶ Based on their research, their definition focuses on individual moral failures in extreme situations as constituting the primary characteristic of experiences leading to moral injury. This is discussed further below.

The differentiation between PTSD and moral injury is important for two reasons. One, it brings to the attention of senior military leaders and others concerned with the military the requirement to develop capabilities to care for service members appropriate to their particular needs. Capabilities for responding to PTSD are different from those necessary to respond appropriately to moral injury. Two, while the experience of conditions encouraging the development of PTSD is an integral, success-enhancing component of military service (e.g., hypervigilance, rapid, violent responses to perceived threats), exposure to PMIEs generated by institutional betrayal is not. Thus, institutional actions to reduce moral injury can only enhance professional effectiveness.

2.4 Part 3: The Historical Development of the Moral Injury Definition

2.4.1 Lovejoy's "Unit Ideas" as an Organizing Heuristic for This Section

The history of moral injury is, to a large degree, the history of its definitions.²⁰⁷

²⁰⁵ Wood, *What Have We Done*, 242.

²⁰⁶ Litz et al., "Moral Injury and Moral Repair in War Veterans."

²⁰⁷ This observation was inspired by Berger and Luckmann, who wrote, speaking of the sociology of knowledge, "Indeed, it might almost be said that the history of the sub-discipline thus far has been the history of its various definitions." Berger and Luckmann, *The Social Construction of Reality*, 4.

The following literature review-based analysis, tracing the development of moral injury definitions, is methodologically informed by the assumption that moral injury constitutes an example of what Arthur O. Lovejoy referred to as a thought complex composed of “unit ideas.”²⁰⁸ Lovejoy wrote,

There are, I have suggested, many ‘unit- ideas’-types of categories, thoughts concerning particular aspects of common experience, implicit or explicit presuppositions, sacred formulas and catchwords, specific philosophic theorems, or the larger hypotheses, generalizations or methodological assumptions of various sciences-which have long life-histories of their own, are to be found at work in the most various regions of the history of human thinking and feeling, and upon which the intellectual and affective ‘reactions’ of men - individuals and masses - have been highly diverse.²⁰⁹

Moral injury, as a thought complex, is composed of multiple unit ideas. Analysts, from various professional perspectives, make observations associated with those unit ideas in diverse ways. As a result of their divergent professional orientations, some unit ideas are given greater salience in the analysis and formulation of recommended remedial actions than others. This dynamic is evident in the moral injury literature.

The predominant focus on individual non-law of armed conflict- (LOAC) compliant decision-making as the primary cause of moral injury, and thus wholly within the category of “personal responsibility”²¹⁰ degraded the development of an actionable consensus on the definition of military moral injury. This focus thus concealed, or camouflaged, two additional sources of moral injury: one, LOAC-compliant killing, and two, institutional betrayal.²¹¹ The focus on the individual perpetrator also led to the neglect of the impact of moral injury on others connected to service members (especially family members) and the broader society of which the military is a part. The following section surveys how researchers overcame this focus to develop an integrated definition. This integrated definition will facilitate the

²⁰⁸ Arthur O. Lovejoy, "The Historiography of Ideas," *Proceedings of the American Philosophical Society* 78, no. 4 (1938): 538.

²⁰⁹ Lovejoy, "The Historiography of Ideas," 538.

²¹⁰ Litz et al., "Moral Injury and Moral Repair in War Veterans."

²¹¹ See glossary and the discussion of camouflage in Chapter 2 for a more complete explanation of the sense in which the term “camouflage” is used here.

development of moral injury management capabilities in ways adequate to the present need.²¹²

2.4.2 Visualizing the Two Moral Injury Definitional “Streams” in the Literature: Institutional Betrayal and Individual Responsibility

Figure 4 graphically represents the parts of this section into which the analysis of the relationships among the moral injury-related texts (each focusing on a subset of the unit ideas composing the moral injury phenomena) is divided. The thickness of the outline around the reference indicates the significance of the publication.

The figure provides a visual portrayal of the division of moral injury literature from the 1990s to the early 2020s into two main “streams.” The first, focused on the centrality of betrayal, was primarily shaped by Jonathan Shay.²¹³ The second, more dominant within the mental health professions, was based on Litz’s emphasis on the unit ideas clustered around personal responsibility as the primary source of moral injury.²¹⁴ These streams proceeded independently, in sight of one another, but not merging, like two rivers flowing through the same watershed.²¹⁵ As a result, researchers focused on subsets of the thought complex’s unit ideas, clustered around the focal point they considered most important based on their orientation, and paid minimal attention to the ideas linked to the other foci. The gradual movement over time of the referenced texts to the center of the space between “Institutional Betrayal” and “Personal Responsibility” indicates the gradual definitional convergence.

²¹² Nash and Litz write, “The idea that psychological injury can result from transgressions, during war, of deeply held moral and ethical beliefs and expectations is far from new.” Nash and Litz, “Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members,” 397. See also Shay, “Learning About Combat Stress from Homer’s Iliad”; Shay, *Achilles in Vietnam*; Shay, *Odysseus in America*.

²¹³ Shay, “Learning About Combat Stress from Homer’s Iliad”; Shay, *Achilles in Vietnam*; Shay, *Odysseus in America*; Shay, “Casualties”; Shay, “Afterward: A Challenge to Historians”; Shay, “Moral Injury.”

²¹⁴ Litz et al., “Moral Injury and Moral Repair in War Veterans.”

²¹⁵ In *Human, All Too Human*, Nietzsche wrote of moral feelings and rivers: “It is in this sense that one speaks of the moral feelings, of the religious feelings, as though these were simple unities: in truth, however, they are rivers with a hundred tributaries and sources. Here too, as so often, the unity of the word is no guarantee of the unity of the thing.” Friedrich Nietzsche, *Human, All Too Human*, ed. Karl Ameriks and Desmond M. Clarke, trans. R. J. Hollingdale, Cambridge Texts in the History of Philosophy (Cambridge, UK: Cambridge University Press, 1996), 19.

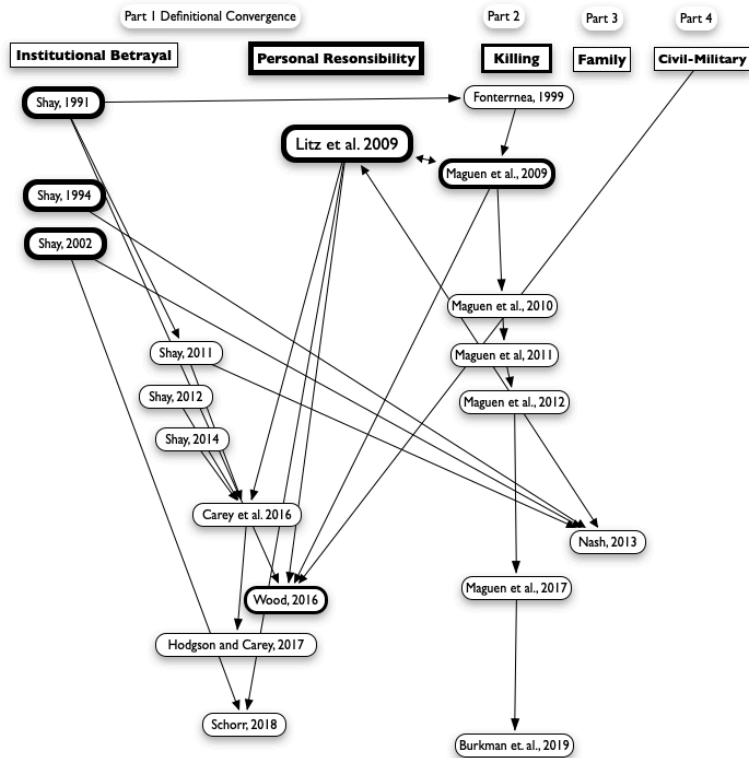


Figure 4: *Visualizing the Literature; Seminal Moral Injury Texts Mapped to Chapter Parts*
 2.4.3 Institutional Betrayal and Moral Injury: The First Definitional “Stream”

For Shay, the experience of betrayal is central to moral injury. His focus on betrayal distinguishes his work from that of many other researchers, who focused on individual responsibility for decision-making in the face of PMIEs resulting in moral injury. The emphasis on betrayal requires the contextualization of moral injury as a result of decisions within a particular institutional context. Thus, Shay begins his analysis of moral injury from the nature of the military as a moral institution.²¹⁶ This claim is central to his entire work on moral injury and is thus worth quoting in full:

Any army, ancient or modern, is a social construction defined by shared expectations and values. Some of these are embodied in formal regulations, defined authority, written orders, ranks, incentives, punishments, and formal task and occupational definitions. Others circulate as traditions,

²¹⁶ As will be discussed further below, moral injury within the military has a particular character as a result of the nature of the military institution. Military moral injury is unique to the military, and due to its professional function (what Hartle refers to as “role differentiation”), the military is especially vulnerable to moral injury. Vulnerability to moral injury is a feature, not a bug, of military service. This is not to say that the military professionals are the only ones subject to moral injury—but military moral injury is the focus of this research. A comparative analysis of moral injury types is necessary from the Lovejoy perspective but is beyond the scope of this research.

archetypal stories of things to be emulated or shunned, and accepted truth about what is praiseworthy and what is culpable. All together, these form a moral world that most of the participants most of the time regard as legitimate, 'natural,' and personally blinding. The moral power of an army is so great that it can motivate men to get up out of a trench and step into enemy machine-gun fire. When a leader destroys the legitimacy of the army's moral order by betraying "what's right," he inflicts manifold injuries on his men.²¹⁷

Shay thus situates moral injury in an institutional context. The institutional structure—manifested in policies and practices—determine both the potential for morally injurious events and the expression of their impact.

Leadership malpractice generates moral injury damages, and it is not only individuals who suffer it. It also hinders mission accomplishment and thus puts the capability of the military at risk to perform its professional function. Building on the work in *Odysseus* and *Achilles* discussed above, Shay writes,

They [military forces]²¹⁸ have given me a hearing and appear somewhat receptive, largely because they recognize that ethical leadership is a combat strength multiplier. When a leader betrays 'what's right,' he or she demotivates vast swaths of troops and detaches whole units from loyalty to the chain of command.²¹⁹

Betrayals (violations of trust) destroy the moral order within which service members operate, invalidating the assumptions upon which they make decisions in the complex, dynamic, violent operational situations across the cooperation/competition continuum.²²⁰ Betrayal by destroying motivation generates operational effects. Absent compelling motivation, the members of the military become professionally ineffective. In other words, they lose their will to act effectively within the military institution.

²¹⁷ Shay, *Achilles in Vietnam*, 6.

²¹⁸ In a footnote he lists the following organizations: US Marine Corps, US Army, Canadian Forces, U.K. Royal Marines, U.K. Royal Navy, Bundeswehr, other NATO and Israel Defense Forces. Shay, "Casualties," 183.

²¹⁹ Shay, "Casualties," 183.

²²⁰ Daniel J. O'Donohue, Joint Doctrine Note 1-19 Competition Continuum (Washington, D.C.: Joint Staff, 03 June 2019). James C. McConville, *The Army in Military Competition* (Washington, D.C.: US Army Chief of Staff, 1 March 2021).

This destruction of motivation generates internal and external effects. Internally expressed within the individual, it results in the destruction of the personal value system and the conception of the self-character. Shay writes, “When ruptures are too violent between the social realization of ‘what’s right’ and the inner *Themis* of ideals, ambitions, and affiliations, the inner *Themis* can collapse.”²²¹ The ruptures destroy “ideals, ambitions, affiliations,”²²² leaving the individual adrift in meaninglessness, both in the combat “zone” and upon return home.

Externally, motivation destruction generates individual disengagement and disconnection from the military unit, military institution, society, friends, and family.²²³ This disengagement has operational effects and impacts the performance of the professional function in two directions—away from violence and toward violence. One, the disengagement can take the form of a loss of motivation to fight (shrinkage of the scope of violence), leading to decreased capability to achieve the military mission. Two, betrayal, which has broken the cultural contract and invalidated the moral order, can generate a PMIE and potentially a moral injury that pushes the individual outside the moral order completely. The withdrawal from the fatally compromised moral order can increase violence as a response. Shay refers to this as the “berserk state.”²²⁴ The disconnection from the human community makes the individual act and feel as though an animal, totally unconstrained, or a god, invulnerable.²²⁵

At first glance, the berserker may seem like the perfect soldier. Indeed, Shay discusses how, in Vietnam, soldiers were explicitly told to channel their grief into enhanced killing. “Don’t get sad, get even!”²²⁶ Yet the berserker, absent the connection to a legitimate reason embedded in a moral order, is no longer a warrior but a mere murderer. His moral status has changed, although he is apparently performing the same activity—killing the adversary. Thus, moral injury removes the

²²¹ Shay, *Achilles in Vietnam*, 37.

²²² Shay, *Achilles in Vietnam*.

²²³ Litz et al. refer to this as “withdrawal.” Litz et al., “Moral Injury and Moral Repair in War Veterans.” The external effect can be seen in the directionality and scope of the application of violence. Individually violence can be directed toward the self (suicide), or individual others (homicide). Nash and Litz, “Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members,” 371.

²²⁴ Shay writes, “On the basis of my work with Vietnam veterans, I conclude that the berserk state is ruinous, leading to the soldier’s maiming or death in battle—which is the most frequent outcome—and to life-long psychological and physiological injury if he survives. I believe that once a person has entered the berserk state, he or she is changed forever.” Shay, *Achilles in Vietnam*, 99, 77.

²²⁵ Shay, *Achilles in Vietnam*, 80. See also the “Characteristics of the Berserk State” table in Shay, “Learning About Combat Stress from Homer’s Iliad,” 570.

²²⁶ Shay, *Achilles in Vietnam*, 81.

foundation of activity that enables the characterization of killing that occurs in combat as a “just” or “good” kill in the performance of the professional function, and not murder. (This point will surface again in the discussion of Maguen’s work on killing and moral injury.)

Shay’s contribution to the discourse is significant because he links the experience of moral injury by individuals to the ability of the military as a profession to execute its function on behalf of society. Moral injury for Shay is not merely an individual failure but a symptom of *institutional, professional* failure. Professional incompetence by the military both generates moral injury for the individuals who serve and puts the entire society generating the military at risk of defeat. Thus, for Shay, the cultivation of an enhanced institutional capability to manage moral injury is essential if the military is to perform its professional function effectively.

The emphasis on legitimate authority (which makes betrayal possible) grounds Shay’s focus on the institutional, professional aspects of moral injury. Based on his diagnosis of the root cause of moral injury in institutional behavior, effective remedial action requires institutional change to prevent or at least reduce the incidence of moral injury. He writes, “I emphasize the element of leadership malpractice because it is something we can do something about. The prevalence of leadership malpractice is extremely sensitive to policy, practice, and culture in a military organization.”²²⁷ Thus, the adverse effects of moral injury on military effectiveness provide much of the motive force for Shay’s efforts. Attention to *jus in militaribus* by the stewards of the profession, described in Chapter 6, can help address this challenge.

As will be seen, Litz et al. notably did not include betrayal as an element, or unit idea, of the moral injury thought complex in their extremely influential 2009 article.²²⁸ Shay responds to that article in “Causalities” and offers a way to integrate the two definitions.²²⁹ He writes, after quoting Litz et al.’s 2009 definition examined below, “Our two meanings of moral injury differ mainly in whether leadership malpractice is part of the definition. The view of the above researchers could be

²²⁷ Shay, *Achilles in Vietnam*, 183.

²²⁸ Litz et al., “Moral Injury and Moral Repair in War Veterans.”

²²⁹ Shay writes, “What I have to say complements what the above clinician-researchers said—let’s call it Moral Injury N for Nash, Litz & Maguen.” My definition of this term—call it Moral Injury S, for Shay—differs in the “who” of the violator.” Shay, “Moral Injury,” 59. As will be discussed further below, the response to the root cause of moral injury differs depending upon the “who” the analysis focuses on.

paraphrased as what happens (1) when someone ‘betrays what’s right’ and (2) the violator is the self (3) in a high-stakes situation.”²³⁰ Retaining betraying in the definition is crucial for Shay because it is tied directly to leadership malpractice.²³¹ Thus, from this perspective, betrayal is an essential ingredient of moral injury—it is part of the essence of the wounding.

Shay’s work is especially relevant to the aim of this study—to prevent, ameliorate the effects of, and enable recovery from moral injury. Shay’s commitment to speaking for veterans to reduce future incidences of moral injury motivated his contribution to the moral injury literature. In his article “Casualties,” Shay emphasized his focus on preventing *future* moral injury. He wrote,

The veterans I served for twenty years were rigorous, generous, and patient teachers on what had wrecked their lives and what might be done to protect the new generation of American kids who go into harm’s way for our sakes. They made me their missionary to the U.S. forces on the prevention of psychological and moral injury.²³²

His “Learning About Combat Stress from Homer’s *Iliad*,”²³³ *Achilles in Vietnam*, and *Odysseus in America* simultaneously grounded the understanding of moral injury in a transhistorical context and established moral injury as a subject for contemporary analysis. As will be seen in Chapter 6, this study also focuses on institutional action necessary to prevent and better manage military moral injury when it occurs.

Combat journalist David Wood’s *What Have We Done: The Moral Injury of Our Longest Wars* provides an exceptionally comprehensive treatment of moral injury, incorporating reporting and analysis of the clinical and academic literature. Wood’s text connects the individual, institutional, and societal aspects of moral injury. This connectedness is evident in his definition of moral injury. He defines moral injury as follows:

²³⁰ Shay, *Achilles in Vietnam*, 183. In 2014 Shay referred to the Litz et al. definition as another “form” of moral injury. He writes, “A number of clinician-researchers, among them Brett Litz, Shira Maguen, and William Nash, have done an excellent job of describing an equally devastating second form of moral injury that arises when a service member does something in war that violates their own ideals, ethics, or attachments.” Shay, “Moral Injury,” 184.

²³¹ Shay, “Moral Injury,” 181.

²³² Shay, “Moral Injury,” 179. Compare to Wood and Krulak. I agree with this orientation, both as a Naval officer and as a citizen.

²³³ Shay, “Learning About Combat Stress from Homer’s *Iliad*.”

In its most simple and profound sense, moral injury is a jagged disconnect from our understanding of who we are and what we and others ought to do and ought not to do. Experiences that are common in war—inflicting purposeful violence, witnessing the sudden violent maiming of a loved buddy, the suffering of civilians—challenge and often shatter our understanding of the world as a good place where good things should happen to us, the foundational beliefs we learn as infants. The *broader loss of trust*, loss of faith, loss of innocence, can have enduring psychological, spiritual, social, and behavioral impact.²³⁴ [emphasis added.]

Wood's definition explicitly links moral injury and declines in trust and the individual and social negative effects that can result from that decline.²³⁵

Within his comprehensive picture of the current state of both the theoretical and practical definitions and implications of moral injury, Wood articulates three key points. First, encountering PMIEs is nearly inevitable in warfare. He writes, "In my experience, to be in war is to be exposed to moral injury."²³⁶ Second, the presence of moral injury does not necessarily cause debilitation, just as a broken bone does not entail that one is permanently crippled. He writes,

It is important to understand that while some veterans cannot find peace after a moral injury, most of those who have felt morally injured are not disabled, are not broken or dangerous, do not fit the insulting stereotype of combat vets as lunatic unemployed, homeless, drug-addled criminals.²³⁷

Encountering potentially morally injurious events without suffering extreme moral injury and recovery from moral injury that does occur is possible.

Third, he emphasizes the disjunction between the standard moral-ethical rules

²³⁴ Wood, *What Have We Done*, 8.

²³⁵ Although not explicitly defined in Wood's text and requiring further research outside the scope of this study to validate, the decline in trust in the military as indicated by recent surveys may constitute an example of the social impact of the loss of trust due to moral injury as Wood indicated.

²³⁶ Wood, *What Have We Done*, 9. See also where Shay writes, "The sad fact is that, like physical injuries, moral injuries of the kind described by Nash, Litz & Maguen will sometimes strike in war. There is no absolute way to prevent them short of ending the human practice of war." Joshua Pederson, "Moral Injury in Literature," *Narrative* 28, no. 1 (2020): 59, <https://doi.org/10.1353/nar.2020.0003>, <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=aph&AN=141079187&site=eds-live&scope=site>.

²³⁷ Wood, *What Have We Done*, 10.

set and the moral-ethics of combat. He writes,

But war is an alternate moral universe where many of the rules and values we grew up with are revoked. Do unto others, suspended. An alien world in which complex moral puzzles, like confronting a child combatant, demand instant decisions.²³⁸

The military institution has a responsibility to explain the relationship between the moral-ethical framework with which service members enter the military and the specific moral-ethical guidance with which they perform their professional functions across the full range of military activities. *Jus in militaribus* is intended to enable stewards of the profession to better execute this task. The failure to adequately provide this guidance, contributing to moral injury, may be a factor in the decline in trust of the military institution indicated by the surveys reviewed in the introduction of this study.

2.4.4 The Second Stream—Events Unfolding in Time—Litz et al.’s Dominant Definition

The second stream of the moral injury literature, the largest and most influential, has the work of Bret Litz as its source. Litz et al.²³⁹ share with Shay a separation from PTSD but differ in their area of focus and thus assessment of the fundamental nature of the moral injury root cause.

Litz offers a definition of moral injury that dominated the literature for many years—even when other researchers provided their definitions, they were generally variations of Litz et al.’s 2009 definition.²⁴⁰ Litz et al.’s definition emphasizes the individual reaction to a PMIE as the primary source of moral injury. They write, focused on the individual, that moral injury can result from “. . .perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress deeply held moral beliefs and expectations.”²⁴¹

They went on to write,

²³⁸ Wood, *What Have We Done*, 11.

²³⁹ Litz et al., "Moral Injury and Moral Repair in War Veterans."

²⁴⁰ See Carey et al., "Moral Injury, Spiritual Care and the Role of Chaplains," for a survey of moral injury definitions.

²⁴¹ Litz et al., "Moral Injury and Moral Repair in War Veterans," 698.

This may entail participating in or witnessing inhumane or cruel actions, failing to prevent the immoral acts of others, as well as engaging in subtle actions or experiencing reactions that, upon reflection, transgress a moral code. We also consider bearing witness to the aftermath of violence and human carnage to be potentially morally injurious.

Moral injury requires an act of transgression that severely and abruptly contradicts an individual's personal or shared expectation about the rules or the code of conduct, either during the event or at some point afterwards. The event can be an act of wrongdoing, failing to prevent serious unethical behavior, or witnessing or learning about such an event. The individual also must be (or become) aware of the discrepancy between his or her morals and the experience (i.e., moral violation), causing dissonance and inner conflict.²⁴²

Their "working causal framework for moral injury" is shown in Figure 5.²⁴³

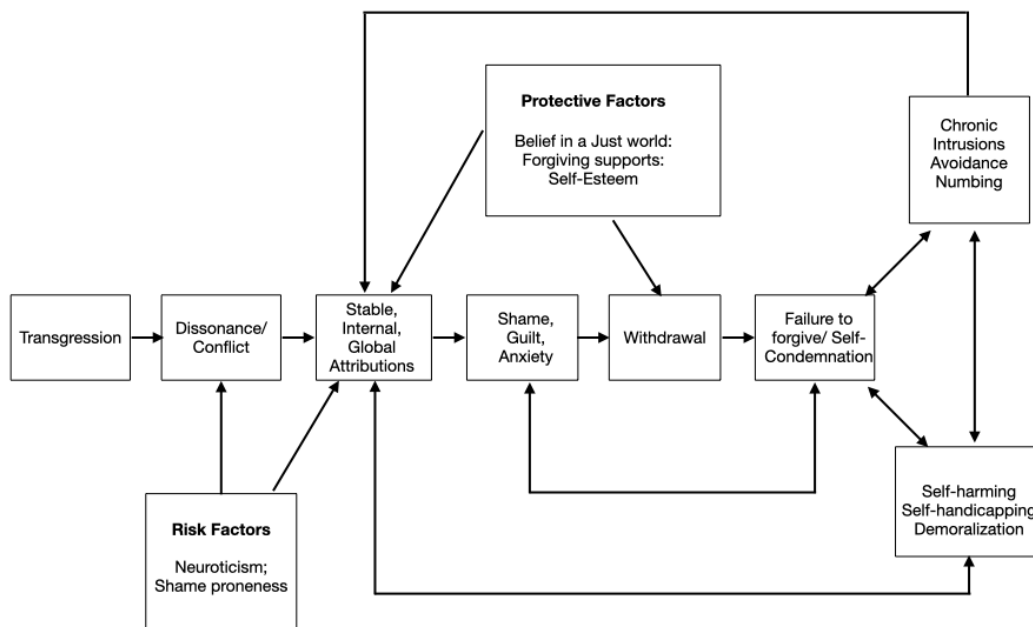


Figure 5: Litz et al.'s "Working Causal Framework for Moral Injury," Redrawn by Author

Litz et al. describe the key elements, or unit ideas, of the moral injury thought complex. As shown in the diagram, these unit ideas include attributions, the moral emotions of guilt and shame, risk factors, protective factors, the centrality of

²⁴² Litz et al., "Moral Injury and Moral Repair in War Veterans," 700.

²⁴³ Litz et al., "Moral Injury and Moral Repair in War Veterans," 700.

withdrawal, self-condemnation, self-handicapping, numbing, and the role of self-forgiveness.²⁴⁴

The “Global Attribution” component is an especially important element of the model. The negative experiences of moral injury generate not just a single instance of negative moral emotions, or a single assessment of the self as having failed to abide by moral-ethical standards. Instead, moral injury is characterized by the generation of a comprehensive, wide-ranging negative assessment. The individual, as a result of experiencing moral injury, evaluates him or herself or the institution as entirely and irredeemably untrustworthy. The attribution is thus “global” in scope. As a result, the impact of moral injury is extremely difficult to contain, as just about any negative input is read as confirmation of the negative assessment. The “global attribution” of moral injury explains the ability of moral injury to “destroy the world.”

The focus of the definition is on the individual, due perhaps to the authors’ professional orientation, which is focused on patient clinical assistance, not changing or adjusting the institutional context in which they operate and are, or are not, injured.²⁴⁵

Litz et al. 2009 is an extremely influential text, referenced more than any other in the literature.²⁴⁶ This influence is evident in the work of Kent Dreschner et al.²⁴⁷ Here the researchers define moral injury based on and request feedback from a series of experts in the health and religious professions about the adequacy of the definition.²⁴⁸ They defined moral injury as

Disruption in an individual’s confidence and expectations about one’s own or others’ motivation or capacity to behave in a just and ethical manner. This injury is brought about by bearing witness to perceived immoral acts, failure to stop such actions, or perpetration of immoral acts, in particular

²⁴⁴ Litz et al., "Moral Injury and Moral Repair in War Veterans," 700.

²⁴⁵ Litz updated the definition in 2019, and provided a framework for conceptualizing moral stressors and outcomes. Litz and Kerig, "Introduction to the Special Issue on Moral Injury."

²⁴⁶ Hodgson and Carey, "Moral Injury and Definitional Clarity."

²⁴⁷ Kent D. Drescher et al., "An Exploration of the Viability and Usefulness of the Construct of Moral Injury in War Veterans," *Traumatology* 17, no. 1 (03/2011), <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=edb&AN=60979057&site=eds-live&scope=site>.

²⁴⁸ Drescher et al., "An Exploration of the Viability and Usefulness of the Construct of Moral Injury in War Veterans," 9.

actions that are inhumane, cruel, deprived, or violent, bring about pain, suffering, or death of others.²⁴⁹

Although many of the respondents agreed that the concept of moral injury was needed, they also agreed that the current working definition provided was inadequate and that PTSD did not cover the scope of moral injury. Further, 70% “mentioned betrayal as a warzone event that might contribute to moral injury.”²⁵⁰ Thus, betrayal was raised by practitioners as a critical issue for moral injury within the clinical literature.²⁵¹

Based on input from their respondents, they developed a taxonomy of morally injurious events (Figure 6) and the resulting signs and symptoms (Figure 7).



Figure 6: Taxonomy of PMIEs based on Drescher et al.

²⁴⁹ Drescher et al., "An Exploration of the Viability and Usefulness of the Construct of Moral Injury in War Veterans," 9.

²⁵⁰ Drescher et al., "An Exploration of the Viability and Usefulness of the Construct of Moral Injury in War Veterans," 11. Betrayal appears in the respondents' list of morally injurious events but is not integrated into the definition in their text.

²⁵¹ I initially resisted the centrality of betrayal as well, until persuaded by Shay. Perhaps the resistance was to an unwillingness to realize the centrality of leadership malpractice, and thus the culpability of the institution in the perpetration of moral injury. The realization of the centrality of betrayal, an emotional acceptance of that, is itself a form of almost moral injury, absent the high stakes situation. It is thus more precisely understood as a wounding of professional pride, and thus the self-esteem associated with serving as a member of that profession. But recognizing the deficiencies of the institution, the profession, is itself a professional value, and a strength of the US military. For example, "Lessons Learned at Tarawa" was a brutal accounting of the mistakes made during that amphibious landing. But as a direct result of the implementation of lessons identified during that battle the following amphibious assaults were accomplished with much less loss of life and injury. Jeffrey J. Abramaitys, *Lessons from Tarawa and thier Relevance to the Operating Environment of 2011* (Marine Corps University USMC Command and Staff College, Quantico, VA, 2011). The self-analysis was somewhat *ad hoc*, however. The systematic examinations of the profession are quite rare. See Cohen and Gooch, *Military Misfortunes*; Snider, "Five Myths about Our Future," for notable exceptions. The freedom to criticize in print serves perhaps as a safety device, preventing the grossest forms of institutional refusal to learn. As will be discussed below, however, the institution has failed to learn enough about moral injury and has neglected to integrate the concept into its ethics-related training, still spending more training time and resources on the sex and money side of ethics which causes far fewer suicides than moral injury experienced when the military is performing its specific function.



Figure 7: *Moral Injury Signs and Symptoms based on Drescher et al.*

This taxonomy, based on the work of Drescher et al., reveals the scope of the negative effects of moral injury and, thus, the importance of enhancing moral injury management capabilities. The high cost of the negative effects, such as behavioral and psychological problems, indicate the potential return on investment of enhancing moral injury management capabilities. Conversely, the costs of inaction—the opportunity cost of failing to act—are operationally significant both in the field and in terms of the institutional health of the organization, as seen in operations, retention, and recruitment.

The US Army Chaplain Corps 2020 definition of moral injury is squarely within the Litz et al. 2009 approach. The *Moral Leadership* text describes moral injury as follows:

Moral injury is a form of psychological, mental, or spiritual trauma, distinct from post-traumatic stress disorder (PTSD) but often accompanied by PTSD, whereby an individual’s observation of or participation in certain acts runs counter to deeply held moral beliefs. Those who witness or perpetrate acts (or failures to act) that violate deeply held moral beliefs (such as can occur in combat) may later associate those memories with feelings of deep conflict and consternation. Moral injury can also be related to mental stress or discomfort from holding two or more opposing beliefs or values, performing actions contradictory to one or more beliefs or values, or confronting information that conflicts with existing beliefs or values. For example, a Soldier may strongly

value the sanctity of human life but also hold a strong sense of duty and honor in participating in lethal combat and defeat of national enemies and may suffer ongoing intense feelings of conflict over taking a human life in combat. Moral injury can lead to severe emotional, psychological, behavioral, spiritual, and social impacts if left untreated and unresolved. Moral injury is often compounded by PTSD and may contribute to high suicide rates for military personnel who have deployed to combat.²⁵²

This description usefully combines the individual causes with the range of negative effects. It does not, however, address the potential institutional sources of PMIEs and the institutional role in generating moral injury through betrayal.

Lindsay Carey and Timothy J. Hodgson work on the overlap between public health and spirituality research and emphasize the role of chaplains in clinical care.²⁵³ They provide an overview of the moral injury literature and argue that a multidisciplinary approach, including mental health care providers, military, and chaplains, is necessary to manage the full range of moral injury impacts. Their survey of the various definitions of moral injury forms the basis for Table 6. I have built on their work to disaggregate the components of the various definitions in terms of the “unit ideas.”

Carey et al.²⁵⁴ approach the moral injury literature from the chaplaincy and religious studies perspectives. They perform two tasks: first, they articulate what this research has discussed as “two streams” within the literature as “foci” and articulate their relationship within a single definition. In other words, they combine the clusters of unit ideas located around two foci into a single thought complex. These “two foci” within the moral injury discourse are defined as “the personal moral violation and the sense of corporate ethical betrayal.”²⁵⁵ They then offer a definition of their own, which performs the focal unification:²⁵⁶

Moral injury originates (1) at an individual level when a person perpetuates, fails to prevent, or bears witness to a serious act that transgresses deeply held moral beliefs and

²⁵² Kathleen S. Miller, *Moral Leadership* (Washington, D.C.: US Army Chaplain Corps, 2020), 7.

²⁵³ Carey et al., “Moral Injury, Spiritual Care and the Role of Chaplains”; Hodgson and Carey, “Moral Injury and Definitional Clarity.”

²⁵⁴ Carey et al., “Moral Injury, Spiritual Care and the Role of Chaplains.”

²⁵⁵ Carey et al., “Moral Injury, Spiritual Care and the Role of Chaplains,” 1220.

²⁵⁶ Like the brain does of the two images to make a three-dimensional image.

expectations, which leads to inner conflict because the experience is at odds with their personal core ethical and moral beliefs, and/or (2) at an organizational level, when serious acts of transgression have been caused by or resulted in a betrayal of what is culturally held to be morally right in a 'high-stakes' situation by those who hold legitimate authority.²⁵⁷

By highlighting the two levels of professional action, the individual and organizational, this definition brings together Shay's and Litz's "foci." The definition integrates the individual focus on personal responsibility articulated by Litz et al. (number 1) and the focus on institutional betrayal (number 2) Shay emphasized.

By articulating the dual origin of moral injury, Carey et al. conceptualize the conglomerate nature of the moral injury thought complex and the dual nature of the moral injury sources. Individual intellectual and emotional deficiencies resulting in moral failures constitute one source, and institutional deficiencies constitute the other. The institutional deficiencies cause moral injury either directly through betrayal or indirectly through inadequate service member preparation for their professional military tasks in complex, dynamic, poorly structured environments.

Carey et al.'s second task consists of examining the puzzle concerning the persistence of the two streams, or focal points, in the literature. They critically examine the possible motivations for the persistence of the two definitional streams through surfacing the organizational dynamics potentially influencing the formulation of a definitional bias toward one of the two foci, or unit idea clusters, when they write, "No doubt some organizations, in order to avoid an emphasis upon corporate responsibility, will prefer to use Litz et al.'s (2009) definition that emphasizes a focus upon the individual, while others may prefer Shay and Munroe's (1998) definition that acknowledges corporate culpability."²⁵⁸ They suggest that some organizations use the Litz 2009 definition to camouflage and conceal the institutional role in generating moral conflicts, including PMIEs. They conclude that "[N]either the individual nor organization violator are mutually exclusive—conceptually these should be seen as ethically intertwined," and call for a pragmatic consideration of the moral injury

²⁵⁷ Carey et al., "Moral Injury, Spiritual Care and the Role of Chaplains," 1220.

²⁵⁸ Carey et al., "Moral Injury, Spiritual Care and the Role of Chaplains," 1220.

consequences.²⁵⁹ They examine the “intertwining” further in their literature survey, discussed in the following section.

Building on their earlier analysis in “Moral Injury, Spiritual Care and the Role of Chaplains: An Exploratory Scoping Review of Literature and Resources,”²⁶⁰ Hodgson and Carey assess the preponderance of emphasis on personal responsibility. They write,

It can be argued that in recent years, some researchers have deliberately used Litz et al.’s (2009) clinical description of moral injury to exclude Shay’s political and somewhat controversial consideration of ‘betrayal’ caused by legitimate authorities. This exclusion, however, has limited their research surveys or interview protocols and, subsequently, their research findings.²⁶¹

They view an integrated definition, such as that provided by Jeremy D. Jinkerson, as necessary and emphasize that grasping the particular nature of moral injury requires the inclusion of the betrayal-related elements.²⁶²

Such a comprehensive approach to moral injury that understands it in terms of a “bio-psycho-social-spiritual model”²⁶³ is necessary, to their minds, to ground their claim that “moral injury is essentially an existential-ontological wound that can have lasting psychological, biological, spiritual, behavioral and social consequences and that chaplaincy/pastoral care practitioners are well placed to assist along with other health care providers to provide rehabilitation that is holistic.”²⁶⁴ Although they emphasize the importance of betrayal and highlight the lack of incorporation of betrayal in the literature, they remain focused on responses to individual moral injury. Conversely, this study is aligned with Shay’s emphasis on preventing future moral injury. It is thus intended to contribute to reducing moral injury occurrence and virulence to reduce the need for rehabilitation services through facilitating organizational-level change.²⁶⁵

²⁵⁹ Carey et al., “Moral Injury, Spiritual Care and the Role of Chaplains,” 1220.

²⁶⁰ Carey et al., “Moral Injury, Spiritual Care and the Role of Chaplains.”

²⁶¹ Hodgson and Carey, “Moral Injury and Definitional Clarity,” 1217.

²⁶² Hodgson and Carey, “Moral Injury and Definitional Clarity,” 1219.

²⁶³ Hodgson and Carey, “Moral Injury and Definitional Clarity,” 1224.

²⁶⁴ Hodgson and Carey, “Moral Injury and Definitional Clarity,” 1224.

²⁶⁵ In the language of IED defense, to get “left of the boom.”

2.4.5 Definitional Overview

In 2017 Hodgson and Carey published a survey of moral injury definitions that speaks directly to the division in the literature between those who include betrayal as a critical unit idea and those who do not.²⁶⁶ Table 6, based on their analysis, also includes additional texts that I consider pertinent. Starting from Hodgson and Carey's listing and survey of definitions, I break out the separate unit ideas to show the scope of the moral injury literature and the definitional convergence over time.

Table 6: Moral Injury Thought Complex Produced by the Author

Moral Injury Thought Complex																			
Unit Ideas		Responsibility of Others						Personal Responsibility			Impact Zones								
		Bearing witness to	Failing to prevent	Perpetrating by order	Perpetrating (by self)	High stakes situation	Legitimate authority	Leadership malpractice	Betrayal by authorities	Learning about	Psychological	Biological (physiological)	Spiritual	Behavioural	Social	Family	Moral beliefs	Moral expectations	
Source	Shay (2002)	Litz et al. (2009)	U.S. VA (2009)	Nash et al. (2010)															
	X																		

²⁶⁶ Hodgson and Carey, "Moral Injury and Definitional Clarity."

Carey et al. (2016b)	x		x	x	x		x	x								x	x
Litz (2016)	X				x												
Jinkerson (2016)	x				x				x			x	x			x	
Williamson (2022)	X				X		X										

2.4.5.a *The convergence of betrayal and personal responsibility within the moral injury definition*

The integration of the two definitions of moral injury as primarily resulting from individual action for which individuals are personally responsible and moral injury resulting from institutional betrayal was “ratified” in the late 2010s. The personal responsibility- and betrayal-focused definitions of moral injury begin to converge explicitly in 2016.²⁶⁷ Although occasionally mentioned in the personal responsibility-focused literature (as seen with Nash and Drescher), betrayal remained a minor supporting element of the definition. Personal responsibility continued to carry the bulk of the injury-causing load, providing the “kinetic energy” causing the moral injury wound. Gradually, however, the integration of betrayal into the main definitional effort occurred.²⁶⁸ The root cause of moral injury, consisting of the integration of betrayal and personal responsibility, became binary, like the poles of a magnet or the two stars of a binary star system around which the moral injury system of causes and effects revolves. As a result of the expansion of the scope of the moral injury root cause, the moral injury syndrome became located in space (the military as an

²⁶⁷ As discussed above, Shay himself provides an integrated treatment of moral injury, explicitly including Litz’s definition, in “Casualties,” in 2011, and “Moral Injury” in 2014, but these texts seem to have had minimal impact on the literature.

²⁶⁸ Hodgson and Carey, “Moral Injury and Definitional Clarity”; Griffin et al., “Moral Injury: An Integrative Review.”

institution in which betrayal occurs) and time (the unfolding of events in which the individual makes decisions and acts) when faced with a PMIE.

This convergence of the two streams of thought about the nature of moral injury, as accruing exclusively to the individual or primarily resulting from institutional betrayal, made possible a unified definition and thus strengthened the foundation for enhancing individual and institutional responses to the moral injury problem set.

The article “Sources of Moral Injury among War Veterans: A Qualitative Evaluation,”²⁶⁹ by Yonit Schorr, Nathan R. Stein, Shira Maguen, J. Ben Barnes, Jeane Bosch, and Brett T. Litz, in which the foci merged, and the definitional convergence was made explicit by the leaders in the field, was written in 2017 but published in 2018. In this text, the two streams, Shay’s betrayal and the personal responsibility of Litz et al., converge into one compound definition. This definition integrates the unit ideas revolving around the betrayal and personal responsibility foci into a single “solar system.” The field’s leaders, by organizing the various unit ideas into a single “thought complex system” in this text, thus decisively reinforced the definitional integration provided by Hodgson and Carey.²⁷⁰

The text explicitly acknowledges the persistent emergence of betrayal as a central element of moral injury. They write, “While betrayal as a category of moral injury was not included in the Litz et al. (2009) conceptualization, other authors have underscored betrayal, particularly of trusted leaders, as a central source of moral injury in veterans. (Drescher et al., 2011; Nash et al., 2013, Shay, 2003).”²⁷¹ They then point out, “We found events in the two betrayal categories that were mentioned more frequently in our focus groups than the other six categories combined, underscoring the salience of these experiences among war veterans in future moral injury conceptualizations.”²⁷² Stimulated by the practitioner’s demand for including betrayal in moral injury, they created a unit idea taxonomy divided into two meta-categories—“Personal Responsibility” and “Responsibility of Others”—and eight sub-categories.²⁷³ Within the Personal Responsibility meta-category, moral injury sources are the following: “1. Killing/injuring the enemy in battle; 2. Disproportional violence; 3. Harming civilians and civilian life; 4. Failing to prevent harm to others.” Within the

²⁶⁹ Schorr et al., “Sources of Moral Injury among War Veterans.”

²⁷⁰ Hodgson and Carey, “Moral Injury and Definitional Clarity.”

²⁷¹ Schorr et al., “Sources of Moral Injury among War Veterans,” 2211.

²⁷² Schorr et al., “Sources of Moral Injury among War Veterans,” 2212–13.

²⁷³ Schorr et al., “Sources of Moral Injury among War Veterans,” 2207.

Responsibility of Others meta-category, the categories of moral injury sources include the following: “1. Disproportionate violence; 2. Harming civilians and civilian life; 3. Betrayal by trusted others; 4. Betrayal by systems.”²⁷⁴ See their table 1 reproduced as Table 7 below.

Table 7: *Descriptions of the Proposed Sources of Moral Injury*

Meta-Category/Category	Description
Personal Responsibility	
1. Killing/injuring the enemy in battle	The participant killed or injured the enemy in battle. Killing or injuring the enemy outside of battle should be assigned to the next category.
2. Disproportionate violence	The participant engaged in excessive or unnecessary violence/cruelty/mistreatment of the enemy. Engagement in excessive or unnecessary violence against prisoners/detainees should be assigned to this category; however, engaging in excessive or unnecessary violence against civilians should be assigned to the next category.
3. Harming civilians and civilian life	The participant was directly responsible for harming civilians or destroying their land/property. This can include intentional acts of violence or incidental harm.
4. Failing to prevent harm to others	The participant witnessed the harming of another service members, civilian, or enemy combatant and stated that he felt guilty about not preventing it. Acts witnessed that do not include a statement of guilt should be assigned to one of the next four categories.
Responsibility of Others	

²⁷⁴ Schorr et al., "Sources of Moral Injury among War Veterans," 2207.

1. Disproportionate violence	The participant witnessed or learned about service members engaging in excessive or unnecessary violence/cruelty/mistreatment against the enemy or the enemy engaging in excessive or unnecessary violence/cruelty/mistreatment against service members. Witnessing excessive or unnecessary violence against prisoners/detainees should be assigned to this category; however, witnessing excessive or unnecessary violence against civilians should be assigned to the next category.
2. Harming civilians and civilian life	The participant witnessed or learned about the harming of civilians, the human suffering of civilians, or the destruction of their land/property. This can include intentional acts of violence or incidental harm.
3. Betrayal by trusted others	The participant experienced, witnessed, or learned about immoral or unethical acts by people close to him (e.g., unit leaders, peers, or trusted civilians) that affected the participant or other unit members. Immoral or unethical acts by high-ranking officials (e.g., generals, the president) should be assigned to the next category.
4. Betrayal by systems	The participant experienced, witnessed, or learned about immoral or unethical acts of the military, the government, or random members of society that affected the participant or other unit members.

While as recently as 2013 the definition of moral injury was in its “adolescence,” the 2018 Schorr et al. article constitutes the definitional “coming of age” and a greater willingness to face the institutional implications of moral injury. Reflecting the established consensus, Williamson et al.’s 2022 definition captured the full scope of the phenomenon:²⁷⁵

²⁷⁵ In Kuhn’s terms, the moral injury paradigm is sufficiently established to serve as the foundation for the “normal science” enabling practitioners to proceed more rapidly with research. Thomas S. Kuhn, *The Structure of Scientific Revolutions*, 2nd ed. (Chicago: University of Chicago Press, 1970), 10.

Moral injury may follow events which greatly transgress one's deeply held moral and ethical belief systems and frequently comprises feelings of guilt, shame, disillusionment, and anger. Potentially morally injurious events (PMIEs) can be categorized into three distinct event types: acts of commission, omission, or betrayal by a trusted other.²⁷⁶

This definition has the additional advantage of making explicit that “moral injury **may** . . .” [emphasis added] follow PMIEs—moral injury is not a necessary outcome of the encounter.

2.4.5.b Definitional implications

The diagnosis of the root causes of moral injury shapes individual and institutional responses. Assessments of individual moral deficiency as the root cause indicate the need for a set of remedial actions focused on correcting deficiencies in individual service member understanding. Thus, cognitive intervention, in the form of more training, as well as post-deployment mental health treatment, “falls out” from this analysis.²⁷⁷ An exclusive, or even predominant, emphasis when defining moral injury on decision-making failures by the individual generates two effects. First, the individually focused definitions allow for expressions of care (virtue signaling) calling for increased services for military personnel, for example, without requiring institutional change.²⁷⁸ Second, they obscure the role of the profession itself in creating and perpetuating ethical dilemmas and normalizing unethical decision-making.²⁷⁹

Recognition of institutional behavior as another root cause generates a different set of recommended remedial actions, because accepting betrayal as an integral moral injury definitional element entails institutional culpability. Thus, definitions incorporating betrayal generate a stronger and more critical demand

²⁷⁶ Williamson et al., “Development of an Intervention for Moral Injury-Related Mental Health Difficulties in UK Military Veterans,” 2.

²⁷⁷ See the NATO Joint Analysis Lessons Learned Centre (JALLC) *Joint Analysis Handbook*, 4th ed. (Monsanto, Portugal: NATO Joint Analysis and Lessons Learned Centre, 2022), 16, http://www.jallc.nato.int/products/docs/Joint_Analysis_Handbook_4th_edition.pdf for more on this image.

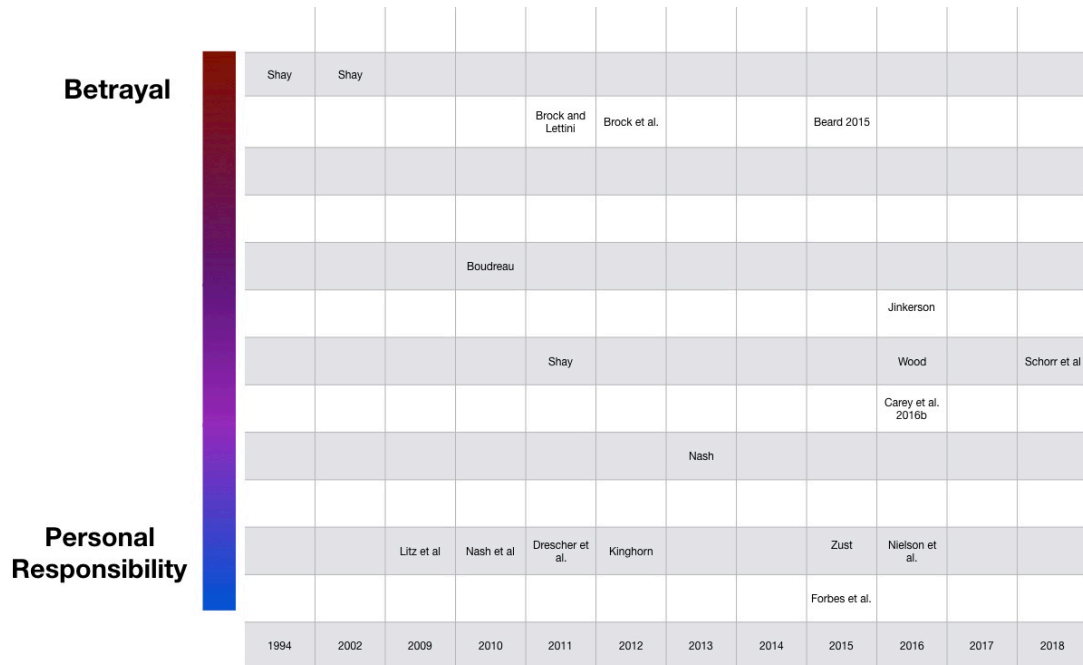
²⁷⁸ In the US system, for example, in which the Veterans Administration is responsible for veteran care, the “outsourcing” is even easier, shifting the burden and responsibility to a different part of the government (not the Department of Defense) concerned only with service members after their active-duty service.

²⁷⁹ Walter E. Carter, “Ethics in the U.S. Navy,” in *Ethics and the Twenty-First-Century Military Professional*, ed. Timothy J. Demy, The John A. van Beuren Studies in Leadership and Ethics (Newport, RI: Naval War College Press, 2018). Wong and Gerras, *Lying to Ourselves*.

signal for military organizations to act regarding moral injury.

Table 8 shows the gradual nature of the definitional convergence (from the top and bottom to the middle right of the diagram) as the bias against acknowledging the centrality of betrayal was gradually overcome through pressure generated by service members' articulation of their experience.

Table 8: *Definitional Convergence Pathway Produced by the Author*



Arguing that the definitions of moral injury have converged, as visually indicated in Table 8 I produced above, is not to say that further definitional development is neither required nor likely. It is to claim only that the moral injury concept is sufficiently mature to inform additional hypothesis formation and action from within the military profession. While it is important not to overstate the degree of agreement among the researchers focusing on moral injury, for the purposes of discussing potential responses to moral injury by the military as a profession, it is possible to say, “We agree on the definition of moral injury we are using when we are talking about when we talk about moral injury,” even as the precise nature of that agreement is not always entirely shared. Before 2018, this was a controversial statement—some focused on betrayal and others on personal violations of moral codes, and the two activity sets seemed to many only tangentially connected. This hindered the development of moral injury management capabilities. As a result of the

2018 definition, their interrelationship in a thought complex is no longer contentious enough to hinder further hypothesis formation regarding morally injurious event impact reduction, amelioration of moral injury effects, and the associated learning experience design.²⁸⁰

2.5 Part 4: Further Expansion of the Scope of Moral Injury: The Family and Society

Part 1 of this chapter placed moral injury in the moral conflict taxonomy. Part 2 examined the theoretical separation of PTSD and moral injury. Part 3 traced the development of the definition of moral injury. Part 4 of this chapter now examines the range of moral injury impacts. This examination clarifies the need for and potential return on investment of enhanced moral injury management capabilities.

2.5.1 Family Impacts

Military moral injury affects not only the service members and military institution. The negative impact of moral injury can extend to friends and family of service members and the broader society the military serves.²⁸¹ This section examines the outer range of the scope of moral injury through an analysis of Nash and Litz's text "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members."²⁸² Their text analyzes how moral injury can negatively affect friends and family members far from the actual confrontation with a potentially morally injurious event.

Addressing the problem of the psychological reach of war-related trauma,²⁸³ Nash and Litz write, "Recent research has provided compelling evidence of mental health problems in military spouses and children, including PTSD, related to the

²⁸⁰ However, the integration remains incomplete, as shown in a 2020 paper from a moral injury conference. Atuel writes, "Certainly, moral injury is a complex psychological experience requiring a detailed and nuanced array of terminology to adequately explain its etiology and developmental course. However, without a clear and agreed upon conceptual definition, the research waters will continue to be muddied, and the field will not advance at an adequate pace to effectively inform practice." Hazel R. Atuel, "Exploring Moral Injury: Theory, Measurement, and Applications," (2020): 5. They do not cite Schorr et al., and refer to Shay's *Odysseus in America* only in relation to the "age old" nature of moral injury. Betrayal is not mentioned in the text.

²⁸¹ Williamson et al., "Development of an Intervention for Moral Injury-Related Mental Health Difficulties in UK Military Veterans," 454.

²⁸² Wood also includes families in his discussion of moral injury. He writes, "Military families, too, absorb moral injury, living with loneliness and fear and perhaps emotions of anger and betrayal along with their pride of service and sacrifice." Wood, *What Have We Done*, 18. And "Young soldiers not only had to face their own anxieties of another battlefield deployment but had to deliver a morally troubling message to their families: I'm going away for a year and I might never come back, because what I do over there is more important than being with you." Wood, *What Have We Done*, 33.

²⁸³ Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 365.

warzone deployments, combat exposures, and post-deployment mental health symptoms experienced by military spouses and parents.”²⁸⁴ Nash and Litz argue that moral injury can serve as the mechanism through which warzone events can operate at a distance to cause mental trauma. They propose a theory of “moral cognitive development” as a framework for understanding the effect generation capability of morally injurious events.

According to this theory, moral injury generates effects through attack upon and the resulting degradation of the foundational moral schema or “holding environment” within which people live their lives. They write,

Moral cognitive development is not a process performed by a person of any age in isolation. In the ideal, it occurs in a holding environment maintained by major social and spiritual support systems, including family, immediate community, and religion and spirituality. . . Moral beliefs and values shared across social boundaries, a moral covenant, not only make social interactions predictable and meaningful, they lay a foundation for enduring relationships of trust and safety.²⁸⁵

Moral injury strikes directly at this holding environment and, thus, the core of the framework within which the individual lives her or his life. The holding environment destruction effect of betrayal explains the mechanism through which institutional betrayal generates moral injury, which leads to or stimulates the individual tendency to negative “global attribution” of the self. They explain,

From this perspective, moral injury can be conceptualized as the consequence of a challenge to moral belief systems that exceeds the information-processing capacity of the person at their current stage of development, given available social and spiritual resources. The relative toxicity of potentially morally injurious event may correlate not only with how violently they appear to contradict existing moral schemas, but also the extent to which they compromise the ability of existing social

²⁸⁴ Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 366.

²⁸⁵ Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 369-370.

and spiritual support to maintain a secure holding environment.²⁸⁶

Moral injury causes harm at a distance by overwhelming the integrative capability of the individual's sense-making.

Nash and Litz offer a description of potential mechanisms through which morally injurious events can both directly and indirectly cause moral injury in family members, writing:

Military spouses and children can experience potentially morally injurious wartime events directly through news media, stories shared by family members and friends, and other interactions in the community. . . Indirect impacts of war on developing moral schemas, in contrast, constitute betrayals of trust, through actions or failures to act, perceived to be committed by members of one's moral covenant, including family members, teachers, community leaders, a deity, or oneself.²⁸⁷

They thus provide a comprehensive view of the actors and the scope of actions by those actors that cause moral injury to family members, including parents, community leaders (both in and out of the military), deities, and the self.

The harm of moral injury at a distance is largely self-inflicted. These self-inflicted moral injuries could also be articulated in terms of what Shay refers to as "complications" from the "primary" injury.²⁸⁸ The "complications" from engagement with the potentially morally injurious event cause damage just as infection (a complication of the primary physical impact caused by wounds in combat) caused more deaths than the actual wounding prior to the widespread adoption of antibiotic use.²⁸⁹ Thus, what Nash et al. refer to as "self-inflicted moral injuries" by family members can be understood as *complications* from primary moral injuries caused by encounters with potentially morally injurious events as part of the performance of military duties. The negative impact extends along an emotional chain of cause and

²⁸⁶ Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 369-370.

²⁸⁷ Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 370.

²⁸⁸ Shay, "Casualties," 180.

²⁸⁹ Shay, "Casualties," 181.

effect, reaching family members. Nash et al. write, “Examples of common self-inflicted moral injuries in military spouses include marital infidelity and neglect or abuse of their children.”²⁹⁰ Inadequate awareness by families of these potential impacts from morally injurious events experienced by their loved one thousands of miles away degrades both “primary wound” and complication management capability. Thus, the adverse effects can continue to propagate through the family.²⁹¹

Absent awareness of the full scope of the moral injury challenge and help to create the cognitive and affective self-regulative understanding through the cultivation of meta-affective tools for managing and understanding emotions, children can amplify the transmitted complications from moral injury experienced by their parents into their own set of suboptimal behavior. This, in turn, generates even more stress on the family unit. Nash et al. write,

In the murky moral universe of children, self-inflicted moral injuries may range from real betrayals of promises, such as by seriously acting out at home or in school, to imagined betrayals, such as blaming themselves for changes in their parent's behavior, divorce, or even the death or injury of a family member.²⁹²

Children, without other guidance, can internalize the tacit tensions they sense in the present parent, the deployed parent, and the noise generated by the media and others in the community in ways that are counterproductive for both the development of their moral schemas and general mental health. These additional stresses in the family, absent effective moral injury management capabilities, can extend and intensify the effects of moral injury.²⁹³

²⁹⁰ Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 371.

²⁹¹ J.D. Salinger's 1948 short story "Uncle Wiggly in Connecticut" is, this author claims, a description of this sort of moral injury propagation caused by an institutional betrayal. J.D. Salinger, "Uncle Wiggly in Connecticut," *New Yorker*, 1948.

²⁹² Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 371

²⁹³ Eloise's daughter Ramona in "Uncle Wiggly in Connecticut" is suffering these effects of moral injury at a temporal and spatial distance.

2.5.2 Moral Injury as “World Destroying”

Shay writes, “Armies, like families, are institutions that create a world.”²⁹⁴ Berger and Luckman’s analysis of world creation in their *Sociology of Knowledge* and Nash and Litz’s definition of the “holding environment” both support Shay’s claim. According to Berger and Luckman, habituation and the recipe knowledge developed by institutions to execute their tasks lead to the creation of what Berger and Luckman refer to as a “social world.” The institutional social world defines institutional roles and proper conduct while executing those roles. The resulting knowledge, the understanding of how things work, comes to constitute reality.²⁹⁵ Families build worlds which Nash and Litz refer to as the “holding environment.” The holding environment, consisting of beliefs and expectations about how other people make decisions and act, builds a world in a way similar to the construction of the “social world” described by Berger and Luckman.

Trust is central to this world building and maintenance. Benjamin McMyler’s definition of trust speaks directly to its role in building a “world.” He defines trust “as an attitude (or perhaps a suite of attitudes) that embodies a distinctive way of representing the world or a distinctive kind of take on the world.”²⁹⁶ Thus trust builds and maintains a world.

This conception of trust as a “world builder and maintainer” helps explain the importance of trust to the military. The military, due to the vulnerability associated with unlimited liability, is especially reliant on trust. In a statement linking vulnerability and moral-ethical decision-making competency, Shay writes, “The need for an intact moral world increases with every added coil of a soldier’s mortal dependency on others.”²⁹⁷ Moral injury, by undermining trust, can destroy this world.

Thus, the importance of moral injury emerges from, in large part, the damage it does to the ability to trust. Nash writes, “Moral injury is not merely a state of cognitive dissonance, but a state of loss of trust in previously deeply held beliefs about one’s own or other’s ability to keep our shared moral covenant”²⁹⁸. In other

²⁹⁴ Shay, *Achilles in Vietnam*, 150. Nash and Litz, “Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members,” 369.

²⁹⁵ Berger and Luckmann, *The Social Construction of Reality*, 65–66.

²⁹⁶ Benjamin McMyler, “Trust and Authority,” in *The Routledge Handbook of Trust and Philosophy*, ed. Judith Simon (Milton: Taylor and Francis, 2020), 80.

²⁹⁷ Shay, *Achilles in Vietnam*, 15.

²⁹⁸ Nash and Litz, “Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members,” 368.

words, moral injury causes confidence in the moral foundation of the world to collapse. Betrayal by institutional leaders—both directly through giving orders and indirectly through the influence of institutional policies and practices—can, if it creates PMIEs, the encounters with which generate moral injury, result in the destruction of the holding environment, the world within which the individual abides, makes decisions, understands the decisions of others, and acts. Thus betrayal—trust violation—causes moral injury by directly “attacking” the “shared moral covenant” structuring the holding environment. By destroying elements of the world and encouraging global attributions of the self as untrustworthy, moral injury destroys the ability to make effective discretionary judgments across the full range of military activity.

2.5.3 Kessler Syndrome Metaphor

This discussion of moral injury affecting family members and moral injury as causing “world destruction” highlights the tendency of damage caused by moral injury to “spread” or “cascade.” As a result, metaphorically, moral injury is cognitively and affectively “Kessler syndrome prone.” The “Kessler syndrome” refers to a cascade of damage resulting from orbital collisions. The Kessler syndrome arises when an object in orbit, a satellite, for example, hits another object. This first impact creates debris. Pieces of debris issuing from the first impact collide with one another and/or other objects (e.g., satellites, spacecraft) in orbit. These additional impacts create more debris, causing more impacts and more debris until the entirety of the space surrounding the planet is filled with pieces of space junk continuously colliding (see Figure 8).²⁹⁹ The collisions cascade, eventually rendering the area of space surrounding the planet, now used for a wide range of essential satellite-based services (internet, imaging, weather forecasting, etc.), unusable.

²⁹⁹ Donald J. Kessler and Burton G. Cour-Palais, "Collision Frequency of Artificial Satellites: The Creation of a Debris Belt," *Journal of Geophysical Research: Space Physics* 83, no. A6 (1978): 2637, <https://doi.org/10.1029/JA083iA06p02637>. Neil Stevenson's *Seven Eves* is a fictional treatment of the result of the Kessler syndrome initiated by the mysterious breaking of the moon into several pieces. At first, the pieces remain in close proximity to one another, orbiting together. However, once they start to bump into each other, these collisions, inconsequential at first, create more and more pieces of debris through cascading impacts, result in the unfolding of the Kessler syndrome.

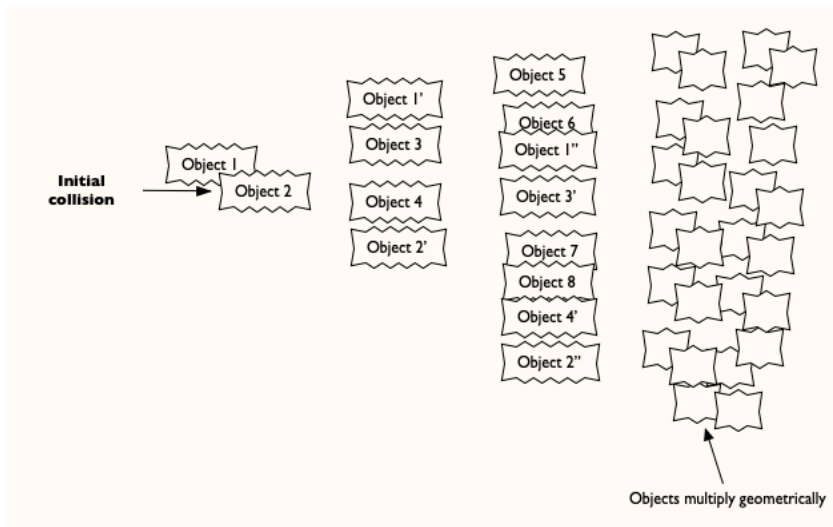


Figure 8: *Kessler Syndrome (diagram by the author)*

Similarly, absent sufficiently strong ameliorating tools (a moral injury management capability) buttressing the self-conception, the negative impact of moral injury can lead to a cascade of effects. The individual “collisions” create “debris” impacting core conceptions of the individual identity, fellow unit members, and other actors in the engagement space (for example, when the negative response to a PMIE and the resulting moral injury stimulates berserker behavior),³⁰⁰ family members and others connected to the person suffering a moral injury, and suicide.³⁰¹ Thus, the “Kessler syndrome” invoking quality of moral injury can render the individual professionally ineffective.

The importance of understanding moral injury, I claim, is in part based on this Kessler proneness. The impact of negative responses to PMIEs due to this effect (in part generated by the tendency to global attribution resulting from moral injury) extends far beyond the individual reaction. Moral injury resulting from PMIEs generated by institutional betrayal or individual response to adversary action does not just reduce the operational effectiveness of the individual directly involved. It can, if not properly managed, negatively impact other members of the unit, other actors in the engagement space (e.g., when it stimulates berserker behavior), family members, and others connected to the person suffering a moral injury.³⁰² Thus, absent sufficiently strong ameliorating tools, including those specifically designed to

³⁰⁰ Shay, *Achilles in Vietnam*, 77–99.

³⁰¹ See Williamson et al., “Development of an Intervention for Moral Injury-Related Mental Health Difficulties in UK Military Veterans,” 454; Nash and Litz, “Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members,” 371. Litz et al., “Moral Injury and Moral Repair in War Veterans.”

³⁰² The interpersonal analogs to the orbital destruction described by the Kessler effect.

respond to trust violations and rebuild trust, the negative impact of moral injury can lead to a cascade of negative effects, including harming others and suicide.³⁰³ Conversely, an effective moral-ethical decision-making theory of practice enhances the military's ability to provide protection congruent with (but in ways not identical to) the values of the society served.

2.6 Conclusion

The literature indicates that isolated, fractional attempts to address moral injury fail to provide adequate support to service members in responding to the moral injury challenge.³⁰⁴ In other words, a limited focus on only one grouping of unit ideas, which results in a partial view of the moral injury complex, is insufficient for developing adequate responses to the personal and institutional challenges posed by moral injury. As Carey et al. write,

Most certainly, one could argue, given veterans who commit suicide post-deployment, that standard psychological/psychiatric services and treatment may not be as effective as most healthcare professionals would desire—and that perhaps spiritual and pastoral care services as implemented by chaplaincy departments should no longer be marginalized. Rather moral injury—no matter how it is defined—will more than likely take a combined effect of all professionals to properly assist those suffering its effects.³⁰⁵

Litz et al. argue, “These complex research questions require an interdisciplinary approach (e.g., military, biological, philosophical, sociological and social psychological, legal, religious, mental health perspectives), and our intention is to offer a basic framework that can be used as a point of departure for future theory-

³⁰³ Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 371. Litz et al., "Moral Injury and Moral Repair in War Veterans."

³⁰⁴ Wood, *What Have We Done*; Shay, *Odysseus in America*. Making a similar point, Nash suggests “One obstacle to research and federal programs targeting the psychological health of military family members may be the lack of a clear, compelling, and testable model to explain how war-zone events can result in psychological trauma in military spouses and children.” Nash and Litz, "Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members," 373.

³⁰⁵ Carey et al., "Moral Injury, Spiritual Care and the Role of Chaplains," 1237.

building and research.”³⁰⁶ The intent of this “basic framework” is to enable collaboration on more effective responses.³⁰⁷

This chapter has traced how previous researchers, through the sort of interdisciplinary approach Litz et al. called for, have integrated the unit ideas associated with MI into a coherent thought complex. The definition of the problem—the precise nature of moral injury—as traced above will enable doctrine development and the formulation of recommended remedial actions to better develop military moral injury management capabilities (as further described in Chapter 7).

The tracing in this chapter of the gradual integration of the unit ideas associated with moral injury, especially the development of the moral injury definition as it has unfolded in the literature since the early 1990s, has uncovered two critical aspects of moral injury.

1. The analysis reveals the mechanisms through which moral injury can generate adverse effects on service members, others in the operational environment (adversaries, non-combatants), and the broader community (family members, friends, taxpayers), both directly and indirectly.
2. The analysis of the definition of moral injury uncovers the centrality of institutional betrayal to the moral injury syndrome. The military has, guided by the just war tradition, and articulated in the law of armed conflict, developed extensive control system approaches to manage the risk of unjust action constituting PMIEs. However, as shown in this chapter, institutional betrayal—violations of institutional trust—constitute a significant source of PMIEs. Yet the trust system approach to managing risk is less well articulated in military doctrine. Understanding the nature of military institutional trust is necessary to develop enhanced policies and procedures

³⁰⁶ Litz et al., "Moral Injury and Moral Repair in War Veterans," 696. They repeat this point in the conclusion, writing, "What is needed, then, multi- and, ideally, interdisciplinary research." Litz et al., "Moral Injury and Moral Repair in War Veterans," 705. As Lovejoy wrote, when discussing the history of ideas, in a statement applicable to this discussion of moral injury: "It is that in almost all of the branches of historiography which deal with the history of men's thoughts or opinions, and the affective attitudes and behavior associated with these, there is imperative need of more definite, responsible, organized collaboration between specialists in these several branches than has hitherto been customary- collaboration too, in some cases, between historians and specialists in non-historical disciplines, notably the natural sciences." Lovejoy, "The Historiography of Ideas," 539.

³⁰⁷ The *jus in militaribus* as a framework contains, as will be discussed in Chapter 7, this “basic” subsidiary framework.

for preventing trust violations and thus reducing the incidences of institutional betrayal as a source of PMIEs.

By providing an integrated overview of moral injury, including a definition of the problem, this chapter provides a foundation for an integrated approach to moral injury management capability development to meet both individual and institutional needs. For individuals, the provision of an integrated approach presents the potential to reduce the cognitive and affective load on service members in complex decision-making situations. It thus enhances the ability of service members to make effective moral-ethical judgments and to abide after their encounter with a PMIE with those judgments in light of appropriate attributions. Institutionally, a comprehensive conceptualization enabled by *jus in militaribus*, including a model of institutional trust, provides a foundation for the development of institutional responses to the clearly defined problem and thus encourages institutional change to reduce the occurrence of potentially morally injurious events, reduce their virulence when they occur, and facilitate recovery.

2.6.1 Transition Statement

The output of this study, the formulation of recommendations for enhancing military moral injury management capabilities presented in Chapter 7, is built on the following three preliminary steps. First, is to expose the gaps in the literature concerning the theoretical understanding of trust within the military. Chapter 3 performs this task by:

- Examining the military professional literature discussing trust in the military.
- Examining the doctrinal, that is, official statements on the role of trust in the military.
- Examining the academic literature on organizational trust.

Second, enhancing *military* moral injury management capabilities requires defining the *military* nature and character of the institution. That is, defining the nature of the military institution and how the character of the institution is shaped by the balance struck between the use of control and trust systems to manage the risk of unjust action. Chapter 4 performs this task.

Third, developing capabilities to prevent institutional betrayal—the violation of trust—requires a richer understanding of trust within the military and formulation of

an operational model of military trust. Chapter 5 performs this task.

Together, these following three chapters provide a set of theoretical resources with which I will, in Chapter 6, define *jus in militaribus* and formulate a theory of institutional trust appropriate to moral injury management capability within the *jus in militaribus* framework.

Actionable Insights

1. Both the military institution and individual can generate moral conflicts, including potentially morally injurious events (PMIEs).
2. Therefore, both the institution and individuals can bear responsibility for moral injury.
3. Moral injury can generate far-ranging negative impacts, harming operational effectiveness as well as individual flourishing.
4. The integrated definition of moral injury is now sufficiently mature to serve as a foundation for moral injury capability development.

Chapter 3:

The Military Professional, Doctrinal, and Academic Literature on Organizational Trust

3.1 Introduction

The following analysis in this chapter of three sets of literature—the professional military literature, the military doctrinal literature, and the academic literature on organizational trust—reveals that an actionable model of military trust is, in spite of frequent mentions of the importance of trust to military operations, not readily available to inform military decision-making and moral injury management capability development. Absent a comprehensive explanation of military trust, understanding the causal effect of institutional violation of trust in high-stakes situations as a source of moral injury will remain inadequate. Therefore, the thesis of this chapter is that although the military often talks about the importance of trust, for example, that it is the “bedrock” of the military profession and that building trust constitutes the commander’s most important task, the understanding of trust is inadequately articulated and thus unable to fully meet the moral injury management need.³⁰⁸

In order to indicate the significance of trust within the military profession and the potential for betrayals—trust failures—to harm both the members of the institution and the institution itself, Part 1 of this chapter reviews the US military professional literature on trust. Part 2 reviews selected US military doctrinal statements on trust. In preparation for reviewing the definitions of trust in the organizational behavior literature in Part 3, which emphasizes that risk is a core component of the trust “thought complex,”³⁰⁹ Section 3.3.5 reviews the US doctrinal definition of risk.

Part 3 reviews definitions of trust in the academic literature. This section of the literature review reveals the complexity of trust—a complexity generally inadequately addressed in the US professional and doctrinal literature. The more granular understanding of trust found in the academic literature will enable the formulation of a theory of military trust better suited to informing professional decision-making and

³⁰⁸ Wong and Geras, *Lying to Ourselves*, x.

³⁰⁹ Lovejoy, “The Historiography of Ideas.”

moral injury management capabilities. Part 4 describes the significance of the conceptual ambiguity surrounding trust exhibited in the military professional and doctrinal literature and how the academic literature on organizational trust indicates the pathway toward developing a model of military trust suitable for informing the development of enhanced moral injury management capabilities.

3.2 Part 1: The Military Professional Literature on Trust

This part analyses the professional military literature on trust and begins with a brief description of the structure of the military professional literature. The designation “professional literature” analyzed in this part refers to both official texts produced by military organizations and unofficial texts published by military and civilian organizations. Broadly construed, the military literature takes multiple forms, including articles in professional journals, concepts, doctrine, Joint Doctrine notes, and white papers, forming a sort of amorphous hierarchy of authoritativeness. See Figure 9.

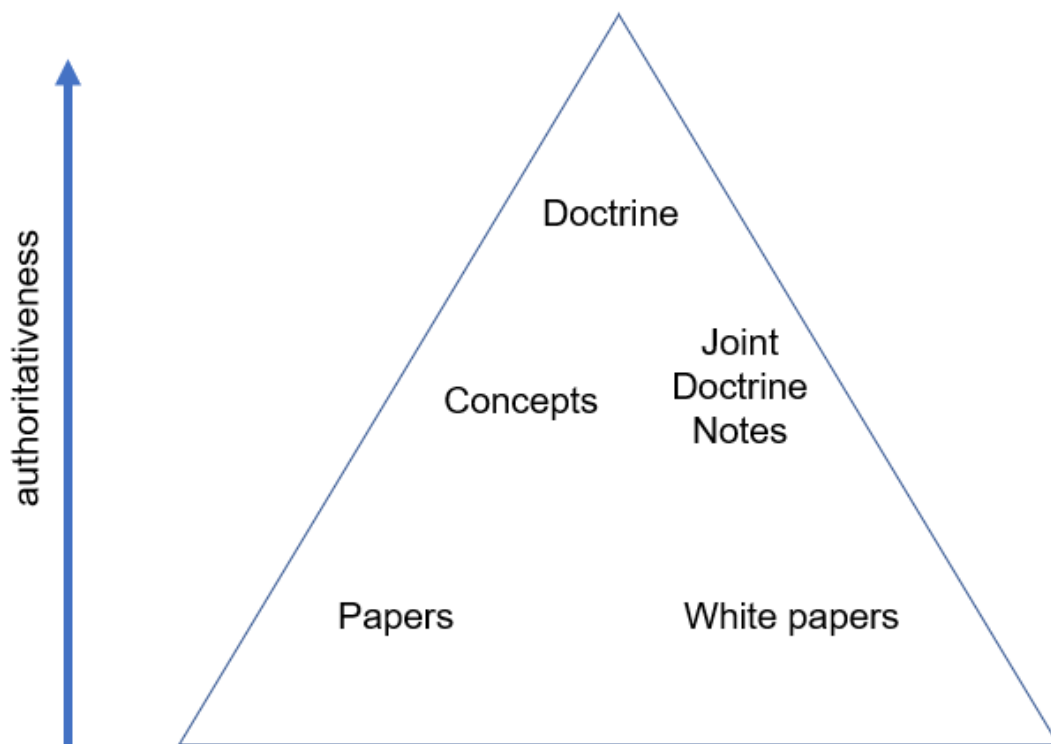


Figure 9: *Military Professional Literature*

Doctrine occupies the top of the authoritative pyramid. It provides “official

advice and standardized terminology” to guide—not determine—actions by military forces.³¹⁰ According to the US Air Force Curtis E. LeMay Center for Doctrine Development and Education’s *A Primer on Doctrine*, “Doctrine consists of fundamental principles by which military forces guide their actions in support of national objectives. It constitutes official advice but requires judgment in application.”³¹¹ Doctrine is intended to provide the foundation for shared understanding but not restrict commanders’ exercise of initiative. As seen below, a major function of trust—and appropriate degrees of distrust—is to enable the organizationally effective exercise of initiative.

Joint Doctrine Notes support the doctrine development and revision process by providing a mechanism for formally sharing thinking about problems and potential solutions.³¹² Concepts describe future capabilities for the execution of military functions.³¹³ They constitute official ways to present new ideas but do not yet possess the same degree of authoritativeness as doctrine. Papers or white papers share ideas to encourage dialog about important topics among institution members. Multiple organizations can issue papers or white papers outside the formal doctrine or concept approval process.³¹⁴

The US military also possesses a robust and diverse set of professional journals published by both military and civilian organizations. Some of the venues in which this professional literature is published are official organs of the military, such as the US Army’s *Military Review*, published by the Army University Press. Others are published by private organizations such as the US Naval Institute *Proceedings*. All share the aim of presenting texts of value to members of the profession without claiming the status of official US government positions for those texts.³¹⁵

These texts provide a venue for critical thinking about and reflection on the profession’s activities. Service members and others (e.g., academics, members of

³¹⁰ Joint Staff, “DOD Dictionary of Military and Associated Terms,” 1 .

³¹¹ Curtis E. LeMay Center, *A Primer on Doctrine*, 1.

³¹² O’Donohue, Joint Doctrine Note 1-19.

³¹³ Jr. William C. Mayville, CJCSI 3010.02E Guidance for Developing and Implementing Joint Concepts, A-1 (Washington, D.C.: Joint Staff, August 17, 2016).

³¹⁴ A campaign to enhance moral injury management capabilities could use all of these text types to cultivate shared understanding of the capability requirements.

³¹⁵ For example, the US Army University’s *Military Review* Publishing Disclaimer reads: “In all of its publications and products, *Military Review* presents professional information. However, the views expressed therein are those of the authors and not necessarily those of the Army University, the Department of the Army, or any other agency of the U.S. government.” Army University Press, “*Military Review*,” <https://www.armyupress.army.mil/Military-Review/>.

think tanks, and so on) publish in these journals with the express intent of contributing to the professional discourse. The literature presents new ideas, critiques existing ideas, provides glosses on official professional texts (doctrine, concepts, plans, etc.), and examines issues pertinent to military operations and activities. Anyone in the US can produce articles for military journals, which occupy a valued position in the US military intellectual ecosystem. For example, John L. Romjue, in his monograph “From Active Defense to AirLand Battle: The Development of Army Doctrine 1973–1982,” describes the seriousness and utility of the debate over the emerging doctrine in the pages of various military journals.³¹⁶ This contrasts with the French approach between World War I and II, which actively discouraged critiques of the established doctrinal positions.³¹⁷

The military professional literature indicates an awareness of the importance of trust and institutional trust failures. For example, Holmberg et al. write, “within the Army profession, and in consideration of the many military scandals that have come to light in the last decade, the efficacy of the Army’s culture of trust continues to be a topic of debate.”³¹⁸ However, the text provides only general guidance on cultivating trust within the organization or unit and between the military institution and the society it serves.

William Ostlund’s article “On Trust and Leadership” exemplifies that debate, demonstrating both the debate around trust and the use of military journals to propagate an understanding of official doctrine. It also provides an overview of the use of the term “mutual trust” in Army Doctrine Publication (ADP) 6-0: *Mission Command*.³¹⁹

General Robert W. Cone’s article “Enduring Attributes of the Profession: Trust, Discipline, Fitness” summarizes the centrality of trust to the profession, listing the various dimensions of trust between society and the army and within the army. He writes,

Trust can be considered the lifeblood of our profession. Our Nation puts its trust in the military, relying on our ethic, integrity, and professionalism. The people entrust to its

³¹⁶ See especially John L. Romjue, “From Active Defense to AirLand Battle: The Development of Army Doctrine, 1973–1982” (Fort Monroe, Virginia: TRADOC, 1984), Ch. 2., “The Debate of the Active Defense,” 13–21.

³¹⁷ Cohen and Gooch, *Military Misfortunes*, 200.

³¹⁸ Michael Holmberg et al., “A Culture of Trust,” *NCO Journal* (2019): 1.

³¹⁹ This doctrine is further analyzed in Section 3.3 of this chapter.

leaders the lives of their children to soldier in our ranks. They trust that the Army will not waste those precious resources. The people also put their trust in the profession to apply the lethal force the Army is empowered to use within the ethical boundaries of international law and our national values. This sacred trust defines the bond between our Nation and its soldiers. As a profession, it is our responsibility to ensure that bond is continuously nurtured, strengthened, and matured.³²⁰

Cone's description summarizes the references to trust in the military professional literature, highlighting the importance of trust as an essential ingredient of professional activity. He also addresses the cultivation and destruction of trust, writing, "It [trust] can be built or destroyed based on how an individual behaves, how they communicate (with their subordinates, peers, and leaders), and how they demonstrate their military skills."³²¹ According to Cone, fair action and helping others achieve their goals according to moral and ethical principles builds trust.³²² Addressing the generation of mistrust, military leaders generate mistrust by displaying, he writes, "questionable characteristics, such as double standards, evidence of unfaithfulness, or even disregard for law. . . creat[ing] an environment of mistrust."³²³ Cone mentions that the institution has a role in preserving trust but frames that role as engaging with individuals—not in terms of the actions of the institution itself. He writes, "As an institution, we can work with individuals to correct faults that weaken trust."³²⁴ He concludes his analysis of trust with assertions on the importance of both internal and external trust to enable the institutional performance of its tasks:

If our trust is lost with the American people, the repercussions on the institution will take years to overcome. If our trust as leaders is lost with our subordinates, we cannot effectively lead and will ultimately fail in our mission.³²⁵

He thus covers the range of trust requirements. Still, he does not provide a detailed

³²⁰ Robert W. Cone, "Enduring Attributes of the Profession: Trust, Discipline, Fitness," *Military Review* (2011): 5-6, <https://apps.dtic.mil/sti/pdfs/ADA570011.pdf>.

³²¹ Cone, "Enduring Attributes of the Profession," 6.

³²² Cone, "Enduring Attributes of the Profession," 6.

³²³ Cone, "Enduring Attributes of the Profession," 6.

³²⁴ Cone, "Enduring Attributes of the Profession," 6.

³²⁵ Cone, "Enduring Attributes of the Profession," 6.

understanding of the components of trust that I claim are necessary to enable effective institutional and individual action to cultivate the appropriate levels of trust, especially those necessary to manage moral injury.

John A. Vermeesch's "Trust Erosion and Identity Corrosion" is especially relevant to this study. Published in 2013, Vermeesch draws attention to two threats to the Army as a profession, writing, "The primary threats to the Army's performance as a profession in the next decade are the erosion of the American people's trust combined with identity corrosion among Army professionals."³²⁶ The erosion of trust is a problem because it leads the client, the American people, "to withhold autonomy from the profession," resulting in the institutional transformation into a bureaucracy.³²⁷ This raises a theme discussed further in Chapter 4. Bureaucracies, tightly governed by control systems and designed to accomplish routine tasks, are, according to Vermeesch, unable to adapt as required to the demands of the operational environment and tasks calling for the exercise of non-routine professional judgment.³²⁸

Vermeesch notes that the Army lost some of its autonomy in the 1990s by failing to "exercise sound discretionary judgment."³²⁹ He argues that although surveys, such as those conducted by the Center for Public Leadership at Harvard University in 2010 and a Gallup poll in 2011, still indicated that the American public trusted the military, trust was eroding.³³⁰ He then traced how the erosion of trust, not necessarily apparent in public opinion, was shaping Congressional action, as seen in efforts to pass various acts regulating military treatment of issues like sexual assault and suicide prevention. He concludes, "In essence, the Senate is telling the military in general, and the Army in particular, that it no longer trusts the Army to handle the problem."³³¹ Vermeesch thus articulated in 2013 relevant trust/distrust trends that led toward the reduction of military institutional autonomy, such as through the 2021 National Defense Authorization Act. This act removed the commander's authority to

³²⁶ John A. Vermeesch, "Trust Erosion and Identity Corrosion," *Military Review*, September–October (2013): 2.

³²⁷ Vermeesch, "Trust Erosion and Identity Corrosion," 2.

³²⁸ The tension within the military institution between bureaucracy and professional forms of institutional construction and operation is further examined in Chapter 6.

³²⁹ Vermeesch, "Trust Erosion and Identity Corrosion," 4.

³³⁰ The surveys discussed in Chapter 1 indicate that the public is beginning to lose trust in the military.

³³¹ Vermeesch, "Trust Erosion and Identity Corrosion," 5.

issue non-judicial punishment in sexual assault cases.³³²

Vermeesch provides specific recommendations for remedial action to address trust erosion. He recommended that remedial actions include holistic analysis of the military's ethical training programs, further development of the "American's Army—Our Profession" education and training program developed by the Center for Army Profession and Ethic (since renamed to the Center for the Army Profession and Leadership), the integration of gaming systems to enhance training, and the use of ethical decision-making in the Army Combat Training Centers scenarios.³³³ Thus, unusually in the military professional literature, Vermeesch both diagnosed the problem *and* suggested recommended remedial actions. However, the specific content of the actual training associated with trust cultivation remains underdetermined in his article.

3.2.1 Ethical Fading and Trust Erosion

Leonard Wong and Stephen J. Gerras describe "ethical fading" as a major trust/distrust-relevant degradation of professional performance. Ethical fading occurs when the ethical aspects of a dilemma, situation, or decision are minimized, "bleached," or "washed out" to the degree that they are no longer considered morally/ethically significant.³³⁴ Wong and Gerras list several factors that encourage ethical fading within the Army profession. These include the use of euphemisms to obscure the character of the decision, increases in the distance between the decision and the actual effects, and the distance from the consequences.³³⁵

Of special relevance to this study, Wong and Gerras focus on institutional action—not inadequate personal moral-ethical responsibility—as the root cause of ethical fading. The institutional pressures encouraging ethical fading and facilitating hypocrisy among leaders constitute the root cause of ethical fading, not the individual desire to act immorally.³³⁶ This is not to say that decisions and actions as a result of ethical fading do not constitute personal moral-ethical failings—they do. The point is that the root cause resides within contradictory institutional policies and

³³² Non-judicial punishment is punishment administrated directly by the commanding officer, not through a trial. See § 815 Article 15 of the Uniform Code of Military Justice (UCMJ). "Armed Forces," in *Title 10, United States Code Armed Forces*, ed. United States Congress (Washington, D.C.).

³³³ Vermeesch, "Trust Erosion and Identity Corrosion," 7.

³³⁴ Wong and Gerras, *Lying to Ourselves*, 17.

³³⁵ Wong and Gerras, *Lying to Ourselves*, 17–19.

³³⁶ Wong and Gerras, *Lying to Ourselves*, 27.

procedures that make simultaneous contradictory demands. Wong and Gerras argue that, on the one hand, the Army demands high levels of moral-ethical decision-making to preserve trust within the institution and between the institution and the society served. On the other, it requires reporting compliance with policies and procedures even when compliance is impossible in the circumstances. For example, the Army requires the completion of a vast set of mandatory training requirements to qualify as deployment ready. However, the total number of training days required to accomplish the mandatory training exceeds the number of days available.³³⁷ The institution has thus made compliance simultaneously impossible and mandatory. Leaders must sign that they have completed the training—in other words, lie about accomplishing the training—in order to perform their other professional tasks. Thus, the institutional policies and practices forcing such a choice—not the individual officer acting unethically by signing—are the ultimate source of the trust degradation through increasing distrust within the moral-ethical decision-making process. As a result, institutional change—not individually focused changes in behavior—is required to decrease ethical fading.

Wong and Gerras make three recommendations for restoring trust through reducing ethical fading focused on institutional, not individual, behavioral change. One is to acknowledge the problem. This requires a difficult analysis of the true state of the profession. Wong and Gerras write of Army officers, “They can easily lecture about the ideals of integrity and honor, but many find it extremely difficult to admit that they too have encountered (and currently live with) a culture that condones dishonesty.”³³⁸ Talk about “ethics” can camouflage and conceal unethical/immoral action.

Second, Wong and Gerras call for the institution to “exercise restraint” in the face of excessive requirements and directives in two ways: requirement generation and misuse of officer integrity. First, they call for the senior leaders to make the difficult decisions concerning the prioritization of, for example, mandatory training requirements and not simply add new issues to the training burden. Second, they suggest that compliance verification systems should rely on mechanisms other than the officer’s integrity as represented by his or her signature on a form.³³⁹ In terms of

³³⁷ Wong and Gerras, *Lying to Ourselves*, 4.

³³⁸ Wong and Gerras, *Lying to Ourselves*, 29.

³³⁹ Wong and Gerras, *Lying to Ourselves*, 18.

the tension between control systems and trust systems, discussed further below, Wong and Gerras call for increased use of control systems to check for compliance, using mechanisms like audits and statistical sampling instead of relying on the officer integrity trust system manifested in requiring officer signatures attesting to desired conditions. Relying on integrity (a trust-based system approach instead of a control system approach) for administrative issues not only wastes the scarce resource—integrity—on trivialities but leads to ethical fading. *Jus in militaribus* provides a framework for the profession’s stewards’ decisions and actions to address this challenge. Third, they call for “leading truthfully,” although they do not explain in detail what this might mean in practice.³⁴⁰

Cumulatively, the military *professional* literature in the journals indicates a persistent concern with trust and its role in decision-making. The following section analyses trust in the official military *doctrinal* literature.

3.3 Part 2: US Military Doctrine on Trust

This part analyses the US military’s doctrinal discussions of trust and proceeds as follows. Section 3.3.1 describes representative assertions of the importance of trust for military operations. Section 3.3.2 describes the US Army’s approach to command and control, which it refers to as “mission command.”³⁴¹ Section 3.3.3 analyses the connection between trust and leadership in the US Army Doctrine Publication (ADP) 6-22 *Leadership and the Profession*. Section 3.3.4 briefly reviews the US Marine Corps’ doctrinal discussion of trust. In order to prepare for the discussion of vulnerability contained within the academic literature on trust, Section 3.3.5 reviews the US Joint doctrinal treatment of risk.

3.3.1 Assertions of the Importance of Trust

Like the journals reviewed in Part 1 of this chapter, US doctrine regularly emphasizes the centrality of trust for military effectiveness. However, as will be seen in the following analysis, the discussion of trust is often, like the discussion of trust in professional journals, what Martin Cook and Henrik Syse refer to as “exhortatory.”³⁴² As a result, the doctrinal discussion of trust is not sufficiently theoretically articulated to enable the formulation of institutional and individual guidance for specific actions

³⁴⁰ Wong and Gerras, *Lying to Ourselves*, 32.

³⁴¹ US Army, *Mission Command: Command and Control of Army Forces ADP 6-0* (Washington, D.C.: Department of the Army, 2019).

³⁴² Cook and Syse, “What Should We Mean by ‘Military Ethics’?”

to maintain trust, cultivate appropriate levels of distrust, avoid trust erosion and violations (betrayals), and restore trust after betrayals.

Within US Joint doctrine, trust is not something “nice to have” but is essential for military action. Doctrinal texts regularly assert that trust resides at the core of military operations across the full range of military activities. For example, the Joint text *Mission Command*, by the Deployable Training Division of the Joint Staff J7 from January 2020, asserts that “Building and maintaining trust is possibly a commander’s most important action.”³⁴³

3.3.2 Maneuver Warfare and Trust

The military philosophical approach to mission accomplishment, maneuver warfare, depends on trust. As articulated in the US Marine Corps capstone doctrinal publication, *Warfighting*,

Maneuver warfare is a warfighting philosophy that seeks to shatter the enemy’s cohesion through a variety of rapid, focused, and unexpected actions which create a turbulent and rapidly deteriorating situation with which the enemy cannot cope.³⁴⁴

The aim of maneuver warfare thus differs from attrition-based philosophical approaches. Attrition warfare is focused on destroying the adversary’s military equipment and personnel until he can no longer function militarily. Maneuver warfare, in contrast, has as its primary aim to shatter “his moral, mental, and physical cohesion—his ability to fight an effective, coordinated whole—rather than to destroy him physically.”³⁴⁵ Maneuver warfare thus emphasizes rapid operations to destroy adversary cohesion, as opposed to a steady wearing down of combat capabilities through physical destruction. Maneuver warfare requires high-speed decision-making to get inside, as John Boyd put it, the observe, orient, decide, and act (OODA) loop of the adversary.³⁴⁶ Decision-making at a rate higher than that of the adversary enables friendly forces to increase the friction affecting adversary

³⁴³ J7 Deputy Director for Joint Training, Insights, and Best Practices Focus Paper, 2 (Washington, D.C.: Joint Chiefs of Staff, 2020).

³⁴⁴ C. C. Krulak, *MCDP 1 Warfighting*, ed. Department of the Navy (Washington, D.C.: United States Marine Corps, 2018), 73. See also John R. Boyd, *A Discourse on Winning and Losing*, Curtis E. LeMay Center for Doctrine Development and Education (Maxwell AFB, Alabama: Air University Press, 2018), 134–7, for a description of the essence of maneuver warfare.

³⁴⁵ Krulak, *MCDP 1 Warfighting*, 73.

³⁴⁶ Grant T. Hammond, *The Mind of War: John Boyd and American Security* (Washington: Smithsonian Books, 2001), 22.

decision-making processes, enabling those forces to seize the initiative, dictate action, and keep the enemy off balance.³⁴⁷

This requires a particular approach to command and control. Command and control is “the exercise of authority and direction by a properly designated command over assigned and attached forces in the accomplishment of mission.”³⁴⁸ The US Army’s doctrinal discussion of command and control illustrates the central relationship between trust and military activity. Understanding that relationship requires two preliminary steps before it can be properly examined. One is defining military command and control. Two is defining the US military’s approach to command and control, “mission command.”

The Army Doctrine Publication ADP 6-0 *Mission Command*, one of the Army’s “keystone” doctrinal publications, defines command and control as

the exercise of authority and direction by a properly designated commander over assigned and attached forces. . . . Through command and control, commanders provide purpose and direction to integrate all military activities towards a common goal—mission accomplishment.³⁴⁹

Command and control enables the performance of collective action through which the military accomplishes its tasks.³⁵⁰

The interpretation of the conflict environment characteristics and the view that rapid speed of decision and action constitute a major source of military advantage dictate the US military’s approach to command and control—mission command.

³⁴⁷ Krulak, *MCDP 1 Warfighting*, 74.

³⁴⁸ Staff, “DOD Dictionary of Military and Associated Terms,” 40.

³⁴⁹ US Army, *Mission Command*, vii.

³⁵⁰ Multiple approaches to command and control have existed over time, driven by changes in technology, interpretations of the character of the conflict environment, and the degree of operational trust. For example, for a short time in the 1990s the US military became focused on the idea that due to the Revolution in Military Affairs (RMA) constituted by improved intelligence, surveillance, and reconnaissance (ISR) capabilities and precision strike weapons, the fog of war could be overcome and centralized command and control at a distance could run global military operations. Specifically addressing the temptation to reconfigure command and control approaches based on overly optimistic technological advances, H. R. McMaster (“Remaining True to Our Values”) cautioned against focusing too intently on change in the technological aspects of warfare and neglecting the moral-ethical. In another context, as discussed below in Chapter 5, Andrew Gordon describes, in his *Rules of the Game*, how the Royal Navy in the nineteenth century developed an approach to maritime command and control based on centralized direction through commands from the central authority, and the officer in tactical command, as articulated in the Signals Book. The Soviet Union—and militaries influenced by the Soviet doctrine—focused on centralized command and control, in which only officers, often only senior officers, were allowed to make decisions. See Michael Eisenstadt and Kenneth M. Pollack, “Armies of Snow and Armies of Sand: The Impact of Soviet Military Doctrine on Arab Militaries,” *The Middle East Journal* 55, no. 4 (2001), for further discussion of this point. This approach to command and control remains evident in the operation of Russian forces today, e.g., in the invasion of Ukraine.

Mission command is the fundamental operational philosophy of the US military, animating the institutional praxeology, or theory of human action.³⁵¹

The US Army doctrine ADP 6-0 *Mission Command* defines mission command as follows: “Mission command is the Army’s approach to command and control that empowers subordinate decision-making and decentralized execution appropriate to the situation.”³⁵² In the Army’s view, the “inherently chaotic and uncertain” environment and the need for “rapid decision-making and execution, including rapid response to changing situations,”³⁵³ necessitate mission command.

Thus, decentralized mission command constitutes the Army’s response to the requirement for decision-making in complex, ambiguous environments.³⁵⁴ The reliance on decentralization emerges from a recognition that the effectiveness of military operations at the operational and tactical levels, like other activities, requires that people who are familiar with the local circumstances, and thus know directly the relevant changes and the resources available to immediately respond to those changes, are able to make the decisions.³⁵⁵ Centralization of decision-making through control systems, on the other hand, imposes information and knowledge management, deliberation, and enforcement costs, which slow decision and action.³⁵⁶

Mission command is enabled, according to ADP 6-0, by seven mutually supporting principles:

- Competence
- Mutual trust
- Shared understanding
- Commander’s intent
- Mission orders
- Disciplined initiative

³⁵¹ Ludwig Von Mises, *Human Action: A Treatise on Economics* (Auburn, AL: Ludwig Von Mises Institute, 1998).

³⁵² US Army, *Mission Command*, 1-3.

³⁵³ US Army, *Mission Command*, 1-3.

³⁵⁴ US Army, *Army Leadership and the Profession ADP 6-22* (Washington, D.C.: Department of the Army, 2019), 1-14.

³⁵⁵ Friedrich A. Hayek, "The Use of Knowledge in Society," *American Economic Review* 35, no. 4 (1945): 524.

³⁵⁶ The information and knowledge management transaction costs associated with transmitting the available information back to a central headquarters, and of waiting for a decision, the decision formulation, and the communication of that decision back to those responsible for acting have proven, especially in the military context, so high as to significantly degrade mission accomplishment. See Roderick M. Kramer, "Trust and Distrust in Organizations: Emerging Perspectives, Enduring Questions," *Annual Review of Psychology* 50, no. 1 (1999): 582-3, <https://doi.org/10.1146/annurev.psych.50.1.569>, for additional discussion of the relationship between trust and transaction costs.

- Risk acceptance³⁵⁷

The second of these, mutual trust, is most relevant to this study.

3.3.2.a *Mutual trust*

The demands of decentralized decision-making entail that mission command doctrine, based on decentralization of decision-making, explicitly calls for an emphasis on trust. Indeed, the US Army doctrine ADP 6-0 states that “Mission command requires competent forces and an environment of mutual trust and shared understanding among commanders, staff, and subordinates.”³⁵⁸ Mutual trust is defined as “shared confidence between commanders, subordinates, and partners that they can be relied on and are competent in performing their assigned tasks.”³⁵⁹ The definition of mutual trust (itself a somewhat redundant term) references the principles of “shared understanding,” “confidence,” and “competence.” This principle overlap is, on the one hand, useful and reflects the experience that distinguishing between the functional effects of the principles in practice is extremely difficult. The lack of conceptual precision resulting from the overlap is, however, less useful in the analysis of trust and the development of specific policies and practices to cultivate and maintain trust.

However, while the centrality of trust to mission command is emphasized in the doctrine, an explicit model of institutional trust for informing trust cultivation and avoiding trust erosion is not fully articulated. This lack constitutes a gap in the literature that this study is designed to address.

According to the doctrine, mutual trust is based on personal qualities, for example, professional competence, character, and commitment, and shared understanding derived from professional training and education.³⁶⁰ ADP 6-0 usefully, if vaguely, describes the trust-building process as follows: “Trust is given by leaders and subordinates, and built over time based on common shared experiences. It is the result of upholding the Army values, exercising leadership consistent with Army leadership principles, and most effectively instilled by the leader’s personal example.”³⁶¹ The doctrine emphasizes the need for trust both vertically, that is, up

³⁵⁷ US Army, *Mission Command*, 1–7.

³⁵⁸ US Army, *Mission Command*, 6.

³⁵⁹ US Army, *Mission Command*, 1–7.

³⁶⁰ US Army, *Mission Command*, 1–8.

³⁶¹ US Army, *Mission Command*, 1–7.

and down the chain of command, and horizontally, that is, between colleagues and other organizations, for example, adjacent and supporting forces.³⁶²

With the preliminary explanation of command and control and mission command complete, the following section analyzes the US Army's doctrinal understanding of the relationship between trust, leadership, and the profession.

3.3.3 Army Doctrinal Publication 6-22, *Army Leadership and the Profession*

The Army Doctrinal Publication 6-22, *Army Leadership and the Profession*³⁶³ provides a detailed analysis of the components of Army leadership and the role of Army leaders, civilian and military, within the profession. This text describes how, in addition to constituting a principle of mission command, trust is a core characteristic of the Army as a profession. The characteristics overall are:

- Trust
- Honorable service
- Military Expertise
- Stewardship
- *Esprit de corps*.³⁶⁴

Of direct relevance to this study, the text explicitly describes the role of trust in both the *external relationship* between the Army and society served and *internal relationships* within the institution.³⁶⁵

In reference to the external relationship, the doctrine states, "Trust is the foundation of the Army's relationship with the American people, who rely on the Army to ethically, effectively, and efficiently serve the Nation."³⁶⁶ The doctrine links the preservation of trust with the American people as a condition for professional success:

The Army profession is successful when it sustains the respect and trust of the American people. This requires that professionals perform their duty every day in a manner that the

³⁶² US Army, *Mission Command*, 1–7.

³⁶³ US Army Doctrinal Publication 6–22, *Army Leadership and the Profession*, serves as the keystone doctrine within the doctrinal category "Combat Power Leadership." This doctrinal category also includes Field Manual (FM) 6–22, *Leader Development*, Army Tactical Publication (ATP) 6–22.1, *The Counseling Process*, and ATP 6–22.6, *Army Team Building*. US Army, *Doctrine Smart Book*, 24 (Fort Leavenworth, KS: Combine Arms Doctrine Directorate, United States Army Combined Arms Center, 2020).

³⁶⁴ US Army, *Army Leadership and the Profession ADP 6–22*, 1–2.

³⁶⁵ It thus addresses the relationship between the society and profession that Wood raises in regard to dealing with moral injury.

³⁶⁶ US Army, *Army Leadership and the Profession ADP 6–22*, 1–3.

American people judge to be ethical according to the beliefs and values enshrined in the Nation’s founding documents. Trust is lost when we fail to meet these expectations. Accordingly, Army leaders establish conditions that serve to prevent misconduct or unethical practices and take corrective action when it occurs.³⁶⁷

Internally, within the Army profession, the doctrine repeats the definition from ADP 6-0: trust is “shared confidence among commanders’ subordinates, and partners in that all can be relied on, and all are competent in performing their assigned tasks.”³⁶⁸ The overlap of confidence, competence, and reliance seen in the discussion of mission command continues in this text.

Following the general introduction to trust and its role in the institution, and the relationship between the institution and society served, the text provides a more detailed model for describing and developing leadership it refers to as the “Army leadership requirements model.” The model, shown in Figure 10, is divided into two parts: attributes and competencies. Attributes include character, presence, and intellect. The competencies are leads, develops, and achieves.³⁶⁹

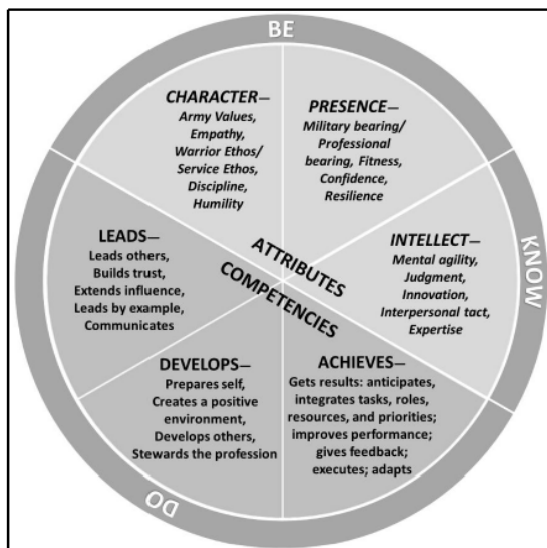


Figure 10: Army Leadership Requirements Model

“Builds trust” is one of the five competencies composing “Leads.” Builds trust is defined as follows: “Builds trust establishes conditions that lead to mutual

³⁶⁷ US Army, *Army Leadership and the Profession ADP 6–22*, 1–3.

³⁶⁸ US Army, *Army Leadership and the Profession ADP 6–22*, 1–2, 1–13.

³⁶⁹ US Army, *Army Leadership and the Profession ADP 6–22*, 1–15.

confidence among leaders and subordinates.”³⁷⁰ The doctrine explicitly links trust and command and control, as follows: “Trust enables the ability of leaders to influence subordinates and effective command and control.”³⁷¹ The text then provides an additional gloss on the definition of trust: “Trust encompasses reliance upon others, confidence in their abilities, and consistency in behavior.”³⁷²

3.3.3.a *Building trust and trust erosion*

The text briefly mentions how leaders can build trust and avoid trust erosion. It first lists three ways to earn and reinforce trust: honorable service, demonstration of military expertise, and exercise of responsible stewardship.³⁷³ However, it does not explicitly describe how these actions operate to actually build trust.³⁷⁴

In the section on honorable service, the doctrine describes the causes of trust degradation, or trust erosion, and the actions that undermine trust.

Moral failure compromises the Army profession’s bond of trust among its members, with the American people, and with the international community. It is an Army professional’s duty to prevent misconduct, enforce the standards of the profession, and take action to stop unethical practices.³⁷⁵

This seems straightforward, but as the discussion of the concept of ethical fading showed, trust erosion can occur in subtle ways, necessitating commensurately sophisticated responses.

The doctrine thus asserts the Army’s professional duty to maintain trust by enforcing the standards of the profession and to avoid generating distrust by preventing misconduct and stopping unethical practices. However, it does not provide detailed guidance on how to precisely, in a practical way, execute the actions or formulate policies and practices necessary to accomplish these tasks.

Mismatches between the importance of trust, the vagueness of its definition, and guidance based on that definition increase the difficulties associated with

³⁷⁰ US Army, *Army Leadership and the Profession ADP 6–22*, 5–1.

³⁷¹ US Army, *Army Leadership and the Profession ADP 6–22*, 5–8.

³⁷² US Army, *Army Leadership and the Profession ADP 6–22*, 5–8.

³⁷³ US Army, *Army Leadership and the Profession ADP 6–22*, 1–3. After the discussion below of the components of trustworthiness, it will become evident that these three methods can be mapped onto integrity, competence, and fiduciary.

³⁷⁴ The model presented in Chapter 7 will make it evident that these actions build trust by enhancing individual and institutional trustworthiness, which, coupled with the trustor’s propensity to trust—willingness to take risk entailed in becoming vulnerable—combines to create trust.

³⁷⁵ US Army, *Army Leadership and the Profession ADP 6–22*, 1–3.

understanding how to build trust and how to prevent its erosion in an institutional context. This is not to say that the doctrine is incorrect, only that it is inadequate to inform the full range of moral-ethical decision-making, especially in regard to responding to PMIEs. Further, the vagueness hinders activities like curriculum development to inform the professional learning experiences necessary for enabling service members to internalize the guidance and act accordingly. The vagueness of the definition of trust in the military context leads to what Colquitt and Rodell refer to as “muddiness.”³⁷⁶ This “muddiness” hinders leader action to enhance the effectiveness of trust within the organization.³⁷⁷ The model of military institutional trust presented in Chapter 7 will help remedy these deficiencies.

3.3.4 Trust in US Marine Corps Doctrine

Like the US Army doctrine, the US Marine Corps doctrine links trust to both command-and-control philosophy and leadership. Trust is required in the capstone doctrinal text, *Warfighting*, as an enabler of initiative.³⁷⁸ The doctrine asserts that

trust is an essential trait among leaders—trust by seniors in the abilities of their subordinates and by juniors in the competence and support of their seniors. Trust must be earned, and actions which undermine trust must meet with strict censure. Trust is a product of confidence and familiarity. Confidence among comrades results from demonstrated professional skill. Familiarity results from shared experience and a common professional philosophy.³⁷⁹

The definition emphasizes the necessary connection between professional competence and trust. The Marine Corps doctrinal publication *Leading Marines* nests trust within the “Justice” leadership trait. “Leaders who possess the trait of justice gain the trust and respect of subordinates by displaying fairness and impartiality.”³⁸⁰ Chapter 5 will show the connection between trust and justice in the model.

³⁷⁶ Jason A. Colquitt and Jessica B. Rodell, “Justice, Trust, and Trustworthiness: A Longitudinal Analysis Integrating Three Theoretical Perspectives,” *Academy of Management Journal* 54, no. 6 (2011): 1185, <https://doi.org/10.5465/amj.2007.0572>.

³⁷⁷ Colquitt and Rodell, “Justice, Trust, and Trustworthiness,” 1185.

³⁷⁸ Krulak, *MCDP 1 Warfighting*, 3–7.

³⁷⁹ Krulak, *MCDP 1 Warfighting*, 3–7.

³⁸⁰ Robert S. Walsh, *MCWP 6-10 Leading Marines*, 2–4 (Washington, D.C.: Headquarters United States Marine Corps, 2019).

Trust is also included in the *Marine Corps Manual*, which contains the institution's regulatory policies.³⁸¹ The “Military Leadership” section of the manual, in a phrase especially relevant to this study’s focus on *jus in militaribus*, states, “Commanders will ensure that local policies, directives, and procedures reflect the special trust and confidence reposed in members of the officer corps.”³⁸² The “special trust and confidence” constitutes the “distinguishing privilege of the officer corps,”³⁸³ and the phrase is also included in the Promotion Warrants and Commissions of Marines.³⁸⁴ Special trust and confidence are based on integrity, good manners, sound judgment, and discretion.³⁸⁵ However, the text does not provide additional detail on how to cultivate or maintain trust.

3.3.5 Risk

As will be seen in Part 3 of this chapter, risk is a core component of the trust “thought complex.”³⁸⁶ While the military doctrinal treatment of trust is, this study argues, insufficiently articulated, the military definition of risk and risk assessment is extremely well developed. Indeed, the level of granularity associated with risk can provide an example for potential articulation of the trust thought complex.

The US military has developed a Joint Risk Analysis Methodology (JRAM) to enable commanders and staffs to better deal with risk. According to the Chairman of the Joint Chiefs of Staff Manual *Joint Risk Analysis Methodology* (CJCSM 3105.01A) 2021, “Risk is the probability and consequence of an event causing harm to something valued.”³⁸⁷ Risk is divided into two broad categories: risk to mission and risk to force. Risk to mission is the potential harm to the ability to achieve the objectives. Risk to mission questions ask, “Will the military and units within the military be capable of achieving the assigned objectives or not?” Risk to force consists of the risk that harm will come to the members of the military institution itself. Risk to force considerations are shaped by the fundamental assumption of military service—military personnel serve in conditions of “unlimited liability,” that is,

³⁸¹ Robert H. Barrow, *Marine Corps Manual w/CH 1–3* (Washington, D.C.: Headquarters United States Marine Corps, 1980), v.

³⁸² Barrow, *Marine Corps Manual*, 1–21.

³⁸³ Barrow, *Marine Corps Manual*, 1–21.

³⁸⁴ Walsh, *MCWP 6-10 Leading Marines*, Appendix A , 15–20.

³⁸⁵ Barrow, *Marine Corps Manual*, 1–21.

³⁸⁶ Lovejoy, “The Historiography of Ideas.”

³⁸⁷ Andrew P. Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A, B-1* (Washington, D.C.: Chairman of the Joint Chiefs of Staff, 2021).

they are at risk of death and mutilation as a normal, expected part of their service. As UK Army General Hackett put it, in the 1962 Lees Knowles lectures, “The essential basis of the military life is the ordered application of force under an unlimited liability. It is the unlimited liability which sets the man who embraces this life somewhat apart.”³⁸⁸ Even though military personnel serve under conditions of unlimited liability, military leaders have a responsibility to avoid placing service members in situations in which the chance of achieving a useful objective is low while the risk to the force is exceedingly high.³⁸⁹

The risk to both mission and force is generated by external and internal sources. Externally, the risk emerges from adversary action and the inherently dangerous nature of military activities, for example, flying aircraft and operating at sea. Internally, the military institution itself can pose risks to service member well-being. Indeed, Shay wrote,

The social institution of war is a contest of two organized groups, each attempting to exercise tyranny over the other through violence, terror, and threat. In my view, war always represents a violation of soldiers’ human rights in which the enemy and the soldiers’ own armies collaborate more or less equally.³⁹⁰

This internal source of risk has generally received little institutional attention and analysis in the literature. As seen in Chapter 2, the literature has tended to focus on personal responsibility as the primary source of moral-ethical risk, including the risk of moral injury. The institution itself as a source of risk has only recently become integrated into the definition of moral injury. As discussed in Chapter 2, moral conflict, including moral injury, constitutes a main source of institutionally caused

³⁸⁸ John Winthrop Hackett, *The Profession of Arms*, Center of Military History (Washington, D.C.: United States Army, 1962), 40. See also Patrick Mileham, “Unlimited Liability and the Military Covenant,” *Journal of Military Ethics* 9, no. 1 (March 1, 2010), <https://doi.org/10.1080/15027570903353836>, for further discussion of “unlimited liability.”

³⁸⁹ The *Armed Forces Officer* quotes General Matthew Ridgway on this point. Ridgway wrote: “It seems to me, too, that the hard decisions are not the ones you make in the heat of battle. Far harder to make are those involved in speaking your mind about some hare-brained scheme which proposes to commit troops to action under conditions where failure is almost certain, and the only results will be the needless sacrifice of priceless lives. When all is said and done, the most precious asset any nation has is its youth, and for a battle commander ever to condone the needless sacrifice of his men is absolutely inexcusable. In any action you must balance the inevitable cost in lives against the objectives you seek to attain. Unless, beyond any reasonable doubt, the results reasonably to be expected can justify the estimated loss of life the action involves, then for my part I want none of it.” Richard M. Swain and Albert C. Pierce, *The Armed Forces Officer* (Washington: National Defense University Press, 2017), 86.

³⁹⁰ Shay, *Achilles in Vietnam*, 209.

risk.

Assessing both risk to mission and risk to force constitutes a core decision-making competency for military leaders at all levels of the chain of command. The JRAM framework articulated in CJCSM 3105.01A consists of four pillars: problem framing, risk assessment, risk judgment, and risk management. See Table 9.

Table 9: *Four Pillars of Risk*

Four Pillars of Risk	Questions
Problem framing	Risk to what?
Risk assessment	Risk from what?
Risk judgment	How much risk is acceptable?
Risk management	What should be done about the risk?

3.3.5.a Problem framing

Problem framing identifies the idea, thing, organization, objective, interest, etc., that is valued. The problem framing process answers the question “Risk to what?”³⁹¹ In this study, the “Risk to what?” has three dimensions. One is the risk to society of unjust action by the military or organizations using military capabilities to promote their interests, for example, the Rapid Support Forces (RSF) and Sudanese Army in Sudan 2023. Two, society is at risk as a result of military functional inadequacy. That is, military failure to perform its protective function (managing the problem of violence) in ways that society finds acceptable/in accordance with its values and expectations places the society, its interests, and potentially survival, at risk. Three, the members of the military institution, and the institution itself, may be placed at risk in ways limiting speed of decision and action and service member motivation that threaten its ability to perform its function appropriately.

3.3.5.b Risk assessment

Risk assessment involves identifying potential threats. Risk assessment

³⁹¹ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-1.

answers the question, “Risk from what?”³⁹² This study examines the risk to service members of unjust action resulting in exposure to potentially morally injurious events. Risk assessment defines the sources, threats, and hazards of risk.³⁹³ It also analyses the drivers of risk over time. These factors that act to change the risk probability can increase or decrease the risk.³⁹⁴ Risk assessment includes an evaluation of the expected probability and consequences of a harmful event occurring. *Probability* levels (ranging from very unlikely to unlikely, likely, and very likely) can be assessed as percentages. The *consequences* range from minor to modest, major, and extreme harm to something of value.³⁹⁵

3.3.5.c Risk judgment

Risk judgment concerns the development of the risk profile. In other words, determining the quantity and quality of risk posed. Risk judgment also evaluates the quantity of the risk, answering the question, “How much risk is acceptable?”³⁹⁶ Risk judgment maps visually onto a two-factor diagram combining consequence with probability to create a “risk contour.” Figure 11 portrays a generic risk contour.

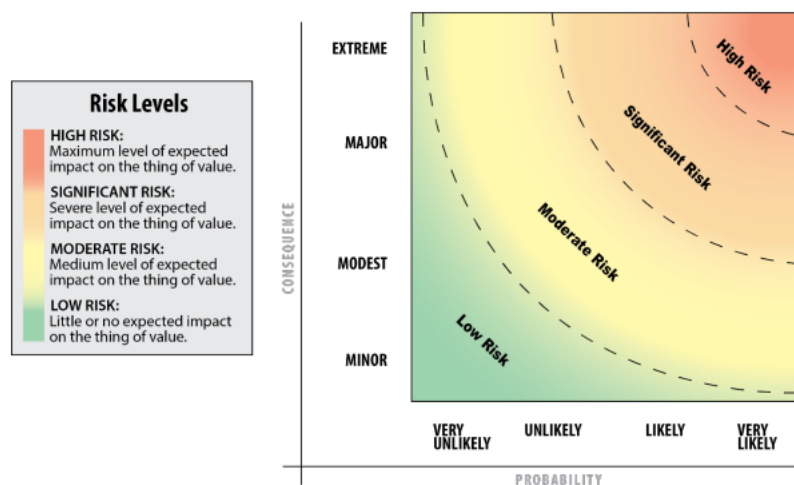


Figure 11: Generic Risk Contour

For the military, the question in terms of this study is, “How much risk of moral injury is acceptable?” The risk of moral injury placed in Figure 11 is moderate in

³⁹² Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-1.

³⁹³ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-3.

³⁹⁴ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-3.

³⁹⁵ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-5.

³⁹⁶ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-1.

garrison operations, significant in normal operations, and generally high in some operations, such as counterinsurgency or urban combat.³⁹⁷

3.3.5.d Risk management

Risk management answers the question, “What should be done about the risk?” There are four main approaches within risk management techniques: accept, avoid, transfer, or mitigate. These approaches apply to the risk of unjust action by the military counter to the interests and values of the society served as follows.

Accept. Societies can accept the risk associated with the military’s unjust use of violence. The risk is acknowledged in this situation, but no further steps (e.g., operational, financial, organizational, attentional, etc.) are taken to manage the risk. The society decides to simply proceed as intended without dedicating resources to mitigate the risk.³⁹⁸

Avoid. Based on the risk judgment, society may decide to avoid the risk by refraining from taking the actions generating the risk.³⁹⁹

Transfer. Societies can transfer responsibility for dealing with the risk by “outsourcing” their military to another society or organization. For example, a society could refrain from creating a military institution and instead rely on membership in an alliance or the goodwill of others to manage the problem of violence. This still exposes society to the risk associated with the problem of violence, but it decreases the directness of the risk associated with its own military institution unjustly using its capabilities for the management of violence in ways counter to its interests. Iceland, for example, has transferred the particular risk posed by manning, training, and equipping its own military through a treaty with the United States and membership in the North Atlantic Treaty Organization (NATO).⁴⁰⁰

Mitigate. Mitigation consists of the implementation of measures that decrease the probability or consequence of harm.⁴⁰¹ In terms of Figure 11, mitigation measures enable movement down and to the left on the risk contour map. Both trust and control systems constitute mitigation techniques. Control systems manage risk

³⁹⁷ See Douglas Porch, *Counterinsurgency: Exposing the Myths of the New Way of War* (Cambridge, UK: Cambridge University Press, 2013), for further discussion of this point.

³⁹⁸ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-7.

³⁹⁹ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-7.

⁴⁰⁰ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-7. Iceland’s occupation of “key terrain” in the North Atlantic, and the willingness of the United States, make this a plausible course of action for Iceland. Few other countries are similarly situated. See <https://www.government.is/topics/foreign-affairs/national-security/>

⁴⁰¹ Poppas, *Joint Risk Analysis Methodology CJCSM 3105.01A*, B-7.

by reducing autonomy and consist of the rules and regulations governing military behavior, coupled with enforcement capabilities to punish military actors when they deviate from adherence to the rules. Trust systems rely on congruence of interest to ensure just action. The model of military trust in Chapter 5 explains the trust systems in more detail.

3.4 Part 3: Trust in the Academic Literature

The theories of trust presented in the philosophical literature enable two theoretical advances over the military professional and doctrinal literature. First, as Francis Crick wrote in his discussion of theory, theory enables the clear statement of problems.⁴⁰² Second, the academic theories enable a more granular analysis of trust. Thus, the academic literature on institutional trust provides three valuable contributions to this study:

- 1) Definitions of trust-related terms of sufficient granularity to enable diagnosis of trust-related deficiencies and formulation of remedial actions to address those deficiencies.
- 2) An understanding of the channels through which trust generates effects within the military institution.
- 3) A model of institutional trust.

However, the academic literature does not provide a model directly applicable to military conceptions of trust, especially an understanding of trust and trust violation—betrayal—relevant to moral injury management. The following sections of this part examine the academic literature on trust.

The US military doctrine discussed in the previous part showed the tendency to, on the one hand, define trust as a cluster of ideas including competence, confidence, and reliability. On the other hand, much of the literature (especially the US military professional literature) tends to discuss trust as if it were a simple, unitary concept, for example, “The Army profession rests upon a bedrock of trust.”⁴⁰³ This section, through the use of the philosophical and organizationally focused literature on trust, unpacks the concept of trust by defining the elements of trust in order to formulate a military trust model better suited to inform moral injury management capability development. This section thus exposes the complexity of trust, a

⁴⁰² Francis Crick, “Central Dogma of Molecular Biology,” *Nature* 227 (1970): 561.

⁴⁰³ Wong and Gerras, *Lying to Ourselves*, 33.

complexity often concealed by the blanket use of the term “trust” in the military doctrine, through discussion of the following definitions: trust, trustworthiness, trustingness, distrust, and mistrust.

The literature review of the US doctrine on trust has revealed that the term “trust” is often used in vague ways. This ambiguity associated with the use of vague definitions hinders the formulation of recommended remedial actions to respond to declines in trust, such as those indicated by the surveys in Chapter 1 and the trust violations generating PMIEs as seen in Chapter 2. In order to reduce the vagueness and provide increased conceptual clarity, the analysis in this study is methodologically informed by the assumption that trust, like moral injury as discussed in Chapter 2, constitutes an example of what Arthur O. Lovejoy refers to as a thought complex composed of “unit ideas.”⁴⁰⁴ This section reviews relevant definitions of trust in the literature to uncover the unit ideas in the trust thought complex.

Roger C. Mayer, James H. Davis, and F. David Schoorman provide a model of organizational/institutional trust that has proven especially influential in the literature. Their definition of organizational trust provides a starting point in this study for the formulation of the model of military trust presented in Chapter 5.⁴⁰⁵

Mayer et al. define organizational trust as follows:

The willingness of a party to be vulnerable to the actions of another party based on the expectation that the other will perform a particular action important to the trustor, irrespective of the ability to monitor or control that other party.⁴⁰⁶

This definition draws attention to two key elements of organizational trust relevant to this study. First, it makes a clear distinction between trust and control systems. Trust is not a form of monitoring or control of the other but occurs without regard to the ability to control the other.

Second, the definition includes vulnerability within the trust thought complex, thus linking the degree of trust to the stakes in a situation and thus to risk

⁴⁰⁴ Lovejoy, "The Historiography of Ideas," 538.

⁴⁰⁵ For example, this definition of organizational trust informs the RAND report *The Drivers of Institutional Trust and Distrust: Exploring Components of Trustworthiness*. See also Colquitt and Rodell, "Justice, Trust, and Trustworthiness," 1185, and Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 344.

⁴⁰⁶ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust."

assessment.⁴⁰⁷ They write, “Being vulnerable implies that there is something of importance to be lost. Making oneself vulnerable is taking risk. Trust is not taking risk per se, but rather it is a willingness to take risk.”⁴⁰⁸

In a move especially useful for this study, Mayer et al. provide a model of organizational trust, and how trust shapes decision-making outcomes. The model provides a granular, and thus actionable, understanding of the trust thought complex. The granularity of Mayer et al.’s model facilitates diagnosis of trust-related deficiency and formulation of remedial action in response to those deficiencies. This model distinguishes six components of organizational trust: trustworthiness, trustor propensity, perceived risk, risk-taking in a relationship, outcomes, and trust.

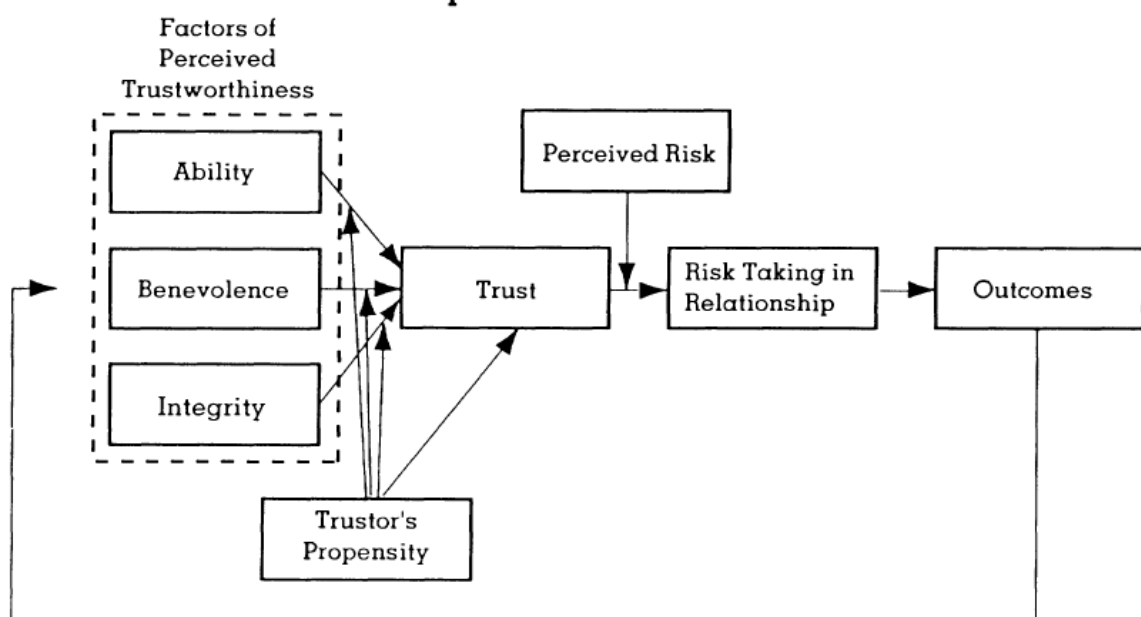


Figure 12: Mayer et al.’s Model for Institutional Trust

3.4.3 The Organizational Trust Model

3.4.3.a Factors of perceived trustworthiness

First, Mayer et al. distinguish three “factors of perceived trustworthiness”—ability, benevolence, and integrity. Mayer defines ability as “that group of skills, competencies, and characteristics that enable a party to have influence within some specific domain.”⁴⁰⁹ Trustors must judge the trustee as possessing the required level of domain-specific ability in order to trust them. Mayer et al. define the second

⁴⁰⁷ The centrality of risk to trust as it relates to strategic thinking will be analyzed further below.

⁴⁰⁸ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust."

⁴⁰⁹ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 717.

component, benevolence, as follows: “Benevolence is the extent to which a trustee is believed to want to do good to the trustor, aside from an egocentric profit motive.”⁴¹⁰ They offer the relationship between a mentor (trustee) and a protégé (trustor) as an example of a benevolence-based trust relationship.⁴¹¹ The third component, integrity, is defined as “trustor’s perception that the trustee adheres to a set of principles that the trustor finds acceptable.”⁴¹² They include a commitment to justice as a component of integrity.⁴¹³

3.4.3.a Trustor’s propensity

Second, Mayer et al. include the “Propensity to trust” within their model. They define this as “the general willingness to trust others.”⁴¹⁴ The propensity to trust varies between individuals and influences how much trust a person will have for a trustee before learning about the trustworthiness of the other.

3.4.3.b Trust

The theoretical differentiation of the trust components enables Mayer et al. to define trust as a combination of trustworthiness and the trustor’s propensity to trust. Thus, Mayer et al. define trust as follows: “Trust for a trustee will be a function of the trustee’s perceived ability, benevolence, and integrity and of the trustor’s propensity to trust.”⁴¹⁵ This articulation of trust, consisting of qualities of the trustee (ability, benevolence, and integrity) and the trustor’s propensity to trust provides the foundation for the model of military trust described in Chapter 5.

3.4.3.c Perceived risk

Trust shapes the encounter with risk, or to put it more precisely, perception of risk. Thus, risk is a core element of the overall conceptualization of organizational trust for Mayer et al. The conceptual distinction between trusting as a disposition and actually engaging in trusting action enables analysis of trust-based action—trust as a behavior—based on the risk assessment.⁴¹⁶ The perception of risk is shaped by trust. Mayer, Davis, and Schoorman write, “There is no risk taken in the willingness

⁴¹⁰ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 718.

⁴¹¹ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 719.

⁴¹² Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 719.

⁴¹³ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 719.

⁴¹⁴ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 715.

⁴¹⁵ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 720.

⁴¹⁶ The military institution generally wants trust as a behavior-enabling initiative within mission command based on a foundation of relationship trust.

to be vulnerable (i.e., to trust), but risk is inherent in the behavioral manifestation of the willingness to be vulnerable.” In other words, a person can be in a condition of trust without putting themselves or an objective at risk. The risk becomes operational only when the disposition to trust becomes actualized through action. They write, “One does not need to risk anything in order to trust; however, one must take a risk in order to engage in trusting action.”⁴¹⁷ Thus trust shapes what the JRAM refers to as the perception of risk and the resulting assessment. The assessment influences the next element of the model, risk taking—actually behaving in a trusting way—in a relationship.

3.4.3.d Risk taking in relationship

Mayer et al. define the outcome of trust as “risk taking in a relationship (RTR).”⁴¹⁸ (The diagram does not portray this concept clearly.) RTR tightly couples risk-taking and trust within a particular relationship.⁴¹⁹ RTR implies that trust increases as the trustor forms an affective connection. Mayer et al. therefore define the outcome of trust as the trustor allowing themselves to become vulnerable as a result of trusting the trustee.

Not all risk-taking requires trust. Mayer uses the example of a farmer planting crops. The farmer, who is vulnerable to a future lack of rain, is taking risk, but is not engaged in trust because there is no other party responsible for rain provision in the necessary quantities at the appropriate time to trust.

This component of the trust thought complex explains how the interpretation of risk as described in the JRAM, for example, shapes interpretation in high-stakes situations. The higher the stakes, as Shay points out, the greater the risk of moral injury in response to a PMIE. Mayer et al. write, “The stakes in the situation (i.e., both the possible gains and the potential losses) will affect the interpretation of the risk involved.”⁴²⁰ The relationship of risk, interpretation, contextual understanding, and the stakes will be further discussed below.

The line in Figure 12 from “Outcomes” back to “Factors of Perceived Trustworthiness” indicates that the assessment of the outcomes of trusting behavior will influence future judgments about the perception of trustworthiness. Other texts in

⁴¹⁷ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 724.

⁴¹⁸ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 724.

⁴¹⁹ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 724.

⁴²⁰ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 724.

the literature support Mayer et al.'s organizational trust model. For example, Mark Alfano and Nicole Huijts make a distinction within trust, reinforcing that found in Mayer et al., relevant to this study. According to Alfano and Huijts, trust can be decomposed into *trustworthiness* and *trustingness*. Trustworthiness indicates the degree to which an individual or organization proves worthy of the trust in placed in them.⁴²¹ Trustingness—similar to Mayer's the "Trustor's Propensity"—indicates the degree to which the individual or organization is willing to depend on the other to act as counted upon.⁴²²

M. Rousseau, Sim B. Stikin, Ronald S. Burt, and Colin Camerer provide a definition of trust congruent with Mayer et al.'s. They define trust as a "psychological state"; it is not a behavior, but an "underlying psychological condition."⁴²³ They write, "Trust is a psychological state comprising the intention to accept vulnerability based on positive expectations of the intentions or behavior of another."⁴²⁴ They list two necessary conditions for trust: risk and interdependence. Trust and risk have a "path-dependent" and "reciprocal relationship." First, in the absence of risk trust would be unnecessary. Risk creates the opportunity for trusting. Second, desired outcomes, after taking a risk, help to build trust through demonstration that the other trusted is in fact trustworthy. Thus, validation of trustworthiness by the behaviour of another actor in conditions of risk further reinforces trust.⁴²⁵

Rousseau et al. define interdependence as a situation in which "the interests of one party cannot be achieved without reliance upon another."⁴²⁶ The interdependence of trust is regularly emphasized in the US military use of the term, as, for example, in the US Army's use of the term, "Mutual trust."⁴²⁷

3.4.4 Trust Types within the "Trust Landscape"

Unlike the military literature, which as seen above generally speaks of "trust" or "mutual trust," without additional qualifications, the academic literature lists multiple types of trust. This literature constitutes the increase in theoretical precision

⁴²¹ Mark Alfano and Nicole Huijts, "Trust in Institutions and Governance," in *The Routledge Handbook of Trust and Philosophy*, ed. Simon, 256.

⁴²² Alfano and Huijts, "Trust in Institutions and Governance," 258.

⁴²³ Denise M. Rousseau et al., "Not So Different After All: A Cross-Discipline View Of Trust," *The Academy of Management Review* 23, no. 3 (1998): 395, <https://doi.org/10.5465/AMR.1998.926617>.

⁴²⁴ Rousseau et al., "Not So Different After All," 395.

⁴²⁵ Rousseau et al., "Not So Different After All," 395.

⁴²⁶ Rousseau et al., "Not So Different After All," 395.

⁴²⁷ US Army, *Army Leadership and the Profession ADP 6-22*, 1–5.

enabled by Mayer, Davis, and Schoorman's definition of trust. This section will review a selection of trust types, starting with those articulated by Roderick M. Kramer. Kramer lists the following types of trust: dispositional-based, history-based, category-based, rule-based, and role-based trust.

3.4.4.a Dispositional trust

Dispositional trust is the predisposition of people to trust others.⁴²⁸ In Mayer, Davis, and Schoorman's model dispositional trust is referred to as the "propensity" to trust.⁴²⁹ Alfano and Huijts (further discussed below) refer to this as "Trustingness."⁴³⁰

3.4.4.b History-based trust

According to Kramer, history-based trust develops, or erodes, as a result of repeated interaction. Thus, "trust between two or more interdependent actors thickens or thins as a function of their cumulative interaction."⁴³¹ The military's emphasis on tradition and heraldry is one way to infuse reflection on personal experience with the broader history of interaction, and thus "extend" the set of interactions potentially influencing individual decision-making.⁴³²

3.4.4.c Category-based trust

Category-based trust is derived from membership in a "social or organizational category."⁴³³ This category-based trust influences judgments by providing a presumptive basis for the other's trustworthiness. Survey questions asking, for example, "Do you trust military leaders/politicians/medical personnel etc.?" are generally assessing this form of trust.

3.4.4.d Role-based trust

Role-based trust enables informed decision-making in the absence of knowledge of the specific trustworthiness of another member of the organization.⁴³⁴ Instead of relying on personal knowledge of the criteria for evaluating their trustworthiness, role-based trust assumes that the person fulfilling the role in the organization is trustworthy. Thus, the willingness to engage in the interaction

⁴²⁸ Kramer, "Trust and Distrust in Organizations," 575.

⁴²⁹ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 715.

⁴³⁰ Alfano and Huijts, "Trust in Institutions and Governance."

⁴³¹ Kramer, "Trust and Distrust in Organizations," 575.

⁴³² Kramer, "Trust and Distrust in Organizations," 576.

⁴³³ Kramer, "Trust and Distrust in Organizations," 577.

⁴³⁴ Kramer, "Trust and Distrust in Organizations," 578.

requiring vulnerability and the acceptance of risk—trusting—is based on trust in the role, not the individual. In a comment of special relevance to the development of the model of military trust in Chapter 5, Kramer writes, “strong expectations regarding technically competent role performance are typically aligned with roles in organizations, as well as expectations that role occupants will fulfil the fiduciary responsibilities and obligations associated with the roles they occupy.”⁴³⁵ Kramer’s comment highlights competence and fiduciary duty execution, both of which will prove significant in the military trust model presented in Chapter 5.

3.4.4.e Rule-based trust

Rule-based trust is the result of tacit understandings of the normative system of rules upon which the organization operates. Kramer writes, “Rule-based trust is predicated not on a conscious calculation of consequences, but rather on shared understandings regarding the system of rules regarding appropriate behavior.”⁴³⁶ Rule-based trust thus emerges from a socialization of rules and tacit understanding of those rules and how they operate within the organization. In other words, rule-based trust emerges from the policies and practices of the institution. Rules-based trust generates what Kramer refers to as “trust in a system of expertise.”⁴³⁷

Rule-based trust operates at multiple levels. Kramer writes,

By institutionalizing trust through practices at the macro-organizational (collective) level, trust becomes internalized at the micro-organizational (individual) level. Thus, rule-based trust becomes a potent form of expectational asset that facilitates spontaneous coordination and cooperation among organizational members.⁴³⁸

This discussion of rules-based trust makes two important points. One, Kramer’s description of rules-based trust articulates much of the utility of trust the military desires—the facilitation of the exercise of initiative to creatively achieve the mission across the full range of military activities. Two, Kramer here describes trust as an “expectational organizational asset” that influences individual decisions and actions as a result of internalization by individual members to encourage collective action in

⁴³⁵ Kramer, “Trust and Distrust in Organizations,” 578.

⁴³⁶ Kramer, “Trust and Distrust in Organizations,” 579.

⁴³⁷ Kramer, “Trust and Distrust in Organizations,” 580.

⁴³⁸ Kramer, “Trust and Distrust in Organizations,” 581.

the service of mission accomplishment.

3.4.5 Deterrence, Calculus, Relational, and Institution-Based Forms of Trust

Rousseau et al. also provide a taxonomy of trust forms: deterrence-based, calculus-based, relational trust, and institution-based trust. Their analysis of the trust types and the relationships between trust in control systems is especially relevant for this study.

3.4.5.a *Deterrence-based trust*

Deterrence-based trust results from the belief that another will act in trustworthy ways because the costs of violating that expectation are so high as to make violations a losing proposition.⁴³⁹ Thus, the trustor is willing to become vulnerable to the risk presented by relying on the other, the trustee, because of the high likelihood that a well-functioning control system will impose punishment in the event of trust expectation violation.⁴⁴⁰

3.4.5.b *Calculus-based trust*

Calculus-based trust follows from judgments resulting from rational choice analysis that the trustor assesses that the trustee intends to perform beneficial action.⁴⁴¹ Credible information about the trustee, such as credentials or reputation, increases calculus-based trust. In the military context, rank and position provide evidence justifying calculus-based trust. Calculus-based trust, in this view, is closely related to Kramer's role-based trust.

3.4.5.c *Relational trust*

Relational trust is also known as "affective trust" and results from "Repeated cycles of exchange, risk taking, and successful fulfilment of expectations."⁴⁴² That is, positive interactions over time between trustor and trustee.⁴⁴³ They designate the deepest form of relational trust as "identity based trust."⁴⁴⁴ In relational trust the members of the organization view themselves as a "we" and their identity is bound, positively, with membership of the group. They are not only confident in the positive

⁴³⁹ Rousseau et al., "Not So Different After All," 398.

⁴⁴⁰ Annette Baier's distinction between reliance and trust in "Trust and Antitrust" is related to deterrence-based trust. Annette Baier, "Trust and Antitrust," *Ethics* 96, no. 2 (1986): 234, <http://www.jstor.org.uoelibrary.idm.oclc.org/stable/2381376>.

⁴⁴¹ Rousseau et al., "Not So Different After All," 399.

⁴⁴² Rousseau et al., "Not So Different After All," 399.

⁴⁴³ Rousseau et al., "Not So Different After All," 399.

⁴⁴⁴ Rousseau et al., "Not So Different After All," 400.

intentions of other members of the group but are confident in the absence of negative intentions.⁴⁴⁵ Much of the exhortatory content of the military professional literature is intended to foster relational trust.

Relational trust grows as a result of positive interactions, that is, interactions in which acceptance of the risk in conditions of uncertainty necessitating trust is proven an effective way to achieve objectives. Relational trust is thus similar to what Kramer referred to as “history-based trust.” Rousseau et al. write, “Reliability and dependability in previous interactions with the trustor give rise to positive expectations about the trustee’s intentions.”⁴⁴⁶ Relational trust has an “affective component,” as trustor and trustee form emotional attachments based on mutual concern.⁴⁴⁷

Relational trust enhances organizational effectiveness. Rousseau et al. write, “Repeated cycles of exchange, risk taking, and successful fulfillment of expectations strengthen the willingness of trusting parties to rely upon each other and expand the resources brought into the exchange.”⁴⁴⁸ This describes well the effect the military desires from high levels of trust—organizational interactions in which all parties are willing to exercise initiative within uncertainty and risk to accomplish the mission.

3.4.5.d Institution-based trust

Rousseau et al.’s definition of institution-based trust is underdeveloped compared to the other forms. Institution-based trust consists of institutional factors such as well-established sets of sanctions, the rule of law on a societal level, or a “teamwork culture” within the organization. According to Rousseau et al., robust institution-based trust can support the development of calculus-based and relational trust.⁴⁴⁹

The taxonomy enables Rousseau et al. to address the relationship between control systems and trust in two ways. First, they argue that deterrence-based trust is not actually a form of trust but a control system-based approach to risk management. They write, “trust is not a control mechanism but a substitute for control, reflecting a positive attitude about another’s motives. Control comes into play only when

⁴⁴⁵ Rousseau et al., “Not So Different After All,” 400.

⁴⁴⁶ Rousseau et al., “Not So Different After All,” 399.

⁴⁴⁷ Rousseau et al., “Not So Different After All,” 399.

⁴⁴⁸ Rousseau et al., “Not So Different After All,” 399.

⁴⁴⁹ Rousseau et al., “Not So Different After All,” 400.

adequate trust is not present.”⁴⁵⁰ Thus, “Deterrence-based trust” is a misnomer, and organizations and individuals are confused when they attempt to rely on deterrence to generate the positive benefits of trust.

Second, they point out that institutional trust can act as either a form of control or trust (similar to Kramer’s rule-based trust). Institutional trust can emerge out of a context shaped by control systems providing a deterrent for opportunistic behaviour. However, institutional control can also prevent the development of or undermine existing forms of calculus-based and relational trust, “particularly where legal mechanisms give rise to rigidity in responses to conflict and substitute high levels of formalization for more flexible conflict management.”⁴⁵¹ Due to the pull of what is described in Chapter 1 as the tendency to *bureaucratization*, organizations often tend to substitute explicit forms of routinized control for tacit trust-based systems for managing risk.

3.4.6 Rousseau et al.’s Trust Model

Rousseau et al. provide a useful model of the relationship to the different types and developments of trust over time. Their model portrays the relationship between calculative, relational, and institutional trust. The model is especially useful, however, in that it portrays the implied desire within much of the military literature for a movement from relationships based on calculative trust to relational trust.

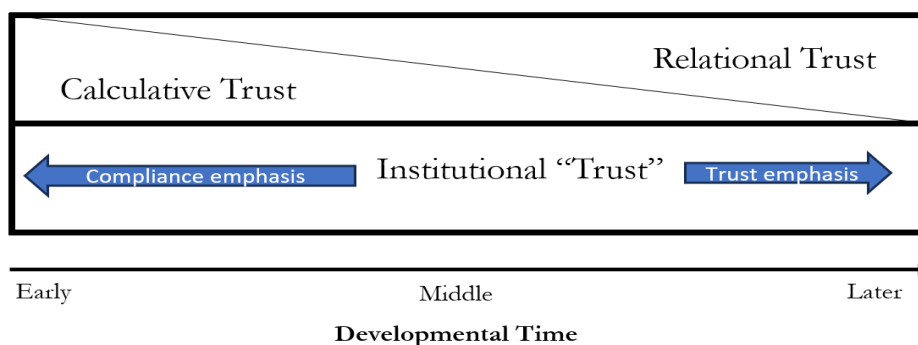


Figure 13: *Rousseau et al.’s Trust Model*

Figure 13 (modified by myself), portrays Rousseau et al.’s trust model. The model shows that at the beginning of organizational trust development, calculative forms of

⁴⁵⁰ Rousseau et al., "Not So Different After All," 399.

⁴⁵¹ Rousseau et al., "Not So Different After All," 400. Andrew Gordon’s *Rules of the Game* provides an example of development of institutional controls to crowd out trust-based approaches to risk management.

trust dominate interactions. Over time calculative trust declines and relational trust, growing (ideally) over time, comes to play an ever larger role. Both forms of trust are based on a foundation of institutional trust. The two arrows I have added indicate the two distinct types of emphasis within the institutional factor. The arrow pointing to the left, emphasizing compliance through control systems, tends to increase emphasis on deterrence and calculus-based forms of trust. This emphasis can lead to a transition from reliance on trust to manage risk to an approach based on control system reliance. The arrow pointing to the right indicates institutional approaches emphasizing trust, which tend to support the development of relational forms of trust. The arrows indicating “compliance emphasis” and “trust emphasis” are not time bound. They can push toward calculative or relational trust at any point in the organization’s lifespan. It is a task of the stewards of the profession, enabled by *jus in militaribus*, to strike the right balance between the compliance and trust emphasis within institutional trust.⁴⁵²

3.4.6.a Summary

The “taxonomy of trust types” in the literature helps reveal the richness of the trust thought complex. As seen above, this review of the academic literature reveals the relative theoretical poverty of military professional and doctrinal discussion of trust. The military doctrinal discussions of trust often tend to dump the several types of trust in the same undifferentiated conceptual “bucket.” The resulting undifferentiated mixing of the different trust forms obscures the steps necessary to cultivate the distinct types. This failure to adequately differentiate between the types of trust results in the military institution missing opportunities to cultivate and respond to perceived declines in military trust more effectively. The model of military trust within the *jus in militaribus* framework presented in Chapter 6 will help stewards remedy this deficiency.

Table 10 lists the types reviewed in this section.

⁴⁵² This is further discussed in Chapter 7.

Table 10: Summary Table of Trust Types Relevant to Development of Model of Military Trust

Trust Types
Dispositional
History-Based
Category-Based
Rule-Based
Role-Based
Deterrence-Based
Calculus-Based
Relational Trust
Institutional Trust

3.4.7 Utility of Trust

Kurt T. Dirks and Donald L. Ferrin provide an explanation of the mechanism through which trust generates organizational effects. Their description can be understood as explaining the mechanism of the feedback and feedforward lines into new decisions and actions between “Outcomes” and “Trustworthiness” in Mayer’s diagram presented in Figure 12. Dirks and Ferrin define trust as “a psychological state that provides a representation of how individuals understand their relationship with another party in situations that involve risk or vulnerability.”⁴⁵³ Based on this definition of trust as a psychological state, they formulate a theory of how trust generates effects. They write, “trust affects one’s interpretation of another’s past action or events relating to the past action: Under high levels of trust, one is more likely to respond favorably to a partner’s action than under low levels of trust.”⁴⁵⁴ Depending on the level of trust, distrust, or mistrust, actions are interpreted differently. As a result, trust shapes different attitudinal, perceptual, and behavioral responses.⁴⁵⁵

They assert that trust affects behavior by acting as a decision “moderator” in two ways. One, the degree of trust shapes the assessments of possible future

⁴⁵³ Kurt T. Dirks and Donald L. Ferrin, “The Role of Trust in Organizational Settings,” *Organization Science (Providence, R.I.)* 12, no. 4 (2001): 456, <https://doi.org/10.1287/orsc.12.4.450.10640>.

⁴⁵⁴ Dirks and Ferrin, “The Role of Trust in Organizational Settings,” 459.

⁴⁵⁵ Dirks and Ferrin, “The Role of Trust in Organizational Settings,” 459.

behavior of the other with whom one is in a relationship of interdependent vulnerability. Two, the degree of trust shapes the interpretation of past or present actions of the others, and their motives.⁴⁵⁶ They analyze the effect of trust through what they refer to as the Main Effect Model and the Moderating Effect Model. In the Main Effect Model, elevated levels of trust generate “more positive attitudes, higher levels of cooperation and other forms of workplace behaviour, and superior levels of performance.”⁴⁵⁷ High levels of trust thus directly encourage “organizational citizenship” and increased individual performance.⁴⁵⁸ In the Moderating Effect model, trust operates indirectly. They explain that trust facilitates “the effects of other determinants on work attitudes, perceptions, behaviors, and performance outcomes.”⁴⁵⁹ It does this in two ways. First, it shapes assessment of future behaviour. The shaping assessment of future behaviour enhances organizational behaviour by reducing the hedging activity and the transaction costs associated with collective action. Thus, in a relationship with high degrees of trust, individuals will judge the costs as lower and as a result find it easier to take the risks associated with working together than in relationships of low trust or distrust. Dirks and Ferrin explain as follows:

Trust, instead of directly causing risk-taking behaviors, may influence the extent to which a motivation for engaging in risk-taking behaviors is likely to lead to risk-taking behaviors. For example, an individual who considers another to be dependable will find it relatively easy to work toward a group goal with that partner, because one does not have to be anxious or concerned about the partner’s potential behavior.⁴⁶⁰

As a result of a high degree of trust the individuals involved can dedicate more of their attention resources and effort toward the shared goal, instead of dedicating some of those resources to guarding against the risk of betrayal.

Secondly, in the Moderating Effect Model the degree of trust shapes interpretation of past or present actions and the motives associated with those actions.⁴⁶¹ Based on the existing degree of trust, the same action can be interpreted

⁴⁵⁶ Dirks and Ferrin, "The Role of Trust in Organizational Settings," 456.

⁴⁵⁷ Dirks and Ferrin, "The Role of Trust in Organizational Settings," 451.

⁴⁵⁸ Dirks and Ferrin, "The Role of Trust in Organizational Settings," 455.

⁴⁵⁹ Dirks and Ferrin, "The Role of Trust in Organizational Settings," 455.

⁴⁶⁰ Dirks and Ferrin, "The Role of Trust in Organizational Settings," 456.

⁴⁶¹ Dirks and Ferrin, "The Role of Trust in Organizational Settings," 456.

differently and thus generate different attitudinal, perceptual, and behavioural responses.⁴⁶² High degrees of trust generate positive interpretations, facilitating continued interaction. Distrust, as further defined below, can lead to negative interpretation of the outcome of future interaction, and thus quickly enable decisions to refrain from taking on the risk entailed in the interaction.

The definition of trust and the two models of effect generation thus enable conceptual movement beyond the exhortatory, “trust is good, ”to “Trust and appropriate distrust is necessary to enable decision-making in these ways 1, 2, 3.” In the military context, it becomes possible to say that the appropriate balance of trust—including those types of trust especially relevant to military decision and action, for example, relational-based, history-based, role-based, and rule-based—and healthy distrust are necessary to enable appropriate decision-making within the overall mission command theory of action. Chapter 6 will show how *jus in militaribus* provides the framework for cultivating and applying the appropriate trust types within military trust.

This part continues by defining three other terms within the trust thought complex: indifference, distrust, and mistrust.

3.4.7.a Indifference

Not all relationships involve trust. It is possible to interact with others in ways that neither require trust or assume distrust.⁴⁶³ Many daily interactions of everyday life do not require trust, certainly not thick forms of trust that open one to the experience of betrayal.⁴⁶⁴ Thus conditions of *indifference* reside between trust and distrust/mistrust. However, within the military the scope of indifference, due to the “thickness” of institutional life, and the overall requirement for action in conditions of unlimited liability, is smaller than that found in most civilian interactions.

3.4.7.b Distrust/Mistrust

Distrust and mistrust are often thought of as the opposites of trust. However, Roy J. Lewicki, Daniel J. McAllister, and Robert J. Bies claim that trust and distrust

⁴⁶² Dirks and Ferrin, "The Role of Trust in Organizational Settings," 459.

⁴⁶³ Trudy Govier, "Trust, Distrust, and Feminist Theory," *Hypatia* 7, no. 1 (1992): 18, <http://www.jstor.org.uoelibrary.idm.oclc.org/stable/3810131>.

⁴⁶⁴ Of course, many daily interactions do require high degrees of trust, such as flying airplanes, taking advice from doctors, and so on. Baier, "Trust and Antitrust," 234.

are not opposites.⁴⁶⁵ Distrust is not merely the absence of trust; distrust constitutes an active disposition. As Trudy Govier writes, distrust can “exist when there is a lack of confidence between [individuals or groups], when they are suspicious of each other’s intentions or abilities to do things which are expected or required.”⁴⁶⁶ Thus, an attitude of distrust does not mean that one is indifferent to the actions of the person or institution distrusted, but that one believes that they will intentionally act in ways counter to the distruster’s interests.

Distrust results from specific instances of negative behaviors in contexts in which the trustor expected trustworthy behavior and thus accepted the risk associated with making themselves vulnerable. Trudy Govier describes the experience of distrust as follows:

When we distrust, we fear that others may act in ways that are immoral or harmful to us; we are vulnerable to them and take the risk seriously; we do not see them as well-motivated persons of integrity, and we interpret their further actions and statements consistently with these negative expectations.⁴⁶⁷

Jason D’Cruz points out that the other actor (individual or organization) that is distrusted is viewed as “incompetent, malevolent or lacking in integrity.”⁴⁶⁸ These qualities stand opposed to the qualities of trustworthiness: ability, benevolence, and integrity. Of special relevance to the analysis of moral injury, D’Cruz points out that distrust manifests in some cases as what were discussed in Chapter 2 as “moral emotions,” for example, moral anger and moral disgust.⁴⁶⁹ Further, distrust can, according to Govier, “corrode our sense of reality,” and lead to a paranoid view of the world.⁴⁷⁰

3.4.7.c Mistrust

While corrosive distrust is generally the result of a specific violation of trust,

⁴⁶⁵ Roy J. Lewicki, Daniel J. McAllister, and Robert J. Bies, “Trust and Distrust: New Relationships and Realities,” *The Academy of Management Review* 23, no. 3 (1998): 448, <https://doi.org/10.2307/259288>.

⁴⁶⁶ Trudy Govier, “Distrust as a Practical Problem,” *Journal of Social Philosophy* 23, no. 1 (1992): 1, <https://doi.org/https://doi.org/10.1111/j.1467-9833.1992.tb00484.x>.

⁴⁶⁷ Govier, “Trust, Distrust, and Feminist Theory,” 17–18.

⁴⁶⁸ Jason D’Cruz, “Trust and Distrust,” in *The Routledge Handbook of Trust and Philosophy*, ed. Simon, 47.

⁴⁶⁹ D’Cruz, “Trust and Distrust,” 46.

⁴⁷⁰ Govier, “Distrust as a Practical Problem,” 55. See also McMyler, (discussed below) who describes how trust can function as “an attitude (or perhaps a suite of attitudes) that embodies a distinctive way of representing the world or a distinctive kind of take on the world.” Benjamin McMyler, “Trust and Authority,” in *The Routledge Handbook of Trust and Philosophy*, ed. Simon, 80. Chapter 2 discussed how betrayal resulting in moral injury can destroy this world.

and is bounded to a specific person or context, mistrust results from both the cumulative effect of distrust and specific actions generating mistrust, such as institutional betrayals in high stakes situations. John Boyd defines mistrust as follows: “[An] atmosphere of doubt and suspicion that loosens human bonds among members of an organic whole or between organic wholes.”⁴⁷¹ Mistrust generates decision-making friction, making effective coordinated action in the pursuit of an objective much more difficult.⁴⁷²

The concept of mistrust further explains the significance of moral injury for military operational effectiveness. Mistrust, by generating moral conflicts, including PMIEs, is not contextually or domain bound. The effects of mistrust exceed the limits of the specific situation. The operation of mistrust as an “atmosphere of doubt and suspicion that loosens human bonds” explains the mechanism through which moral injury can lead to what Litz et al. refer to as a “global attribution.”⁴⁷³ The expansive, “global” nature of the negative attribution resulting from the experience of moral injury is not due to a particular instance inspiring distrust but a general atmosphere through which the entirety of life experiences are viewed. In other words, mistrust leads to the conclusion that the individual is unworthy to abide within the “moral world” of the institution and/or that the “moral world” of the institution is entirely worthless. Both conclusions undermine military effectiveness. As discussed in Chapter 2, the “world destruction” caused by moral injury resulting from the reaction to PMIEs presented by actions generating distrust/mistrust can lead to a cascade of negative effects for the individual experiencing moral injury and the broader organizations (e.g., family, town, unit) of which they are a part.

3.4.8 Trust, Distrust/Mistrust, and Decision-Making

With the initial definitions provided above, the following section analyzes the influence of trust and distrust/mistrust on decision-making. Lewicki, McAllister, and Bies define distrust and a framework for analyzing the interaction of trust and distrust especially relevant for this study. According to Lewicki, McAllister, and Bies, trust and distrust are “separate but linked dimensions” that interact in various ways.⁴⁷⁴ They define trust as “confident, positive expectations regarding another’s conduct,

⁴⁷¹ Boyd, *A Discourse on Winning and Losing*, 145.

⁴⁷² Boyd, *A Discourse on Winning and Losing*, 225.

⁴⁷³ Litz et al., “Moral Injury and Moral Repair in War Veterans.”

⁴⁷⁴ Lewicki, McAllister, and Bies, “Trust and Distrust,” 439.

and distrust in terms of confident negative expectations regarding another's conduct."⁴⁷⁵

In this view, trust and distrust are not two poles of a continuum but separate constructs that can influence decision-making simultaneously.⁴⁷⁶ Lewicki et al.'s definition of distrust as a specific construct—not the mere absence of trust—illuminates how distrust can generate positive and negative effects on individual and organizational decision-making. In order to appropriately inform military decision-making across the full range of military tasks, this study claims that an effective model of military trust must address the influence of both trust and distrust on decision-making.

3.4.8.a Distrust and decision-making

Both trust and distrust are means for managing complexity and uncertainty within the decision-making process. Lewicki et al. write, "From the scheme of possible conduct, trust reduces social complexity and uncertainty by allowing specific undesirable conduct to be removed from consideration (simplification of the decision trees) and by allowing desirable conduct to be viewed as certain."⁴⁷⁷ Thus, trust accelerates decision-making by reducing the set of likely opportunities for exploiting of vulnerability in conditions of uncertainty. Trust thus reduces the "energy" expended in attention and analysis by excluding possible damaging courses of action from the set of possibilities required for decision-making. As a result, trust enables focusing of attention resources on the activities necessary to achieve the objective, reducing the expenditure of intellectual energy on hedging the risks generated by the vulnerability to the other.

Distrust, the assumption of injurious conduct from the other, enables either, one, refusal to engage in the interaction or, two, proactive protective hedging behavior. Distrust thus reduces the risk posed by otherwise remaining vulnerable (in a condition of trust) to actions by the distrusted other. Distrust simplifies decision-making and conserves attention resources by assuming that undesirable conduct is highly likely.⁴⁷⁸

Distrust can generate both positive and negative effects on decision-making.

⁴⁷⁵ Lewicki, McAllister, and Bies, "Trust and Distrust," 439.

⁴⁷⁶ Lewicki, McAllister, and Bies, "Trust and Distrust," 445.

⁴⁷⁷ Lewicki, McAllister, and Bies, "Trust and Distrust," 444.

⁴⁷⁸ Lewicki, McAllister, and Bies, "Trust and Distrust," 439.

3.4.8.a.i *Negative effects of distrust.* Before analyzing the positive effects of distrust on decision-making, attention should be paid to the negative effect of distrust as it relates to moral conflict, especially moral injury. Actions generating what I will refer to as “corrosive distrust” and mistrust can generate moral conflicts, including moral injury.⁴⁷⁹ D’Cruz summarizes the impact of distrust as resulting in a judgment that the person or organization distrusted is “incompetent, malevolent, or lacking in integrity.”⁴⁸⁰ This maps nicely onto the components of trustworthiness listed by Mayer: ability, benevolence, and integrity. Chapter 5 will further define these components of distrust in the military context.

3.4.8.a.ii *Positive effects of distrust.* Distrust can also generate beneficial impacts on decision-making. Not only does distrust act as a countervailing force for too great or excessive trustingness on an interpersonal level, but distrust can also play an important role in institutional decision-making. D’Cruz points out that distrust of government and the state is a recurring theme of liberal thought. Government agents cannot automatically, and without significant risk, be trusted to refrain from using government power and resources to benefit themselves at the expense of citizens.⁴⁸¹ Thus, those actors should be distrusted, and developing mechanisms to manage the risk of their acting in ways that justify distrust is freedom preserving.

On an individual level, “healthy distrust”—a judicious skepticism or “taking with a grain of salt” attitude to institutional action—results in individual service members, for example, taking care of their own careers instead of trusting the institution to do it for them, and stimulates the vigilance necessary to remain alert to the “slightest transgression” which could jeopardize the “special trust and confidence” associated with the institution.⁴⁸²

Distrust can also operate positively on the institutional level and generate positive effects in three ways. First, distrust in the decision-making competence in both the moral-ethical and technical layers of professional expertise encourages openness to the “weak signals,” indicating conditions might be otherwise than the

⁴⁷⁹ Bad distrust undermines self-trust. D’Cruz, “Trust and Distrust,” 53. See Alfano on Nietzsche’s analysis of the importance of self-trust, and the dangers associated with unwarranted loss of self-trust. Mark Alfano and Marc Cheong, “Guest Editors’ Introduction: Examining Moral Emotions in Nietzsche with the Semantic Web Exploration Tool: Nietzsche,” *Journal of Nietzsche Studies* 50, no. 1 (2019): 9, <https://doi.org/10.5325/jnietstud.50.1.0001>.

⁴⁸⁰ D’Cruz, “Trust and Distrust,” 47.

⁴⁸¹ See Alfano and Huijts for other examples of justified distrust of governmental institutions. Alfano and Huijts, “Trust in Institutions and Governance,” 67.

⁴⁸² Walsh, *MCWP 6-10 Leading Marines*, A-9.

senior decision-makers believe.⁴⁸³ As Dreyfus and Dreyfus explain, expert decision-makers are

[A]ware that his current clear perception may well be the result of a chain of perspectives with one or more questionable links, and so might harbor the dangers of tunnel vision, the wise, intuitive decision-maker will attempt to dislodge his current understanding.⁴⁸⁴

This distrust inspired “dislodging” can help guard against, for example, groupthink leading to intelligence failures.⁴⁸⁵ If members of an Operational Planning Team (OPT), for example, distrust that the strategic or operational decision-making process is perfectly sound or even adequately sound in a particular situation, they can emphasize to senior leaders the need to consider other views. The Red Team evaluating potential courses of action within the Joint Planning Process is an institutionalized form of this sort of distrust. From this perspective, Samuel Huntington was wrong to claim obedience is the highest military virtue. The highest virtue is initiative in pursuit of the objective—and this requires both trust and healthy distrust.⁴⁸⁶

Secondly, distrust of the existing policies and practices provides space for innovative responses to contextual changes as discussed in Chapter 1. If the existing processes and practices are over-trusted, the institution can become closed off from the need for change. Excessive trust in the organization can discourage investigation of the root causes of problems. This refusal to acknowledge and

⁴⁸³ Lewicki, McAllister, and Bies, "Trust and Distrust," 453.

⁴⁸⁴ Stuart E. Dreyfus and Hubert L. Dreyfus, *A Five-Stage Model of the Mental Activities Involved in Directed Skill Acquisition*, Operations Research Center (Berkeley University of California, 1980), 194.

⁴⁸⁵ Roberta Wohlstetter, *Pearl Harbor: Warning and Decision* (Stanford: Stanford University Press, 1962).

⁴⁸⁶ Samuel P. Huntington, *The Soldier and the State* (Cambridge, MA: The Belknap Press of Harvard University Press, 1957), 57. A vignette from the Battle of Tawara in 1943 provides an example of the difference between combat virtue and obedience. Martin Russ writes, “Later he watched a young, dirty-faced private with the arresting name of Adrian Strange limp heavily back to the command post and demand a pack of cigarettes; he and his machine-gun crew had run out, he explained. Someone tossed him a pack of Camels and he lit up. He seemed quite unimpressed by the snipers roundabout; nor did the Marine brass sitting nearby impress him particularly. After his first drag, he turned garrulous. ‘Well, I just got me a sniper,’ he bragged. ‘That’s six today, and me a cripple!’ He took another puff and blew smoke grandly. ‘Busted my ankle stepping a hole yesterday.’ At that moment a flurry of bullets buzzed overhead like angry hornets, and the begrimed Marine sneered loudly, ‘Shoot me down, ya son of a bitches!’ He had not even bothered to duck. After finishing his smoke he limped back into the battle. None of the officers sitting there had tried to stifle the lad’s swagger, or chide him for the insolent way he had demanded the cigarettes; everyone knew that it was the Adrian Stranges of the division who were conquering the enemy.” Martin Russ, *Line of Departure: Tarawa* (Garden City, New York: Doubleday & Company, Inc., 1975), 139.

engage with the problem can lead to what Argyris refers to as “self-sealing” of the decision-making process. When organizations see only what they want to see, they seal themselves off from new insights into the situation and thus continue to operate in ineffective ways, prone to increasing errors. This approach tends to lead to an emphasis on win-lose, zero-sum engagements, conformity, and “organizational games of deception.”⁴⁸⁷ Distrust—within proper limits—can function to puncture the “self-sealing” and thus make enhanced organizational performance possible.

Thirdly, appropriate distrust, by bringing to the consciousness of the decision-maker the limits of knowledge, and thus competence by generating an openness to input from additional sources, provides space for subordinate initiative. That is, the appropriate level of distrust reinforces an appreciation for local knowledge and a resulting willingness to allow for a subordinate initiative that is at the heart of mission command. It results in ideas like, “I trust that Unit X commander is doing her best, but distrust that her decision remains entirely valid due to changes that I have seen, at my level, in the engagement space. Therefore, I am going to not blindly follow the existing orders formulated 12 hours ago and communicated to me 8 hours ago, but instead exercise my initiative to act as required now as I see it.” Mission command, as the command and control philosophy of maneuver warfare, is the fundamental approach to conflict by the US military, and thus requires both trust (of many types, but especially relational) and appropriate distrust as a normal part of the decision-making process.

Absent an appropriate level of distrust in the ability of the institution or superior to predict paths to outcomes, military decision-making tends to focus on directive orders and compliance. This leads to, as discussed in Chapter 2, bureaucratization. When distrust is viewed as entirely negative, obedience, as Huntington wrote, does, in fact, become the primary military virtue.⁴⁸⁸ Command and control systems based entirely on trust are possible, but that is not the approach the US has chosen. One could, of course, say that “As a commander, I trust you to understand the limits under which I am operating, and take appropriate action as required”—not as a result of distrust but of skepticism or appreciation of the limits of knowledge. The point of this study is that this is a result of distrust, as described

⁴⁸⁷ Chris Argyris, Robert Putnam, and Diana McLain Smith, *Action Science: Concepts, Methods, and Skills for Research and Intervention* (San Francisco, CA: Jossey-Bass Inc., Publishers, 1985), 93.

⁴⁸⁸ Huntington, *The Soldier and the State*, 57.

further below. Failing to clearly define positive distrust hinders the ability to define and respond to actions and decisions, generating distrust that operates negatively, that is, in ways that generate moral conflict, including PMIEs.

The US Navy's definition of honor alludes to the positive function of justified distrust. Further discussed in Chapter 5 below, the US Navy includes the following directives in its definition of honor, which open space within military decision-making for the positive function of distrust: "Be willing to make honest recommendations and accept those of junior personnel; Encourage new ideas and deliver the bad news, even when it is unpopular."⁴⁸⁹ The positive function of distrust and its operation within the military provides the space within which questioning of potentially unlawful orders is possible, as is the formulation of a more effective course of action given the current state of the evolving constellation of circumstances. In short, mission command relies on both high degrees of trust, and what is not articulated in the doctrine on Mission Command: appropriate distrust.

Operating within this tension is a core part of the military professional challenge. The analysis of trust and distrust provides additional insight into the nature of the primary military professional task, as Snider describes it, as making discretionary judgments in conditions of uncertainty.⁴⁹⁰ Effective moral-ethical decision-making requires both trust and distrust in proper measures. Too much distrust leads to mistrust and makes collective action impossible; too little distrust can lead to groupthink and bureaucratization. *Jus in militaribus*, presented in Chapter 6, provides a framework within which the stewards of the profession can help discriminate between healthy and unhealthy forms of distrust and thus take steps to encourage the healthy type and discourage the unhealthy.

3.4.9 Distrust Challenge for Stewards of the Profession

Justified distrust, like justified trust, can generate varying effects on decision-making. Lewicki, McAllister, and Bies provide a framework for how trust and distrust interact to create what they refer to as "Alternative Social Realities."⁴⁹¹ This is especially relevant for this study as it helps explain the role of trust in world-building and, thus, the role of betrayal in world destruction described in Chapter 2 as an

⁴⁸⁹ "Our Core Values," US Navy, 2020, accessed February 16, 2024, <https://www.navy.mil/About/Our-Core-Values/>.

⁴⁹⁰ Snider, "American Military Professions and their Ethics," 18.

⁴⁹¹ Lewicki, McAllister, and Bies, "Trust and Distrust," 445.

effect of experiencing a moral injury. Lewicki, McAllister, and Bies built the framework by creating a two-factor diagram with trust on the vertical axis and distrust on the horizontal. See Figure 14 below.⁴⁹²

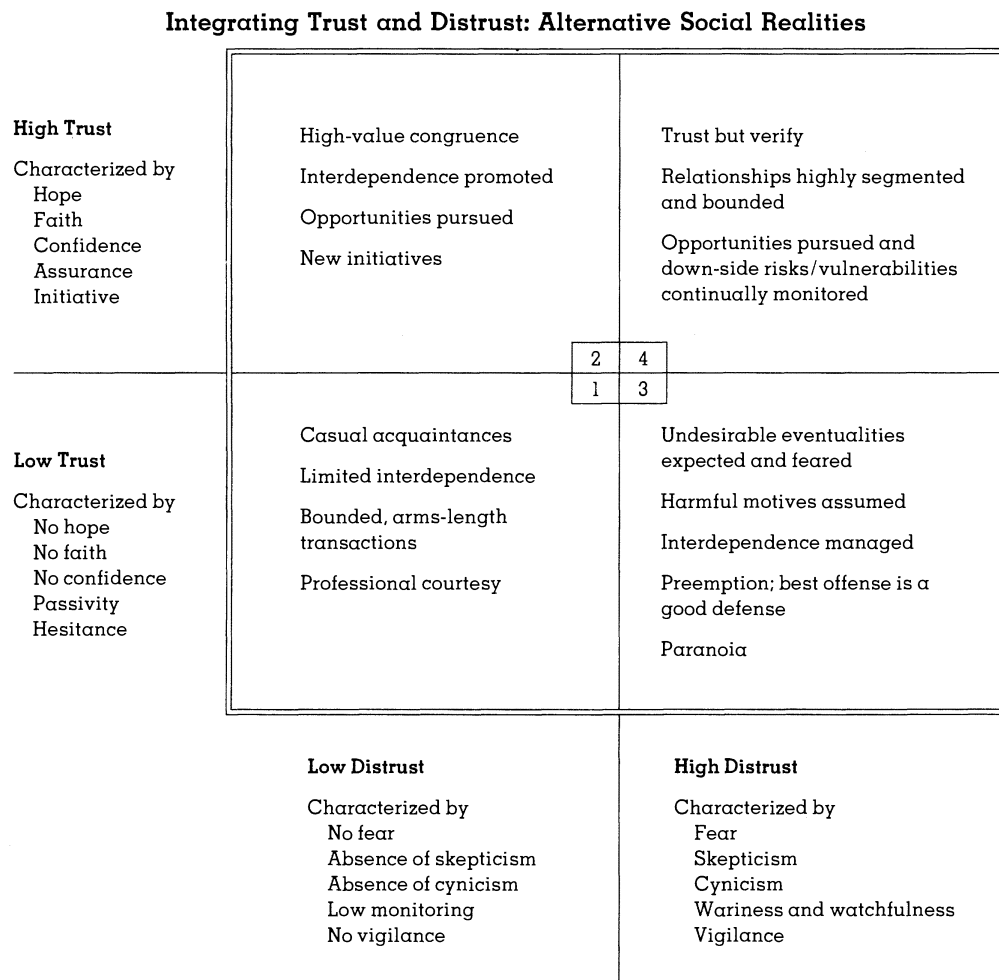


Figure 14: Integrating Trust and Distrust

Locating the military institution on the diagram will help reveal the requirements for the model of military trust presented in Chapter 5. The *jus in militaribus* framework enables stewards of the profession to diagnose the location of their particular military organization on Lewicki’s trust/distrust diagram and formulate steps to adjust or maintain the desired location.

3.4.9.a Quadrant 1 low trust and low distrust—indifference

Relationships within Quadrant 1 of Figure 14, characterized by conditions of low trust and low distrust, consist of limited interactions with others, to whom the

⁴⁹² Figure is copied directly from Lewicki, McAllister, and Bies, "Trust and Distrust," 446.

individuals and organizations involved are *indifferent*. The other in quadrant 1 is neither trusted nor distrusted. As a result, the relationships within the quadrant are narrowly bounded, with very limited interdependence. Thus, Lewicki et al. characterize these relationships as consisting of, at most, “casual acquaintances.”⁴⁹³ Interactions are guided by “professional courtesy,” but there is, as a result of the low distrust, little monitoring of the relationship, and no fear of betrayal.

Military organizations in non-operational contexts will be, in many cases, indifferent (while still demonstrating professional courtesies, e.g., through saluting) to members of other organizations. However, the military, as discussed above, is an especially “thick” organization. Few service members can become indifferent to their own unit. The institution and leaders of the institution have a high degree of control over service members’ lives and behavior in conditions of unlimited liability. As a result, the scope for indifference is narrower than in civilian organizations or even other governmental agencies.

3.4.9.b Quadrant 2: high trust and low distrust—mission command enabling

Quadrant 2 describes the “social reality” the professional military literature and doctrine indicate the military desires. This quadrant is characterized by high-value congruence, enthusiastic exercise of initiative to pursue opportunities, and the promotion of interdependence.⁴⁹⁴ This maps onto the requirements for and outcomes of an organization operating in accordance with a mission command-based approach to command and control.

3.4.9.c Quadrant 3: low trust and high distrust—moral conflict exacerbating

The social reality of Quadrant 3 tends to encourage moral conflict. In the absence of trust and with a high level of distrust, interpretations of the actions of others tend to encourage assessments in which actions counter to one’s interests are interpreted as designed to intentionally harm. Thus, people and institutions operating in Quadrant 3 are persistently vigilant and assume the motives of other actors are actively harmful. The characteristics of Quadrant 3 interpreted in light of combat conditions are:

- Undesirable eventualities are expected (service members

⁴⁹³ Lewicki, McAllister, and Bies, “Trust and Distrust,” 446.

⁴⁹⁴ Lewicki, McAllister, and Bies, “Trust and Distrust,” 446.

in combat are likely to act unjustly given the nature and character of combat—killing other human beings).

- The undesirable eventualities are feared both normatively (unjust action should be avoided) and due to the consequences for mission accomplishment and the overall reputation of the nation involved.
- Harmful motives are assumed—the adversary will act to kill our members, and under the pressure of fear, the desire for self-preservation, and the requirement to accomplish the mission, our service members have strong incentives to act in ways that are potentially unjust within the JWT framework.
- Interdependence is managed through extensive monitoring for compliance.
- Pre-emption of undesirable action is accomplished through the use of institutional control mechanisms, including supervisory and monitoring roles, bureaucratic checks, and procedures.⁴⁹⁵
- Paranoia, rather than a presumption of innocence, characterizes interactions—members are constantly on the lookout for violations.

In contexts like combat, the Quadrant 3 social reality can constitute an appropriate response to the conditions decision-makers face. However, just as hyper vigilance, startling at every sensory disturbance, etc., becomes indicative of a disorder outside the appropriate context (PTSD), persistently abiding in Quadrant 3, and making decisions based on that condition, can generate moral conflict. Within Quadrant 3 decision-making tends to evaluate events as indicating betrayal. This tends to encourage moral injury when faced with PMIEs.

3.4.9.d Quadrant 4: high trust and high distrust—a realist approach to normal operations

While at first Quadrant 4 may seem to describe a paradoxical situation in

⁴⁹⁵ Lewicki, McAllister, and Bies, "Trust and Distrust," 447.

which both trust and distrust are high, Lewicki et al. claim that most organizations, such as businesses, reside in Quadrant 4 most of the time. They write,

The relationship likely is characterized by multifaceted reciprocal interdependence, where relationship partners have separate as well as shared objectives. The facet elements, bands, and bandwidth of the relationship reflect many positive experiences, in which the aggregate experience has been trust reinforcing, and many negative experiences in which the aggregate experience has been distrust reinforcing.⁴⁹⁶

Quadrant 4 presents a realistic approach to working with other organizations. High trust enables the pursuit of opportunities, while high distrust ensures vigilance against the risks and vulnerabilities generated by the interaction. Thus, while the military doctrine exhorts service members to act as if the military social reality abides persistently in Quadrant 2, it is experientially more accurate to say that most interactions reside within the world of Quadrant 4.

Lewicki et al. go on to explain,

In order to sustain and benefit from this form of relationship, parties can take steps to limit their interdependence to those facet linkages that reinforce the trust and strongly bound those facet linkages engendering the distrust.⁴⁹⁷

Organizations thus, as part of their normal operations, manage their relationship, hedging their risk when their vulnerability increases and accepting additional vulnerability when they judge it in their interests to increase the benefits from interaction with trusted others. As will be seen in Chapter 6, *jus in militaribus* helps stewards of the profession make these sorts of decisions. The model of military trust will inform the decisions and actions necessary to maintain the institutional operations with the “worlds” of Quadrants 2 and 4 and avoid/escape from the world of Quadrant 3.

Moral injury can push people into perceiving the institution as operating in Quadrant 3: low trust and high distrust. The emphasis on personal responsibility discussed in Chapter 2 was inspired in part by the assumption that the organization acted in accordance with the conditions of Quadrant 2: high trust and low distrust. In

⁴⁹⁶ Lewicki, McAllister, and Bies, "Trust and Distrust," 447.

⁴⁹⁷ Lewicki, McAllister, and Bies, "Trust and Distrust," 447.

such conditions, a shift to Quadrant 3 would generally occur only as a result of poor decision-making and action by individuals. The possibility that the institution was itself acting in ways to create conditions of low trust and high distrust was underemphasized, and thus institutional betrayal—violation of, as Shay referred to it, “themis—what’s right”—was neglected as a source of moral injury.⁴⁹⁸ Further, the assumption of personal responsibility, what Cohen and Gooch refer to as the “Dogma of Responsibility,” created additional barriers to diagnosis of the institution as a source of betrayals. As a result, little attention was focused on preventing those betrayals.⁴⁹⁹

The military JWT training emphasis on *jus in bello* itself reinforces such a stance. JWT-based *jus in bello* moral-ethical decision-making guidance can be understood as assuming that service members will act in accordance with the conditions as described in Quadrants 3 (low trust and high distrust) and 4 (high trust and high distrust). Thus, the JWT guidance is based on the fundamental operating assumption that service members will make life-and-death decisions within conditions of high distrust. This is appropriate.⁵⁰⁰

As a result of this assumption, the JWT guidance is designed for operation in conditions of high distrust while service members are exhorted to operate in accordance with high trust, even in a social reality characterized by high distrust (Quadrant 4: high trust and high distrust), but the JWT-based control system assumes decision-making within Quadrant 3 (low trust and high distrust) as the base case. Therefore, the institution takes the general stance of maintaining control system-based vigilance against trust violations.

Moral conflict both decreases trust and increases distrust. The extreme form of moral conflict, moral injury, can result in forms of the “alternative social reality” indicated in Quadrant 3 of Figure 14.⁵⁰¹ The phrase “alternative social reality” highlights the world/holding environment-destroying impact of moral injury. While high trust creates a social reality with high-value congruence, independence, and pursuit of new opportunities and initiative, moral injury creates a world in which undesirable eventualities are expected and feared, harmful motives assumed,

⁴⁹⁸ Shay, *Achilles in Vietnam*, 5.

⁴⁹⁹ Cohen and Gooch, *Military Misfortunes*.

⁵⁰⁰ See, for example, Liddel Hart on fear in combat. B. H. Liddell Hart, *Strategy*, 2nd rev ed. (New York, NY: Meridian, 1991).

⁵⁰¹ Lewicki, McAllister, and Bies, “Trust and Distrust,” 446.

interdependence is severely limited, and paranoia is a given.⁵⁰² In addition, the high distrust resulting from moral injury is directed toward both the institution and the individual. As discussed in Chapter 2 above, people suffering from moral injury often make “global attributions” that they are entirely bad and thus unworthy of trust and worthy of distrust, not only in the specific domain in which they faced the PMIE.⁵⁰³

3.5 Part 4: Significance

This chapter has shown that, compared to the academic literature on trust, the military professional and doctrinal literature contains only a vague understanding of trust. The conceptual ambiguity, or what Colquitt and Rodell refer to as “muddiness,” associated with trust in military doctrine as described in Part 2 of this chapter produces three negative effects on the development of moral injury management capabilities.⁵⁰⁴ One, it hinders moral injury “threat detection.” Two, it hinders military institutional trust cultivation and maintenance theory formulation. Three, it hinders the formulation of effective responses to institutional betrayals when they occur. These effects are considered in turn below.

3.5.1 Threat Detection

The inability to precisely define institutional trust leads to ambiguity in the detection of actions resulting from institutional policies and practices that can generate negative distrust and mistrust. If the previous nature of institutional trust is unknown, recognizing violations of trust is difficult. Further, a lack of clarity on the nature and character of distrust entails a lack of threat awareness and, thus, a substandard ability to detect the moral injury threat. Thus, the lack of a model of military trust increases the difficulty of detecting individual and, most importantly for this study’s focus on moral injury, institutional trust violations.

3.5.2 Theory Formulation

The inability to precisely define institutional trust—what it is—leads to difficulties in formulating a theory guiding action on how to cultivate and maintain institutional trust. In the absence of theory, institutional actions to cultivate and maintain institutional trust become in general a series of haphazard improvisations, based on vague guidance and untested intuitions. The analysis in Chapter 2 showed

⁵⁰² Lewicki, McAllister, and Bies, “Trust and Distrust,” 446.

⁵⁰³ Litz et al., “Moral Injury and Moral Repair in War Veterans,” 700.

⁵⁰⁴ Colquitt and Rodell, “Justice, Trust, and Trustworthiness,” 1185.

that such an approach is inadequate to the military moral injury management need.

3.5.3 Overemphasis on Control systems

As a result of the decline in trust as a risk management technique, the question of the balance between control and trust systems to manage the risk of unjust action by the military institution and its members has increased in prominence. Absent sufficient trust, civilian leaders may come to rely more on control system-based approaches to manage the risk of unjust action both externally and internally. The overreliance on control systems can lead to increased bureaucratization and, thus, decreased institutional functional effectiveness. This issue is further examined in Chapters 5 and 6.

Overall, without a structure within which to formulate responses to betrayals—the institutional generation of negative distrust and mistrust—it is difficult to precisely formulate, in ways that enable effective action, recommended remedial actions to build or restore trust.

3.6 Conclusion

Parts 1 and 2 of this chapter reviewed the treatment of trust in the military professional and doctrinal literature. These parts revealed that trust is spoken of enthusiastically and intimately connected to integrity, character, and reliability. Indeed, according to professional and doctrinal publications, the US approach to military operations—maneuverer warfare employing decentralized mission command as its command-and-control approach—requires high degrees of institutional trust. However, the precise nature and character of military trust and the ways in which trust is eroded, built, and restored within the military are not adequately described in the military professional literature and doctrinal publications.

Part 3 turned to the academic literature on institutional trust. This literature provided a much larger degree of granularity. However, it does not, although occasionally mentioning the military, provide *military-*, as opposed to government- or business-, focused analysis. This study aims to fill this gap by building on the military professional, doctrinal, and academic literature to argue that the military institution needs to develop a model of institutional trust within the *jus in militaribus* framework in order to enhance the military's capability and capacity to perform its professional functions on behalf of society, including enhancing its moral injury management capability.

Prior to presenting this model, Chapter 4 further defines the nature and character of the military institution. Such an understanding is necessary in order to further define *jus in militaribus*—the justice of the policies and practices of the military institution—which provides the framework for the formulation of the model of military trust and guides the application of that model to enhance moral injury management capabilities.

Actionable Insights

1. Trust, although it is often mentioned as important in the military professional literature, is only vaguely defined in that literature.
2. As articulated in military doctrine, trust plays a large role in enabling initiative in command and control within the maneuver warfare philosophy of military action.
3. The academic literature on trust provides definitions of trust of sufficient precision to enable diagnosis of trust-related deficiencies. These definitions enable recommended remedial action formulation in the face of declines in trust, and growth of distrust and mistrust, but are not tailored for the military.

Chapter 4:

The Nature and Character of the Military Institution

4.1 Introduction

Chapter 3 examined the literature on organizational trust. It revealed that although the military doctrine and professional literature often extols trust, the guidance related to building and maintaining trust is vague and imprecise. This lack of precision constitutes a gap in the literature that this study intends to fill.

Somewhat surprisingly, the nature and character of the military institution is also only vaguely defined in the military professional literature. Indeed, the US DOD dictionary does not define the military institution. Yet understanding the operation of military trust, a form of organizational trust, requires understanding the nature and character of the organization—the military—in which the trust operates.

This chapter reveals that, due in part to the lack of a definition of the military institution in US military doctrine, even recent treatments of the military institution inadequately articulate the role of the institution as a moral-ethical actor, and thus fail to provide an understanding of the role of the institution in moral-ethical decision-making and moral injury management adequate to the need. In response to this deficiency, this chapter offers a definition of the military institution relevant to moral-ethical theory-of-practice formulation and guidance articulation that together provide a foundation for enhanced moral injury management capability development.

To analyse the nature and character of the military institution this chapter proceeds as follows. Part 1 defines the purpose of the military institution, beginning in Section 4.2 with a description of the problem of violence societies rely on the military institution to manage on their behalf. This section defines the military institution as a tool for responding to the problem of violence.

Part 2 examines the nature of the military institution. By nature, I mean the persistent qualities of the military institution that make it possible to speak of a military organization over time, distinguishing it from a group using violence to pursue economic or political objectives for the exclusive benefit of the members of that group—not a broader political community. Section 4.3 examines the military as a community. The following section, starting from the surprising discovery that the

military institution is not defined in the US DOD dictionary, discusses the definition of the military institution as articulated in recent US military professional literature, and provides a working definition of the military institution.

Part 3 describes the varieties of military institutional characters. Section 4.4 uses James A. Wilson's analysis of government agencies to develop a typology of military character types, and describes several possible types of military character using Wilson's agency framework.

Part 4 uses Andrew Gordon's discussion of the Royal Navy in his *Rules of the Game* as a case study to examine the moral-ethical implications of institutional character types.

4.2 Part 1: The Problem of Violence and the Purpose of the Military

The specific nature and character of military moral-ethics—what makes military moral-ethics *military*—is derived from the role the military plays in the societies it serves. Thus, brief analysis of the purpose of the military is necessary to understand the nature of the institution—and the peculiarities of its moral-ethical decision-making—fulfilling that purpose.

4.2.1 The Problem of Violence

Why do societies spend resources (human and financial) to acquire and use the capabilities the military institution provides? Put in simpler form, "Why does the military exist?" Douglass North's analysis of the question of economic development and the problem of violence provides an approach to an answer. North argues first that "The central issue of economic history and of economic development is to account for the evolution of political and economic institutions that create an economic environment that induces increasing productivity."⁵⁰⁵ Second, he argues that institutions are more or less effective at managing the problem of violence. He writes,

All societies face the problem of violence. . . No society solves the problem of violence by eliminating violence; at best, it can be contained and managed. Violence manifests itself in many dimensions. Violence can be expressed in physical actions or

⁵⁰⁵ Douglass C. North, "Institutions," *Journal of Economic Perspectives* 5, no. 1 (1991): 98.

through coercive threats of physical action. Both violent acts and coercion are elements of violence.⁵⁰⁶

Violence is a “wicked problem.”⁵⁰⁷ It is susceptible only to management through collective institutions, not solutions.

4.2.2 The Military Institution as a Tool to Manage Violence

The military is an institution designed, funded, and operated to manage violence. North defines institutions as follows:

Institutions are the humanly devised constraints that structure political, economic, and social interaction. They consist of both informal constraints (sanctions, taboos, customs, traditions, and codes of conduct), and formal rules (constitutions, laws, property rights).⁵⁰⁸

For North, “institutions” are broader than organizations. What he refers to as the “institutional matrix”⁵⁰⁹ shapes the character of organizations within the matrix. He defines organizations as

specific groups of individuals pursuing a mix of common and individual goals through partially coordinated behavior. Organizations coordinate their members’ actions, so an organization’s actions are more than the sum of the actions of the individuals. Because they pursue a common purpose in an organization and because organizations are typically composed of individuals who deal with each other repeatedly, members of most organizations develop shared beliefs about the behavior of other members and about the norms or rules of their organization. As a result, most organizations have their own internal institutional structure: the rules, norms, and shared beliefs that influence the way people behave within the organization.⁵¹⁰

The “internal institutional structure” of an organization contains what this study is analyzing as the military moral-ethical theory-of-practice. This theory-of-practice varies among organizations with different institutional matrices. The military is a political institution (a government agency structured in a variety of ways—profession,

⁵⁰⁶ Douglass C. North, John Joseph Wallis, and Barry R. Weingast, *Violence and Social Orders: A Conceptual Framework for Interpreting Recorded Human History* (Cambridge: Cambridge University Press, 2009), 13–14. <https://www.cambridge.org/core/books/violence-and-social-orders/F0EA15A67E790214408A7485DBC70F0D>.

⁵⁰⁷ Rittel and Webber, “Dilemmas in a General Theory of Planning.”

⁵⁰⁸ North, “Institutions,” 97.

⁵⁰⁹ North, “Institutions,” 98.

⁵¹⁰ North, Wallis, and Weingast, *Violence and Social Orders*, 15–16.

occupation, etc.) through which the organization, based on its institutional structure as articulated in its policies and practices containing the rules, norms, and shared beliefs that enable collective action, protects society. Through the provision of protection, the military organization can (to a greater or lesser degree) support the creation and maintenance of an economic environment that induces increasing productivity. North writes,

Organizations are, in part: tools that individuals use to increase their productivity, to seek and create human contact and relationships, to coordinate the actions of many individuals and groups, and to dominate and coerce others. Societies differ in the range and availability of organizational tools.⁵¹¹

Thus, in response to the problem of external violence, societies develop military organizations. The military is an organization, with its own internal institutional character. By effectively and efficiently providing protection the military can support the power organization of which it is a part to increase productive activities.⁵¹² Depending on the type of power organization, and the character of the military organization—the tool the society produces to achieve its protective ends—the increase in the capability of the power organization may result in a decrease or increase of individual productivity and freedom.⁵¹³

4.2.3 Moral Ethical Decision-Making Implications

Analysis of military moral-ethical decision-making requires what Seth Lazar refers to as a “collective” methodology.⁵¹⁴ Rephrased more precisely for the focus of this study, understanding the moral-ethical decision-making process relevant to moral injury management requires understanding *both* the *organizational structure* and the *individual* deciding and acting within that structure to perform specifically military tasks across the full range of military activities.

Organizational behavior is influenced by individual decision-making but is not reducible to it.⁵¹⁵ North’s theory of institutions provides a framework for

⁵¹¹ North, Wallis, and Weingast, *Violence and Social Orders*, 7.

⁵¹² Nicholas J. Spykman and Abbie A. Rollins, "Geographic Objectives in Foreign Policy, I," *The American Political Science Review*, 33, no. 3 (1939): 391.

⁵¹³ The military forces in Sudan—the Sudanese army and the paramilitary Rapid Support Forces—provide an example of military organizations destroying the productive potential of the country. Both forces were developed as tools of an oppressive totalitarian regime, not to provide protection to the citizens. See International Crisis Group, "Stopping Sudan’s Descent into Full-Blown Civil War" (crisisgroup.org, March 4, 2024).

⁵¹⁴ Lazar, "Method in the Morality of War," 34.

⁵¹⁵ Cohen and Gooch, *Military Misfortunes*.

understanding how the “collective” nature of the military is a result of its *organizational* structure. Grasping the factors affecting moral-ethical decision-making requires understanding organizations as actors analytically and operationally separate from individuals. Although individuals are, of course, the means through which organizations generate effects in the world, organizations are more than the results of the addition or integration of individual actions. Richard L. Daft and Karl E. Weick write,

The organizational process is something more than what occurs by individuals. Organizations have cognitive systems and memories. Individuals come and go, but organizations preserve knowledge, behaviors, mental maps, norms, and values over time.⁵¹⁶

Thus, organizations possess identities and characters. They decide and act in particular ways “simply because they are the kind of organization that they are.”⁵¹⁷ In Spinoza’s terms, the organizations act in accordance with their *conatus*, that is, their striving to survive in a complex, dynamic environment.⁵¹⁸

Therefore, while the individual plays a critical role in organizational decisions, Eliot A. Cohen and John Gooch argue that “we must take account of the fact that all organizations—not least military organizations—have characteristics that can determine how tasks are approached, shape decisions, and affect the management of disaster.”⁵¹⁹ Thus, understanding organizational action requires understanding the theory-of-practice used by the organization as well as that used by the individual operating within that organization.

This study is concerned with military institutions operating within power organizations—countries—dedicated to enhancing the individual productivity and freedom of their citizens. Thus, US military theorist Don Snider’s articulation of the military’s purpose is especially relevant. According to Snider, the purpose of the military is to serve as an instrument for providing protective services that society cannot otherwise provide for itself.⁵²⁰ For this study, the purpose of the military is to

⁵¹⁶ Richard L. Daft and Karl E. Weick, “Toward a Model of Organizations as Interpretation Systems,” *The Academy of Management Review* 9, no. (1984): 285.

⁵¹⁷ Cohen and Gooch, *Military Misfortunes*, 22.

⁵¹⁸ Benedict De Spinoza, *The Ethics and Other Works*, ed. and trans. Edwin Curley (Princeton: Princeton University Press, 1994), 3.6.

⁵¹⁹ Cohen and Gooch, *Military Misfortunes*, 22.

⁵²⁰ Snider, “American Military Professions and their Ethics,” 16.

provide protection through deterrence, and to act to reestablish the credibility of deterrence when deterrence fails.

How does the military provide this protection? Henry Eccles, in his book *Military Concepts and Philosophy*, argues that the military provides this protection by formulating and executing military strategy. Eccles defines strategy as follows: “Strategy is the art of comprehensive direction of power to control situations and areas in order to attain objectives.”⁵²¹ The military institution “controls situations and areas” by developing and using capabilities, including capabilities for the application of violence—to injure and kill other human beings and destroy property. The existence and potential use of these capabilities can encourage or compel other organizations to either refrain from action or cease acting in ways counter to the interests of the organization wielding the military instrument of power.

A full analysis of the function of the military and deterrence theory is beyond the scope of this study. The moral-ethical aspects of the formulation and execution of strategy—the comprehensive direction of power to generate control sufficient to achieve objectives—are the focus here. Thus, with Eccles’s definition in mind, military morality-ethics is concerned with the justice and injustice of the wielding of the military instrument of power to establish control in two ways. One, the use of the means to exert control. Two, the moral-ethical qualities of what Scott A. Boorman, in his discussion of Eccles’s conception of strategy, referred to as “Control of the means of control.”⁵²² The first focuses *externally* on the efforts to execute strategy as control using the technical means. These technical capabilities are wielded by the military instrument of power in support of the other instruments of power (diplomatic, economic, and informational). The moral-ethical aspects of external analysis are articulated in the traditional divisions of military ethics (*jus ad bellum*, *jus in bello*)⁵²³ and the emerging other “*juses*.”

The second category, less well examined in the modern era, concerns control

⁵²¹ Henry E. Eccles, *Military Concepts and Philosophy* (New Brunswick, NJ: Rutgers University Press, 1965), 48.

⁵²² Scott A. Boorman, “Fundamentals of Strategy—The Legacy of Henry Eccles,” *Naval War College Review* 62, no. 2 (2009): 94. The question of control of the means of control—how the policy will control the application of violence to serve its interests—figures prominently in Plato’s *Republic* and in Machiavelli’s *Discourses on Livy* and *Art of War*. Machiavelli’s call for citizen armies, vice contractor-based military forces providing military capabilities for “rent,” is also a theory of how to control the means of control.

Control of the means of control is a reoccurring theme in political philosophy. Plato’s *Republic* discussion of the Guardians in Book 3 is a theory of control of the means of control. Plato, “Republic,” in *Plato Complete Works*, ed. John M. Cooper (Indianapolis, Indiana: Hackett Publishing Company, Inc., 1997).

⁵²³ Martin L. Cook, *The Moral Warrior: Ethics and Service in the U.S. Military*, SUNY Series, Ethics and the Military Profession (Albany, NY: SUNY Press, 2004), 26.

of the means of control—the internal institutional mechanisms through which military capabilities are generated and operated to achieve political domain objectives. The aim of this control is to ensure functional effectiveness within an acceptable degree risk of unjust action. Both control systems and trust systems exert control of the means of control.

Much of the discourse around the control of the means of control is, in the US context, based on discussion of “civil-military” relations. This tends to focus on the issues associated with civilian control—such as the decision to use or refrain from using the military instrument of power to accomplish national objectives—of the military. Civil-military relations include how to use the military to accomplish both internal and external national objectives. This discussion includes *jus ad bellum* considerations, the political definition of the rules of engagement, and the military responses to social issues like racial integration in the 1940s and the role of women in the military in the 1980s and 1990s. However, the civil-military relations literature generally does not extend to analysis of the *internal* institutional control of the means of control. That is, it does not analyze the policies and practices of the military institution.⁵²⁴

The military institution constitutes the “machinery” for *exerting control* of the means of control. Boorman points out two aspects of the control of the means of control relevant to the discussion of military moral injury in this study. He writes,

Twentieth-century experience suggests two basic insights: first, that there is a powerful dynamic by which machinery to exert such control tends to become ever more elaborate, so that its use requires more learning time and attention from commanders; second, that such machinery is a breeding ground for organizational failures, perhaps multiple, at times of low visibility.⁵²⁵

As Boorman argues, the complexity of the control of the means of control has increased over time. This complexity has increased the opportunities for organizational failure. These failures can be divided into two types: *operational* and *generative*. The operational concerns the use of military capabilities to exert control

⁵²⁴ The critique of the military criminal justice system, as seen in the decision to remove authority from commanders in regard to sexual assault investigations, fits poorly within the traditional civil-military relations discourse. However, it fits extremely well within the category proposed in the study provided by the *jus in militaribus*.

⁵²⁵ Boorman, "Fundamentals of Strategy," 94.

to achieve objectives—the application of military capabilities to provide deterrence and compulsion through the defeat mechanisms of dislocation, destruction, disorientation, and degradation.⁵²⁶ The *generative* concerns the creation and maintenance of military capabilities. Failures in the generative can occur in any (or all) of the capability elements—doctrine, organization, training, material, leadership and education, personnel, facilities, interoperability, and policy. It is this research’s claim that military leaders—the stewards of the profession—and the military moral-ethical guidance they produce must inform decision-making for both the operational and generative task sets, not only the narrow set of operational tasks involving the decision to use or refrain from using the military instrument of power (*jus ad bellum*) and the use of violent means in “war” (*jus in bello*).

With both the generative and operational function sets in mind, the military institution creates moral-ethical effects in four ways. One, through the decisions concerning the development and acquisition of military capabilities. Two, how the military uses those capabilities to provide deterrence and exert control. Three, how the military treats service members, adversaries, and others with whom it engages across all its activities. Four, the guidance it provides to service members to inform the moral-ethical layer of their professional expertise, expertise upon which they rely to make decisions in the performance of operational and generative functions. The means of moral-ethical effect generations are listed in Table 11.

Table 11: *Means of Moral-Ethical Effect Generation (by the author)*

Means of Moral-Ethical Effect Generation (Moral conflict or moral excellence?)
Capability development
Capability use
Treatment of personnel
Decision-making guidance provision

⁵²⁶ These could also be referred to as “advantage generation mechanisms.” Operational failures lead to decreases in the position of advantage, and, in some cases, decreases in positions of advantage known as defeat—losing the “war.” see Frank Hoffman, “Defeat Mechanisms in Modern Warfare,” *Parameters* 51, no. 4 (2021): 53.

I claim that understanding the full range of ways the military institution creates moral-ethical effects is an essential institutional task. Most traditional military moral-ethical guidance formulation focuses on the external application of military capabilities against adversaries in war. It often primarily addresses the internal moral-ethical aspects of operating and generating capabilities through vague discussion of “ethics” and “values” or application of general government agency rules and regulations for behavior to military service members. As described in Chapter 2, such an approach has proven inadequate to the moral injury management need.

Attention to the moral-ethical aspects of institutional action—the justice and injustice of the operation of the “machinery of control” itself—is especially important due to the broad scope of control the military exerts over its members. Not only must service members be ready to kill, die, and become wounded, they must operate within an institutional structure in which many of the rights available to other citizens are curtailed or even denied. For example, service members must adhere to specific standards, including personal grooming, bodyweight ranges, and limits on personal expression even while not on duty. Thus, service members must live their lives in rigorously circumscribed ways, subject to legal constraints more stringent than those applied to the rest of the political community.⁵²⁷ For example, if one tires of a civilian job, one can simply quit or not show up to work. Failure to report to work in the military is a crime.⁵²⁸ Simultaneously, service members must deal with all the social problems facing the society the military serves, for example, suicide, drug abuse, domestic violence, and so on. Thus, service members take on additional *responsibilities* while their rights as citizens are constrained in a multitude of ways, many of which appear (and are) extreme compared to the expectations for behavior within the civilian community they serve.⁵²⁹

This institutional power over service members’ lives entails a broader scope for abuse than that found in other governmental or civilian organizations. Shay described the military institution’s power as follows:

Like the Homeric gods, power holders in armies can create situations that destroy good character and drive mortals mad. Homer presents the gods simply as power, whether behaving

⁵²⁷ Similarly, for example, adultery remains a crime in the US military, and drugs like marijuana, legal in some states, remain illegal for service members.

⁵²⁸ Uniform Code of Military Justice (Washington, D.C. 2021).

⁵²⁹ Lucas, *Military Ethics*, 105. This tension also constitutes a theme within Baker, *Morality and Ethics at War*.

well or badly. For humans the most dangerous power – and at the same time the power most able to confer heart-swelling beneficence – has always been other human beings acting together in a social institution.⁵³⁰

As traced in Chapter 2, the military institution’s failure to act justly—betraying service members—is a major source of moral injury.⁵³¹ The neglect of examination of the nature and character of the military institution has camouflaged this source of moral injury, again as traced in Chapter 2, and thus hindered the development of more effective moral injury management capabilities. The “overwhelming coercive social power of military institutions”⁵³² necessary to both generate and operate the military capabilities required to provide protection for the society served creates commensurate requirements for the institution to carefully apply that power in two ways. One, in the external exertion of control in the world to generate enhanced positions of advantage. Two, internally in the control of the human beings that constitute the means of control.⁵³³

Therefore, understanding the nature and character of the military institution—the “machinery of the control of control”—is necessary in order to both grasp the persistent inadequacy of military moral injury management capabilities and develop moral injury management capabilities fitter for purpose.

4.3 Part 2: Nature of the Military Institution

4.3.1 Sources of the Neglect of the Military Institution as a Moral-Ethical Actor within the Literature

The limited examination of the military institution as a moral-ethical actor in the literature has three sources: the JWT, the tendency to focus on the state and individual as the primary decision-makers, and Eliot Cohen and John Gooch’s “Dogma of responsibility” concept.

4.3.1.a Just war tradition framework

The JWT framework is primarily focused on two levels of decision-making and

⁵³⁰ Shay, *Achilles in Vietnam*.

⁵³¹ Shay, *Achilles in Vietnam*, 154.

⁵³² Shay, *Achilles in Vietnam*, 197.

⁵³³ Shay writes, “Psychological injuries done to soldiers may happen to be inflicted at one moment by the enemy, at another by the soldiers’ own army.” Shay, *Achilles in Vietnam*, 152. He is not referring to soldiers stuck between the Red Army in front and the SS behind, or the Red Army behind and the Wehrmacht in front (easy examples of tyrannical behavior by the institution to which one belongs), but of the tyrannical action by the US Army to its own members.

action: the state and individual. The state, or the political domain level on which the legitimate political authority makes the decision to use or refrain from using the military instrument of national power to pursue an objective, constitutes the subject of the *jus ad bellum*. *Jus in bello* constitutes a regime of authority within which individuals are responsible for compliance with the international humanitarian law and the law of armed conflict.⁵³⁴ Thus *jus in bello* is concerned with *individual action* in war/armed conflict. As a result of this framing the role the institution—the organizational structures, cultures, and processes—plays in producing military outcomes has been somewhat neglected in the literature, in favor of a focus on the state on the one hand and individual leaders on the other.

4.3.1.b State and individual as decision-makers

Ian Clark brought particular attention to the emphasis on the state and individual as decision-makers in his discussion of the difficulty of philosophically analyzing war. He wrote,

It is because the practice of war brings together the often competing realms of state action and individual judgement that the effort to comprehend it philosophically has the richness, and the difficulty, that it possesses. War, in recent human experience, has been mostly an adjunct of international society within which the states as dominant players make demands upon individuals, but with the stated purpose—genuine or rationalized—of furthering human rights and needs. At the same time, the body of international law concerned with armed conflict has itself come to emphasize individual, and not just state, responsibility.⁵³⁵

For Clark, the war-related theory-of-practice is focused on individual and state action. This tendency to overlook the organizational in favor of focusing on the responsibility of the state and individual service members has led to neglect of the military institution itself as a moral-ethical actor in the literature and moral-ethical decision-making training, as reviewed in Chapter 3. Shay's work defining institutional betrayal as a major source of moral conflict, including moral injury, further illuminated the limitations of the state/individual focus.

⁵³⁴ The military rules of engagement must be compliant with these legal regimes.

⁵³⁵ Ian Clark, *Waging War: A New Philosophical Introduction*, second edition (Oxford: OUP Oxford, 2015), 139. <https://uoelibrary.idm.oclc.org/login?url=https://search.ebscohost.com/login.aspx?direct=true&db=edsebk&AN=1200860&site=eds-live&scope=site>.

4.3.1.c Cohen and Gooch's "Dogma of Responsibility"

Cohen and Gooch criticize the tendency to focus on individual responsibility as the primary source of military (operational) failures.⁵³⁶ They refer to this tendency as resulting from belief in the "dogma of responsibility."⁵³⁷ They define this dogma as "The tradition, dominant in virtually all military organization that the commander bears full responsibility for all that happens to his command."⁵³⁸ That is, failures, and successes, are the result of individual decisions and capabilities. The influence of this dogma is evident in the overemphasis on "personal responsibility" seen in the moral injury definition discussed in Chapter 2.

This focus on the individual is, they argue, inadequate for developing a complete understanding of the sources of military failure. The military institution itself is also a source, often the major source, of military misfortune. Thus, analysis of military failure and learning to avoid similar misfortunes in the future requires an innovative approach that incorporates analysis of "the structures through which they work and explor[ation of] how those structures stand up to the stresses they encounter."⁵³⁹ These structures are "organizational."⁵⁴⁰

Leonard Wong and Stephen Gerras's "ethical fading" (also discussed in Chapter 3 above) concept provides an example of inadequate organizational response to the "stresses" to which Cohen and Gooch refer. In "Lying to Ourselves, Dishonesty in the Army Profession," they describe how army units were required to report completion of all pre-deployment training in order to deploy. However, the training required more training hours than were available in a year. Thus, actually completing the training in the time allowed was impossible. Yet each unit leader faced a moral-ethical dilemma: if they did not report the training complete, they would be unable to deploy, failing in their professional duty. On the other hand, reporting "training complete" required lying. Therefore, instead of reporting the failure (my unit is the only one that failed to complete the training), which would reflect badly on their entire chain of command (especially since everyone else is in the same situation), everyone lies about training completion.⁵⁴¹

⁵³⁶ Cohen and Gooch, *Military Misfortunes*,

⁵³⁷ Cohen and Gooch, *Military Misfortunes*, 32.

⁵³⁸ Cohen and Gooch, *Military Misfortunes*, 32.

⁵³⁹ Cohen and Gooch, *Military Misfortunes*, 21.

⁵⁴⁰ Cohen and Gooch, *Military Misfortunes*, 21.

⁵⁴¹ Wong and Gerras, *Lying to Ourselves*, 6.

Wong and Gerras argue that this, and other similar situations, leads to ethical fading—the gradual obscuring of the moral-ethical aspects of a situation.

Ethical fading allows us to convince ourselves that considerations of right or wrong are not applicable to decisions that in any other circumstances would be ethical dilemmas. This is not so much because we lack a moral foundation or adequate ethics training, but because psychological processes and influencing factors subtly neutralize the “ethics” from an ethical dilemma. Ethical fading allows Army officers to transform morally wrong behavior into socially acceptable conduct by dimming the glare and guilt of the ethical spotlight.⁵⁴²

The ethical fading is generated by institutionally created moral conflicts, often driven by bureaucratic requirements. Wong and Gerras write, “A more recent and significant development concerning ethical fading is the exponential growth in the number of occasions that an officer is obliged to confirm or verify compliance with requirements.⁵⁴³ Over-emphasis on *compliance* with bureaucratic requirements (as will be discussed in Part 2 of this chapter as “procedural” utility) increases the rate and severity of ethical fading. Ethical fading thus constitutes an example of *institutional* moral failure.⁵⁴⁴ Ethical fading constitutes, like the dogma of responsibility, a manifestation of the operation of “organizational defensive routines” leading to “camouflage” of the institutional role as a source of moral conflict.⁵⁴⁵ Additional individual training will not solve this problem—recognition of the institutional responsibility and remedial institutional action is required. The stewards of the profession are responsible for preventing pathologies like ethical fading. Attention to the *jus in militaribus* framework, as described in Chapter 6, can help them discharge this responsibility.

Ian Clark’s illumination of the focus on the state and individual in thinking about military operations, Wong and Gerras’s analysis of ethical fading, and Cohen and Cooch’s emphasis on the organization as a source of military failure surfaces the need to direct attention to the *institutional framework* of military decision-making and action, and especially the moral-ethical decision-making aspects of that

⁵⁴² Wong and Gerras, *Lying to Ourselves*, 17.

⁵⁴³ Wong and Gerras, *Lying to Ourselves*, 18.

⁵⁴⁴ Snider, “American Military Professions and their Ethics,” 22.

⁵⁴⁵ Argyris, *Reasoning, Learning, and Action*, 93.

action.⁵⁴⁶ Grasping this framework is necessary for understanding moral-ethical decision-making because military personnel do not exercise their judgment exclusively as individual citizens—they act in accordance with the rules, regulations, policies, and practices of the institution of which they are a part. This institutional or organizational environment influences the framework within which moral-ethical decision-making takes place. Thus, the nature of that institution has a major influence on the scope of moral-ethical decision-making permitted to and possible for service members.

4.3.2 Defining the Military Institution as a Community

Further definition of the military organization as a community helps explain the “collective” nature of military moral-ethical decision-making. This section uses a comparison with scientific communities, as defined by Thomas Kuhn in his *Structure of Scientific Revolutions*, to illuminate the nature of the military as a community. Kuhn defined a scientific community as follows:

A scientific community consists, on this view, of the practitioners of a scientific specialty. To an extent unparalleled in most other fields, they have undergone similar education and professional initiations; in the process they have absorbed the same technical literature and drawn many of the same lessons from it.⁵⁴⁷

Similarly, the military as a community shares a common educational and professional initiation. In the case of the military, the community nature is further reinforced by unique clothing (uniforms), the structuring of interpersonal relationships through a rank-based hierarchy, shared living spaces, and other thick cultural forms.⁵⁴⁸

Most significantly, all forms of military communities are similar—they share the same nature—in that they require individuals who join to stand ready to kill and

⁵⁴⁶ Don Snider’s work, discussed further below, also raises the question of institutional character as a core subject requiring attention from both practitioners and theorists. See Snider, “American Military Professions and their Ethics,” 29.

⁵⁴⁷ Kuhn, *The Structure of Scientific Revolutions*, 177.

⁵⁴⁸ For example, in a section titled “The Making of the American Military Mind,” Huntington described the development of the military into a separate community through the development of the professional ethic. He wrote, “While the Army and Navy differed, of course, on their strategic concepts, the fundamentals of this professional ethic were the same for both services. The emergency of the ethic was the necessary corollary to the isolation of the military and the rise of military institutions. Sherman, Upton, Luce developed professional ideas; these led them to create professional institutions; and fostered the further acceptance and articulation of a professional ethic.” Huntington, *The Soldier and the State*, 254.

be killed. Service members operate under conditions of “unlimited liability.” As the United Kingdom Army General John Hackett put it, in his series of lectures,

The essential basis of the military life is the ordered application of force under an unlimited liability. It is the unlimited liability which sets the man who embraces this life somewhat apart. He will be (or should be) always a citizen. So long as he serves he will never be a civilian.⁵⁴⁹

The nature of military life is such that the service member is “set apart” by belonging to the military community. Thus, the military as a community maintains a persistent nature derived from its purpose to use force to provide protection through deterrence in conditions of “unlimited liability.” How this “setting apart” influences moral-ethical decision-making requires explanation. Providing this explanation is a task for *jus in militaribus*-informed stewards of the profession, further discussed in Chapter 6.

Communities cohere because of the use of a shared “paradigm” or “disciplinary matrix.” The scientific community accomplishes its work within a conceptual organizing structure Kuhn referred to as a “paradigm.” Kuhn wrote, “A paradigm is what the members of a scientific community share, and, conversely, a scientific community consists of men who share a paradigm.”⁵⁵⁰ Once the paradigm is established, the members of community can begin to make scientific progress, working efficiently based on accepted foundations, which include the models for inquiry, the assessment of what problems are significant, and how to solve the puzzles presented.⁵⁵¹

In the second edition of his *Structure of Scientific Revolutions*, Kuhn, in an effort to clarify the use of the term “paradigm” in his text, offers the term “disciplinary matrix” as an answer to the question “What do its members share that accounts for the relative fullness of their professional communication and their relative unanimity of their professional judgements?”⁵⁵² He defines the term “disciplinary matrix” as follows: “‘disciplinary’ because it refers to the common possession of the practitioners of a particular discipline; ‘matrix’ because it is composed of ordered

⁵⁴⁹ Hackett, “Society and the Soldier: 1914–18,” 40. See also Mileham, “Unlimited Liability and the Military Covenant,” for further discussion of “unlimited liability.”

⁵⁵⁰ Kuhn, *The Structure of Scientific Revolutions*, 176.

⁵⁵¹ Kuhn, *The Structure of Scientific Revolutions*, 78.

⁵⁵² Kuhn, *The Structure of Scientific Revolutions*, 182.

elements of various sorts, each requiring further specification.”⁵⁵³ The elements combine to show members of the community how to be and act as members of that community. Don Snider’s description of military expertise “clusters,” discussed further below, constitutes an articulation of the military “disciplinary matrix.”⁵⁵⁴

4.3.3 The Military Community and Moral-Ethical Decision-Making

Jonathan Shay linked the community character of the military directly to moral-ethical decision-making when he wrote,

An army, ancient or modern, is a social construction defined by shared expectations and values. Some of these are embodied in formal regulations, defined authority, written orders, ranks, incentives, punishments, and formal task and occupational definitions. Others circulate as traditions, archetypal stories of things to be emulated or shunned, and accepted truth about what is praiseworthy and what is culpable. All together, these form a moral world that most of the participants most of the time regard as legitimate, “natural,” and personally binding.⁵⁵⁵

The military organization as a community creates a thick “social world” in which service members abide.⁵⁵⁶ Betrayal, as discussed in Chapter 2, destroys this world. Trust, as discussed in Chapter 3, helps create and maintain this world.⁵⁵⁷

4.3.4 Defining the Military Institution in the Military Literature

Building on his discussion of the nature of the military institution as a moral-ethical “world creator” in *Achilles in Vietnam*, Shay argued specifically for attention to the moral-ethical character of the military institution. In an endnote in *Odysseus in America*, he proposed the requirement for an additional “*jus*” within just war theory:

The two traditional topics in military ethics, *jus ad bellum* (rightness in the aims and circumstances of war) and *jus in bello* (rightness in the conduct of war), are much in need of enhancement by a third, *jus in militaribus* (rightness in the

⁵⁵³ Kuhn, *The Structure of Scientific Revolutions*, 182.

⁵⁵⁴ Snider, “American Military Professions and their Ethics,” 20.

⁵⁵⁵ Shay, *Achilles in Vietnam*, 6.

⁵⁵⁶ Berger and Luckmann, *The Social Construction of Reality*, 59. The concept of a “behavioral world” is also salient in *Action Science*. Argyris wrote, “Individuals are embedded in a behavioral world or culture. This behavioral world has a dual nature. On the one hand, it is created by the actions of the individuals who live it. On the other hand, it has an objective existence independent of the actions of any individual. Theories-in-use, in guiding all deliberate behavior, also guide the construction of the behavioral world. At the same time, the behavioral world guides the socialization of individuals with the particular theories-in-use and creates conditions in which theories-in-use are effective or ineffective.” Argyris, Putnam, and McLain Smith, *Action Science*, 92–93.

⁵⁵⁷ McMyler, “Trust and Authority,” 80.

policies and practices of military institutions), which interacts in numerous ways with the first two.⁵⁵⁸

The addition of *jus in militaribus* brings attention to the forms of justice and injustice in military life. This institutional focus complements the external political domain focus of the *jus ad bellum* on the decision to use or refrain from using the military instrument of power, and the internal moral-ethical layer of decision-making—personal responsibility—in the use of that instrument in the conduct of war—*jus in bello* that Clark highlighted.

This study, and in particular this chapter, is a response to Shay's call for additional attention to the moral-ethical nature of the military institution. Such an understanding is a necessary precondition for bringing about change. As James Q. Wilson wrote in *Bureaucracy*, "understanding the organization's system of coordination as structured by its organizational policies and practices is essential for understanding, and thus potentially changing, the organizational functional performance."⁵⁵⁹

That increased understanding and attention is necessary for, as the discussion of the military as "organization" and "community" above has shown, the *collective* understanding of the military is not obvious. The question "What is the military institution?" is not easily answered. Indeed, the US military "institution" is not defined in US doctrine. A definition of the "defense institution" does appear in the Defense Institution Building (DIB) Directive, which describes the approach the US DOD will take, when directed and in close cooperation with other government agencies (e.g., the Department of State), to help allies and partners build their defense institutions.⁵⁶⁰ The DIB Directive defines the defense institution as "The people, organizations, rules, norms, values, and behaviors that enable oversight, governance, management, and functioning of the defense enterprise."⁵⁶¹ However, the precise definition of the "defense enterprise" is not provided. Nor is the "defense enterprise" defined in the US DOD Dictionary.⁵⁶²

⁵⁵⁸ Shay, *Odysseus in America*, 291.

⁵⁵⁹ James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York, NY: Basic Books, Inc., 1989), 24.

⁵⁶⁰ Robert O. Work, *DOD Directive 5205.82 Defense Institution Building (DIB)* (Washington, D.C.: Department of Defense, 2016).

⁵⁶¹ Work, *DOD Directive 5205.82*, 13.

⁵⁶² Charles Allen and Robert D. Bradford, "Taking a Bite of the APPLE(W): Understanding the Defense Enterprise," *Military Review* (May–June 2018): 65.

Charles Allen and Robert D. Bradford do offer a definition of the defense enterprise, as follows:

The DOD enterprise comprises the business activities that enable DOD to provide capabilities and ready forces to operational commanders through existing processes and infrastructure. Fundamentally, the enterprise is the business side of warfighting DOD.⁵⁶³

The enterprise activities include equipping, manning, and supplying the fighting forces. The military cannot function—fight—at the grand strategic, strategic, operational, or tactical levels of warfare absent these activities.⁵⁶⁴ Allen and Bradford argue that the military has neglected conceptualizing this aspect of the military institution. As a result of this inadequate conceptualization, the military has failed to appropriately train leaders—the stewards of the profession—to operate at the enterprise level.⁵⁶⁵

The US army recently offered a definition of the institution, publishing in 2022 an Army Strategy Note entitled *Institutional Strategy*.⁵⁶⁶ This text describes the strategy (the linkage of ends, ways, means, and risk) that senior leaders can use to implement their vision for the organization. This text defines the Army institution as follows:

When we think of “the Army,” the first thing that comes to mind is the sharp edge of deployable fighting forces. But the Army, as one of the Military Departments in the Department of Defense, is also an organization that creates land power capabilities for the joint force, fulfills the legal direction issued to it by Congress, and carries out the strategic guidance of the Secretary of Defense and President, all while ensuring the health and welfare of its workforce, now and in the future.⁵⁶⁷

This definition presents a comprehensive, holistic view of the institution, placing the full range of service activities within the “institution” as a category. However, the definition still divides the Army institution into two parts—the “sharp edge of the fighting forces,” and the rest. Similar to the definition of Military

⁵⁶³ Allen and Bradford, “Taking a Bite of the Apple,” 65.

⁵⁶⁴ Allen and Bradford, “Taking a Bite of the Apple,” 66.

⁵⁶⁵ Allen and Bradford, “Taking a Bite of the Apple,” 67.

⁵⁶⁶ See Chapter 4 for a discussion of the professional military literature typology.

⁵⁶⁷ James E. Rainey, *Institutional Strategy*, iii (Washington, D.C.: Headquarters, Department of the Army, 2022).

Operations Other Than War,⁵⁶⁸ the non-combat-focused aspects of the organization and its activities are defined negatively—as not “deployable fighting forces.”

Richard Lacquement and Thomas Galvin provide a comprehensive view of the military institution. They describe the military institution as the “Defense enterprise” and write that it is “composed of the military services plus the service and defense secretariats, Joint and defense agencies, defense activities, and other defense institutions—as part of the professional ecology.”⁵⁶⁹ In their view, the military institution enables the government to perform one of its core functions, national defense, on behalf of citizens.

With above discussion in mind, this study defines the military institution as follows:

The military institution is an agency of government responsible for generating (the enterprise layer) and operating (the functional layer) military capabilities to provide protection through deterrence.

Figure 15 portrays the enterprise layer. The enterprise layer is concerned with the business processes necessary to generate military capabilities. These include the government agency functions necessary to acquire military capabilities, fund their development and use, and the full range of activities necessary for a large governmental organization to control the means of control.



Figure 15: *The Enterprise Layer*

⁵⁶⁸ Keith E. Bonn and Anthony E. Baker, *Guide to Military Operations Other Than War: Tactics, Techniques, and Procedures for Stability and Support Operations: Domestic and International* (Mechanicsburg, PA: Stackpole Books, 2000).

⁵⁶⁹ Lacquement and Galvin, *Framing the Future of the US Military Profession*, 12.

Figure 16 portrays the Functional Layer. The functional layer focuses on the application of those capabilities, at the strategic, operational, and tactical levels, to exert multidomain control to achieve political domain objectives as directed by the civilian leadership.

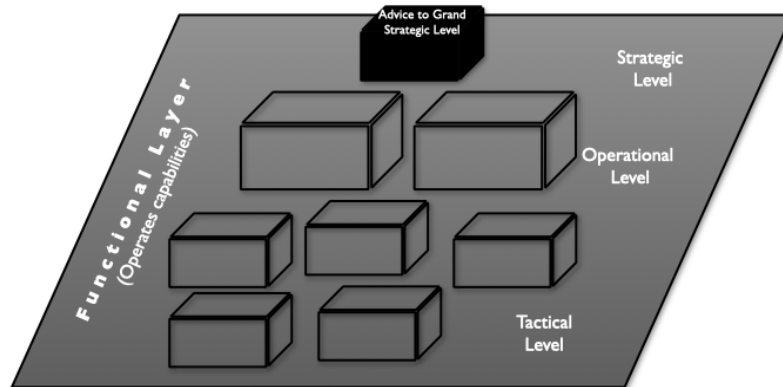


Figure 16: *The Functional Layer*

Figure 17 portrays the institution as composed of these two “layers”:

- The enterprise layer enables the military to generate capabilities.
- The functional layer enables the military to operate those capabilities.

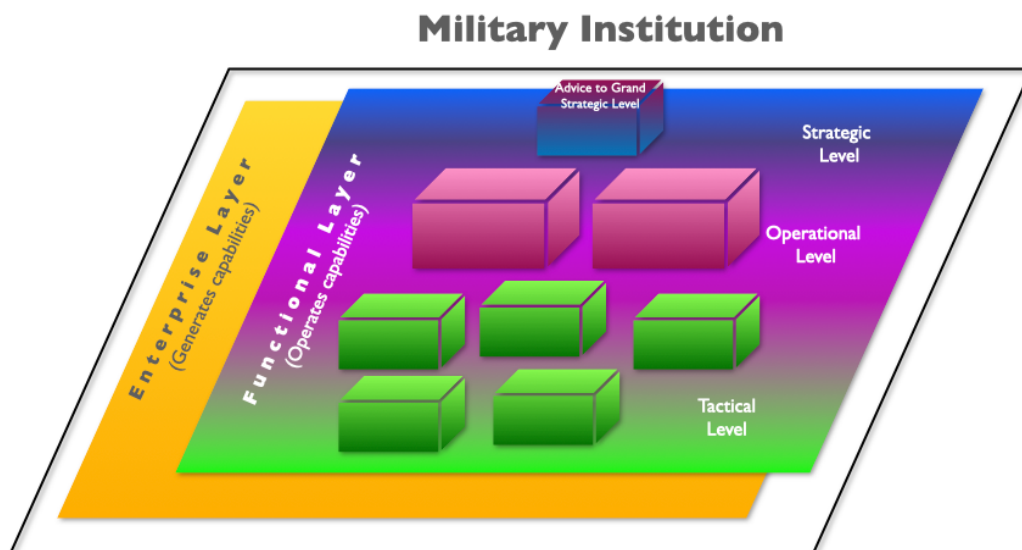


Figure 17: *The Military Institution*

4.3.5 Military Moral-Ethical Implications of the Definition

Moral conflict can occur within both the enterprise and functional layers.

Neglect of the analysis of the military institution as a moral-ethical actor, discussed above, plus the emphasis on *jus in bello*, obscures the sources of moral conflict and individual PMIEs on both the enterprise and functional layers. This inadequate understanding of the military institution, by camouflaging moral conflicts on both layers, hinders moral injury management capability development.

4.4 Part 3: Conceptualizing Military Character and Institutional Types

Multiple approaches to development of military institutions to execute strategy (external control) and exert internal control of the means of control are possible. In accordance with this study's emphasis on getting to the "left of the boom"—preventing moral injury through the provision of an enhanced model of military trust—this section develops a typology of organizational character to inform stewards of the profession's moral-ethical decision-making tasks within the *jus in militaribus* framework, further described in Chapter 6.

Current conceptions of the character of the military as an organization are neither inevitable nor the only possible forms. As Shay wrote, "The laws of nature did not force our present military institutions on us. These institutions are man-made and can be transformed to better serve our nation and its military service- men and women."⁵⁷⁰ While the current organizational structures may seem "natural" to someone who has grown up with and thus cultivated their identity within them, they are products of a historical development. They are, to use Herbert Simon's term, artificial.⁵⁷¹ Therefore, while the nature of the military institution, based on exerting control using violent means in conditions of unlimited liability, is constant across military institutional types, institutional character is complex and variable.

Therefore, Part 3 of this chapter argues that understanding the character of the military institution of which an individual is a member is important for enhancing individual and institutional moral injury management capabilities for three reasons. First, to cultivate the self-understanding necessary to act as a genuinely moral-ethical actor—in other words, to engage mournfully in killing (not murder) in ways congruent with the society served and the principle of civilian control of the military to achieve military objectives.⁵⁷² Second, absent an understanding of the institution, its

⁵⁷⁰ Shay, *Odysseus in America*, xii.

⁵⁷¹ Herbert A. Simon, *The Sciences of the Artificial*, third edn (Cambridge: MIT Press, 1996), 5.

⁵⁷² Saint Augustine, *The Works of Saint Augustine* (Hyde Park, NY: New City Press, 2004), 260.

tasks, and the measures of performance and effectiveness associated with those tasks, it is difficult to evaluate the degree to which the institutional morality-ethics is fit for purpose. Third, to understand the character of the other military institutions (both state and non-state) with which, and against which, military professionals must plan and fight to perform their military professional protective function.

4.4.1 Wilson's Government Agencies Typology: Outcome and Output Observability and Degree of Autonomy as Distinguishing Characteristics

Section 4.4.1 uses James Q. Wilson's distinction between *procedural* and *craft* governmental agencies to establish a framework for organizational analysis in light of institutional character variability.⁵⁷³ Wilson defined a government agency as an organization tasked with performing specific functions the people in charge of that government have decided it should undertake.⁵⁷⁴ Wilson divides governmental agencies into types based on two qualities: observability and autonomy. First, agencies are configured based on the degree to which the activities and outputs of the agency are subject to observation. He writes,

From a managerial point of view, agencies differ in two main respects: Can the activities of their operator be observed? Can the results of those activities be observed? The first factor involves outputs...Outputs consist of the work the agency does. The second factor involves outcomes - how, if at all, the world changes because of the outputs. Outcomes can be thought of as the result of agency work.⁵⁷⁵

Based on different degrees of observability of outputs and outcomes, Wilson defined four types of government agencies: production, coping, procedural, and craft. The following paragraphs define these types. The *procedural* and *craft* types are the most relevant to this research.

4.4.1.a Production

Production agencies can observe both the outputs—the work the personnel perform—and the outcomes—or results—of that work.⁵⁷⁶ His Majesty's Revenue and Customs (HMRC) and the Internal Revenue Service (IRS) are, for example,

⁵⁷³ Wilson, *Bureacracy*.

⁵⁷⁴ Wilson, *Bureacracy*, 24.

⁵⁷⁵ Wilson, *Bureacracy*, 158.

⁵⁷⁶ Wilson, *Bureacracy*, 159–60.

production organizations. The bulk of the activity of the production organization can be captured in clear rules.

4.4.1.b *Coping*

Coping agencies are unable to observe either the outputs or the outcomes of their members.⁵⁷⁷ This increases the difficulty of management which in turn leads to conflict between managers and operators.⁵⁷⁸

4.4.1.c *Procedural*

Wilson defines a procedural organization as “when managers can observe what their subordinates are doing but not the outcome (if any) that results from those efforts, they are managing a procedural organization.”⁵⁷⁹ Procedural organizations can easily observe the measures of performance (MOP) of their activities, but not the actual effects—the outputs. Measures of performance can include Key Performance Indicators like hours of training attended, creation of Standard Operating Procedures, and so on.⁵⁸⁰ Due to the difficulty of output observation, procedural organizations tend to focus on easily observed MOP—not the more difficult measures of effectiveness (MOEs).⁵⁸¹ The effectiveness of procedural organizations does not depend upon high levels of trust. It requires only the performance of routine tasks in accordance with clear rules. For example, the Department of Motor Vehicles is not trusted to use its judgment to perform its tasks. It merely complies with established procedures.

4.4.1.d *Craft*

Craft organizations require a high degree of autonomy in the exercise of their expertise. Wilson defines a craft organization as follows: “A craft organization consists of operators whose activities are hard to observe but whose outcomes are relatively easy to evaluate.”⁵⁸² Due to the difficulty of activity observation, control of

⁵⁷⁷ Wilson, *Bureacracy*, 168.

⁵⁷⁸ Wilson, *Bureacracy*, 169.

⁵⁷⁹ Wilson, *Bureacracy*, 163.

⁵⁸⁰ Wilson, *Bureacracy*, 164.

⁵⁸¹ Naval Warfare Publication 5-01, Naval Planning, defines measures of performance and measures of effectiveness as follows: MOPs measure the organization’s actions against an assigned task, while MOEs assess the success of the task in creating an effect in order to achieve objectives. As a caution to planners, the plan should take into account uncertainty with respect to cause and effect. MOPs and MOEs should be developed with specific tasks in mind. Although there is a relationship between a task and the effect it is developed to create, the corresponding measures should be treated separately. This assists in determining if successful task completion (MOP doing things right) is the true cause for the creation of a desired effect (MOE doing the right things). Navy, Naval Planning NWP 5-01, G-6 (Norfolk, VA: Navy Warfare Development Command, 2013).

⁵⁸² Wilson, *Bureacracy*, 165.

craft organizations is generated by a “profession-induced ethos,”⁵⁸³ and craft agencies therefore rely “heavily on the ethos and sense of duty of its operators to control behavior.”⁵⁸⁴ Thus the professional ethos is not susceptible to evocation by control systems. The monitoring and surveillance costs are too high, to, for example, monitor every decision by a squad leader in combat. Trust systems are required, therefore, to manage the risk of unjust action.

Figure 18 portrays these agency types.

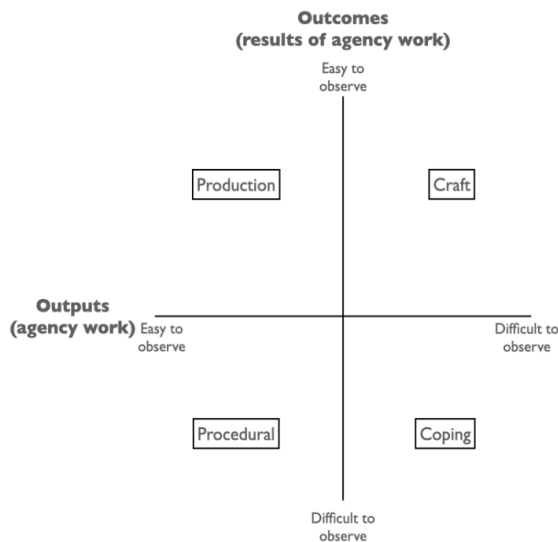


Figure 18: *Outcomes/Outputs Government Agency*

The horizontal axis indicates the visibility and ease of comprehension of outputs observability, and thus the ease with which non-experts can or cannot assess the performance of the agency work. On the right the non-expert has difficulty assessing the outputs. On the left, the non-expert can readily assess the outputs. The vertical axis indicates outcome—the results of agency work—observability. At the top of the vertical axis, non-experts can easily understand the results. Non-expert comprehensibility is high. At the bottom of the vertical axis, comprehension of the results requires extensive expertise. Non-expert comprehensibility is low.

Procedural organizations occupy the lower left quadrant—non-experts can easily understand the work activities the members of the agency perform. Within a procedural organization just about anyone can quickly learn the standard operating procedures and apply the recipe knowledge to accomplish the tasks. Evaluating the

⁵⁸³ Wilson, *Bureacracy*, 167.

⁵⁸⁴ Wilson, *Bureacracy*, 167.

value of the tasks—the results of doing the work—is more difficult and not obvious. Indeed, it is possible that the tasks add little or no value. However, they are easy to do, easy to measure, and so can generate an illusion of accomplishment.

Craft organizations occupy the upper right-hand quadrant. The comprehensibility of their task performance—the work they do and how they do it—is, for non-experts, low. The outcomes generated—the results of the work—are readily visible. As will be discussed further below, while the outcome in terms of peace and war (did the military lose or win the war) is readily discerned by non-experts, understanding the increase or decrease in position of advantage upon which victory or loss ultimate rests is less easily observed.

4.4.2 Degree of Autonomy as Organizational Type Differentiator

The differentiation between types of organizations due to the relative ease or difficulty of observing their outputs and outcomes is reinforced by the degree of organizational autonomy.⁵⁸⁵ *Autonomy* refers to the ability of the organization to use its judgment to decide and act on behalf of clients. Preserving organizational autonomy is, according to Wilson, a core concern of government agencies.⁵⁸⁶ The degree of autonomy each organization manages to acquire and maintain in the face of countervailing pressures constitutes a major component of the difference between procedural and craft organizations.

4.4.3 Autonomy and Trust—Linking Institutional Character to Trust and Autonomy

Trust and autonomy are covariant. An increase in trust leads to an increase in the autonomy the organization is afforded to operate. Conversely, a decline in trust reduces the government agencies' autonomy. Autonomy is thus an output of the degree of trust. Autonomy is afforded to an organization when society believes that it will not act unjustly. Thus, organizational autonomy—necessary for professional function performance—is a direct result of the appropriate degree of risk management, through both control systems and trust.

With the importance of autonomy in mind it is possible to simplify Figure 18, creating a “slider” indicating the continuum of military organizational character. This slider is portrayed in Figure 19.

⁵⁸⁵ Moskos also emphasizes the importance of organizational autonomy for the military. Charles C. Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update," *Armed Forces & Society* 12, no. 3 (1986): 377.

⁵⁸⁶ Wilson, *Bureacracy*, 192.



Figure 19: *Wilson’s Autonomy “Slider”*

4.4.4 Military Institution Application

Military organizations can be characterized as residing on the procedural/craft character continuum. On the far left, the military institution is conceived predominantly *procedurally*, dealing in the routine application of force on behalf of the political domain leaders in accordance with the rules governing all governmental organizations, with a similar degree of political leadership oversight and control. Bureaucratic considerations dominate on the left-hand side. The right-hand side is dominated by an operational focus, emphasizing reliance upon the autonomous expert judgment concerning the uses of force unique to the military. The degree of autonomy increases with movement toward the right. Craft organizations are provided with more autonomy to perform difficult to observe work to produce more easily observed results of that work—outcomes. Procedural organizations are afforded less autonomy (they reside on the left-hand side of the slider) to perform their easily understood work to produce less easily observed outcomes/results. Craft organizations enjoy a higher level of trust than procedural organizations. Procedural organizations are subject to risk management primarily through control measures. Craft organizations manage risk mainly through trust systems. See Table 12 which is further explained in the following section.

Table 12: *Preponderance of Risk Management Focus*

Preponderance of Risk Management Focus	
Procedural	Control
Craft	Trust

4.4.5 Compliance and Trust

4.4.5.a *Control through Compliance*

The closer the organization operates to the procedural end of the continuum, the greater the emphasis on control through focus on rule compliance. Wilson wrote,

In coping organizations as in procedural, management will have a strong incentive to focus their efforts on the most easily measured (and thus most easily controlled) activities of their operators. They cannot evaluate or often even see outcomes, and so only the brave manager will be inclined to give much freedom of action to subordinates.⁵⁸⁷

This focus leads to an emphasis on management and control of the visible inputs. The leadership focuses more on the evaluation of performance (which is more controllable) and less on the difficulty of work of detecting and measuring outcomes indicating effectiveness. This tends to create a “gravitational pull” toward what was referred to in Chapter 2 as “bureaucratization” in government agencies.

4.4.5.b *Trust*

Figure 20 portrays the different trust requirements for procedural and craft organizations. The figure reveals how professional autonomy and societal trust are covariant—decreases in trust entail reductions in autonomy. Procedural organizations are afforded only minimal trust to undertake their clearly defined and easily learned processes to execute specific tasks. Craft organizations, in order to apply their specialized expertise, require more trust from the society served to accomplish their work.⁵⁸⁸ The horizontal axis defines the degree of freedom of action, from “procedure reliance” to “autonomous action.”

⁵⁸⁷ Wilson, *Bureacracy*, 171.

⁵⁸⁸ Loss of trust in the military, such as that indicated in recent US polls, can stimulate movement from allowing the military organization to operate as a craft organization toward requiring it to act as a predominantly procedural organization.

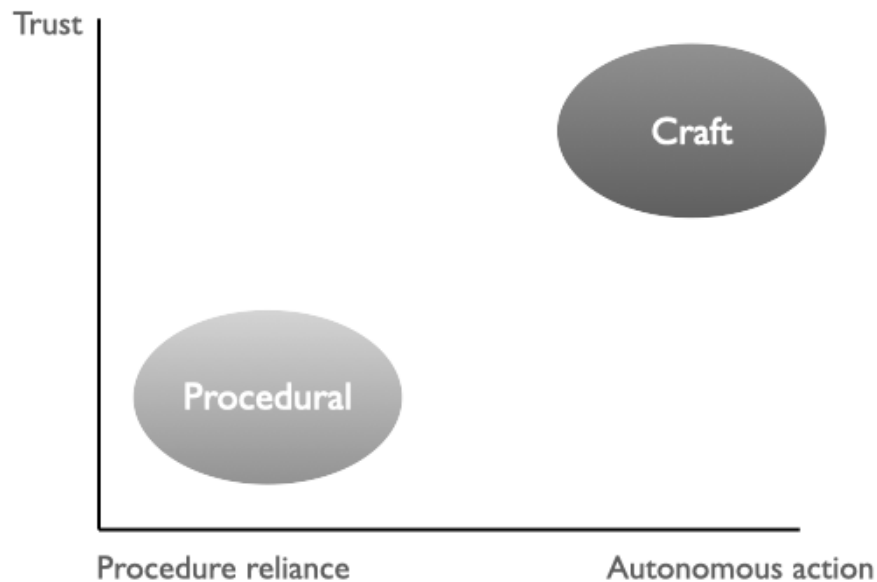


Figure 20: *Agency Types and Degree of Trust Permitted Produced by the Author*

Control of the means of control, in ways congruent with the society served, is necessary to preserve this trust. Cultivation and maintenance of trust leads to continued allowance for the autonomous exercise of professional expertise applied in an institution with, as Wilson puts it, “distinctive competence, a strong sense of mission and an ability to achieve socially valued goals.”⁵⁸⁹ Demonstrated failures in the control of the means of the control (such as, for example, sexual harassment/assault in the Tailhook scandal or sexual assault in the twenty-first century) erode that trust. These failures cause “movement” down and to the left on Figure 20, reducing the scope of professional autonomous action and increasing the requirement for close compliance with procedures.

For example, the changes in the US Uniform Code of Military Justice in the 2021 National Defense Authorization Act removing some authority from commanders regarding sexual assault cases constitutes an example of the civilian leadership losing trust in the military institution to appropriately exercise control of the means of control—service members—and as a result imposing a civilian layer of increased procedural control.⁵⁹⁰ When confidence in the effectiveness of trust systems as a

⁵⁸⁹ Wilson, *Bureacracy*, 367.

⁵⁹⁰ Michael Lewis, "Major Changes in the Uniform Code of Military Justice," June 27, 2022, https://www.americanbar.org/groups/judicial/publications/judicial_division_record_home/2022/vol26-1/major-changes-in-uniform-code-of-military-justice/. See also Meghann Myers, "Sexual Assult Prosecutions Officially Out of the Chain of Command," *Military Times* (VA) 28 December, 2023,

way to manage the risk of unjust action decreases, this can cause an increase of control system use as a means of control of the means of control. Thus, the erosion of trust between the institution and society served can lead to a decrease in the autonomy allowed to the institution by society. As a result, autonomous use of expertise becomes constrained, through tighter regulation and controlled action as a bureaucracy.

This autonomy reduction can cause devolution of the professional character from a predominantly craft to a predominantly procedural organization. The resulting increased emphasis on bureaucratic compliance hinders professional performance of tasks requiring the application of specialized, non-routine expertise. Snider claims that the US Army was formerly a bureaucracy (or in Wilson's terms a "procedural agency"), and that if it fails to maintain the trust of the nation, it can become one again—at significant cost to operational effectiveness.⁵⁹¹

4.4.6 Wilson's Organizational Character Types Applied to the Military

Wilson's framework applies directly to understanding the variability of military institutional character. The military contains elements of both procedural and craft organizational types. The "proportions" of craft and procedures in a military institution varies in three ways: geopolitically, temporally, and organizationally. Geopolitically, different power organizations/states in different places develop and maintain specific sets of organizational characteristics to meet their specific requirements.⁵⁹²

Temporally, within a particular military organization, the character of the military organization can vary over time. For example, Andrew Gordon's *Rules of the Game* (further discussed below) traces the variation in the organizational character of the UK Royal Navy between the Battle of Trafalgar and the Battle of Jutland.⁵⁹³ Finally, organizational variation occurs among the services/forces within national military organizations (and other subsidiary organizations within the services/forces).⁵⁹⁴ The US military, for example, while referring to the "Joint Force," and developing "Joint" concepts and doctrine, remains organized as individual services, cooperating but

<https://www.militarytimes.com/news/your-military/2023/12/28/sexual-assault-prosecutions-officially-out-of-the-chain-of-command/>.

⁵⁹¹ Snider, "Five Myths about Our Future," 53.

⁵⁹² Spykman and Rollins, "Geographic Objectives in Foreign Policy," 391.

⁵⁹³ Gordon, *The Rules of the Game*.

⁵⁹⁴ Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update," 377.

also competing for resources.⁵⁹⁵ The services constitute separate organizations within the Department of Defense, with their own cultures, values, and relationship to Congress for funding. Further, even within a single service different organizations (explicitly referred to as “communities” in the US Navy) persist with their own cultural practices, uniform items, professional qualifications, and so on.

4.4.6.a *Military as procedural organization*

Of direct relevance to this research, Wilson argued,

Perhaps the largest procedural organization in the government is the United States Armed Forces during peacetime. Every detail of training, equipment, and deployment is under the direct inspection of company commanders, ship captains, and squadron leaders. But none of these factors can be tested in the only way that counts, against a real enemy, except in wartime.⁵⁹⁶

Within the military literature, the procedural aspect of the military organization is often articulated as the “bureaucratic” element of military life. For example, Admiral Howe, while serving as President of the US Naval War College, provided a definition bureaucracy relevant to this analysis: “Bureaucracies originated out of society’s need for efficient, routinized work. The focus on efficiency drives an organization characterized by centralized planning and control, little delegation of discretionary authority, and compliance-based behavior.”⁵⁹⁷ This aspect of military life is essential. Effective operation of both the military enterprise and functional layers requires “efficient, routinized” work. The technical operations of military activity depend upon efficient routines for ensuring effectiveness. Thus, policies and practices of the military are guided by both national level law and regulations developed by the Department of Defense and the individual services (Army, Navy, Marine Corps, Air Force, Coast Guard, etc.). Standard operating procedures (SOPs) articulating routine approaches to routine activities permeate military activities, from the Engineering Operational Sequencing System governing the start-up and casualty responses for gas turbine engines to the Preventative Maintenance System which

⁵⁹⁵ Martin E. Dempsey, *The Profession of Arms* (Center for the Army Profession and Ethic (CAPE) 2010), 5.

⁵⁹⁶ Wilson, *Bureacracy*, 163.

⁵⁹⁷ P. Gardner Howe, "President's Forum" (Newport, RI: Naval War College, 2015), 2.

<https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=aph&AN=109424814&site=eds-live&scope=site>.

dictates what maintenance to perform when and how, and the Ships Organization and Regulation Manual (SORM) governing nearly every aspect of shipboard life. Operationally, many of these rules and procedures are “written in blood.” That is, they exist because people died due to failures associated with inadequate procedures.

As a procedural organization, the institution focuses on the measures of performance associated with the activities it engages in the most. However, the ease of measurement of the procedural factors facilitates potentially excessive organizational attention to the aspects of military life susceptible to articulation in procedural terms. Over time, in the absence of the test of war, the easily observable factors (such as reporting administratively focused training requirement completion rates) can take on greater and greater importance at the expense of those factors necessary to perform wartime tasks. This leads to a tendency to emphasize excellence in the day-to-day, readily observed aspects of institutional activity—the enterprise routines—and a de-emphasis on measures of effectiveness associated with the ultimate functional outcomes the military is intended to produce.⁵⁹⁸ In terms of risk management, this leads to an emphasis on control measure compliance monitoring.

4.4.6.b *Military as craft organization*

A *procedural* agency in peacetime, the military becomes a *craft* organization in wartime. Wilson applies his definition of the craft organization directly to the military, writing,

In wartime, many army and navy units change from procedural to craft organizations. Whereas formerly their members acted under the direct gaze of managers (marching parade, practicing on the rifle range, maneuvering in convoys), now

⁵⁹⁸ The reasons for the often pejorative attitude toward bureaucracy (often conflated with “bureaucratization”) are evident in a scene from Hans von Luck’s report of his efforts to see Hitler to get his permission for the evacuation of North Africa—a German “Dunkirk”—in order to redeploy that combat power in Western Europe. Luck wrote, “In confidence, I told about my mission and asked through whom I could best get to make my plea to Hitler. ‘My dear chap,’ the lieutenant colonel replied, ‘we’re not on the battlefield. Here, even Rommel has no say. Here, bureaucracy rules. That means you must first go to the ‘officer-in-charge, Africa,’ a certain Colonel X, who will announce you to Colonel General Jodl. He will get the OK from Field Marshal Keitel as to whether and when you will be allowed in to the führer. Come—as a start, I’ll take you to the colonel. Then from 1230 hours to 1400 hours there’s the midday break, when no one at all can be seen. That’s the way things are. In Africa, well over a hundred thousand men are bleeding and fighting for their lives, but here the midday break must be observed while the war comes to a stop!” Hans von Luck, “The End in North Africa,” in *Experience of War: An Anthology of Articles from MHQ: The Quarterly Journal of Military History*, ed. R. Cowley (W.W. Norton and Company, Inc., 1992), 440.

they fight in the haze, noise, and confusion of distant battlefields. Commanders who in peacetime knew the whereabouts and activities of every soldier are in wartime lucky to know the location and actions of entire battalions. This is part of the “friction” of war of which Clausewitz wrote so compellingly. But wartime commanders do learn (usually rather quickly) whether those battalions won their engagements.⁵⁹⁹

As a craft organization, the measures of performance associated with the procedural focus of the peacetime military become less important in comparison with the combat measures of effectiveness—mission accomplishment.

4.4.6.b Dual character of the military institution

Many military activities are procedural, and susceptible to routinization. However, a large part of the military function—its unique task set involving the use of violence to enhance positions of advantage—requires the exercise of craft-based discretionary judgment using specialized expertise. Thus, the military institution is neither a procedural nor a craft organization but possesses a complex character combining elements of both types—it has a dual character.⁶⁰⁰ Stewards of the profession, as discussed in Chapter 7, are responsible for maintaining the appropriate organizational character balance (between procedural and craft) to ensure the institution remains fit for purpose.

4.4.7 Varieties of Military Organizational Character Types

Theorists have responded to the dual character of the military, and the multidimensionality and variability of the military institution over time, by generating a taxonomy of military institutional character in the literature. Using Wilson’s organizational categories, this section describes several overlapping but different conceptions of the military organizational character found in the literature and places them on the organizational autonomy continuum defined above. Locating each of the conceptions on the degree of organizational autonomy “slider” based on Wilson’s government agency types applicable to the military—procedural and craft—allows for a comprehensive view of the different organizational types relevant to understanding

⁵⁹⁹ Wilson, *Bureacracy*, 165.

⁶⁰⁰ P. Gardner Howe, "Professionalism, Leader Development Key to Future" (U.S. Naval War College, Newport, RI, 2015). Snider, "American Military Professions and their Ethics," 16. The dual character emerges from the difference in tasks, outputs, outcomes, and management of those tasks for the peacetime and wartime military.

and evaluating the role of military trust in each organizational form. This in turn will enable stewards of the profession to evaluate their particular organizational type and the role of military trust within that particular type configuration in moral injury management.

Based on Wilson's framework, this section conceptualizes the character of military organizations, using three different, but related, dichotomies: institutional/occupational, constabulary/military, and bureaucracy/profession. All three of these dichotomies can be mapped onto Wilson's more fundamental procedural/craft government agency type framework.

The section starts by examining Charles C. Moskos's "institutional/occupational" distinction between forms of military organization. It then discusses Morris Janowitz's "constabulary" and "military" forms. This is followed by a brief discussion of the fully autonomous extreme provided by Harold D. Lasswell's "garrison state." The section concludes with discussion of Don Snider's conception of the military as a "profession." The different understandings of military institutional character are accompanied by different approaches to risk management through control or trust systems.

4.4.7.a Moskos's "occupational" and "institutional" organizational character types

Moskos formulated a framework based on an organizational character continuum defined at one end as "institutional" and the other as "occupational," for analyzing military organizational character.⁶⁰¹ He updated this framework, and included research on non-US military organizations, in 1986.⁶⁰²

4.4.7.a.i. Occupational. Moskos's "occupational" conception of the military organization helps articulate the "procedural" low autonomy pole of the military character continuum. According to Moskos, the military as an occupation is defined by the market demand for the product or service provided.⁶⁰³ The relationship between the individual and the organization is based on a contract. Workers affiliate with the organization in order to serve their self-interest, not a higher "calling."⁶⁰⁴ Within the occupation model, there is no special difference between civilian

⁶⁰¹ Charles C. Moskos, "From Institution to Occupation: Trends in Military Organization," *Armed Forces & Society* 4, no. 1 (1977).

⁶⁰² Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update."

⁶⁰³ Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update," 379.

⁶⁰⁴ Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update," 379.

“enterprises” and “Military services.”⁶⁰⁵ As a result, people with skills serving in the military should be compensated with cash for those skills at the same rate as those possessing the skills in the civilian world. Unions to represent service member interests are, in the occupational model, appropriate for the same reasons such organizations are appropriate within civilian organizations.

4.4.7.a.ii Institutional. Moskos’s definition of “institution,” due to his emphasis on the importance of values within the institutional form of organization, is particularly relevant for the examination of the institution’s role as a moral-ethical actor and military trust. He wrote, “An institution is legitimated in terms of values and norms: that is, a purpose transcending individual self-interest in favor of a presumed higher good.”⁶⁰⁶ The institutional form of military organization is “thick.” That is, it includes a particular legal system, residences are often tightly integrated with the work location (on-base housing), much of the compensation package is non-cash, such as housing and medical care, and rank, not particular skill levels, determines the pay scale. Spouses are included as integral parts of the community.⁶⁰⁷ Military service is, in the institutional model, more than a “job.” As will be seen further below, Moskos’s conception of the military organization as an “institution” is close to Snider’s sense of the military as a “profession.” Placing Moskos’s organizational character types onto the Wilsonian slider yields Figure 21. Moskos’s “institutional” is on the craft side of the continuum. His “occupational” resides on the “procedural” side of the slider.

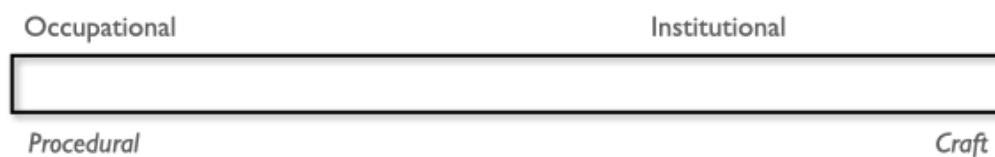


Figure 21: Moskos’s “Occupational” and “Institutional” Categories on the Wilsonian Slider

⁶⁰⁵ Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update," 380.

⁶⁰⁶ Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update," 378.

⁶⁰⁷ Moskos, "Institutional/Occupational Trends in the Armed Forces: An Update," 378.

4.4.7.b Janowitz's "constabulary" vs. "military"

Janowitz, in his *The Professional Soldier*, offers a different view of the military organizational character, distinguishing between "constabulary" and "military" types.⁶⁰⁸

4.4.7.b i. *Constabulary*. Janowitz's "constabulary" form of military organization is an example of a *procedural* conception of the military community. He defined the "constabulary" as follows:

The military establishment becomes a constabulary force when it is continuously prepared to act, committed to the minimum use of force, and seeks viable international relations, rather than victory, because it has incorporated a protective military posture.⁶⁰⁹

The constabulary force has an "international policing" flavor.

4.4.7.b.ii *Military*. Janowitz contrasted the constabulary form with the "military" which "predisposes officers toward low tolerance of the ambiguity of international politics, and leads to high concern for definitive solutions of politico-military problems."⁶¹⁰ Janowitz assessed the military in Western countries as moving toward a constabulary type of organization, and he considered this movement as a positive trend reinforcing continued democratic control.⁶¹¹ Figure 22 shows Janowitz's categories placed on the Wilsonian slider.



Figure 22: Janowitz's Categories of "Constabulary" vs. "Military" on the Wilsonian "Slider"

4.4.7.c Lasswell's garrison state

Lasswell's "garrison state" provides an exemplar of the autonomous extreme on the "craft" side of the continuum. Lasswell defined the "Garrison State" as one in

⁶⁰⁸ Janowitz was not using the term "professional" in the same way Snider uses it in the discussion of the military as a "profession" below.

⁶⁰⁹ Morris Janowitz, "The Future of the Military Profession," in *War, Morality and the Military Profession*, ed. Wakin, 59.

⁶¹⁰ Janowitz, "The Future of the Military Profession," 61.

⁶¹¹ Janowitz, "The Future of the Military Profession," 77–8.

which the military—the “specialists in violence”⁶¹²—control and dominate the political organization to promote their own interests.⁶¹³ In the garrison state the political governance structures are used by the military to command and control the political domain organization to achieve military community objectives. The military thus controls the government—not the government the military. The “means of control” are, within the garrison state, in control. The garrison state military as an organization is focused exclusively on the exercise of its unique function—the use of force—with minimal overlap between the values of the military and the civilian society.⁶¹⁴ Their emphasis on expert autonomy severs the relationship between the profession and the society it serves.⁶¹⁵ Detached completely from non-military/technical considerations, the military in the garrison state possesses an ethical character completely distinct from the civilian society. See Figure 23.



Figure 23: Lasswell's “Garrison” State on the Wilsonian “Slider”

The garrison state seems today an utterly implausible model for military organization in NATO countries. However, at the time of its publication (1941), with the example of the National Socialists in Germany, it constituted a viable option for military organizational practice. Today Iran and China operate in ways close to the garrison state ideal.⁶¹⁶ The concept thus provides a useful vantage point from which

⁶¹² Harold D. Lasswell, “The Garrison State,” *American Journal of Sociology* 46 (1941): 455.

⁶¹³ He wrote, “consider the possibility that we are moving toward a world of ‘garrison states’—a world in which the specialists on violence are the most powerful group in society” (Lasswell, “The Garrison State,” 455). Lasswell was not a Garrison state advocate. Garrison state proponents push the requirement for autonomous professional judgment too far, exceeding the appropriate range of military activity.

⁶¹⁴ The tension it reflects emerges once again in Jeremy Waldron, “Safety and Security,” in *Civil Liberties, National Security and Prospects for Consensus*, ed. E. D. Reed and M. Dumper (Cambridge, UK: Cambridge University Press, 2012). In addition, the preoccupation with civil military relations in the curriculum of the US war colleges speaks to this intellectual possibility, or trend, even though the development of a garrison state is, as a potential scenario, extremely unlikely, not least because few (if any) in the military have any interest in or desire for such a condition. Striking the appropriate balance between safety and security, and the allocation of resources within a society, are perennial concerns.

⁶¹⁵ Lasswell, “The Garrison State,” 455.

⁶¹⁶ The Chinese People’s Liberation Army explicitly serves the Chinese Communist Party (CCP)—not the people of China. Similarly, the Iranian military is divided into two main organizations—the Islamic Revolutionary Guard Corps (IRGC) mission is to support the Office of the Supreme Leader and project the regime’s operations in accordance with the principle of rule of the supreme jurist. The Artesh, the regular military, receives less funding. The IRGC has extensive economic interests and takes advantage of the violence and chaos it sows to buy assets from people fleeing the violence it instigates in places like Syria. Robin Wright, ed., *The Iran Primer*, US

to reflect on current and near future possible military organizational developments by allies and adversaries.

4.4.8 Defining the US military as a profession

Don Snider is a US Army theorist who has done extensive work on the institutional nature and character of the US Army. Snider's analysis builds on the organizational introspection that emerged in the 1970s in response to the poor performance of the US Army in the Vietnam War. He defines the military as a *profession*, and his analysis of the military institution as a profession includes a robust treatment of the moral-ethical aspects. Snider's work is thus especially relevant to this study.

Wilson defined a professional as follows: "A professional is someone who received important occupational rewards from a reference group whose membership is limited to people who have undergone specialized formal education and have accepted a group-defined code of proper conduct."⁶¹⁷ Snider provides a detailed definition of the nature of the military profession congruent with this definition. According to Snider, a profession: (1) provides unique service to society; (2) applies expert knowledge and practice; (3) earns the trust of society; (4) self-regulates in order to maintain that trust; and (5) possesses autonomy to act.⁶¹⁸ Each of these organizational characteristics reside on the "craft" end of Wilson's government agency types.⁶¹⁹

Moral-ethical decision-making resides at the core of Snider's definition of the practice of military professionals. He writes, "the practice or work of the military professional is 'the daily exercise of their discretionary judgments while making decisions and taking actions that fulfill their moral and legal obligations under their [oath].'"⁶²⁰ Appropriate moral-ethical decision-making, and guidance to inform that decision-making, is essential for the execution of military tasks.⁶²¹ This moral

Institute for Peace, 2022, <https://iranprimer.usip.org/>. Seth G. Jones, *Three Dangerous Men: Russia, China, Iran and the Rise of Irregular Warfare*. Robert P. Ashley, *Iran Military Power Ensuring Regime Survival and Securing Regional Dominance*, (Washington, D.C.: U.S. Government Printing Office, 2019). Majid Mohammadi, *Under the Leader's Cloak How Khamenei's Office Operates* (Riyadh: Rasanah International Institute for Iranian Studies, 2020).

⁶¹⁷ Wilson, *Bureacracy*, 60.

⁶¹⁸ Snider, "American Military Professions and their Ethics," 16.

⁶¹⁹ George Lucas, from a specifically moral-ethically focused perspective, in his *Military Ethics: What Everyone Needs to Know*, presents a similar view of the profession (9).

⁶²⁰ Snider, "American Military Professions and their Ethics," 21.

⁶²¹ Snider places killing at the forefront of this military work, quoting Dr. James Toner that

judgment requirement, for Snider, entails that the service provided by professionals, especially in the military profession with its “unlimited liability,” is more than a job. Snider writes, “Professionals value the service they render to society more than the remuneration society extends them. That is why a profession is a calling—something far more important and satisfying to the professional than a job.”⁶²² Thus, in Snider’s view, the professional conception of membership in the military institution is vastly different from the *occupational* view of the military discussed above. Figure 24 places Snider’s “profession” on the Wilsonian military organizational character “slider.”

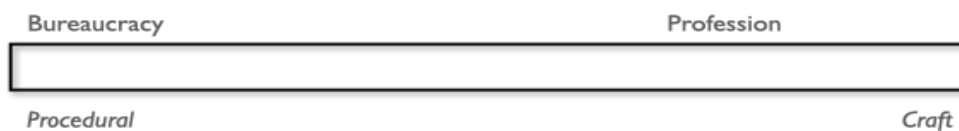


Figure 24: Snider’s “Bureaucracy” and “Profession” on the Wilsonian “Slider”

Snider provides a detailed sequence of action further explicating the military professional’s practice:

- A member of the profession who is facing a new situation or task. . .
- Based on his or her accumulated expert knowledge. . .
- Classifies the task (estimate/diagnosis), reasons about it (inferring from abstract knowledge applicable to the new task/situation), and then acts on it (execution/action). . .
- Follows the action, evaluating it for effectiveness and, ultimately, adaptations to. . .
- The profession’s body of expert knowledge and its jurisdictions of expert work. . .

“The preeminent military task, and what separates it from all other occupations, is that soldiers are routinely prepared to kill. . . [and], in addition to killing and preparing to kill, the soldier has two other principal duties, rarely discussed. . . >some soldiers die; when they are not dying they must be preparing to die.” Snider, “American Military Professions and their Ethics,” 20.

⁶²² Snider, “American Military Professions and their Ethics,” 17.

- The “practice” then, is the repetitive exercise of discretionary judgement, action, and follow up. . .all judgements with high moral content.⁶²³

Enabling this practice, Snider lists four “expert knowledge clusters” the command of which enables military professionals to perform their professional tasks in accordance with the professional ethic: the military-technical, the moral-ethical, the knowledge of human development and the political-cultural.⁶²⁴

Snider describes the moral-ethical cluster as focused on how the armed forces “built, maintained, and. . .fight war ‘rightly,’ adhering to both the moral and legal content of the nation’s values and the profession’s ethic.”⁶²⁵ Inadequacies in the moral-ethical cluster of expert knowledge result in poor moral-ethical decision-making, the generation of moral-ethical conflict, and hinder the development of more effective moral injury management capabilities. This study can thus be seen as a contribution to Snider’s moral-ethical cluster.

Recognition of the centrality of moral-ethical decision-making to professional activity is not limited to the military. Lee Schulman’s analysis of professional activity offers a view of professional action which reinforces Snider’s highlighting of the centrality of the moral aspects of professional judgment. Schulman emphasized the importance of moral factors in the application of professional judgment to specific social problems when he wrote,

The process of judgment intervenes between knowledge and application. Human judgment creates bridges between the universal terms of theory and the gritty particularities of situated practice. And human judgment always incorporates both technical and moral elements, negotiating between the general and the specific, as well as between the ideal and the feasible.⁶²⁶

These “technical and moral elements” correspond to Snider’s “military-technical” and “moral-ethical” layers of professional expertise.

Indeed, the image of “layers” and judgment as a “bridge” is an especially useful way of thinking about the relationship between the components of

⁶²³ Snider, "American Military Professions and their Ethics," 21.

⁶²⁴ Snider, "American Military Professions and their Ethics," 20.

⁶²⁵ Snider, "American Military Professions and their Ethics," 20.

⁶²⁶ Lee S. Shulman, "Theory, Practice, and the Education of Professionals," *The Elementary School Journal*, 5 (1998): 519.

professional expertise. The “bridge” links the various sets of moral-ethical guidance of the *enterprise* and *functional* layers. It also links the values of society served and the military institution. The stewards of the profession have a responsibility to help service members cross the bridge multiple times—for example, during shifts between *generative* and *operational* activities, the “onboarding” into the profession (especially important for moral injury management), and the “disembarking” when leaving it.

4.5 Part 4: Military Character Case Study

Andrew Gordon’s *The Rules of the Game: Jutland and British Naval Command* provides a case study on the variability of institutional character. He analyzes the institutional practices of the Royal Navy from the early nineteenth century through World War I. Gordon’s analysis of the Royal Navy illustrates how the tension between procedural and craft conceptions of institutional character can manifest in the ways in which the institution defines its tasks, and rewards and punishes behaviour considering those tasks. This influences the organizational approach to strategic thinking (further discussed in Chapter 6) and thus the risk assessments and functional choices requiring the exercise of “discretionary judgment” using both the technical and moral-ethical clusters of professional decision-making expertise. The text thus provides a case study on how grasping the variability of institutional character can inform understanding of institutional moral-ethical decision-making.

Gordon explicitly links the tension in the Royal Navy between what he refers to as “centralization” and “doctrine” as the primary means of command and control to differing conceptions of the military institution.⁶²⁷ An emphasis on centralization leads to the dominance of what he refers to as “regulators,” focused on control systems. Regulators excel in the non-operational tasks suitable for standardized, routinized activities—the more procedural, bureaucratic aspects of military tasks. Regulator dominant organizations tend toward *bureaucratization*. Gordon traces how during the nineteenth century, under the influence of the “regulators” understanding of professional excellence, naval proficiency came to be defined as ship handling in strict accordance with the *Signal Book*. That is, centrally directed ship maneuvers,

⁶²⁷ Gordon, *The Rules of the Game: Jutland and British Naval Command*, 598.

controlled by the Fleet commander via signal flags, came to constitute the highest form of naval performance. During the extended period of maritime peace (or non-violent maritime competition) for the Royal Navy from the end of the Napoleonic wars to the beginning of World War I, this approach for performing the military professional function, protecting the UK and its interests, was not tested in battle. Therefore, no experiences counter-indicated the validity of the approach.

4.5.1 The Craft/Operational/Functional

Others within the Royal Navy argued that the smoke of the guns and distances at which naval battles would be fought (both interfering with signal flag visibility) required a different approach to command and control. They emphasized the importance of doctrine to enable the initiative necessary to succeed in the dynamic, chaotic conditions of combat vs. centralized direction via signal flag (or even the emerging wireless forms of communication) to enable victory in war at sea. Gordon refers to these officers as “ratcatchers.”⁶²⁸ The “ratcatchers” viewed the military primarily as a craft organization, and thus emphasized the need for initiative and creativity, guided by common doctrine, and managing the risk of unjust action through trust to succeed in battle.

Table 13 maps Gordon’s organizational character types onto Wilson’s agency types.

Table 13: *Approaches to the Control of the Means of Control*

	Approach to Control of Means of Control	
Risk Management Approach	Control Systems	Trust Systems
Wilson	Procedural	Craft
Gordon	Centralization/Regulators	Doctrine/Ratcatchers

Control systems, based on compliance and conformity with the rules, delivered and monitored by centralized organizations, as favored by the Regulators, are necessary, and can enable the institution to perform its non-violent (peacetime)

⁶²⁸ Ibid.

tasks adequately. However, such an approach to military task performance often fails the test of combat.⁶²⁹ Gordon describes how the procedural, bureaucratic view prevailed during the long peace leading to World War I. His discussion of the Victoria-Camperdown collision—and the institutional response—constitutes an especially clear example of the Regulators’ impact on functional effectiveness.⁶³⁰

The specific understanding of military excellence shapes the institutional character through the officer promotion process, which rewards or punishes certain types of behavior. Gordon traces how due to the Regulators’ tendency to excel in non-operational, bureaucratic tasks, they were more likely to be promoted in periods in which the military focused on non-combat-based measures of performance. The ratcatchers, whose values differed from the institutionally dominant “peacetime” value set—they excelled in the dynamics of combat, not administration—often failed to promote.⁶³¹ They were thus less available when needed at the outbreak of war.⁶³² Gordon wrote of the nineteenth-century Royal Navy,

Part of the problem had always been that, with no “bloody wars and sickly seasons” to decimate the Navy List, with no combat opportunities to establish reputations and disrupt the social certainties, the only plausible way to progress in the service was to obtain the patronage of the Establishment by gratifying and reaffirming its values. The Navy, for its part, responds as would any other hierarchy: it invests in future conformity.⁶³³

It was not until the test of the Royal Navy at the Battle of Jutland that the limitations of the procedural, control system, compliance-based approach to military operations revealed its inadequacies with almost catastrophic (for the nation) results.

In summary, the Regulators formulated an approach to military task accomplishment of rigid adherence to centralized guidance as articulated in the “Signal Book.” The institution persisted with this approach, and capabilities were optimized for decision and action within that approach long after it was no longer operationally effective. Without institutional learning (stimulated by interactions with

⁶²⁹ The Royal Navy almost failed the test of Jutland completely (it was not a defeat but nor was it a victory). Gordon, *The Rules of the Game: Jutland and British Naval Command*.

⁶³⁰ Gordon, *The Rules of the Game: Jutland and British Naval Command*.

⁶³¹ Gordon, *The Rules of the Game: Jutland and British Naval Command*, 595.

⁶³² The high rate of firings of admirals in the US Navy in the early months of World War II provides another example of a “peacetime” force promoting officers unsuited for the demands of combat.

⁶³³ Gordon, *The Rules of the Game: Jutland and British Naval Command*, 594.

others—such as in exercises, wargames, or battle), the institution was able to ignore the weak signals indicating the emerging inadequacy in the performance of its professional function in favor of developing a high degree of expertise in competencies (e.g., maneuvering via signal flag) no longer suited to the demands of the task environment but which their measures of performance indicated were excellent. The institution thus potentially betrayed not only the Naval personnel fighting at sea using an obsolete approach, but the citizens depending on that Navy to protect the sea lines of communication constituting the economic lifelines upon which the survival of the political community depended.

4.6 Conclusion

Taking cognizance of the institution as a moral-ethical actor and the role of institutional trust violation was necessary to develop an operationally effective definition of *military* moral injury capable of providing an appropriate approach to moral injury management capability development. This chapter began with discussion of the purpose of the military institution as emerging from the problem of violence. Part 1 examined how the military institution is a tool wielded by political organizations to manage external violence, just as police forces are institutional tools to manage the problem of internal violence. Within the military literature, the focus on the external aspect of control—engagement with adversaries—obscured the need to understand the problematic nature of the justice and injustice of the policies and practices of the internal control of the means of control. This study claims that increasing the understanding of the internal aspects of the control of the means of control—through articulation of *jus in militaribus* and model of military trust—is essential to bring about institutional change to address the deficiencies in existing moral injury management capabilities.⁶³⁴

Part 2 of the chapter examined the character of the military institution. It offered a definition of the institution as divided into two layers: the *enterprise* layer, concerned with the business processes associated with the generation of military capabilities, and the *functional* layer through which those capabilities are applied to enhance the national position of advantage. Military moral-ethical thinking has tended to focus on the moral conflict associated with the functional use of military

⁶³⁴ Wilson, *Bureacracy*, 24.

power—the decision to use or refrain from that use (*jus ad bellum*) and the justice or injustice of particular uses of that power (*jus in bello*). The internal justice and injustice of institutional policies and practices has received less emphasis. Part 3 used James Q. Wilson’s typology of government agency types to examine the moral-ethical implications of different military institutional characters. The chapter concluded in Part 4 with a case study of the Royal Navy, analyzing the moral-ethical and operational impacts of the emphasis on distinct types of institutional characters over time.

The problem of moral injury requires a comprehensive understanding of the military institution for two reasons. First, to understand the role of the military institution itself as a moral-ethical actor. The military institution itself, through its policies and practices, can cause, as traced in Chapter 2, moral conflict, including moral injury. Second, development of this understanding will enable efforts to shape the institution more effectively, through modification of the policies and practices through which it is structured to meet twenty-first-century requirements. This includes, this study argues, more effective capability to manage moral injury.

The next chapter presents a model of military trust appropriate for use within the military institution as defined in this chapter. Chapter 6 defines *jus in militaribus* as a framework within which stewards of the profession can analyze the institutional character and evaluate the appropriateness of the balance between trust and control measures given the operational context and demands of the conflict environment.

Actionable Insights

1. The inadequate understanding of the complex community/institutional character of the military—the “military” in military morality-ethics—contributes to the persistent inadequacy of military moral injury management capabilities.
2. The macro-level bifurcation of the military as an institution into the enterprise and functional layers generates a corresponding bifurcation of military morality-ethics focus into two separate “silos” or domains. One is focused on the operational, functional tasks (including the violent tasks, e.g., warfighting/combat) and the other on the behaviour within large government organizations, the enterprise generative functions.
3. The disciplinary division places the decision-making burden associated with developing an integrated approach to discretionary judgment in complex situations, including appropriate responses to moral conflicts across the full range of military activity, onto individual service members. This has heightened vulnerability to moral injury

Chapter 5:

The Military Trust Model

5.1 Introduction

This chapter builds on the insights generated in the previous three chapters. The analysis of trust violations—betrayals—as a source of moral injury in Chapter 2 generated the requirement for a richer understanding of trust in the military. In Chapter 3 the analysis of the military professional and doctrinal literature on trust revealed that trust, while repeatedly extolled as critical for military operations, is poorly defined. The academic literature on organizational trust reviewed in Chapter 3 provided a definition of organizational trust with greater granularity than that found in military professional and doctrinal literature. However, the definitions in the academic literature were not specifically tailored for military requirements. This created a gap this study is intended to help fill.

Chapter 4 examined the “military” nature of military trust. Understanding the nature of trust in the military as it relates to moral injury management requires understanding the nature of the military, in other words, answering the question of what sort of organization the military is, and how trust relates to the various military organizational forms. Chapter 4 addressed this question through analysis of the nature of the military institution as articulated in US doctrine, combined with James Q. Wilson’s taxonomy of government agency types.

This chapter, based on the analysis of the military institution in Chapter 4, and the literature reviewed in Chapter 3, formulates a model of military institutional trust relevant for informing military moral injury management capability development activities.

Part 1 of this chapter discusses the assumptions and limitations informing the analysis of military trust presented here. Part 2 further analyzes the two forms of risk management introduced in Chapter 1: control and trust systems. It describes the control system approach to risk management, and distinguishes trust systems from control systems as a form of risk management using a commercial industry example. Part 3 presents a specifically *military* model of organizational trust, informed by the definitions provided in Chapter 3. This model is tailored for specific military application relevant to moral injury management through use of Shay’s analysis of military betrayal in his *Achilles in Vietnam*.

The more granular definitions of the trust complex of “unit ideas” provided in Chapter 3, including the distinct types of trust, trustingness, and trustworthiness (further subdivided into ability, benevolence, and integrity), provides a starting point for construction of a model of military trust. As will be seen in Chapter 6, this model of military institutional trust enables analysis of military risk management through trust systems. This analysis provides more actionable insights into the formulation of individual and institutional action and moral injury management activities than the vague discussions of “trust,” and calls for additional training and data collection frequently found in US military doctrine and other DOD texts.⁶³⁵

5.2 Part 1: Assumptions and Limitations

5.2.1 Assumption 1: The US Military is Fundamentally Trustworthy

Trust is not an unalloyed good, appropriate in all circumstances. As Andrea Baier writes, “There are immoral as well as moral trust relationships, and trustbusting can be a morally proper goal.”⁶³⁶ This study, however, assumes broadly that the US military is legitimately striving to serve the interests of society and accomplish its primary mission, “defending the US against all adversaries while serving the Nation as a bulwark and the guarantor of its security and independence,”⁶³⁷ and is thus worthy of trust.

5.2.2 Assumption 2: Skepticism of Government Agencies is Appropriate and Legitimate

This study assumes that government agencies, including the military, owe to the people they serve comprehensible explanations and justifications of their actions. Government agencies are obligated to demonstrate their trustworthiness.

Demanding trust, in accordance with what Rittel and Webber refer to as a “traditional

⁶³⁵ For example, the US DOD Inspector General’s *Fiscal Year 2022 Top DOD Management Challenges* report contains the following: “The DoD continues to face challenges in preventing and addressing sexual harassment and sexual assault, disparate treatment, and extremism within the ranks. These complex challenges are fundamentally at odds with the DoD’s values, and if left unchecked, they will erode trust and confidence in the DoD. In addition to each challenge’s unique elements, they share certain contributing factors, including the lack of effective training programs, reliable data for making informed decisions, and transparency and accountability of processes. By addressing these challenges and contributing factors, the DoD has the opportunity to bolster the public’s trust and confidence, and even more importantly, to preserve the trust and confidence of its most valuable asset—its military and civilian personnel.” Sean O’Donnell, *Fiscal Year 2022 Top DOD Management Challenges* (Washington, D.C.: Department of Defense, 2021), 91. Without a model of military institutional trust, these statements are empty of actionable content.

⁶³⁶ Baier, “Trust and Antitrust,” 232.

⁶³⁷ Martin E. Dempsey, *Joint Publication 1 Doctrine for the Armed Forces of the United States* (Washington, D.C.: Department of Defense, 2017), i.

approach” to “entrust de facto decision-making to the wise and knowledgeable professional experts and politicians,”⁶³⁸ without justification, is inappropriate.

This is not to say that the military must explain every aspect of its decision-making or forgo the possibility of surprise by gaining public consensus on every decision and action prior to execution. It is to say, however, that the military must publicly (when appropriate) and secretly, e.g., in confidential briefings to government officials (members of Congress, the National Security Council, etc.), explain and justify its decisions associated with implementing the policy direction received from the civilian leadership. Put more directly, if the public’s trust in the military degrades, it is the responsibility of the military to enhance its *trustworthiness* and thus regain the acceptable level of *trustingness* by the public.⁶³⁹ The decline is not the fault of the public—the burden of responsibility and accountability rests on the government agency to prove its *trustworthiness*, not the public to express continued *trustingness*.

5.2.3 Assumption 3: Credentials Do Not Entail Trustworthiness

Experts are not entitled to trust simply because they hold particular credentials from established gatekeepers (e.g., specific higher education institutions or government positions). They must, especially in a democracy, base their claims to trust on demonstrated competence. If they prove incompetent, the appropriate response is not to bemoan the decline in the degree to which they are trusted as experts, but to enhance their competence and the public perception, through demonstrated utility, of that competence.⁶⁴⁰ Experts, no matter their credentials, government position, social status, or relationship with the media, are not entitled to trust from the “common people.” A claim to trustworthy expertise, in the absence of demonstrated competence, does not justify government compulsion.

5.2.4 Assumption 4: Moral-Ethical Maturity Requires Moving beyond Mere Compliance

This study assumes that the exercise of professional moral-ethical decision-making expertise requires more than compliance with explicit rules. Compliance with the rules and regulations, for example, LOAC and ROE, based on the LAOC and

⁶³⁸ Rittel and Webber, "Dilemmas in a General Theory of Planning," 232.

⁶³⁹ These terms are defined in the glossary and Chapter 3.

⁶⁴⁰ For a contrasting view see Jennifer Kavanagh and Michael D. Rich, *Truth Decay: An Initial Exploration of the Diminishing Role of Facts and Analysis in American Public Life* (Santa Monica, CA: RAND Corporation, 2018), which seems to imply credentials automatically warrant trust.

international human rights law, is required of military experts. These experts are also *trusted* to exercise their judgment in the pursuit of moral-ethical decision-making excellence. In order to explain the requirement to adhere to both compliance-based control-system guidance and trust-system guidance to pursue excellence, this study uses Hubert and Stuart Dreyfus's concept of "Moral maturity" to frame the need for the use of trust systems in addition to control systems to manage the risk of unjust action by the military.⁶⁴¹ Dreyfus and Dreyfus's model emphasizes the role of intuition, beyond references to rules, in the making of mature, expert moral-ethical decisions.

Dreyfus and Dreyfus present an interpretation of stages of moral maturity as an application of their general skill acquisition model.⁶⁴² They define the stages of skill acquisition as follows:

Stage 1: Novice. At stage one, the beginner is provided with rules to follow in order accomplish a task. Compliance with the rules will often bring about the desired result. However, sometimes the rules, due to variability in context, do not bring about the desired result.

Stage 2: Advanced beginner. Advanced beginners, due to their experience, can discern additional aspects of the situation. Their enhanced situational awareness enables the advanced beginner to transform the rules into richer maxims to guide decision and action.

Stage 3: Competent. A competent performer copes with the high volume of information in a situation by developing a structured approach. They choose a plan, goal, or perspective with which to organize their approach to the situation, and then analyze only those features of the situation relevant to achieving their goal. This simplifies and accelerates the response process.

Stage 4: Proficiency. The proficient performer, when presented with a situation, will recognize quickly, without requiring a protracted process of deliberation, that a specific plan, goal, or perspective offers a high probability of success. They then reach a decision by assessing the options in accordance with the applicable rules and maxims.

⁶⁴¹ Hubert L. Dreyfus and Stuart E. Dreyfus, "What is Moral Maturity?: Towards a Phenomenology of Ethical Expertise," in *Skillful Coping: Essays on the Phenomenology of Everyday Perception and Action*, ed. Hubert L. Dreyfus (Oxford: Oxford University Press, 2014).

⁶⁴² Interestingly, the brothers' first publication of a skill acquisition model was the result of a US Air Force sponsored research project. See Dreyfus and Dreyfus, *A Five-Stage Model*.

Stage 5: Expert. The expert performer is able to rapidly recognize what to do in a particular situation, and as a result act, Dreyfus and Dreyfus explain, “almost entirely on intuition and hardly at all on analysis and comparison of alternatives.”⁶⁴³ Dreyfus and Dreyfus argue that the philosophical tradition has tended to neglect this form of decision-making in favor of an emphasis on rational deliberation.⁶⁴⁴ According to Dreyfus and Dreyfus, thinkers like Jürgen Habermas and Lawrence Kohlberg (and Immanuel Kant) have thus “intellectualized the phenomenon” instead of harkening to the phenomenological understanding of the experience.⁶⁴⁵

Dreyfus and Dreyfus link these levels of skill acquisition directly to moral maturity. They write, “But if being good means being able to learn from experience and use what one has learned so as to respond more appropriately to the demands of others in the concrete situation, the highest form of ethical comportment consists in being able to stay involved and to refine one’s intuitions.”⁶⁴⁶ Thus Stage 5 military moral-ethical expertise (the highest level of what in the military trust model is referred to as “moral-ethical competence”) consists of rapid judgment based on internalized understanding of right action, in accordance with what Shay refers to as *themis*, in particular contexts in conditions of low information.

This expertise is not reducible to compliance with clear rules. The JWT constraints and restraints, for example, the doctrine of double effect, are maxims (in Dreyfus’s sense) requiring interpretation, not clear rules compliance with which is clearly determined.

Thus, Dreyfus and Dreyfus’s Stage 5 of moral-ethical decision-making and action expertise provides a framework for understanding military-moral ethical decision-making more in accordance with Lucas’s conception of ethics as

about maturity of judgment and strategic thinking about one goals and objectives, and how to take the proper paths to achieve these, and not about simple compliance with

⁶⁴³ Dreyfus and Dreyfus, “What is Moral Maturity?,” 188.

⁶⁴⁴ They write, “in familiar but problematic situations, rather than standing back and applying abstract principles, the expert deliberates about the appropriateness of his intuitions. Common as this form of deliberation is, little has been written about such buttressing of intuitive understanding, probably because detached, principle-based, deliberation is often incorrectly seen as the only alternative to intuition.” Dreyfus and Dreyfus, “What is Moral Maturity?,” 193.

⁶⁴⁵ Dreyfus and Dreyfus, “What is Moral Maturity?,” 191.

⁶⁴⁶ Dreyfus and Dreyfus, “What is Moral Maturity?,” 200.

guidelines more suited to the guidance of small children than world leaders.⁶⁴⁷

Dreyfus and Dreyfus's stages therefore also provide a way to understand the need for both control and trust systems to manage the risk of unjust military action. Control systems operate primarily in the first two stages of moral maturity. Trust systems operate in the remaining three. Trust systems are necessary therefore, because compliance only obtains the first two stages of skill acquisition.

Professionals do not merely follow orders. The autonomous exercise of expertise is a core characteristic of professional action, as described in Chapter 4. Military leadership in general requires more than demands for compliance. As Swain and Pierce write, "As Admiral William Crowe put it when he was Chairman of the Joint Chiefs of Staff, 'You cannot run a unit just by giving orders and having the Uniform Code of Military Justice behind you.' Coaching, mentoring, and trusting are critical activities of the successful leader."⁶⁴⁸

The exercise of professional discretionary judgment in complex, dynamic, poorly structured situations requires more than compliance with clear rules. This movement beyond compliance to autonomous action requires what Chris Argyris and Donald Schön refer to as "internal commitment." They define "internal commitment" as follows:

Internal commitment means that the individual feels that he, himself, is responsible for his choices. The individual is committed to an action because it is intrinsically satisfying—not. . . committed because someone is rewarding or penalizing him to be committed.⁶⁴⁹

The effective operation of internal commitment, from a moral ethical decision-making perspective, requires internalization—making one's own—the professional values.⁶⁵⁰ Bloom's *Taxonomy of Educational Objectives: Affective Domain* contains an analysis of the concept of "internalization" which clarifies the nature of the "internal commitment" process in ways relevant to this study. Bloom formulates the

⁶⁴⁷ Lucas, *Ethics and Cyber Warfare*, 163.

⁶⁴⁸ Swain and Pierce, *The Armed Forces Officer*, 69.

⁶⁴⁹ Argyris and Schön, *Theory in Practice*, 89.

⁶⁵⁰ Benjamin S. Bloom, David R. Krathwohl, and Bertram B. Masia, *Taxonomy of Educational Objectives: The Classification of Educational Goals Handbook II: Affective Domain* (New York, NY: David McKay Company, Inc., 1956), 32.

internalization process as occurring along a continuum, ranging from compliance to identification to internalization. See Figure 25.

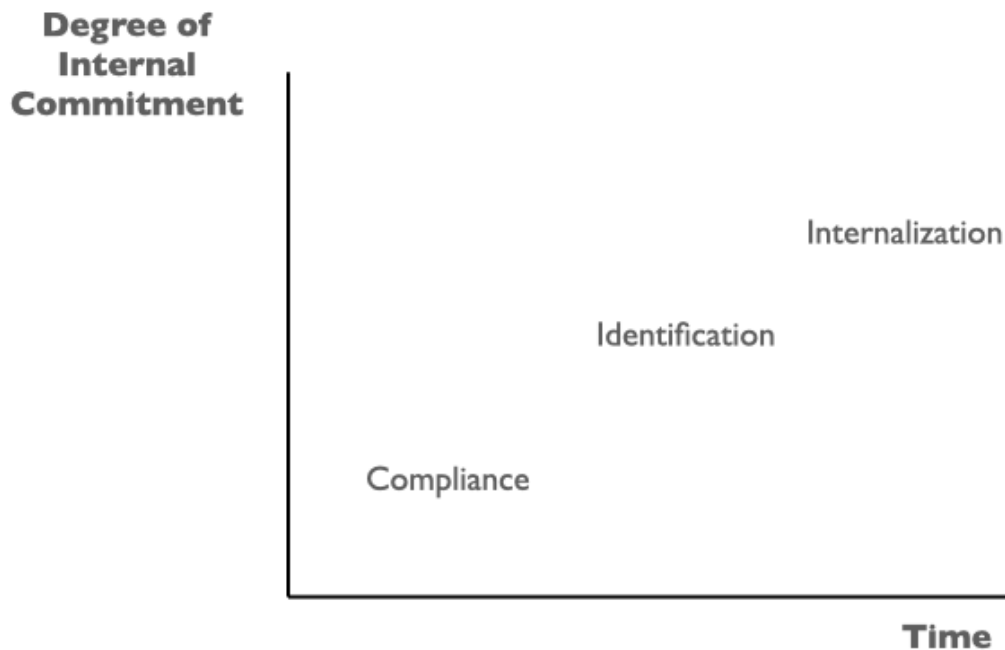


Figure 25: *Degrees of Internal Commitment*

This movement can be understood as an increase in what Edward L. Deci and Richard M. Ryan refer to as “self-determination.” They explain this dynamic in terms of their “self-determination theory.” Self-determination theory, according to Deci and Ryan, “maintains that an understanding of human motivation requires a consideration of innate psychological needs for competence, autonomy, and relatedness.”⁶⁵¹ Professionals are self-determined. Trust in the expertise of professionals is a recognition of this. Experts are trusted to apply their expertise, not to simply apply rules. The degree of self-determination increases with the movement up and to the right of Figure 25 as described in the following paragraphs.

The movement toward higher degrees of internal commitment starts with, as

⁶⁵¹ Edward L. Deci and Richard M. Ryan, "The "What" and "Why" of Goal Pursuits: Human Needs and the Self-Determination of Behavior," *Psychological Inquiry* 11, no. 4 (2000): 227. Further analysis of self-determination theory as it relates to military decision making is beyond the scope of this study. For more on self-determination theory see Edward L. Deci and Richard M. Ryan, "Self-Determination Theory: When Mind Mediates Behavior," *Journal of Mind and Behavior* 1, no. 1 (1980), <http://www.jstor.org/uoelibrary.idm.oclc.org/stable/43852807>. and Richard M. Ryan and Edward L. Deci, *Self-Determination Theory: Basic Psychological Needs in Motivation, Development, and Wellness* (New York, United States: Guilford Publications, 2017).

in Dreyfus and Dreyfus's model, compliance. Compliance with the control system dictates (rules, regulations, policies, etc.) constitutes the necessary minimum, the "floor," for professional behavior. When someone is compliant, they comply with expectations but are not necessarily committed to underlying values associated with those expectations.⁶⁵²

Recognizing that compliance with the rules is necessary and yet insufficient to appropriately guide professional military action, Admiral Walter E. Carter, in his "Ethics in the U.S. Navy," recommends building a culture for navy ethics beyond compliance and argues that an emphasis on compliance suffers from two critical shortcomings.⁶⁵³ One, compliance is insufficient to generate the required level of trust both between the institution and the broader society. Confidence that service members will act in accordance with the rules is necessary, but not sufficient, to establish and maintain that actions will be trustworthy across the full range of military activities in complex, uncertain, and violent environments. The demands of the environment exceed the scope of articulated rules. In Dreyfus and Dreyfus's terms, high levels of moral-ethical maturity, indicating moral-ethical decision-making excellence, are required to justify the trust between the society and military that allows for autonomous expert decision and action.

Two, militarily effective management of the risk of unjust action requires more than compliance. Professional expertise, as discussed in Chapter 4, is based on the use of autonomous judgment in complex situations—not the mere application of rules. Not all aspects of military activities are reducible to routinization, and thus many military activities require the exercise of judgment. Further, even when important aspects of activities can be reduced to routines, such routinization can prove counterproductive for mission achievement. For example, success in maneuver warfare requires generation of surprise, and presentation to the adversary of multiple dilemmas, overwhelming his ability to respond coherently. Bernard Fall wrote, when discussing success in irregular warfare:

I would like to close with one last thought, which applies, of course, to everything that is done in the Armed Forces, but particularly to revolutionary war: if it works, it is obsolete. In Viet-

⁶⁵² Bloom, Krathwohl, and Masia, *Taxonomy of Educational Objectives*, 32.

⁶⁵³ Walter E. Carter, "Ethics in the U.S. Navy," in *Ethics and the Twenty-First-Century Military Professional*, ed. Timothy J. Demy, The John A. van Beuren Studies in Leadership and Ethics (Newport, RI: Naval War College Press, 2018), 126. This topic was also discussed in Chapter 2.

Nam and in many other similar situations we have worked too often with well-working but routine procedures and ideas. It is about time that new approaches—and above all—ideas be tried; since, obviously, the other ones have been unequal to the task.⁶⁵⁴

Thus, military success requires the autonomous exercise of professional expertise.⁶⁵⁵ As discussed in Chapter 4, exercise of discretionary judgment constitutes the core function of the military professional.⁶⁵⁶ This judgment exercise exceeds the mere application of rules, and thus requires risk management through trust systems.

Carter presents a conclusion especially relevant for this study. According to Carter, the high level of moral-ethical behavior necessary to preserve the trust between the military institution and the society it serves, and within the institution itself, requires focusing on constructing both “good barrels”—the institutional policies and practices in which individuals decide and act—and “good apples”—the individuals making those decisions.⁶⁵⁷ Compliance is necessary, but insufficient for this “construction.”

Identification. In the middle stage, as shown in Figure 25, identification, the individual believes in the values and gains satisfaction from acting in accordance with them.⁶⁵⁸ This satisfaction is separate from external recognition or reward. Carter refers to Lord Moulton’s “Obedience to the Unenforceable” to emphasize this point.⁶⁵⁹ Obedience to the unenforceable is self-determined—it comes from within, not from a desire to comply with the dictates of positive law.

Internalization. Internalization—the third level of the hierarchy portrayed in Figure 25, captures the most robust form—the maximization—of internal commitment. Bloom et al. define internalization as entailing that:

a person has accepted certain values, attitudes, interests, etc. into his system and is guided by these regardless of surveillance or saliences of an influencing agent. . . The person acts as he does because to do so is in itself satisfying to him. . . the person [responds] with commitment: accepting a value into his system,

⁶⁵⁴ Bernard B. Fall, “The Theory and Practice of Insurgency and Counterinsurgency,” *Naval War College Review* 18, no. 3 (1965): 36–7.

⁶⁵⁵ Snider, “Five Myths about Our Future,” 56–7.

⁶⁵⁶ Snider, “American Military Professions and their Ethics,” 20.

⁶⁵⁷ Carter, “Ethics in the U.S. Navy,” 123.

⁶⁵⁸ Bloom, Krathwohl, and Masia, *Taxonomy of Educational Objectives*, 32.

⁶⁵⁹ Carter, “Ethics in the U.S. Navy,” 122. See also Moulton, “Law and Manners,” 33.

organizing that system, and developing a value complex that guides his behavior.⁶⁶⁰

Within the military profession, internalization results in the development of a “values complex” and ultimately “Character”—a consistent philosophy of life as a military professional.⁶⁶¹ At this level service members decide and act as self-determined, free citizens, making choices to perform their professional function in ways congruent with the values of the society served. As discussed in Chapter 3, this internalization can prove difficult for service members to achieve because it requires internalization of two sets of values in tension. In the case of killing, as discussed further below, the values are often in direct conflict.

The effective operation of internalized values to manage the risk of unjust action, irreducible to control systems, becomes operationally effective or unfolds through the operation of trust systems. Thus, while control systems are necessary, they are insufficient to appropriately manage the risk of unjust action by the military. The following section further analyses the limits of control systems to manage the risk of unjust military action. The next part describes the model of military trust that operates within the *jus in militaribus* framework to provide a comprehensive approach to managing the risk of unjust military action, internally and externally.

5.2.5 Limitations

5.2.5.a *Limitation 1: Focused on trustworthiness, not control systems*

This study is focused on steps stewards of the military profession can take to enhance institutional trustworthiness. Thus, it does not analyze in detail various approaches to control system use, nor does it offer recommendations on improving control systems to better manage the risk associated with potential unjust activity by the military institution.

5.2.5.b *Limitation 2: Focused on trust within the military institution itself*

Trust operates in multiple dimensions, and the decline in institutional trust as indicated by surveys reviewed in Chapter 1 has multiple sources, the determination of which is hindered by, I claim, the lack of a sufficiently granular institutional trust model. However, rather than examine all possible trust dimensions, this study uses

⁶⁶⁰ Bloom, Krathwohl, and Masia, *Taxonomy of Educational Objectives*, 32.

⁶⁶¹ Bloom, Krathwohl, and Masia, *Taxonomy of Educational Objectives*, 34.

moral conflict as a lens through which to focus on the costs of an inadequate theory and practice surrounding institutional trust cultivation and maintenance and thus the need for an institutional trust model embedded within the *jus in militaribus* framework.

5.3 Part 2: Approaches to Risk Management: Control and Trust Systems

As discussed in Chapters 2 and 4, risk is central to all forms of military activity. In addition to facing the risks to mission and risk to force emerging from the demands of complex operations in hostile natural environments (e.g., in the air and at sea), the challenges of technologically enabled activity (e.g., vehicle crashes), and adversary action, military leaders must address the risk that their organization and members of the organization will act unjustly as they perform tasks related to the use of violence to provide protection through deterrence.

The need for this analysis of institutional trust emerges from the complexity of managing the persistent risk associated with the use of the military institution to deal with the problem of violence.⁶⁶² The US military, the focus of this study, combines characteristics of what Donald C. North refers to as *adherent* and *contractual* organizations. *Adherent* organizations rely on congruence between the individual members' of the organization interests and the interests of the organization to secure voluntary cooperation. *Contractual* organizations rely on third-party enforcement of behavior within the organization and between the organization and other organizations and individuals.⁶⁶³ The two types of organizations manage the risk that the institution or the members of the institution will act unjustly differently. Schooner et al. refer to the approaches to risk management as unfolding through "control systems" and "trust."⁶⁶⁴ Adherent organizations (craft agencies/professions) emphasize the use of trust to manage risk. Contractual organizations (procedural agencies/occupations) emphasize control systems.⁶⁶⁵

⁶⁶² Why do societies spend resources (human and financial) to acquire and use the capabilities the military institution provides? Put in a simpler form, "Why does the military exist?" Douglas North's analysis of the question of economic development and the problem of violence provides an approach to an answer. North, in his "Institutions," argues that "All societies face the problem of violence. . . No society solves the problem of violence by eliminating violence; at best, it can be contained and managed." North, Wallis, Weingast, *Violence and Social Orders*, 13–14. The ways in which political communities develop and use capabilities to manage, as North writes, "Limit[,] and control" violence varies between different communities and over time. Military institutions are developed and maintained by political communities to perform the external violence management related tasks.

⁶⁶³ North, Wallis, and Weingast, *Violence and Social Orders*, 260.

⁶⁶⁴ Schoorman, Mayer, and Davis, "An Integrative Model of Organizational Trust."

⁶⁶⁵ See discussion of the distinct types in Chapter 4 above.

As discussed in Chapter 4, a tension between the two approaches persists throughout military activities. However, current US doctrine generally lacks a model of military institutional trust of sufficient granularity to adequately inform policies and procedures of the military. As a result, the institution is less able to effectively and efficiently respond to declines in trust, and, most relevantly to this research, violations of trust constituting PMIEs. This part of Chapter 5 defines the two approaches as they apply to the military institution as described in Chapter 4 in more detail in order to provide a foundation for the model of military trust presented in Part 3.

5.3.1 Control Systems

Control systems consist of explicit rules and regulations governing service member behavior. Examples of control systems include the law of armed conflict, rules of engagement based on the LOAC, and the Uniform Code of Military Justice.⁶⁶⁶ Clear, legally articulated rules, while still requiring judgment in application, lend themselves to evidence-based analysis for compliance-based measures of performance. These rules, especially those captured in *jus in bello*, inform the control system-based approach to ensuring just military action.

Risk management through control systems requires that the decision-making and resulting action—the work of the military organization—becomes routinized. Many military tasks are susceptible to this routinization, and, indeed, increased efficiency of military action requires routinization. In the absence of routinization, the requirements of detailed deliberation and thought for each task would slow the speed of decision and action to a crawl. As Alfred North Whitehead writes,

It is a profoundly erroneous truism, repeated by all copy-books and by eminent people when they are making speeches, that we should cultivate the habit of thinking of what we are doing. The precise opposite is the case. Civilization advances by extending the number of important operations which we can perform without thinking about them. Operations of thought are like cavalry charges in a battle—they are strictly limited in number, they require fresh horses, and must only be made at decisive moments.⁶⁶⁷

⁶⁶⁶ See United States Code, Title 10, for more on the Uniform Code of Military Justice (UCMJ).

⁶⁶⁷ Alfred North Whitehead, *An Introduction to Mathematics* (London: Williams & Norgate, 1911), 45–6.

In the military, standard operating procedures, other policies, and procedural texts articulate the “important operations” performed without thought. These SOPs govern activities like gas turbine casualty control procedures, underway replenishment, aircraft start procedures, sea and anchor details, personnel leave policies, and so on. These texts embody the fruit of learning through often bloody experience.⁶⁶⁸ Control systems operate through enforcing compliance with these texts.

5.3.1.a Control system-based compliance and its limits

Institutional management of the risk of unjust action is accomplished through both control and trust systems.⁶⁶⁹ James Q. Wilson, whose analysis of government agencies as it relates to understanding the nature and character of the military institution was discussed more fully in Chapter 4, linked compliance, approaches to risk management by different organizational types, and the problem of moral hazard. Agency vulnerability to organizational risk caused by unjust moral ethical decision-making increases with expansion of the scope for autonomous action.⁶⁷⁰ Thus, according to Wilson, the emphasis on risk management varies with organizational type. This has two implications for this study.

First, the broader scope for autonomous action when a government agent is applying professional expertise entails a requirement for higher levels of trust for managing the risk of unjust action. Thus, the trust requirement for craft agencies, like the military profession, due to the greater level of vulnerability to unjust action by the craft organization, is higher than that associated with more tightly controlled procedural agencies.⁶⁷¹ “Moral hazards” in the form of, for example, LOAC violations by service members, generate the highest possible consequences—the unjust taking of human life. Further, immoral/unethical actions by the “strategic corporal” can generate negative grand strategic, strategic, operational, and tactical effects, as well as damage the individual herself and the institution of which she is a part.

This problem of moral hazard creates a tension within the military institutional approach to managing the risk of unjust action. On the one hand, this motivates the emphasis on moral-ethical rules (e.g., law of armed conflict, government ethics

⁶⁶⁸ Curtis E. Lemay Center, *A Primer on Doctrine*, 9.

⁶⁶⁹ Schoorman, Mayer, and Davis, “An Integrative Model of Organizational Trust,” 346.

⁶⁷⁰ Wilson, *Bureaucracy*.

⁶⁷¹ In craft agencies, where the members of the profession have broad scope to act based on their expertise in order to generate outputs, Wilson wrote, “If operator actions are esoteric or unobserved, the problem of moral hazard arises: the operator may shirk or subvert.” Wilson, *Bureaucracy*, 159.

regulations) and control system-based *compliance* in military morality ethics. The requirement to maintain the trust of the society served, and the difficulty of comprehension of the expertise informing professional action, tends to produce a “gravitational pull” toward an emphasis on compliance with the procedural approaches to control of the means of control and adherence to the values of society—not craft expertise and military specific values/virtues.

While the emphasis on compliance is of course necessary, it can also lead to an operationally degrading aversion to risk. Wilson writes,

The greater the cost of noncompliance, the more important the constraint. Thus, managers (and employees generally) will learn what their vulnerabilities are and respond accordingly. They will become averse to any action that risks violating a significant constraint. The more such constraints there are, the more risk averse the managers will be. The acquisition of these learned vulnerabilities is another way by which the organization’s culture is formed.⁶⁷²

Thus, the risk aversion-based tendency within the military to emphasize procedural compliance with rules to control the moral-ethically relevant decision-making by the individual operating the means of control can lead to the development of an institutional culture ill-suited to perform tasks in which obvious, easily understood compliance is more difficult due to the complex and (potentially) violent nature of the task. Thus, the emphasis on procedural controls can lead to what was described in Chapter 1 as *bureaucratization*, which ensures compliance but at the cost of effectiveness.⁶⁷³

Thus, the focus on compliance generates its own type of risk, which can generate undesired operational, tactical, and strategic effects. Wilson describes the compliance challenge, applicable to the military, as follows:

In procedural organizations the general bureaucratic tendency to manage on the basis of process rather than outcome is much magnified because processes can be observed, and outcomes cannot. Since the work of the operators can be watched, it is watched all the time. Managers use many forms of continuous surveillance to ensure conformity to correct procedure, ranging from direct observation to periodic statistical reports. The life of a soldier or sailor in peacetime is one of incessant scrutiny and the

⁶⁷² Wilson, *Bureacracy*, 129.

⁶⁷³ Lacquement and Galvin, *Framing the Future of the US Military Profession*, 70.

repetition of seemingly pointless tasks. The great risks in procedural organization are that morale will suffer (operators may resist the surveillance, believing they know—even if they cannot show—how to do the job right) and that the surveillance will bias the work of the agency (by inducing operators to conform to rules that detract from the attainment of goals.)⁶⁷⁴

5.3.1.b Risks associated with an overemphasis on control systems

Applied to moral ethical decision-making, too great a reliance on control systems to manage the risk of unjust military action manifests as an overemphasis on compliance that hinders functional performance. The limits of the compliance focus relevant for the question of this study concerning the development of more effective moral injury management capabilities are evident in Shay's critique of "scientific management," the US Army's critique of French doctrine in the 1930s, and the puzzle of justified, LOAC killing in combat resulting in moral injury.

5.3.1.b.i Shay's critique of scientific management. A large part of Shay's motivation to write his *Achilles in Vietnam* was to argue that the US commitment to routinized "scientific management," which viewed each service member as an interchangeable cog in a larger military machine, was both operationally ineffective and generated devastatingly negative impacts on service members.⁶⁷⁵ The scientific management approach relied on a "scientific" control system to generate compliance with bureaucratic procedures as a way to manage mission risk. In Vietnam, according to Shay, this approach failed both operationally and as an approach to motivate professional action.⁶⁷⁶

5.3.1.b.ii French doctrine in the 1930s. The French Army's approach to command and control in the 1930s also illustrates the limitations of reliance on control systems for overall mission accomplishment. The US Army doctrine *Mission Command* (ADP 6-0) explains,

French doctrine emphasized control by senior level commanders to enable "methodological battle." It required carefully planned and synchronized employment of fires and maneuver forces, and essentially relied upon a centralized, deliberate approach at every echelon. Such an approach assumed excellent communications, good situational awareness, and a similarly deliberate approach

⁶⁷⁴ Wilson, *Bureacracy*, 174–5. This supports the discussion of deterrence-based trust and the negative effects of surveillance on trust in Chapter 3.

⁶⁷⁵ Shay, *Achilles in Vietnam*, 13.

⁶⁷⁶ Shay, *Achilles in Vietnam*, 13.

by the enemy. Methodical battle was ill-suited for situations requiring rapid decision making and initiative at all echelons, situations that occurred repeatedly between 10 and 20 May 1940.⁶⁷⁷

However, this is not to say that deliberate planning to enable “synchronized employment of fires and maneuver forces” is always incorrect. Much of the difficulty of military professional activity, requiring refined moral-ethical strategic thinking and judgment, results from the simultaneous recognition that at times and for some tasks rigid adherence to the directives of a control system is essential for mission success—and sometimes ridged adherence leads to failure. For example, German movement through Luxembourg during the Battle of the Bulge demanded no deviation from movement plans in order to ensure the required forces were in place at the appropriate times. Commanders who exercised their initiative which resulted in movement delays potentially faced the death penalty.⁶⁷⁸

5.3.1.b.iii The moral conflict associated with killing shows the limits of the compliance focus. Killing, even when the action is fully compliant with the law of armed conflict, can present moral conflict, including PMIEs. Experiencing moral injury as a result of LOAC-compliant killing constitutes a key piece of evidence of the inadequacy of a compliance-based approach to military moral-ethical decision-making.

Killing, and acting under the threat of being killed, is part of the definition of a military professional. This is the case even when most military personnel in modern militaries are not engaged in direct combat.⁶⁷⁹ Yet killing presents service members with a high-stakes dilemma. As Marc LiVecche explains, on the one hand, if a service member is required to kill another human as part of their professional military duties, they will experience some degree of “blood guilt.” Yet if they do not kill, and as a result other service members die, he or she experiences both the blood guilt associated with the death and or injury of the colleague and the shame of failing to perform appropriately as a professional.⁶⁸⁰ Thus, the moral emotions of guilt and

⁶⁷⁷ US Army, *Mission Command*, 3–2. “Methodological battle” assumes “perfect knowledge” never available in complex, dynamic circumstances of human life. Hayek, “The Use of Knowledge in Society,” 527.

⁶⁷⁸ Ibid.

⁶⁷⁹ Lucas, *Military Ethics*, 101.

⁶⁸⁰ Marc LiVecche, *The Good Kill* (Oxford, UK: Oxford University Press, 2021), 35. Further discussion of LiVecche’s views is beyond the scope of this study. See also LiVecche, Marc. “Kevlar for the Soul: Moral Theology and Force Protection.” *Journal of Military Ethics* 22, no. 3-4 (2023/10/02 2023): 241-55. <https://doi.org/10.1080/15027570.2024.2309768>.

shame, in some form, are often affectively integrated with killing, even “good” killing.

Therefore killing, even killing in accordance with the law of armed conflict, dramatically increases the likelihood of moral injury.⁶⁸¹ The literature dealing with killing in the military reveals two aspects of the experience relevant to this study. First, it reveals both the complexity and utility of distinguishing PTSD from moral injury. Secondly, it shows that a compliance-focused control system approach to managing risk associated with killing, while necessary, is insufficient for appropriately managing moral injury. This section analyzes the significance of killing as it relates to moral injury through a review of clinically focused literature dealing specifically with killing by service members.

Alan Fontana and Robert Rosenheck, who also worked within the US Veteran’s Administration system, present a model of the interrelationship among war zone stressors and the relative influence of each stressor on the development of PTSD.⁶⁸² These include the following: fighting, death of others, physical condition, insufficiency, threat, killing, atrocities, and field placement. They found that “Killing or injuring others had a strong direct effect on PTSD. In addition, it contributed substantially to committing atrocities. Once the moral prohibition against killing others is breached, it appears that the inhibitory power of lesser prohibitions is weakened as well.”⁶⁸³ Although still framed within the PTSD construct, this is a significant finding, since killing others, as will be discussed below, is an essential, specified, and implied (to a greater or lesser degree depending on the military specialty) task of military service.⁶⁸⁴

⁶⁸¹ Maguen et al., "The Impact of Reported Direct and Indirect Killing on Mental Health Symptoms in Iraq War Veterans." See also Molendijk et al., which begins with a vignette about Marine Scott Ostom. They quote, “I was a brutal killer, and I rejoiced in it. I was bred to be a killer, and I did it. Now I’m trying to adapt and feel human again. But to feel human, I feel guilty. . . That’s why I can’t eat: I feel guilty, I feel sick.” Tine Molendijk, Eric-Hans Kramer, and Désirée Verweij, "Moral Aspects of 'Moral Injury': Analyzing Conceptualizations on the Role of Morality in Military Trauma," *Journal of Military Ethics* 17, no. 1 (2018): 36, <https://doi.org/10.1080/15027570.2018.1483173>.

⁶⁸² Alan Fontana and Robert Rosenheck, "A Model of War Zone Stressors and Posttraumatic Stress Disorder," *Journal of Traumatic Stress* 12, no. 1 (1999): 113, <https://doi.org/10.1023/a:1024750417154>. Although the literature on the impact of killing often does not generally distinguish adequately between PTSD and moral injury, this section of the review emphasizes the literature on killing in war that refers to moral injury in their discussions, even if they do not adequately distinguish between PTSD and moral injury.

⁶⁸³ Fontana and Rosenheck, "A Model of War Zone Stressors and Posttraumatic Stress Disorder," 123.

⁶⁸⁴ Naval Warfare Publication 5-01, *Navy Planning*, defines the distinct types of tasks as follows: “Specified tasks are specifically assigned to a unit by a higher headquarters (HHQ). . . Implied tasks are not specifically stated in the HHQ order but must be performed in order to accomplish specified tasks. Implied tasks emerge from analysis of the order, the commander’s guidance, and after consideration of the adversary’s potential actions. . . Those tasks that most contribute to mission success are deemed essential and they become the central focus for operations planning. Essential tasks are those that define mission success and apply to the force as a whole.

Shira Maguen, a psychologist who, like Jonathan Shay, is affiliated with the US Department of Veteran's Affairs, found, as a result of working with veterans, that whether or not the service member had killed someone during their military service had a significant impact on the manifestation of symptoms associated with moral injury. Maguen et al. write,

Prevailing models of post-traumatic stress have focused primarily on the experience and aftermath of severe deprivation, victimization, and personal life-threat, all of which can be experienced by soldiers in a war zone. However, arguably, the moral conflict, shame, and guilt produced by taking a life in combat can be uniquely scarring across the lifespan.⁶⁸⁵

The experience of fear, the principal component of PTSD, had a less significant impact. Thus, she focused her research on the role of killing as a contributing factor to moral injury in multiple modern conflicts and found that "killing in war is a significant, independent predictor of multiple mental health symptoms."⁶⁸⁶ Maguen's research, showing that killing acts as a moral injury "accelerant," like gasoline on a fire, has important implications for service member combat preparation and thus military morality-ethics capability development.

Maguen investigates further the degree to which killing has a significant impact on the development of PTSD. In the Maguen et al. 2009 article "The Impact of Killing in War on Mental Health Symptoms and Related Functioning," they focus on veterans of the Vietnam War and find that killing was a significant contributor, beyond the general combat experience, for the development of PTSD and other mental health issues.⁶⁸⁷ Maguen extended this research to Gulf War veterans in and found that

Killing in combat was a significant predictor of Post Traumatic Stress Syndrome (PTSS) and multiple indicators of alcohol use, even after controlling for highly salient variables such as perceived danger, exposure to death and dying, and witnessing killing,

Essential tasks can come from either specified or implied tasks." US Navy, Naval Planning NWP 5-01, 2-7-2-8 (Norfolk, VA: Navy Warfare Development Command, 2013).

⁶⁸⁵ Maguen et al., "The Impact of Killing in War on Mental Health Symptoms and Related Functioning," 435. See also Wood, *What Have We Done*, 243, for a discussion of Maguen's work.

⁶⁸⁶ Maguen et al., "The Impact of Killing on Mental Health Symptoms in Gulf War Veterans," *Psychological Trauma: Theory, Research, Practice, and Policy* 3, no. 1 (2011): 25, <https://doi.org/10.1037/a0019897>.

⁶⁸⁷ Maguen et al., "The Impact of Killing in War on Mental Health Symptoms and Related Functioning," 441.

suggesting that taking a life in combat is a critical ingredient in the development of post deployment mental health concerns.⁶⁸⁸

Maguen et al. replicated their findings again in a study of Operation Iraqi Freedom (OIF) soldiers who went through post-deployment screening in 2005 and 2006.⁶⁸⁹ This research supported the findings on killing in the earlier conflicts.⁶⁹⁰

In "Impact of Killing in War: A Randomized, Controlled Pilot Trial," Maguen et al. examine the utility of specialized treatment for veterans who engaged in killing. The pilot project was necessitated by their observation that, in 2017, killing was still not included in post-deployment assessments.⁶⁹¹ The research explicitly included moral injury in its treatment. They asserted, moderately, that mental health outcomes were exceeding the grasp of current [at the time] PTSD definitions, writing:

The moral injury framework also emphasizes that while PTSD symptoms are some of the outcomes that might follow experiences such as killing in the war zone, the mental health outcomes associated with killing may be more complex and include outcomes such as global psychiatric symptoms, self-harming behaviors and alcohol abuse. This framework highlights the importance of thinking more broadly about outcomes and therefore treatment related to killing and other acts of moral injury.⁶⁹²

In research that supports Maguen et al.'s conclusion, Burkman et al., referring to the Litz et al. 2009 definition, write:

The unique traumatic impact of killing in war is increasingly conceptualized as a product of moral injury. Moral injury can result from "perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress deeply held moral beliefs and expectations" (Litz et al., 2009). Many veterans who struggle in the aftermath of combat identify killing as a uniquely traumatic

⁶⁸⁸ Maguen et al., 24.

⁶⁸⁹ Maguen et al., 87.

⁶⁹⁰ Maguen et al., 89.

⁶⁹¹ Shira Maguen et al., "Impact of Killing in War: A Randomized, Controlled Pilot Trial," *Journal of Clinical Psychology* 73, no. 9 (2017): 997, <https://doi.org/10.1002/jclp.22471>. Upon returning from service with the NATO mission to Afghanistan (Resolute Support) in 2019, I completed a questionnaire that asked about exposure to dead bodies, but not engagement in killing.

⁶⁹² Maguen et al., "Impact of Killing in War: A Randomized, Controlled Pilot Trial," 998.

experience—one that transgresses moral or religious values and creates a sense of dissonance and internal conflict.⁶⁹³

Their research indicated that treatment dealing specifically with moral injury and killing in war was effective in reducing participant maladaptation.

This component of the moral injury literature, finding that experiences associated with killing generate significant increases in the occurrence of both PTSD and moral injury, illuminates two significant gaps in service member preparation to perform their professional function. One, killing, even when legally and humanly justified in accordance with the law of armed conflict—so-called “good kills”—often cause moral injury.⁶⁹⁴ This is the case *even when the killing was in full compliance with the control systems guidance*. This entails that killing generating moral injury is a feature, not an unexpected negative outcome, of service in modern militaries.

Two, the military as an institution is insufficiently explaining the moral grounds for killing in combat. Institutionally it pretends that the legally focused LOAC training is sufficient to manage the cognitive, affective, and psychomotor/physiological impact of killing. The literature reviewed here indicates this legal control system compliance-based training is *inadequate* to meet service members’ moral-ethical decision-making needs and to inform military moral injury capability development. Therefore, emphasis on procedural requirements, and compliance with rules, while necessary, must be balanced with mission accomplishment. *Jus in militaribus* helps stewards of the profession navigate this necessary tension between control and trust systems to strike this balance. The following section describes trust systems.

5.3.2 Trust Systems

As seen in Chapter 3, trust systems within the military institution, while often referred to in the military professional literature, are less comprehensively defined than the moral-ethical decision-making control system as articulated by the JWT informed LOAC and ROE. As further discussed below, this leaves a massive “coverage gap” in the guidance for military moral-ethical decision-making across the range of military activities not covered by *jus in bello*-based regulations. Trust systems, again as seen in Chapter 3, while often referred to in the military

⁶⁹³ Kristine Burkman, Natalie Purcell, and Shira Maguen, "Provider Perspectives on a Novel Moral Injury Treatment for Veterans: Initial Assessment of Acceptability and Feasibility of the Impact of Killing Treatment Materials," *Journal of Clinical Psychology*, 75, no. 1 (2019): 81.

⁶⁹⁴ Miller, *Moral Leadership*, 7.

professional literature, are not as well defined. Given the underdetermination of trust systems within the military professional literature, this study uses a description of trust systems from industry to help clarify the nature of trust systems for this study.

5.3.2.a Trust systems in business

In their article “Collaboration Rules,” Philip Evans and Bob Wolf of the Boston Consulting Group (BCG) describe the open-source software movement, (exemplified by the Linux software development process), and the Toyota Production System, as trust-based, as opposed to control-based, systems. Both the open-source software community and Toyota Production System members (Toyota and its tier-one suppliers) combine characteristics of markets (in which self-organizing interaction is facilitated through contracts responding to price signals) and hierarchies which reduce transaction costs through sharing of a common purpose. The shared sense of common purpose relying on trust enables these types of organizations to rapidly adjust to changing conditions without paying the transaction costs associated with control system-based measures like explicit contracts.⁶⁹⁵

This analysis enables Evans and Wolf to define the “discipline” informing these organizations in ways relevant to understanding the nature of trust-based systems in military organizations. They write,

This is discipline, but not the discipline of conformity produced by controls and incentives. Rather, it resembles the discipline of science. Like scientific communities, these systems rely on common procedures, common rules for communication and testing, and common goals clearly understood.⁶⁹⁶

Similarly, trust systems in the military rely on, but are not reducible to, common routinized procedures, shared understanding generated by common learning experiences, information, and knowledge management systems, testing through exercises, modeling, and simulation, wargaming, operations, and commander’s intent.

Evans and Wolf make an explicit connection to trust when they write that encouraging collaboration requires

⁶⁹⁵ Philip Evans and Bob Wolf, “Collaboration Rules,” in *The Boston Consulting Group on Strategy*, ed. Carl W. Stern and Michael S. Deimler (Hoboken, NJ: John Wiley & Sons, Inc., 2005).

⁶⁹⁶ Evans and Wolf, “Collaboration Rules,” 126.

building communities of trust. When people trust one another, they are more likely to collaborate freely and productively. When people trust their organizations, they are more likely to give of themselves now in anticipation of future reward. And when organizations trust each other, they are more likely to share intellectual property without choking on legalisms.⁶⁹⁷

Evans and Wolf use the story of a fire at a valve supplier factory as a case study demonstrating the utility of trust-based collaboration.⁶⁹⁸ They explain how, after a fire at a key factory caused the interruption of manufacturing of 80% of the valves required for most Toyota vehicles, the production system rapidly reconfigured in order to restore manufacturing capability. Immediately after the fire the company whose plant had burned down not only shared the blueprints for the part with competitors within the Toyota ecosystem, but also provided additional assistance to help them ramp up production. The entire reconfiguration was based on trust, and executed without control system apparatus, such as contracts or licensing agreements. Trust-based sharing within the Toyota ecosystem is not only limited to crisis response—Toyota enables and encourages the sharing of lessons learned, even when those lessons offer increased competitive advantage. Since the sharing is contained within the Toyota ecosystem, all participants benefit from the learning.⁶⁹⁹ Evans and Wolf's description of the utility of trust-based interaction to enhance collaboration across the ecosystem to increase achievement of business objectives informs the understanding of the utility of trust-based systems within the military in this study.⁷⁰⁰

5.4 Part 3: The Model of Institutional Trust

This study's model of military trust is built on a modification of Mayer et al.'s model of organizational trust as described in Chapter 3.⁷⁰¹ I began from an analysis of Jonathan Shay's discussion of the violation of trust—betrayal of “what's right” or what the ancient Greeks referred to as *themis* in conditions of unlimited liability characterized by mortal danger—to formulate a model of military trust.⁷⁰² This model

⁶⁹⁷ Recall the discussion of the military and communities in Chapter 4 above. Evans and Wolf, "Collaboration Rules," 127.

⁶⁹⁸ Evans and Wolf, "Collaboration Rules," 123–5.

⁶⁹⁹ Evans and Wolf, "Collaboration Rules," 126.

⁷⁰⁰ However, while extolling the virtues of trust-based interaction, Evans and Wolf do not explain how organizations can cultivate the trust systems. This study, by providing a model of military institutional trust including trust, indifference, and distrust/mistrust, aims to contribute to filling this gap.

⁷⁰¹ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust."

⁷⁰² See analysis of the Mayer model in Chapter 3 for further discussion of his definition of these terms.

of military trust is designed to enhance promotion of trustworthy behavior, enable more specific diagnosis of trust-related behavioral deficiencies, and contribute to the *jus in militaribus* framework for the development of enhanced moral injury management capabilities.

This part defines the elements of the military trust model presented in this study through defining the clusters of “unit ideas” associated with untrustworthiness and trustworthiness: competence/incompetence, effective performance of fiduciary duty/failures to effectively perform fiduciary duties, and integrity/integrity failures. It also explains the interaction of these unit idea clusters within the model of model trust. The model enables analysis of the trust, distrust, and mistrust generating qualities of the institutional policies and practices. It thus provides a comprehensive picture of the trust-system approach to managing the risk of unjust action. Chapter 6 will show how this trust model and the control-system approach are nested within the *jus in militaribus* framework. The *jus in militaribus* framework enables stewards of the profession use and critique of both trust- and control-system activities to manage the risk of unjust action and encourage moral-ethical decision-making excellence.

Table 14: The Military Trust Model

							History-Based
							Category-Based
							Rule-Based
							Role-Based
						Trust	Calculus-Based
Trustingness	+	Technical	Moral-Ethical	Σ	Interpretation of the vulnerability to risk	=	Relational
Individual Propensity		Fiduciary Duty					Institutional
Institutional Brand		Integrity					Healthy Distrust
		Indifference					
		Untrustworthiness				Distrust	
		Incompetence					
		Technical ⁻³	Moral-Ethical ⁻³			Mistrust	
		Failure to perform fiduciary duty ⁻²					
		Dishonesty/Lack of integrity ⁻²					

5.4.1 The Military Trust Model

The military trust model consists of the trustor’s propensity to trust plus the sum of the trustworthiness and untrustworthiness components, which results in an interpretation of the vulnerability to risk posed by the institution or individual to be trusted. This combined assessment (trustingness plus trustworthiness/untrustworthiness) results in experiencing the several types of trust, healthy distrust, distrust, or mistrust. The following section looks at these components in more detail.

5.4.1.a Model components

This section describes the components of the model of military trust (shown in Table 14). I have used Shay’s diagnosis of the components of military *untrustworthiness* to point toward the components of military *trustworthiness*. In *Achilles in Vietnam*, Shay analyzes betrayal leading to the creation of potentially morally injurious events. He frames military untrustworthiness within the broader category of *themis*—“what’s right”—violations. These violations include incompetence, violation of fiduciary responsibility, and unfairness/lack of integrity.⁷⁰³ Starting from Shay’s description of the components of *untrustworthiness*, this study’s trust model defines the elements of military *trustworthiness* as competence, effective performance of fiduciary duty, and integrity. These definitions are versions of the definitions analyzed in Chapter 3, tailored specifically for the military.

Trustingness	
Individual Propensity	Institutional Brand

Figure 26: *Trustingness Components*

Trustingness is composed of two separate but related elements, as shown in Figure 26. One, “individual propensity”; this is the tendency for an individual or organization to trust another (to allow themselves to become vulnerable in conditions of risk with an expectation of beneficial decision and action from the other).⁷⁰⁴ Two, “institutional

⁷⁰³ Shay, *Achilles in Vietnam*, 9-20.

⁷⁰⁴ Mayer, Davis, and Schoorman, “An Integrative Model of Organizational Trust,” 715.

brand”: trustiness includes the influence on decision-making exerted by the “institutional brand.” In this case the institutional brand qualities relevant to trust include past institutional performance and current communication activities. Persuasive efforts, as described by David C. King and Zachary Karabell, can help develop positive associations with the military brand.⁷⁰⁵ These positive brand associations can increase trustiness. Conversely, negative brand associations can decrease trustiness.

5.4.1.b Implications of the distinction

The distinction between the components of trustiness provides two advantages. First, it enables more effective diagnosis of decreases in trustiness. Surveys could, for example, distinguish between decrease in trust in the military as resulting from a general decrease in individual propensity to trust, due to perhaps generational factors, and declines due to decreases in the attitude toward institutional brand. Thus, the more granular treatment of trust resulting from the articulation of the model of military trust can enable more effective diagnosis and response formulation to declines in trustiness than simple reference to “trust” as a monolithic concept.

⁷⁰⁵ King and Karabell, *The Generation of Trust*, 70–86.

Trustworthiness		Σ	Interpretation of the vulnerability to risk
Competence			
Technical	Moral- Ethical		
Fiduciary Duty			
Integrity			
Indifference			
Untrustworthiness			
Incompetence			
Technical ³	Moral- Ethical ³		
Failure to perform fiduciary duty ²			
Dishonesty/Lack of integrity ²			

Figure 27: *Trustworthiness/Untrustworthiness Components*

Second, and following from the first, different approaches could be employed to increase trust. While changing individual propensity to trust is exceedingly difficult, the military has in the past, and could again, increase the trustworthiness of its brand through engaging in persuasive activities.⁷⁰⁶ The tools of marketing and persuasion can shape brand awareness and attachment. Communication of demonstrations of military competence and open sharing of information about the efforts of the institution to deal with failures—both in the technical and moral-ethical domains, has proven especially effective in the military context. King and Karabell, for example, point out that the openness and transparency with which the military admits failing in regard to, for example, sexual harassment, increases the trustingness with which people regard the military.⁷⁰⁷ Admitting failures can enhance perceptions of institutional integrity. Thus, even an imperfect institution can evoke trustingness when it communicates its efforts to improve effectively.

Military institutional trustworthiness consists of three components:

⁷⁰⁶ See King and Karabell, *The Generation of Trust*, 12.

⁷⁰⁷ King and Karabell, *The Generation of Trust*, 69. See also Kavanagh et al., *The Drivers of Institutional Trust and Distrust*, 109.

competence (divided into technical and moral-ethical domains), performance of fiduciary duty, and integrity. "Ability," as discussed in Chapter 3 above, constitutes the first component of trustworthiness in Mayer et al.'s model.⁷⁰⁸ This study, following Shay, refers to this component through the more precise term "competency."⁷⁰⁹ A "competency" is a bundle of skills and knowledge enabling task performance.⁷¹⁰ Professional "competency" thus constitutes a refined description of what Mayer et al. refer to as "ability" as a component of trustworthiness in their model.⁷¹¹

Military competence divides into two categories: the technical and the moral-ethical.⁷¹²

Technical competence. Technical competence refers to the skills and knowledge to operate the mechanical tools required for the performance of military tasks. These include the platforms (ships, aircraft, drones, land-based vehicles, etc.), and other systems through which the military generates effects.

Moral-ethical competence. Moral-ethical competence informs the decision-making capability associated with the use of the military's technical tools. Whereas technical competence concerns the functional operation of the tools, the moral-ethical layer of military competence addresses the *why* and *how* to use those tools to generate the desired effects. The moral-ethical layer thus includes not only the traditional content of much military ethics training (just war theory, law of armed conflict, and so on), but also contains the metacognitive tools specific to the profession (the military design process, planning process, military decision-making process, operational art, and strategic thinking, etc.) required for the application of violence in the service of protection.⁷¹³

The technical competencies constitute the *means* of executing effective decisions made through the exercise of moral-ethical decision-making competence to achieve the desired *ends* as directed by the civilian leadership.

⁷⁰⁸ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 715.

⁷⁰⁹ Shay, *Achillies in Vietnam*, 19.

⁷¹⁰ Michelle R. Weise and Clayton M. Christensen, *Hire Education: Mastery, Modularization, and the Workforce Revolution*, Clayton Christensen Institute for Disruptive Innovation (2014), 11.

⁷¹¹ Mayer, Davis, and Schoorman, "An Integrative Model of Organizational Trust," 717.

⁷¹² This division is a simplification of Snider's four "expert knowledge clusters" of military professional expertise. I bundle Snider's moral-ethical, knowledge of human development, and political-cultural clusters into the layer of "moral-ethical" competence. Snider, "American Military Professions and their Ethics," 20.

⁷¹³ See, for example, the design process as described in Marcia Hagen, Sunyoung Park, "We Knew It All Along! Using Cognitive Science to Explain How Andragogy works," *European Journal of Training and Development*, no. 3 (2016), <https://doi.org/10.1108/EJTD-10-2015-0081>, and the joint planning process as described in Munsch, *Joint Publication 5-0 Joint Planning*.

The military recognizes the need for competence.⁷¹⁴ For example, the *Navy Leader Development Strategy* places “competence” as its first “Lane” and states, “Lane 1 develops operational and warfighting competence. We must become experts at our jobs as we grow. An incompetent leader is a recipe for disaster.”⁷¹⁵ However, the military doctrinal literature persists in emphasizing the technical competencies resident within what Snider refers to as the “military-technical cluster” of professional expertise.⁷¹⁶ Similar statements of the need for development of the moral-ethical aspects of professional expertise, except in vague terms, are under-articulated in the military doctrinal literature. This study is intended to contribute to a richer understanding of the moral-ethical aspects of the profession. See Table 15 for competencies examples.

Table 15: *Competence Examples*

Technical	Safe operation of platforms Safe navigation Accurate targeting Effective small unit tactical performance in urban environments High readiness due to effective maintenance of equipment
Moral-Ethical	Provision of moral-ethical guidance appropriate to the mission. Decisions in accordance with <i>jus in bello</i> , <i>jus post bellum</i> , etc. Decisions in accordance with moral-ethical guidance for military tasks not covered by <i>jus in bello</i>

This articulation of military competencies into two types provides additional “scaffolding” for the competency development necessary for effective action as a military professional. In the absence of the distinction between the competency types, moral-ethical decision-making expertise, which includes decision-making concerning the use and non-use of force at the tactical, operational, strategic, and

⁷¹⁴ Kavanagh et al. observe that “trust in the military is strongly associated with measures of performance and competence...” Kavanagh et al., *The Drivers of Institutional Trust and Distrust*, 109.

⁷¹⁵ Navy Leader Development Framework, Version 3.0, [NLDF3MAY19.PDF \(defense.gov\)](#), 5.

⁷¹⁶ Snider, “American Military Professions and their Ethics,” 20.

grand strategic levels, lacks a “home” within the military conceptual framework. Without a framework for inclusion of moral-ethical decision-making, the JWT-informed analysis of decisions and actions is at times perceived as external to the core expertise of the military professional. It is, as a result, safely “outsourced” to staff officers like lawyers and studied only occasionally during initial ascension into the profession and annual LOAC-related training. Thus, these moral-ethical considerations are often only inadequately considered a core part of military professional decision-making across the full range of military activities. For example, moral-ethical decisions (outside of ROE considerations) rarely figure prominently in Operational Planning Team (OPT) discussion of different courses of action (COAs). This inadequacy contributes to deficiencies in military moral injury management capability development.

This view of competence has two important implications for this study. One, the performance of the professional military function, what Snider describes as making discretionary judgments in conditions of uncertainty, requires both forms of military competence informed by all four of Snider’s “expert knowledge clusters.”⁷¹⁷ Two, the demand for this expertise has expanded. As the discussion of General Krulak’s concept of the “strategic corporal” showed, the previous gradations of decision-making impact, seen for example in the distinctions between officer and enlisted and junior and senior officers, has eroded over time. The contemporary and future military operational environment generates persistent demand for elevated levels of technical and moral-ethical competence from all service members.⁷¹⁸ The failure to decide and act competently constitutes a major betrayal leading to distrust and potentially mistrust, especially when the competency failures occur in high-stakes situations like combat.⁷¹⁹ Cultivating this degree of competence is a challenging task, a task under-resourced within the current military education and training systems.⁷²⁰

⁷¹⁷ Snider, “American Military Professions and their Ethics,” 20–1.

⁷¹⁸ See Ray Griggs, *Future Operating Environment 2035* (Australia: Australia Department of Defence, 2016), 48, and Martin, *The Operational Environment and the Changing Character of Warfare*, 29, for discussion of this point.

⁷¹⁹ J. M. Richardson, *Navy Leader Development Framework* (Washington, D.C. 2019), 5.

⁷²⁰ General Mattis, in an address on moral decision-making to the Midshipman of the US Naval Academy, articulated the stakes associated with cultivation of the appropriate degree of moral-ethical decision-making competence. James N. Mattis, *Ethical Challenges in Contemporary Conflict: The Afghanistan and Iraq Cases*, United States Naval Academy (Annapolis, MD, 2006), 17. See also Charles A. Goldman et al., *Intellectual Firepower: A Review of Professional Military Education in the U.S. Department of Defense* (Santa Monica, CA: RAND Corporation, 2024), for recent examination of the US military professional military education system.

Cultivating professional competence is both an individual and institutional responsibility.⁷²¹ Individuals are responsible for maintaining and continuing their learning so that they are prepared to execute their professional responsibilities. The *Navy Leader Development Framework* makes this requirement explicit, stating,

Each of us must ask an important question: Are we ready to dedicate ourselves to pursue “best ever” performance? If the answer is yes, we can be a Navy leader. The stakes are too high, and the security of the nation is too important. We must serve at our limits and inspire others to be the best in the world.⁷²²

The institution supports this individual professional responsibility by managing and operating the military education and training system (including both formal schools and on-the-job training, as seen for example in the US Navy’s Personal Qualification Standard system). This system is designed to ensure that military personnel are competent at their assigned tasks.⁷²³

Technical and moral-ethical competence are the most important components of trustworthiness. They constitute the foundation. The exercise of fiduciary duty and integrity, in the absence of competence, are of little use in the military. For example, an extremely honest commander who genuinely cares about his or her unit members—who score highly on what will be described below as both fiduciary and integrity components of trustworthiness—is not, in the absence of competence, a good commander.

5.4.1.c Effective performance of fiduciary duty

This study replaces Mayer’s category of “benevolence” in his model of organizational trust with Shay’s concept of the “fiduciary.”⁷²⁴ “Fiduciary” better captures the components of trustworthiness within the military trust model than does “benevolence.” According to Shay, the military institution, as a fiduciary, acts as a

⁷²¹ See David Armando Zelaya, “Professional Development is about the Profession, Not the Professional,” *Military Review* (November–December 2021), for the tensions between a focus on individual development and development to serve the profession.

⁷²² Richardson, *Navy Leader Development Framework*, 4.

⁷²³ See the Army professional development toolkit webpage which states “The following resources are intended to provide professional development opportunities for the total Army. As we remain committed to an all-volunteer Army that is the most decisive land force in the world, strengthening our Army Profession based on implicit and universal trust has never been more important.” US Army, “Professional Development Toolkit,” <https://www.army.mil/professional/?from=features>.

⁷²⁴ Shay, *Achilles in Vietnam*, 14.

“moral structure,”⁷²⁵ a “trustee holding the life and safety of that soldier.”⁷²⁶ Fiduciary duties are present on both layers of the institution, the enterprise and operational. Thus, military leaders, as stewards of the profession, have a fiduciary responsibility to ensure that their troops are appropriately trained, equipped, and given tasks within their capabilities to accomplish. The stewards of the profession also have a fiduciary responsibility to ensure care for subordinates across the full range of military activities, even in light of their service in conditions of unlimited liability. Thus, the fiduciary duty includes the balancing between risk to mission and risk to force. Failures to perform this fiduciary responsibility resulting in betrayal, such as through provision of faulty equipment, inadequate repair parts supply, or unjust policies, constitute especially potent PMIEs.⁷²⁷

This concept of “fiduciary” better captures the vast scope of the military’s “duty of care”⁷²⁸ than does Mayer’s term “benevolence” for two intertwined reasons: the paradoxical nature of military life, and service member vulnerability within the institution.⁷²⁹

5.4.1.d Paradoxical nature of military life

In the military, due to the often-counterintuitive nature of military life, this effective performance of fiduciary duty, that is, appropriate care for service members, at times appears paradoxical. Effective fiduciary care in the military is often more akin to “tough love” than Mayer’s “benevolence.” For example, the unit commander in Shay’s example who made his men dig into a new place every time they stopped, and refused to take the established paths, was performing his fiduciary duty not by making patrols easier for his men, but by making them work harder and act in unexpected ways in order to both perform their professional duty more effectively

⁷²⁵ Shay, *Achilles in Vietnam*, 15.

⁷²⁶ Shay, *Achilles in Vietnam*, 15.

⁷²⁷ See Shay’s discussion of problems with the M16 and personnel policies, *Achilles in Vietnam*, 141 and 205. See also Davis Winkie, “Broken Track: Suicides & Suffering in Army’s Exhausted Armor Community,” *Army Times* (Virginia), March 11, 2024, https://www.armytimes.com/news/your-army/2024/03/11/broken-track-suicides-suffering-in-armys-exhausted-armor-community/?utm_campaign=dfn-ebb&utm_medium=email&utm_source=sailthru&SToverlay=2002c2d9-c344-4bbb-8610-e5794efcfa7d.

⁷²⁸ Shay, *Achilles in Vietnam*, 18.

⁷²⁹ The demonstration of attitudes and behaviors informed by “benevolence” is a subject of comedy within the US military. See, for example, “Navy Commander Relieved for Treating his Sailors Like People,” which facetiously reports, “Sources aboard the USS Compassion revealed that Cdr. Johnson’s unconventional approach to Navy leadership using ‘concern for subordinates’ well-being’ sparked confusion and unease among the crew.” “Navy Commander Relieved for Treating his Sailors Like People,” Duffelblog, January 27, 2024, <https://x.com/DuffelBlog/status/1751262536308281440>.

and stay alive.⁷³⁰ Similarly, General Bradley was known for demonstrating great care for his soldiers in World War II.⁷³¹ General Patton, by contrast, was known for pushing his soldiers extremely hard, and famously slapped a soldier. However, the casualty rate was much lower for Patton's troops than Bradley's, even with Patton's troops more directly engaged in combat. Thus, Patton exercised his fiduciary duty of care better than did Bradley, even though at first glance it seems the opposite was the case.

5.4.1.e Vulnerability and risk within the military institution

Use of the concept of "fiduciary" emphasizes the connection between the conditions of vulnerability and risk in conditions of unlimited liability within which military personnel abide. The vast scope of control over most aspects of service members' lives wielded by the military institution creates an increased scope of vulnerability. The potential for trust violations—betrayal—increases commensurately with the increase in institutional dependency. Indeed, Shay refers to this vulnerability as imposing an "extreme state of dependence,"⁷³² a dependence—vulnerability—which has increased over time.⁷³³ Shay writes, "The ancient soldier was far less dependent in every way on military institutions than his modern counterpart, whose dependency is as complete as that of a small child on his or her family."⁷³⁴ Annette Baier also refers to the experience of small children, specifically infants, to illustrate the nature of the relationship between trust and vulnerability. For Baier, infant trust provides a paradigmatic example of "trust by those who are maximally vulnerable, whether or not they give trust."⁷³⁵ The infant case emphasizes what she refers to as a "crucial variable in trust relations"—"the relative power of the truster and the trusted, and the relative costs to each of a breakdown of their trust relationship."⁷³⁶

⁷³⁰ Shay, *Achilles in Vietnam*, 17.

⁷³¹ "Omar Nelson Bradley," Joint Chiefs of Staff, [Joint Chiefs of Staff > About > The Joint Staff > Chairman > General of the Army Omar Nelson Bradley \(jcs.mil\)](#)

⁷³² Shay, *Achilles in Vietnam*, 17.

⁷³³ Shay, describing the difference in the degree of institutional vulnerability between the modern and ancient soldier writes, "Compared to the modern soldier, the Homeric soldier hardly depended on others at all, and when he did it was upon comrades he knew personally and called on by name without technology to assist his own voice. He depended upon himself for his weapons and armor; his eyes and ears provided most of the tactical intelligence he required. He did not need to rely on the competence, mental clarity, and sense of responsibility of a chain of people he would never meet to assure that artillery or air strikes meant to protect him did not kill him by mistake." Shay. Shay adds, "Extreme dependency on others is fundamental to modern combat. We have become so accustomed to this that it easily escapes notice." Shay, 19.

⁷³⁴ Shay, *Achilles in Vietnam*, 18.

⁷³⁵ Baier, "Trust and Antitrust," 240.

⁷³⁶ Baier, "Trust and Antitrust," 240.

Service members experience directly the difference in relative power. The abuse of this power differential, when it leads to harm in high-stakes situations, amplifies the effects of PMIEs, and tends to cause moral injury with a virulence that mistakes resulting from the perversity of inanimate objects and the complexities of human life—as opposed to incompetence or dereliction of fiduciary duty—do not.⁷³⁷

The fiduciary responsibility increases commensurately with the degree of vulnerability. Performing the fiduciary duty includes, but is not limited to, the following activities:

- Exercising appropriate care for service members under command
- Ensuring they are appropriately equipped
- Ensuring they are appropriately trained for tasks
- Ensuring they adhere to appropriate procedures for tasks

5.4.1.f Integrity

Integrity constitutes the third component of trustworthiness. An individual or organization can judge an individual or an organization as possessing integrity when they assess that they adhere to a set of principles that the person trusting—the trustor—finds appropriate and acceptable.⁷³⁸ Nicole Gillespie and Graham Dietz define behavioral integrity as “alignment of leader’s words and actions.”⁷³⁹ David C. King and Zachary Karabell provide a definition of institutional integrity directed to analysis of the military. Their definition consists of two parts: one, congruence between the mission and the institution’s performance, and two, a willingness to address performance deficiencies in a way the society served considers legitimate. They write,

For an institution to command public confidence, it needs to be seen as possessing integrity. That is, its mission needs to be respected, and people have to believe that its leaders are

⁷³⁷ Baier also likens the form of infant trust to trust in God. This also resonates with Shay’s interpretation of the gods in the *Iliad* as personifications of institutional power. In a chapter titled “Reclaiming the Iliad’s Gods as a Metaphor of Social Power,” Shay wrote, “I invite the reader to react emotionally to all the gods together as a metaphor for terrifying social power. I propose Homer’s gods as symbols of institutions that acquire godlike power over soldier’s in combat.” Shay, *Achilles in Vietnam*, 150.

⁷³⁸ Mayer, Davis, and Schoorman, “An Integrative Model of Organizational Trust,” 719.

⁷³⁹ Nicole Gillespie and Graham Dietz, “Trust Repair after an Organization-Level Failure,” *Academy of Management Review*, 34, no. 1 (2009): 136, <https://doi.org/10.5465/AMR.2009.35713319>.

dedicated to the mission above all. Furthermore, institutions need to be seen addressing problems squarely and honorably. The fact that the military was plagued by problems of race and gender, and to some degree is still trying to grapple with a racially and gender integrated fighting force, is less troublesome to the public because the military seems to be addressing those problems with integrity.⁷⁴⁰

Thus values' congruence, and an open effort to bring actions back into accord with the values when failures occur, is a core part of integrity.

5.4.1.g *The say/do gap*

Integrity requires a match between what an individual or institution says are their policies and practices and what they actually *do*. In other words, when someone acts with integrity they do as they say and say as they do. There is no "say/do gap." They do not say one thing and do another.

General Mattis highlighted the importance of integrity as it pertains to the "say/do gap" in a speech to the US Naval Academy.

The biggest danger to our troops in the field is not the enemy. It's the supposed leader who would destroy the spirits of our young men and women. That's the biggest danger. And how do you destroy it? How about "do as I say, not as I do"?⁷⁴¹

Failure to "walk the talk," or to follow the same policies as required for other service members, constitutes a major violation of integrity, manifesting as a violation of justice. Jason A. Colquitt and Jessica B. Rodell emphasize the importance of integrity for perceptions of justice.⁷⁴² Their research indicates that "integrity predicts subsequent perceptions of all four justice dimensions"⁷⁴³ in ways that benevolence and ability do not. This research-based observation supports the utility of the military's frequent references to integrity, as seen for example in discussions in the professional literature of the "core values."

5.4.1.h *The services and integrity within the "core values"*

The US Army explicitly includes integrity in its list of core values. The US Army defines integrity as a core value as follows:

⁷⁴⁰ King and Karabell, *The Generation of Trust*, 84.

⁷⁴¹ Mattis, *Ethical Challenges in Contemporary Conflict*, 23.

⁷⁴² See the discussion of the four components of justice as they relate to trust in Chapter 1.

⁷⁴³ Colquitt and Rodell, "Justice, Trust, and Trustworthiness," 1199.

Do what's right, legally and morally. Integrity is a quality you develop by adhering to moral principles. It requires that you do and say nothing that deceives others. As your integrity grows, so does the trust others place in you. The more choices you make based on integrity, the more this highly prized value will affect your relationships with family and friends, and, finally, the fundamental acceptance of yourself.⁷⁴⁴

The Army definition links integrity and trust as developing in tandem—"As your integrity grows, so does the trust others place in you."⁷⁴⁵

The US Air Force includes integrity as one of its core values in its doctrinal publication *Profession of Arms: Our Core Values*.

Integrity is doing the right thing all the time, whether everyone is watching or no one is watching. It is the compass that keeps us on the right path when we are confronted with ethical challenges and personal temptations, and it is the foundation upon which trust and respect are built. An individual realizes integrity when thoughts and actions align with what he or she knows to be right.⁷⁴⁶

According to the US Air Force, honesty, courage, accountability, and humility are virtues demonstrating integrity. The US Air Force, also, like the US Army, links trust directly to integrity.

The US Navy has three core values: honor, courage, and commitment, and includes integrity within "honor." The Navy defines honor as follows:

Be honest and truthful in our dealings with each other, and with those outside the Navy; Be willing to make honest recommendations and accept those of junior personnel; Encourage new ideas and deliver the bad news, even when it is unpopular; Abide by an uncompromising code of integrity, taking responsibility for our actions and keeping our word.⁷⁴⁷

This definition defines integrity as "taking responsibility for our actions and keeping our word." It also alludes to the connection between honest action and profession and the citizens it serves.

The USMC also includes integrity within "Honor." General Mundy, in his 30th

⁷⁴⁴ "The Army Values," US Army, <https://www.army.mil/values/>.

⁷⁴⁵ "The Army Values,"

⁷⁴⁶ Charles Q. Brown, Jr., *A Profession of Arms: Our Core Values* (Washington, D.C.: US Air Force, 2022), 9.

⁷⁴⁷ America's Navy, "Our Core Values," <https://www.navy.mil/About/Our-Core-Values/>.

Commandant of the Marine Corps Statement on the Core Values of the United States Marines placed integrity within the definition of honor, writes,

HONOR: The bedrock of our character. The quality that guides Marines to exemplify the ultimate in ethical and moral behavior; never to lie, cheat, or steal; to abide by an uncompromising code of integrity; to respect human dignity; to have respect and concern for each other.⁷⁴⁸

The services thus share an emphasis on integrity, and much of the moral-ethical training and education focuses on threats to integrity.

Integrity is indeed important. In terms of understanding just action, integrity violations constitute a greater threat to institutional failure than competence and fiduciary failure. However, the unbalanced emphasis on integrity and neglect of competence and fiduciary failures as sources of moral conflicts, including those leading to moral injury, has contributed to the persistence of inadequate moral injury management capabilities.

5.4.2 Summary

Table 16 provides a non-exhaustive summary of the examples of the components of trustworthiness.

Table 16: *Examples of Trustworthiness*

Competence	
Technical	Safe operation of platforms Safe navigation Accurate targeting Effective small unit tactical performance in urban environments High readiness due to effective maintenance of equipment
Moral-Ethical	Provision of moral-ethical guidance appropriate to the mission Decisions in accordance with <i>jus in bello</i> , <i>jus post bellum</i> , etc.

⁷⁴⁸ C. E. Mundy, "30th Commandant's Statement on Core Values of the United States Marines," Lejeune Leadership Institute, 1, Quantico, VA, 1998, <https://www.usmcu.edu/Portals/218/LLI/MLD/Fidelity/CORE%20VALUES.pdf?ver=2018-09-26-095727-693>.

	Decisions in accordance with moral-ethical guidance for military tasks not covered by <i>jus in bello</i>
Fiduciary	Exercising appropriate care for service members under command Ensuring they are appropriately equipped Ensuring they are appropriately trained for tasks Ensuring adherence to appropriate procedures for tasks
Integrity	Placing mission above self interest Acting honestly (not lying, cheating, or stealing)

5.4.2.a Indifference

This model of military trust includes a layer of “indifference.” This “indifference” layer insulates trustworthiness from untrustworthiness. It appears when the situation is such that the vulnerability to the other is negligible. The scope of indifference in military life is generally very “thin.” However, this insulating layer is a necessary component of the model. Not every interaction requires trust or generates distrust/mistrust.

5.4.2.b Untrustworthiness

Untrustworthiness is the condition of not consistently and reliably acting in ways that serve the interests of society and other members of the military. Untrustworthy action generates what Shay refers to as “betrayal.”⁷⁴⁹ This betrayal generates moral conflict and in high-stakes situations, that moral conflict can include PMIEs. Thus incompetence, failure to perform fiduciary duty, and failures of integrity all constitute or are forms of institutional betrayal.

Like trustworthiness, untrustworthiness has three components consisting of clusters of unit ideas: incompetence, failure to perform fiduciary duty, and dishonesty/lack of integrity. Each of the components of untrustworthiness has a negative exponent. This indicates the geometric effect of untrustworthy behavior on the degradation of trust and production of distrust and mistrust. As Baier writes, “Trust is much easier to maintain than it is to get started and is never hard to destroy.”⁷⁵⁰ Both technical and moral-ethical incompetence have a ⁻³ exponent, indicating their primary role in the cultivation of untrustworthiness. The “Failure to

⁷⁴⁹ Shay, *Achilles in Vietnam*, 3.

⁷⁵⁰ Baier, “Trust and Antitrust,” 14.

Perform Fiduciary Duty” and “Dishonesty/Lack of Integrity” both have a ⁻² exponent. Thus, a single instance of betrayal through technical/moral-ethical incompetence, or failure to perform fiduciary duty or act with integrity, can cancel out multiple instances of trustworthy behavior.

5.4.2.c Incompetence

Incompetence is the lack of competence. The lack of competence has, according to Shay, the largest impact on soldier’s perception of untrustworthiness. He writes, “The shortage that the combat soldier finds most offensive, however, is shortage of competence.”⁷⁵¹ Technical and moral-ethical competence failures— incompetence—can generate moral conflicts including moral injury.⁷⁵²

- *Technical incompetence* consists of an inability to use the technical tools—the vehicles of violence like ships, aircraft, artillery, drones, missiles, bombs, guns, and so on effectively to perform military tasks.
- *Moral-ethical incompetence* consists of, at the institutional level, the stewards of the profession’s failure to formulate and abide by effective Just War Tradition based moral-ethical decision-making guidance for the full range of military activities and tasks. At the individual level it consists of an inability to effectively make decisions in accordance with that just war tradition-based moral-ethical decision-making guidance. Moral-ethical decision-making incompetence can generate moral conflict, including moral injury.

Both types of incompetence can occur on the individual and institutional levels. However, Shay argues that the incompetence displayed by the US Army in Vietnam was more often due to institutional than individual factors, and this institutional incompetence had a greater influence on moral injury generation.⁷⁵³ Shay diagnoses the primary institutional incompetency as follows: “The most fundamental incompetence in the Vietnam War was the misapplication of the social and mental model of an industrial process to human warfare.”⁷⁵⁴ This was not an individual, but a basic, high-level civilian leader-based institutional incompetence. This grand strategic, strategic, and operational incompetence (within the moral-

⁷⁵¹ Shay, *Achilles in Vietnam*, 19.

⁷⁵² Shay, *Achilles in Vietnam*, 19.

⁷⁵³ Shay, 13.

⁷⁵⁴ Shay, 17.

ethical layer of professional competence) led to failures of fiduciary duty, many of which produced potentially morally injurious events.⁷⁵⁵ According to Shay, these fiduciary failures included rapid turnover of personnel in units, training ill-suited to the demands of the task environment, and poor commander selection.⁷⁵⁶ Shay is especially critical of this approach to personnel management and argues that it not only prevents development of the unit cohesion that can help buffer individuals against the negative effects of moral conflict, including moral injury, but *actively increases* vulnerability to moral injury.⁷⁵⁷

The institutional decisions resulting in the flawed approach to personnel management (e.g., individual replacement in units, poor training) generated pathologies that both harmed the institution internally and hindered external mission accomplishment.⁷⁵⁸ This was a result of *institutional* not directly individual *personal* failings. Shay writes, “If American career officers in Vietnam did not share the risks of combat, cultural and institutional factors, rather than personal cowardice, were primarily responsible for this.”⁷⁵⁹ Shay contrasts the approach in Vietnam with that of World War II.

The officers of World War II had a different culture, which focused on the substance of their work rather than on the status of their jobs, as in Vietnam. [The officers of World War II had, in the language of Chapter 4, a professional/craft approach, while in Vietnam the approach was more occupational/procedural.] And compared to World War II, there were simply too many officers in Vietnam, leading them to become so absorbed in bureaucratic processes [bureaucratization hindered mission accomplishment] that the most elementary aspects of leadership dropped beyond their horizon.⁷⁶⁰

Thus, absent the institutional incompetencies, the US could have afforded the

⁷⁵⁵ See also Norman B. Hannah, *The Key to Failure* (Lanham, MD: Madison Books, 1987). And Harry G. Summers, *On Strategy* (Novato, CA: Presidio Press, 1982).

⁷⁵⁶ Shay, 16.

⁷⁵⁷ Yet in spite of research indicating the high costs of the “interchangeable parts” approach to personnel, and allies using different approaches (Shay speaks favorably of the UK “regimental” system and the need for personnel to have a “home unit), the US military continues to view personnel within the “interchangeable parts” mental model. Shay, *Odysseus in America*, 265. “Individual augmentees” are taken from the units and sent to fill billets in operations where extra personnel are required. I served as an individual augmentee in Afghanistan twice. See also the RAND report Bradley Martin et al., *Impact of Individual Augmentation Policy on Navy Reserve Force Readiness* (Santa Monica, CA: RAND Corporation, 2023), https://www.rand.org/pubs/research_reports/RRA1889-1.html, for further discussion of the individual augmentation policy within the Navy Reserve.

⁷⁵⁸ Shay, *Achilles in Vietnam*, 13.

⁷⁵⁹ Shay, *Achilles in Vietnam*, 13.

⁷⁶⁰ Shay, *Achilles in Vietnam*, 13.

normal degree of individual incompetence and still achieved its objectives. The institutional-level incompetence manifests in both the policies and practices of the military institution—the subject matter of *jus in militaribus*. Individual incompetence can follow from inadequate adherence to just policies and practices, adherence to inappropriate or unjust policies and practices, as well as failures of judgment leading to decisions out of compliance with appropriate policies and practices. Moral-ethical training has tended to focus on the last of these circumstances and has neglected the first two sources of incompetence. This lack constitutes a major source of the persistence of inadequate moral-injury management capabilities.

5.4.2.d Dishonesty/lack of integrity

The lack of integrity manifests as betrayal. This includes lying, cheating, stealing, and consistently acting unfairly.⁷⁶¹

Shay links justice, integrity, and risk through his discussion of fairness.⁷⁶² He writes,

Many aspects of the *themis* of American soldiers cluster around fairness. When they perceived that distribution of risk was unjust, they became filled with indignant rage, just as Achilles was filled with *menis*, indignant rage.⁷⁶³

For example, “careerism,” which occurs when service members place their own careers over mission achievement, constitutes a major violation of fairness.⁷⁶⁴ Institutional policies can encourage or discourage such individual behavior. For example, in Vietnam the US prioritized short tours for leaders in order to provide as many as possible with “combat experience.” This led to, according to Shay, not only an emphasis on careerism, but professional incompetence. The personnel system, by privileging short tours of duty, shielded officers from the risk associated with

⁷⁶¹ Craig L. Carr makes a useful distinction between fairness and justice. He writes, “The concepts of justice and fairness have enjoyed, for better or worse, a close association in much moral and political philosophy. But they are separate concepts and we do separate jobs with them. Considerations of fairness involve a concern for relative advantages and disadvantages which is foreign to the concerns of justice.” Craig L. Carr, “The Concept of Formal Justice,” *Philosophical Studies*, 39 (1981): 214–15. Shay’s use of the terms does not make this clear distinction.

⁷⁶² See Jason A. Colquitt, Jerald Greenberg, and Cindy P. Zapata-Phelan, “What is Organizational Justice? A Historical Overview,” in *Handbook of Organizational Justice*, eds J. Greenberg and J. A. Colquitt (Lawrence Erlbaum Associates Publishers, 2013), 4, on the tendency to use justice and fairness interchangeably.

⁷⁶³ Shay, *Achilles in Vietnam*, 12.

⁷⁶⁴ This is a violation of integrity as defined by King and Karabell above.

combat⁷⁶⁵ and actively hindered organizational and individual learning.⁷⁶⁶

The violation of fairness or honor in conditions of high risk, Shay emphasizes, can lead to moral injury. Shay writes, when discussing Achilles's rage as Agamemnon's violation of Achilles's honor,

The rage is the same, whether it is fairness, so valued by Americans, or honor, the highest good of Homer's officers, that has been violated. In both cases life is at stake. In both cases the moral constitution of the army, its cultural contract, has been impaired under risk of death and mutilating wounds.⁷⁶⁷

The generation of moral conflicts, through the violations of fairness and honor—the integrity failure-based generation of unjust outcomes—is, according to Shay, necessary for the experience of moral injury. He writes, “Veterans can usually recover from horror, fear, and grief once they return to civilian life, so long as ‘what’s right’ has not also been violated.”⁷⁶⁸ While horror, fear, and grief are often inevitable in military operations, especially combat operations, violations of “what’s right” are not inevitable. Institutional formulation of appropriate policies and practices, and right action in accordance with those policies and practices, can prevent these violations. This study claims that the US military has failed to address this necessity appropriately, and thus moral injury management capabilities remain inadequate.

5.4.2.e Interpretation of risk vulnerability

The sum of the components of trustworthiness and untrustworthiness shapes the interpretation of vulnerability to risk. This interpretation, combined with the level of *trustingness*, yields the type of trust, healthy distrust, distrust, or mistrust.

5.4.2.f Untrustworthy behavior summary

Incompetence, fiduciary violations, and dishonesty do not merely generate the absence of trust, or indifference. Instead, untrustworthy behavior actively generates distrust/mistrust. As a result of distrust/mistrust, service members will become unwilling to take on the *risk* associated with becoming vulnerable to the individual or institution. Personal may still comply in order to avoid control system sanctions, but

⁷⁶⁵ Shay wrote, “Soldiers grow most doubtful about the fair distribution of risk when they see that their commanders shelter themselves from it.” Shay, *Achilles in Vietnam*, 12.

⁷⁶⁶ The US has not, it seems, learned that lesson. In Afghanistan, for example, it was said that the US had not been in Afghanistan for twenty years, but for one year twenty times.

⁷⁶⁷ Shay, *Achilles in Vietnam*, 14.

⁷⁶⁸ Horror and fear are components of PTSD.

their compliance will be the result of their continued dedication to the mission or fear of the penalties for non-compliance, not a result of organizational citizenship behavior. The belief that the institution or an individual will intentionally act in non-beneficial ways, exploiting their vulnerability, thus hinders mission accomplishment.

Shay's discussion of the reasons why a newly assigned captain failed to lead his troop appropriately provides an integrated summary of the effect of untrustworthy behavior on moral injury. All three components of untrustworthiness, incompetence, failure of fiduciary duty and a lack of integrity, play a role. Shay writes,

Why did the captain who replaced the admired commander not know these things? The answer to this question goes deep into the betrayals of trust of the higher officers who (1) designed a system of officer rotation that rotated officers (above second lieutenant) in and out of combat assignments every six months, (2) were responsible for training, evaluating, and assigning officers to combat command, and (3) placed institutional and career considerations above the lives of the soldiers under their responsibility.⁷⁶⁹

Like the components of trustworthiness, the components of untrustworthiness can *mutually* support one another, leading to an amplification of negative effects. Table 17 provides a non-exhaustive summary of examples of untrustworthiness.

Table 17: *Untrustworthiness Components with Examples*

Incompetence	
Technical incompetence	Ship collisions Failure to repair/maintain equipment Inadequate task performance (movement to contact, maneuver)
Moral-ethical Incompetence	Poor planning Inadequate strategy formulation Failing to provide appropriate moral-ethical decision-making guidance for tasks Inappropriate moral-ethical decision making
Fiduciary Failure	Failing to provide appropriate equipment Failing to provide appropriate training Failing to provide appropriate mission guidance

⁷⁶⁹ Shay, *Achilles in Vietnam*, 16.

	Failing to adjudicate sexual harassment claims appropriately
Dishonesty (lack of integrity)	Placing self over mission (careerism) Lying Cheating Stealing

5.4.3 Trust Types

	History-Based
	Category-Based
	Rule-Based
	Role-Based
Trust	Calculus-Based
	Relational
	Institutional
Healthy Distrust	
Distrust	
Mistrust	

Figure 28: *Trust Types and Healthy Distrust, Distrust, and Mistrust*

The right hand column of the representation of the model in Table 17 (and shown in Figure 28) lists the trust types discussed in Chapter 3 along with healthy distrust, distrust, and mistrust. This listing serves as a tool for analyzing the type of trust the decision and actions to cultivate trustiness and trustworthiness are intended to produce, and to check if they are in fact generating the desired type of trust.

Healthy distrust. As described in Chapter 3, healthy distrust consists of appropriate levels of distrust necessary to avoid blind compliance and to open space for the innovative exercise of initiative in accordance with the requirements of mission command. Healthy distrust is based on the recognition of the limits of information, and the resulting advantages that accrue to decision-makers closest to the point of action.⁷⁷⁰

Distrust. Distrust, as described in Chapter 3, is an unwillingness to take on the risk of becoming vulnerable to another. Distrust is generally the result of specific interactions and the resulting interpretations. Distrust is bounded.

Mistrust. Mistrust is broader in its effects than distrust, and as a result is more difficult to overcome. Moral injury is characterized by mistrust, of both the self and the institution. John Boyd includes mistrust as one of the three components of the “Essence of Moral Conflict.” The idea of moral conflict, Boyd explains, is to “create, exploit, and magnify menace, uncertainty and mistrust.”⁷⁷¹ This will “Surface fear, anxiety, and alienation in order to generate many non-cooperative centers of gravity, as well as subvert those that adversary depends upon, thereby magnify internal friction.”⁷⁷² Thus, through encouraging menace, uncertainty, and mistrust, it is possible to, Boyd explains, “Destroy the moral bonds that permit an organic whole to exist.”⁷⁷³ Boyd was describing this from the perspective of creating, exploiting, and magnifying distrust to destroy an enemy. Military institution-caused moral injury, as Shay describes, constitutes a self-generated “attack.” Therefore, preventing the generation of mistrust constitutes an essential steward of the profession task. *Jus in militaribus*, presented in Chapter 6, will serve as a metacognitive tool to enhance steward of the profession task execution.

Model Utility. The model of military trust enables richer analysis of *trust-building* and distrust/mistrust-building or *trust decay*. By enabling more precise problem statements and increasing the diagnostic precision of queries on military trust, the military trust model enables the formulation of clear problem statements with the degree of specificity necessary for the formulation of plans for remedying the identified problems. Without such a model, specific remedial actions are difficult to

⁷⁷⁰ Hayek, “The Use of Knowledge in Society,” 520.

⁷⁷¹ Boyd, *A Discourse on Winning and Losing*, 142.

⁷⁷² Boyd, *A Discourse on Winning and Losing*, 142.

⁷⁷³ Boyd, *A Discourse on Winning and Losing*, 142.

formulate. For example, Rear Admiral Kavon Hakimzadeh and Heather D. Hakimzadeh raise housing and pay issues as major sources of the decline in trust, and call for a “focus on the mission of regaining sailors’ (and their families’) trust.”⁷⁷⁴ This general statement fails to provide guidance for action. The trust model presented in this chapter allows for a more precise statement of the problem such as “The institution needs to focus on more effectively performing its fiduciary duty on the enterprise layer of the institution to improve housing quality and pay accuracy and timeliness. This will enhance the fiduciary component of trustworthiness and thus lead to an increase in the institutional trustworthiness.” The military trust model thus enables and encourages formulation of more precise, and thus actionable, remedial actions than statements merely reporting observation of a decline in “trust” or exhortations to “improve trust.”

In addition, the articulation in the military trust model of the components of trustingness, trustworthiness, untrustworthiness, and trust types will enable an increase in the diagnostic utility of queries, including survey questions. The surveys reviewed in Chapter 1 indicate that while trust in the military has declined, the precise reasons for decline, or the appropriate steps the military should take in response, are underdetermined due to the vagueness of the survey questions asked. Without a precise definition of the components of trust, respondents can only assert a vague decline or increase. This sort of answer provides little guidance for the military institution on how to act in response.

The division of trust into its component “unit ideas” allows for increased precision in the survey question formulation. These questions, for example “Has your trust in the leadership declined due to technical or moral-ethical incompetence, failure of fiduciary duty, or deficiencies in integrity (DUI, lying, affairs)?,” provide greater insight and the foundation for institutional action than “Do you trust the leadership?” Thus, survey questions enhanced by the military trust model can facilitate development of actionable insights into the reasons for trust level changes. This diagnostic precision can facilitate decisions and action by the stewards of the profession in ways general references to the importance of trust cannot. Absent the trust model, or something like it, stewards of the profession can take action to

⁷⁷⁴ Kavon Hakimzadeh and Heather D. Hakimzadeh, “Trust Falls and Trust Fails,” *U.S. Naval Institute Proceedings* 150 (February 2024), <https://www.usni.org/magazines/proceedings/2024/february/trust-falls-and-trust-fails>.

enhance or restore trust. However, as with attempting to measure the effectiveness of advertising, steward determination of which actions actually generate the observed trust relevant effects will prove difficult.

5.5 Conclusion

This chapter, based on Shay's analysis of institutional betrayal leading to moral injury (Chapter 2), coupled with the analysis of the military professional and academic literature on trust (Chapter 3), formulated a model of organizational trust tailored for the military institution (analyzed in Chapter 4). This model of military trust provides the understanding of the trust system used within the *jus in militaribus* framework to manage the risk of unjust action, including unjust action resulting in the presentation of potentially morally injurious events.

Part 1 of this chapter described the assumptions and limitations specific to military trust model formulation. Part 2 analyzed the two main approaches to military organizational risk management: *control systems* and *trust systems*. Part 3 presented the model of military trust. This included definition of the *trustingness* and *trustworthiness* components, as well as the subcomponents of trustworthiness, technical and moral-ethical competence, fiduciary duty, and integrity. It also defined *untrustworthiness* and its subcomponents: technical and moral-ethical incompetence, failure to perform fiduciary duty, and dishonesty/lack of integrity.

This chapter adds value to the overall definition of *jus in militaribus* by providing an initial attempt at a comprehensive definition of military trust, and a model based on that definition, to inform *jus in militaribus*-based risk management through trust systems. The increased analytical specificity provided by this model (compared to the general references to "trust" and "mutual trust" in the military professional and doctrinal literature examined in Chapter 3) enables accomplishment of two closely related objectives of this research. One, the model enables increasing the effectiveness of stewards' of the profession diagnosis of trust-related deficiencies potentially generating moral conflict, including moral injury. Two, the model enables the formulation of recommended moral injury management capability development steps to address those deficiencies.⁷⁷⁵

⁷⁷⁵ See also Gillespie and Dietz, "Trust Repair after an Organization-Level Failure," 136, for the utility of a more detailed model of trust to enable effective response to trust failures.

The following chapter presents the definition of *jus in militaribus* and explains how the model of institutional trust fits within the *jus in militaribus* framework to enhance moral-ethical decision-making and moral injury management capability development.

Actionable Insights

1. The risk of unjust moral-ethical decisions, including those potentially resulting in moral injury, is managed through both control and trust systems.
2. The military trust model consists of the trustor's propensity to trust plus the sum of the trustworthiness (competence, performance of fiduciary duty, and integrity) and untrustworthiness (incompetence, failure to perform fiduciary duty, and failures of integrity) components.
3. The combined assessment (trustingness plus trustworthiness/untrustworthiness) results in experiencing the several types of trust, healthy distrust, distrust, or mistrust.
4. The increased analytical specificity provided by the trust model enables accomplishment of two closely related objectives of this research.
 - 1) increasing the effectiveness of stewards' of the profession diagnosis of trust-related deficiencies potentially generating moral conflict, including moral injury.
 - 2) enhances formulation of recommended moral injury management capability development steps to address those deficiencies

Chapter 6: *Jus in Militaribus* Defined

6.1 Introduction

This study proposes use of Jonathan Shay's concept of *jus in militaribus* as a just war tradition-based framework within which to formulate an appropriately balanced approach toward managing the risk of unjust action in the emerging security environment. Just as the concept of *jus in bello* is typically used to combine the concepts, legal requirements, heuristics, and guidance for individual decisions on the use of force in combat, so *jus in militaribus* provides a risk management framework for formulating institutional theories of practice suited to the twenty-first-century demands of balancing the risks of unjust behavior within the military institution itself and across the full range of military activities.⁷⁷⁶

Jus in militaribus adds value to military operations by providing a framework for balancing the use of both trust- and control-based systems to manage the risk of unjust action across the full range of military activities. While the control system is well understood and articulated in the JWT, the military trust system is less clearly articulated. Therefore, Chapter 4 defined the nature and character of the military institution, and Chapter 5 provided a model of military trust. This chapter defines *jus in militaribus* and integrates the model of military trust and control systems JWT-based guidance into the *jus in militaribus* framework.

The *jus in militaribus* framework provides theoretical "scaffolding" for analysis of institutional policies and practices—both tacit (the way things are done) and explicit (in legislation, regulations, instructions, and so on) governing the behavior of the institution. Use of the *jus in militaribus* framework will enhance senior leader formulation of the appropriate balance between control systems and trust systems to manage the risk of unjust institutional behavior.

In order to ensure the clarity of the link between the main subject of this study, enhancing moral injury management capabilities, and the *jus in militaribus* framework, Part 1 of this chapter presents an explanation of a diagrammatic representation, what Jill H. Larkin and Herbert A Simon refer to as an "external

⁷⁷⁶ The study will thus support Shay's advocacy of *jus in militaribus* as a core part of the just war tradition in a way similar to Brian Orend's surfacing of *jus post bellum*. See also Lucas, "'Methodological Anarchy,'" 248.

memory” diagram of moral conflict and its effects on decision-making.⁷⁷⁷ The diagram is built on the analysis presented in previous chapters. Part 2 defines *jus in militaribus*. Part 3 offers two analogies to facilitate understanding of *jus in militaribus* and its function within the military conceptual “ecosystem.” Part 4 describes the advantages of increased attention to *jus in militaribus*, and Part 5 describes potential disadvantages.

6.2 Moral Conflict Overview

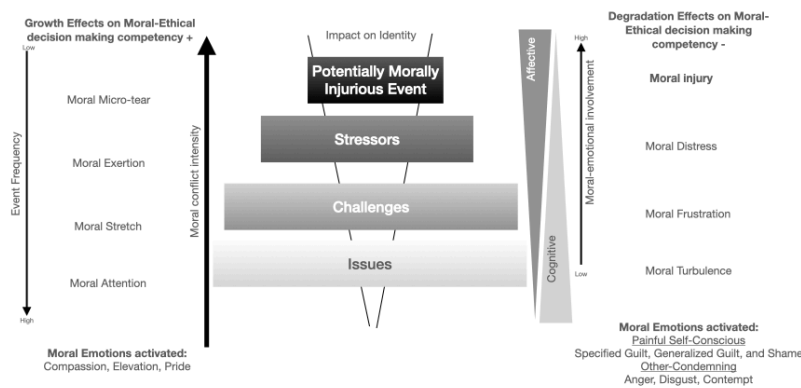


Figure 29: *Moral Conflict Overview*

Moral conflict leading to moral injury constitutes the problem articulation *jus in militaribus* is designed to help manage. Therefore, before describing *jus in militaribus*, this chapter, building on the definition of moral conflict presented in the introduction and the discussion of the definition of moral injury in Chapter 2, begins with an overview of moral conflict. Figure 29 graphically summarizes the relationship between moral conflict types, event frequency, the positive (hormetic growth) and negative (cascading damage) effects of experiencing moral conflicts on moral-ethical decision-making, the degree of impact on individual identity (indicated by the two lines spreading from the bottom up), the moral-emotional involvement, and the need for cognitive and affective learning competencies.

6.2.1 Moral Conflict Types

The moral conflict types (moral issues, moral challenges, moral stressors, and PMIEs (extreme moral stressors)) occupy the center of the diagram. The two lines

⁷⁷⁷ Jill H. Larkin and Herbert A. Simon, "Why a Diagram is (Sometimes) Worth Ten Thousand Words," *Cognitive Science* 11, no. 1 (1987): 97, <https://doi.org/https://doi.org/10.1111/j.1551-6708.1987.tb00863.x>.

gradually spreading from the bottom up indicate the increasing impact on identity as the intensity of moral emotional involvement—indicated by the arrow at the far right—associated with the moral conflict types grow.

6.2.2 Event Frequency

The moral conflict types can be mapped roughly against the frequency of events indicated by the vertical arrow on the far left. *Moral issues* emerge fairly frequently, while *Potentially Morally Injurious Events* are encountered rarely. However, some military members are thrown into situations where encountering PMIEs is a regular part of their daily work, e.g., urban counterinsurgency.

6.2.3 Positive (Growth) Effects on the Individual Decision-Making Competencies

The far-left hand side of the diagram indicates the growth-stimulating effects of engaging with moral conflict: moral attention, moral stretch, moral exertion, and a moral “micro-tear.” These positive engagements with moral conflict result in an increased range of moral-ethical decision-making competency (the skills and knowledge necessary to make effective decisions.) For example, the “micro tear” consists of damage, which, while causing extreme soreness, functions hormetically as a growth stimulant. Positive moral emotions (on the bottom of the diagram) activated by these experiences include compassion, elevation, and pride.

6.2.4 Negative (Degrading) Effects on the Individual Moral-Ethical Decision-Making Competencies

The far right of the diagram indicates the negative effects on the individual: turbulence, frustration, distress, and injury. Negative moral emotions activated by these experiences include painful, *self-conscious emotions* of specified guilt (I did a specific terrible thing), generalized guilt (I am generally/globally a bad person), and *other-condemning emotions* of anger, disgust, and contempt.⁷⁷⁸

6.2.5 Affective and Cognitive Learning

To the left of the moral-emotional involvement vertical line are two triangles indicating the preponderant learning domain emphasis. While both cognitive and affective learning are important across the full scope of moral conflict, the affective domain learning becomes increasingly important commensurately with the impact on

⁷⁷⁸ Farnsworth et al., "The Role of Moral Emotions in Military Trauma," 252.

identity of the more intense forms of moral conflict.⁷⁷⁹ Cognitive learning, such as that focused on compliance with the law of armed conflict, is necessary but insufficient for dealing with the complex factors associated with encountering a PMIE.⁷⁸⁰

6.3 Part 2: *Jus in Militaribus* Defined

Jus in militaribus provides a framework for developing moral injury management capabilities. *Jus in militaribus* enhanced moral injury management capability will enable more effective responses to the full range of moral conflict as a positive externality of dealing with the most difficult form, moral injury.

This study defines *jus in militaribus* as follows:

Jus in militaribus is a metacognitive framework for managing the risk of unjust action through control and trust systems across the full range of military tasks.

Put schematically:

Jus in militaribus = Concepts of “what’s right” embodied in (control risk management systems + trust-based risk management systems) + tasks

Jus in militaribus provides a structured framework through which the stewards of the profession can analyze and modify (as required) existing policies and practices and formulate new policies and practices to shape how the military institution generates effects internally (within the institution) and externally (in the world).

Jus in militaribus speaks to the forms of justness and injustice in professional life as instantiated in the institutional policies and practices.⁷⁸¹ *Jus in militaribus* thus constitutes the framework of the “social world”⁷⁸² or “holding environment”⁷⁸³ within which military professionals live and interact with adversaries, the society served, and others, in the course of executing their tasks. Therefore, it serves as the

⁷⁷⁹ Bloom, Krathwohl, and Masia, *Taxonomy of Educational Objectives*, 956.

⁷⁸⁰ Legally compliant action can still result in moral injury, as discussed in the section on killing in Chapter 5.

⁷⁸¹ This phrase is inspired by Fredrick C. Lane's comment: “In the past of a major concern in economic history—from Adam Smith and Karl Marx to Gustav Schmoller and Richard Tawney—has been dissecting the forms of justice and injustice in economic life.” Frederic C. Lane, “Economic Consequences of Organized Violence,” *Journal of Economic History* 18, no. 4 (1958): 401.

⁷⁸² Martin J. Burke, “Social Construction of Reality,” in *Encyclopedia of American Cultural and Intellectual History*, ed. Mary Kupiec Cayton and Peter W. Williams (New York, NY: Charles Scribner's Sons, 2001), 1.

⁷⁸³ Nash and Litz, “Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members,” 369.

cognitive and affective matrix within which professional decisions are made. *Jus in militaribus* provides a framework for considering the moral-ethical aspects of decision-making, the “why” of using military instruments to perform tasks, not the “how” to technically apply those instruments to achieve objectives.

Chapter 2 analyzed the definition of moral injury in terms of the unit ideas contained within what Lovejoy refers to as the “thought complex.”⁷⁸⁴ This part makes a similar move in defining *jus in militaribus*. *Jus in militaribus* as a framework contains three main bundles of unit ideas.

Bundle 1: Justice. The first bundle concerns “what’s right” in the execution of different military tasks. The *jus in militaribus* framework enables the addition of the new *juses* (*jus ad bellum*, *jus ante bellum*, *jus in bello*, *jus in vim*,⁷⁸⁵ *jus post bellum*,⁷⁸⁶ *jus in silico*,⁷⁸⁷ *jus of deus in machina* (machine learning/artificial intelligence)) to the existing JWT elements (*jus ad bellum*, *jus in bello*) recognized in US doctrine related texts, for example, the *Law of War Handbook*.⁷⁸⁸ It also includes government agency moral-ethical decision-making guidance.

Bundle 2: Trust. The second bundle contains the unit ideas associated with *trust*, as structured in the military trust model described in the previous chapter.

Bundle 3: Tasks. Bundle three contains the *tasks* service members execute across the full range of military activities.

The *jus in militaribus* framework enables stewards of the profession, as they formulate moral-ethical decision-making theory of practice, to place those sets, or bundles, in conversation to generate specific decision-making guidance.

6.3.1 Bundle 1: “*Juses*” and Government Agency Moral-Ethical Considerations

Bundle 1 consists of the just war tradition-based unit ideas for *control* system-based risk management guidance. These include the following unit ideas divided into sets corresponding to the functional and enterprise layers of the military institution:

Functional (Operating)

- Justice and injustice in war and armed conflict (*jus in bello*)

⁷⁸⁴ Lovejoy, "The Historiography of Ideas," 539.

⁷⁸⁵ Pfaff, "Military Ethics below the Threshold of War."

⁷⁸⁶ Orend, "Just Post Bellum: The Perspective of a Just-War Theorist"; Louis V. Iasiello, "Jus Post Bellum," *Naval War College Review* 57, 3 (2004), <https://digital-commons.usnwc.edu/nwc-review/vol57/iss3/5>.

⁷⁸⁷ Lucas, *Ethics and Cyber Warfare*, 102.

⁷⁸⁸ Preston, *Department of Defense Law of War Manual*, 26.

- The decision to use or not use the military instrument of power (*jus ad bellum*)
- Preparation for war (*jus ante bellum*)
- Just and unjust action after war (*jus post bellum*)
- *Jus in vim* of “limited war”
- Cyber ethics (*jus in silico*)⁷⁸⁹
- Other future sets of applicable knowledge such as *jus of deus in machina* (artificial intelligence)

Enterprise (Generating)

- Moral-ethical considerations for behavior as members of large government agencies
- Institutional decision and action generating moral-ethical effects (capability development, including acquisition practices, basing, personnel, etc.)
- Institutional health monitoring

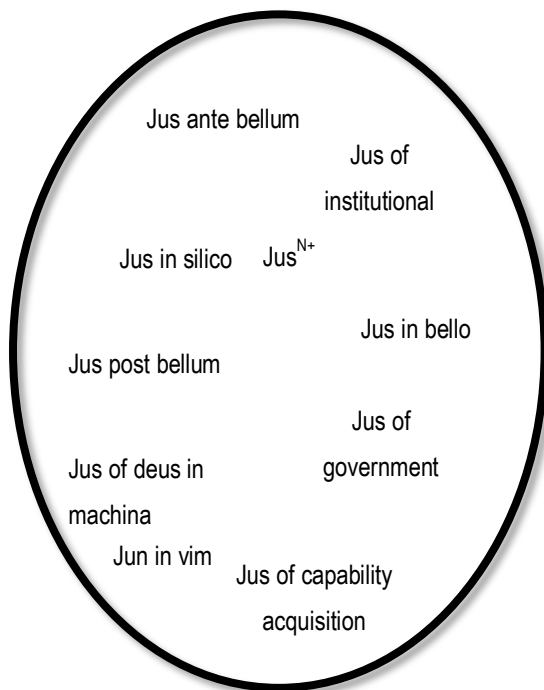


Figure 30: *Bundle 1: The various “juses”*

Figure 30 graphically presents a non-exhaustive representation of this

⁷⁸⁹ Lucas, *Ethics and Cyber Warfare*, 102.

bundle's content.

6.3.2 Bundle 2: Trust System

The model of military trust constitutes the content of the second bundle. The model provides the theoretical framework enabling the formulation of decision and action to generate trustworthiness and more effectively avoid the betrayals that generate moral conflicts, including PMIEs.

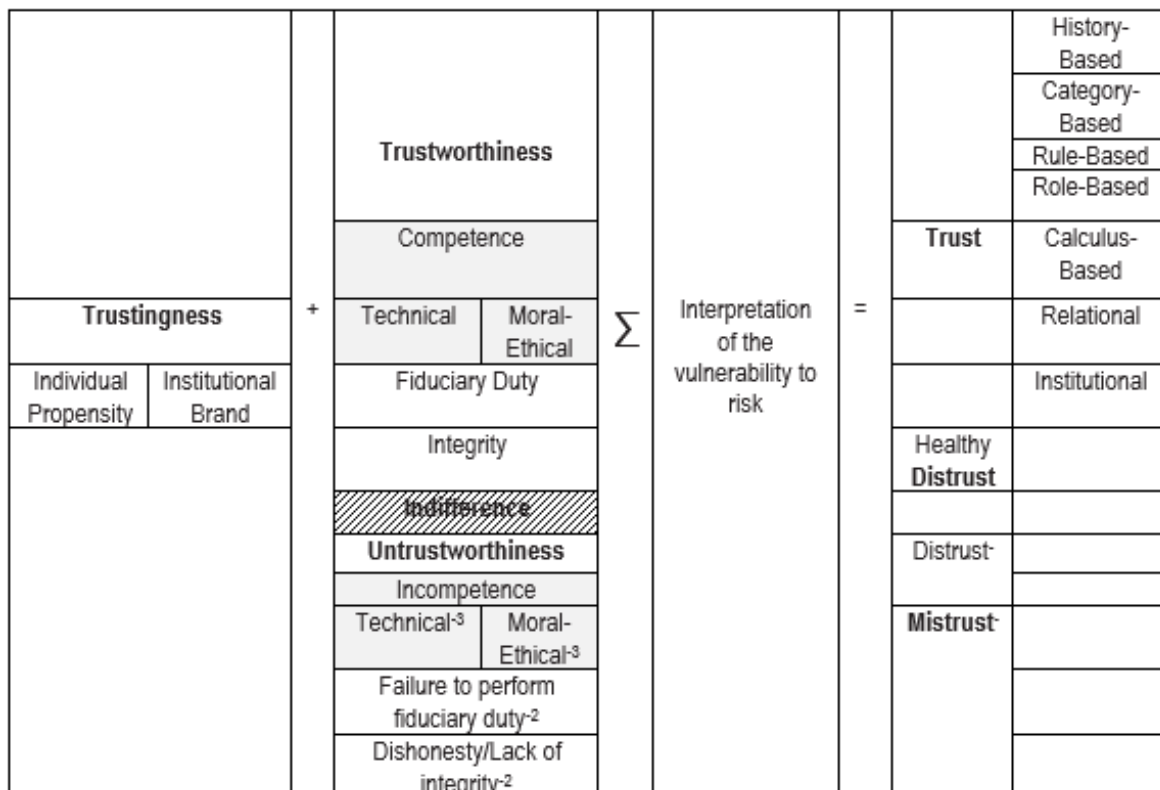


Figure 31: Bundle 2—The Military Trust Model

6.3.3 Bundle 3: Tasks

As shown in Figure 32, the third set of *jus in militaribus* unit ideas consists of the full range of tasks society relies upon the military institution to accomplish. This set is larger than the set of military activities generally considered within the traditional approach to military moral-ethical decision-making guidance formulation. The traditional understanding of military activity—the war/armed conflict vs. peace paradigm—is based on the achievement of a goal: peace. It bounds the activities associated with pursuing this goal both spatially—limiting them to a particular geographic area, and temporally—war begins at a certain point in time and ends with

a clear political domain declaration. The regime of authority governing service member behavior is tied to these boundaries. The applicable control system military moral-ethical guidance, based on the JWT, is structured similarly. Decision-makers move linearly—before war, deciding to go to war, conduct in war, and conduct following war—through the “unit ideas” (the “*juses*”) of the JWT thought complex. Thus, the war/armed conflict vs. peace paradigm is structured to pursue the *goal* of peace (often vaguely articulated) using temporally bounded phases of activity in particular geographic areas. Further, the JWT control system guidance is focused on the functional/operational layer of the military institution. It therefore neglects to provide guidance for the enterprise layer activities. *Jus in militaribus* addresses this limitation by increasing the “coverage” of the decision-making guidance provided to encompass the full range of military tasks—across both the operational and enterprise layers of the institution.

Yet, at first glance, the claim that *jus in militaribus* contains the Bundle 3 set of military tasks seems empty of specific, actionable content and thus useless. The expenditure of cognitive and temporal resources necessary to define the particular task, execute the meta-task of mapping the tasks to the *jus* content contained in Bundle 1, and ensuring task execution is trustworthy, not untrustworthy, in accordance with the Military Trust Model considerations found in Bundle 2, would require significant cognitive and temporal resources. Thus, it seems that a requirement to define the moral ethical aspects of tasks would ensure that the results of the mapping were available 1) only after the time for decision had passed, or 2) allow for application of the *jus in militaribus* framework only against decisions in which speedy decision was not required.

6.3.3.a Bundle 3 content: *The Universal Joint Task List*

However, much of the required military task articulation is complete. The US Department of Defense publishes, and regularly updates, the *Universal Joint Task Listing* (UJTL). The UJTL contains detailed specifications of military tasks, ranging from, for example, “Direct Action” to “Establish Cultural Proficiency.”⁷⁹⁰ While maximizing the utility for informing moral-ethical decision-making requires the addition of enterprise layer relevant tasks to the UJTL, the UJTL as currently written

⁷⁹⁰ J-7 Joint Staff, *Universal Joint Task List (UJTL)* (Washington, D.C.: Joint Staff, 2023).

contains a large majority of the tasks requiring significant moral-ethical consideration. Figure 32 portrays Bundle 3.

Further, extracting practical value from the *jus in militaribus* framework does not require explicit textual articulation of each task. The simple act of mapping the Bundle 1 and 2 content to the Bundle 3 tasks can help inform moral-ethical decision-making by providing a framework for exploring the issues. For example, when faced with a decision-making task, the service member can ask 1) What subset of Bundle 1 is relevant here? *Jus in bello*? Enterprise? 2) What Bundle 2 components of trustworthiness are relevant here? What are the untrustworthiness related hazards? 3) How do those considerations apply to this Bundle 3 task in the specific situation in which I must decide?

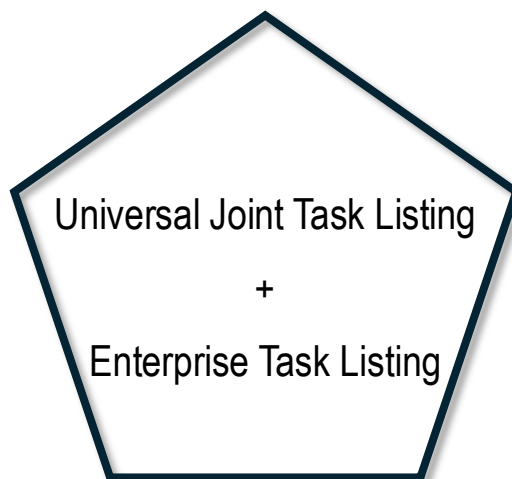


Figure 32: *Bundle 3: The tasks*

The boxed text on the following page provides a *jus in bello* relevant example. The first part of the text is taken directly from the UJTL.⁷⁹¹ The “Moral-Ethical Decision-making Considerations” section I have added myself for illustrative purposes.

⁷⁹¹ Joint Staff, Universal Joint Task List, ST 1.3.4.

ST 1.3.4 Integrate Direct Action (DA)

Priority: Routine

DJS Approval Date: 15-Sep-2021

Description: Integrate short-duration strikes and/or other small-scale offensive actions in order to seize, destroy, capture, recover, or inflict damage on designated personnel or materiel. **JP 3-05**, CJCSI 3126.01 series

Notes: This task may include the integration of special operations forces (SOF) actions and be performed by SOF. This task may require language proficiency and/or regional expertise and cultural knowledge to effectively communicate with and/or understand the cultures of coalition forces, international partners, and/or local populations and/or understand the operational environment (OE). This task includes the integration and synchronization of SOF in coordinated raids, ambushes, or direct assaults; the emplacement of mines and other munitions; standoff attacks; support for the employment of precision guided weapons; independent sabotage; antiship operations, and information operations (IO).

Moral-Ethical Decision-Making Considerations: Depending on commander's guidance, service members should apply a *jus in bello* or *jus in vim* set of moral-ethical decision-making considerations. The specific operational Rules of Engagement (ROE) will describe the applicability of the *jus in bello* or *jus in vim*, and the degree to which other considerations should influence the application of those principles.

Other issues to consider: Should the doctrine of double effect 1) be applied broadly, that is, allowing a wide scope of violent action, or 2) due to the ultimate political objectives served by the specific direct action, be interpreted extremely narrowly in order to reduce to an absolute minimum the possibility of injuring or killing people other than the intended target group? Option 2 will increase both risks to force and risk to mission and may even require mission cancellation. Commander's intent for the mission should address this issue specifically in order to provide the required guidance.

Note: If the specific mission is part of a larger violent campaign, service members may be able to simply refer to the standard ROE for that particular campaign, e.g., *jus in bello* war against a declared hostile opposing state military force.

5.3.4 The *Jus in Militaribus* Framework

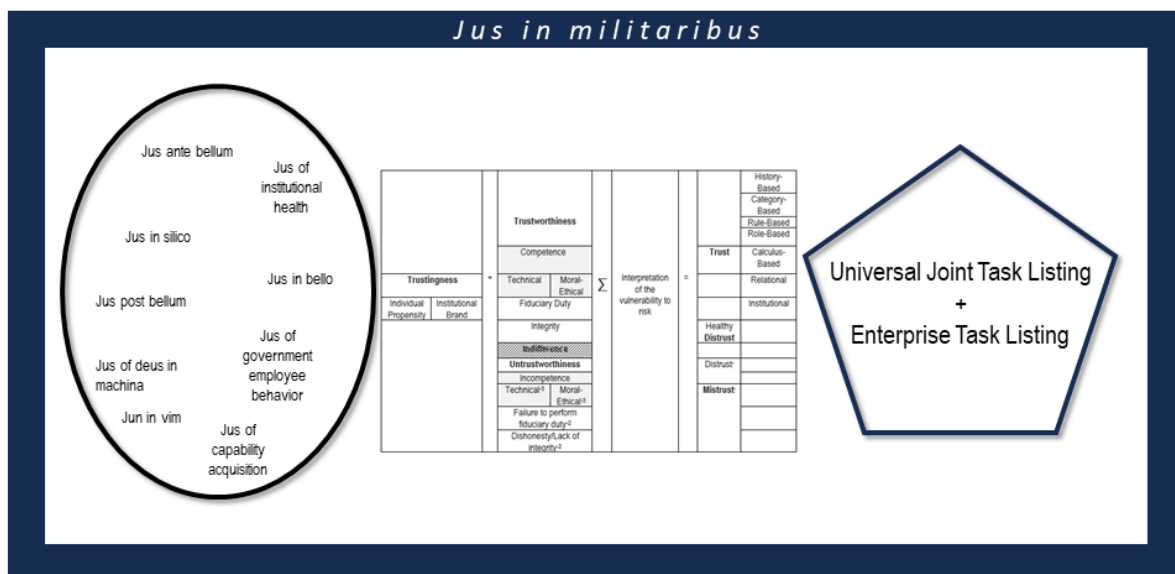


Figure 33: *Jus in Militaribus* Framework

Figure 33 combines Bundle 1, Bundle 2, and Bundle 3 to illustrate *jus in militaribus* as the holding environment “framework.”⁷⁹² As seen in this figure, attention to *jus in militaribus* thus provides a structure within which stewards of the profession can formulate a more comprehensive (addressing the full set of “*juses*”) moral-ethical decision-making theory of practice, and guidance based on that theory, to address the risk of unjust action and resulting moral conflicts which may emerge across the full range of military tasks.

Thus, *jus in militaribus* provides a framework for moral-ethical decision-making specific to a distinguishable human activity set. This set consists of activities to preserve and enhance positions of advantage through the preparation for and use of cooperative, non-violent competitive, and violently competitive means of control. In short, the use of the military instrument of national power. *Jus in militaribus*, by integrating the control and trust systems to encourage just action and manage the risk of unjust action across the full range of tasks associated with military life

⁷⁹² *Jus in militaribus* is thus functionally similar to the *Capstone Concept for Joint Operations* in the US system. That concept provides the framework within which the Joint Force operates, and within which subsidiary Joint Operational Concepts, Joint Supporting Concepts, and Joint Doctrine unfold. Martin Dempsey, *Capstone Concept For Joint Operations: Joint Force 2020* (Washington, D.C.: Joint Staff, 2012).

constitutes the core of what makes military morality-ethics *military*.

Without the *jus in militaribus* framework, and model of military trust, service members facing moral-ethical decision-making challenges are in a position similar to that of the person poking around in a hole with a stick in Polanyi's "Sense-Giving and Sense-Reading."⁷⁹³ Their tool for sensemaking is either the dominant tool for "military" moral-ethics—the *jus in bello*—or "ethics" regulations discussing issues like interpersonal interaction or stewardship of taxpayer resources. Thus, they are limited to either using a civilian government agency "stick" or worse, their *jus in bello* "gun" to "poke to around in the hole" to make sense of the situation. The integration provided by the *jus in militaribus* entails that service members have a broader set of tailored tools for making sense of morally ethically problematic situations, especially those involving moral conflicts including PMIEs.

The *jus in militaribus* does not require service members to "drop their JWT tools" because they are not appropriate for the situation, like fire jumpers abandoning their heavy equipment.⁷⁹⁴ Instead, the *jus in militaribus* expands the set of bespoke conceptual tools available, enhancing the moral-ethical cluster of professional expertise in the "toolbox," thus accelerating and improving decision-making.⁷⁹⁵

The next part of this chapter describes two analogies to provide a richer understating of *jus in militaribus*: levels of war and jointness. The advantages of the *jus in militaribus* are further discussed in Part 4, and potential disadvantages of the *jus in militaribus* are discussed in Part 5.

6.4 Part 3: Two Analogies to Facilitate *Jus in Militaribus* Understanding

To enhance understanding of the nature of *jus in militaribus*, and its role in guiding the thinking of the stewards of the profession in the formulation of the moral-ethical theory of practice and military moral-ethical guidance, this part offers two analogies: "Levels of War" and "Jointness." The first analogy clarifies the relationship between *jus in militaribus* and the other categories of justice analysis and guidance through comparison with the operational level of warfare. The second compares the conceptual functionality of the *jus in militaribus* to the concept of "jointness" as

⁷⁹³ Michael Polanyi, "Sense-Giving and Sense-Reading," *Philosophy* 42, no. 162 (1967): 302.

⁷⁹⁴ Karl E. Weick, "Drop Your Tools: An Allegory for Organizational Studies," *Administrative Science Quarterly* 41 (1996): 301.

⁷⁹⁵ These conceptual tools are like night vision goggles but optimized for perceiving moral conflict instead of the infrared portions of the electromagnetic spectrum.

practiced in the US military since the late 1980s.

6.4.1 Analogy #1: *Jus in Militaribus* and the Operational Level of War

US doctrine divides warfare into three levels—the strategic, the operational, and the tactical.⁷⁹⁶ The strategic level concerns national government decisions on the military instrument of power use.⁷⁹⁷ The operational level concerns campaigns and significant operational planning and execution to achieve strategic objectives.⁷⁹⁸ The tactical level concerns battles and engagements executed by units (composed of individual service members operating in teams and on platforms like ships and airplanes).⁷⁹⁹ The operational level of war fills the conceptual gap between tactical effect generation and the coordination and synchronization of those tactical effects to achieve strategic level objectives. The application of “operational art”⁸⁰⁰ ensures that battles (tactical tasks) are synchronized and integrated to achieve campaign objectives (operational tasks) to enable “winning the war” (strategic task.) Integration of tactical and operational tasks is intended to enhance the strategic level position of advantage through use of the military instrument of power.

The “operational level” of war is not new. However, although Napoleon thought of and developed capabilities focused on the level of warfare now termed the “operational level,” US Military doctrine did not include the term “operational level” until the 1980s.⁸⁰¹ This did not entail the lack of US military engagement in operational level planning and activities. It did mean that those activities took place without the benefit of an explicit doctrinal framework for thinking them through.⁸⁰²

⁷⁹⁶ In some contexts, political domain leader decision-making occurs at a fourth level, above the military-strategic, the grand strategic. Hence, the term “grand strategy” refers to the political decision-making regarding the military instrument of power, in distinction to the military-strategic decisions. See John Lewis Gaddis, *On Grand Strategy* (New York, NY: Penguin Press, 2018). for a discussion of grand strategy.

⁷⁹⁷ Staff, “DOD Dictionary of Military and Associated Terms,” 203.

⁷⁹⁸ Staff, “DOD Dictionary of Military and Associated Terms,” 162.

⁷⁹⁹ Staff, “DOD Dictionary of Military and Associated Terms,” 210.

⁸⁰⁰ Michael D. Krause and R. Cody Phillips, eds., *Historical Perspectives of the Operational Art* (Washington, D.C.: Center of Military History, United States Army, 2005).

⁸⁰¹ Michael D. Krause and R. Cody Phillips, “The Operational Level of War and the Operational Art,” Defense Studies Department, King’s College (London, 2014), <https://defenceindepth.co/2014/09/18/the-operational-level-of-war-and-the-operational-art/>.

⁸⁰² Davies and Foley write, speaking to the operational level of warfare, “The ‘operational level’ was first articulated as a level of war by Alexander Svechin, and conceptually employed by the Soviets during the war on the Eastern Front in 1944–5. This commonly leads to an assumption that the operational level didn’t exist before then. But that’s a bit like arguing the Earth really was at the centre of the Universe until Galileo and Copernicus theorized otherwise. The Earth always orbited the Sun, and the Operational Level of War has always existed.” Huw J. Davies and Robert R. Foley, “The Operational Level of War and the Operational Art,” *Defence-in-Depth*, September 18, 2014 (Kings College London), Similarly, *jus in militaribus* has long existed. The Melian dialog is an example of *jus in militaribus* based debate. Robert B. Strassler, ed., *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*, first edn (New York: Touchstone, 1998).

Similarly, like the operational level, which existed but was not named precisely, the *jus in militaribus*—concern with the rightness of the policies and practices of the military institution—existed but was not explicitly formulated and integrated into the military decision-making and planning processes. Following Shay, this research is intended to fill the gap.

Table 18 provides an illustrative mapping of the levels of warfare/conflict, combining military morality-ethics the “*juses*” and the primary agent.

Table 18: *Levels of Warfare/Competition, Military Morality-Ethics Components, and Agents*

Levels of Warfare/Competition	Components of military morality-ethics	Primary agent
Grand Strategic	<i>Jus ad bellum, jus post bellum</i>	Government
Strategic	<i>Jus ad bellum, jus post bellum</i> (military advice to political level decision-makers)	Government/Senior military leadership
Operational	<i>Jus in militaribus</i> ⁸⁰³	Institution
Tactical	<i>Jus ante bellum, ius ad vim, jus in bello</i>	Individual

Just as the operational level is a recent conceptual development enhancing professional military effectiveness, *jus in militaribus* constitutes a recent development of the existing moral-ethical framework. This study claims that just as attention to the operational level of war can enhance campaign planning and execution, so too can attention to the *jus in militaribus* enhance moral-ethical decision-making in general and moral injury management capabilities in particular.

Just as the way thinking, planning, and acting at the operational level integrates tactical, operational, and strategic level actions to achieve grand strategic goals, the *jus in militaribus* addresses the institutional approach to strategic, operational, and tactical level moral-ethical decision-making. As indicated in Table 18, the *jus in bello* focuses on the tactical level of individual action—the actual use of technical means to kill and destroy. *Jus in militaribus* occupies the middle ground, corresponding to the operational level of war. It thus fills the gap between individual and governmental moral-ethical decisions and actions, focusing on the institution as

⁸⁰³ In practice, the mapping is not exact. *Jus in militaribus* is also the framework, the container integrating and linking the other “*juses*.”

a moral-ethical actor.

The military institution integrates individual decisions into instruments of government policy. Similarly, *jus in militaribus* integrates moral-ethical tactical level guidance with the higher level institutional and national moral ethical decision-making processes. It also provides a theory of practice, a framework for moral-ethical decision-making within which all the *jus* varieties can play their appropriate role governing particular sets of interactions. As shown in Table 18, the *jus in militaribus* conceptually contains or provides a framework for using the different *juses* and describes which *jus* to apply when.

In summary: *jus in militaribus* is to *moral-ethical decision-making* across the full range of military activities as the *operational level* is to synchronization of *tactical* actions in time and space to achieve *strategic* level effects. Unlike the levels of warfare conceptual framework, which covers only the use of violence during potentially violent and violent competition, *jus in militaribus* provides a framework for the full range of military activity.⁸⁰⁴ The next analogy, “jointness” surfaces this aspect of the *jus in militaribus*.

6.4.2 Analogy #2 *Jus in Militaribus* and “Jointness”

Within the military, the development of the concept of “jointness” provides an example of conceptual change driven by grand strategic, strategic, operational, and tactical level failures in military operations.⁸⁰⁵

As a result of the demand signal generated by multiple military competence failures, congressional action in the form of the Goldwater-Nichols Act forced the services to interact more effectively in the application of control, and efficiently in the acquisition of control capabilities.⁸⁰⁶ The Goldwater-Nichols requirements created a convenient shorthand for thinking and talking about multi-service interaction: “jointness.”⁸⁰⁷ Joint operations consist of the integration of all elements of national

⁸⁰⁴ Like the levels of war, the “*juses*” are analytically separable but integrated in practice. Shay, *Odysseus in America*, 291.

⁸⁰⁵ Examples include Desert One in the Iranian desert and the invasion of Grenada (when units from the different US services on the tiny island were unable to talk to one another due to incompatible communication gear, leading to loss of life).

⁸⁰⁶ S. Rebecca Zimmerman et al., *Movement and Maneuver: Culture and the Competition for Influence Among the U.S. Military Services* (Santa Monica, CA: RAND Corporation, 2019), 193. Charles Nemfakos et al., *The Perfect Storm: The Goldwater-Nichols Act and Its Effect on Navy Acquisition*, RAND Corporation (Santa Monica, CA: RAND Corporation, 2010).

⁸⁰⁷ Charles Davis and Kristian E. Smith, “The Psychology of Jointness,” *Joint Force Quarterly* 98 (2020), https://ndupress.ndu.edu/Portals/68/Documents/jfq/jfq-98/jfq-98_68-73_Davis-Smith.pdf?ver=2020-09-10-092151-670.

military power, which in the US case had been divided into Services (Navy, Marine Corps, Army, Air Force, Space Force, and Coast Guard), to achieve national objectives.⁸⁰⁸ The Department of Defense dictionary defines “joint” as follows: “Joint- Connotes activities, operations, organizations, etc., in which elements of two or more Military Departments participate.”⁸⁰⁹ The “joint” aim is to enable the application of multiservice capabilities in all domains to achieve military objectives.⁸¹⁰

The shift to "jointness" generated multidimensional implications for military acquisition programs, capability development, training, education, exercises, personnel management, and operations. Because of the set of activities demanded by Goldwater-Nicholas, the Services became, over time, more "purple"—the color of Jointness.⁸¹¹ See Figure 34.

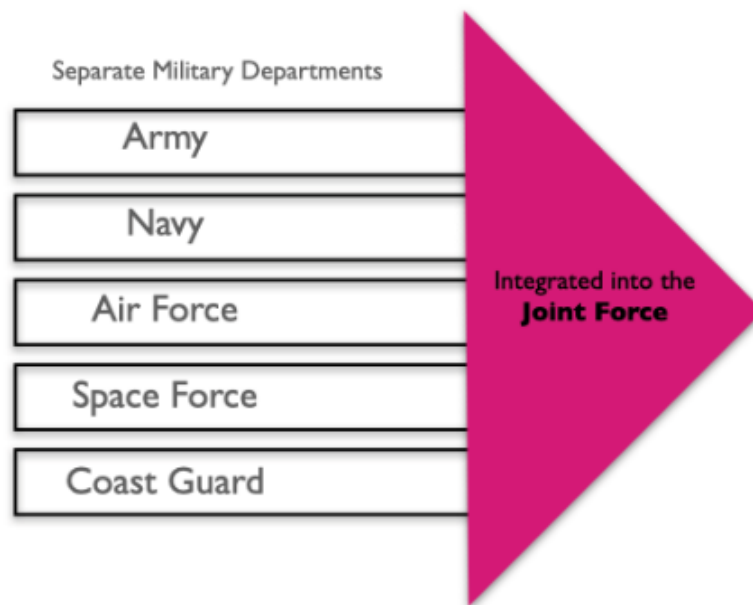


Figure 34: *Services Integrated in the “Joint Force”*

The concept of "jointness" informs the theory of action within which the subsidiary components of the military—the Army, Navy, Air Force, Space Force, and Coast Guard—provide capabilities to the Joint Force.⁸¹² Similarly, as *jointness*

⁸⁰⁸ Staff, "DOD Dictionary of Military and Associated Terms," 113.

⁸⁰⁹ Staff, "DOD Dictionary of Military and Associated Terms" 113.

⁸¹⁰ Dempsey, *Joint Publication 1 Doctrine for the Armed Forces of the United States*.

⁸¹¹ Of course, the degree of jointness varies over time and between services. US service members still joke that "joint" is spelled "A-R-M-Y." The military institutions of other countries, e.g., UK and Australia, are in many ways more authentically joint than those of the US.

⁸¹² The *Capstone Concept for Joint Operations*, periodically updated in the US system, provides the espoused theory articulating the high-level vision of this theory of action. Dempsey, *Capstone Concept for Joint Operations*.

facilitates focus on the integration of all available capabilities (whatever the Service) to achieve military objectives, *jus in militaribus* bundles moral-ethical considerations to facilitate attention focus by senior leaders (the stewards of the profession) on the rightness of the institutional processes and procedures (Figure 34). In summary: *jointness* is to interservice cooperation as *jus in militaribus* is to the integration of moral-ethical decision-making across the full range of military activities.

6.5 Part 4: Advantages of *Jus in Militaribus*

This part describes the advantages of increased attention to the *jus in militaribus* for military operations and service member decision-making across the full range of military activities, on both the functional and enterprise layers of the institution. Attention to *jus in militaribus* provides the following (non-exhaustive) set of moral injury management advantages. Although these advantages will enable the development of more effective moral injury management capabilities, they do not in themselves constitute the enhanced capabilities.

6.5.1 Advantage #1: Increase Scope of Coverage

The *jus in militaribus* framework, encompassing concepts of control, “what’s right” (justice), and tasks, provides a theoretical foundation for ensuring the scope of moral-ethical decision-making guidance matches the full range of potential moral conflicts service members may encounter. *Jus in bello* is focused on combat decision-making in declared wars, and *jus ad bellum* on the political level decision to use or not use the military instrument of power in war. The *jus in militaribus* framework covers the entire scope of potential just and unjust decision-making and military moral-ethical decision-making within the functional and enterprise layers. By providing this coverage, the *jus in militaribus* framework enables moral injury management capability development that addresses the full scope of potential moral conflict—not just that occurring in combat. It thus enables responses to declines in trustworthiness driven by issues like sexual assault and inadequate military housing in ways that *jus in bello*-focused military moral-ethical theory of practice cannot.

6.5.2 Advantage #2: Overcoming the Bifurcation of Military Moral-Ethical Decision-Making Guidance

Jus in militaribus enables overcoming of the bifurcation of military moral-ethical guidance. This section will first describe the problem of the military moral-

ethical disciplinary bifurcation, and then describe how attention to *jus in militaribus* helps solve the problem.

6.5.2.a Problem: military moral-ethics disciplinary bifurcation as manifested in the US military moral-ethical focused professional literature

Within the academic military moral-ethical literature, a tension persists between the operational and non-operational aspects of military morality-ethics related guidance. For example, Martin Cook's *Issues in Military Ethics: To Support and Defend the Constitution* provides an overview of the discipline, including civil-military relations, ethics education, religion, and ethical issues in war. He illustrates the general attitude toward the non-operational aspects of military morality-ethics decision-making when he writes, in a discussion of Admiral James Stockdale's influence on ethics in the US military:

It is important to note that Stockdale did not especially want to call this course an ethics course. Indeed, he was quite skeptical about the explosion of ethics courses being offered in business, dental, and medical schools throughout the land. As Brennan put it, 'He did not want his course to be the military equivalent of what he called "ethics for dentists."⁸¹³

The "ethics for dentists" is concerned with the non-operational aspects of professional behaviour. In other words, the guidance for service members on responding to ethical temptations similar to those faced by other governmental employees/citizens.⁸¹⁴

As a result of this bias, the operationally focused discussion of military morality ethics tends to appear as "genuine military morality-ethics."⁸¹⁵ Thus, as seen in the following section, in contrast to the actual military publications, the academic military moral ethical literature focuses on *jus in bello*—not the bureaucratic/occupational temptations constituting the focus of the many professional texts with "moral" or "ethical" in the titles.

The literature on moral injury reviewed in Chapter 2 indicates such a focus is

⁸¹³ Cook, *The Moral Warrior*, 15.

⁸¹⁴ Shay also points out this tendency to view "ethics" as something other than operationally significant. He writes, "Mention of ethics puts us in a Sunday-go-to-church frame of mind, and competence is something for the workplace and the professions. Put 'ethics' with 'workplace,' and the mind usually goes to sex, lies, and stealing money—still no thought of competence." Shay, *Odysseus in America*, 224.

⁸¹⁵ This bias indicates adherence to what Lazar refers to as the "exceptionalist" stream of military moral-ethics methodology. See Lazar, "Method in the Morality of War."

too narrow to adequately inform moral injury management capability development. As George Lucas writes, “‘military ethics’ involves a great deal more than the considerations included in the just war tradition, at least inasmuch as warriors are not always, or even usually, at war!”⁸¹⁶ Indeed, Lucas includes a chapter entitled “Military Ethics apart from Combat,” in his *Military Ethics, What Everyone Needs to Know*, which raises the need for additional ethical guidance for the non-combat sets of military activities.⁸¹⁷

6.5.2.b *The two sets of moral-ethical literature*

6.5.2.b.i *Set 1: The operationally focused “war/armed conflict” literature.* The literature concerned with military moral-ethical decision-making divides into two parts: the operationally focused and the governmental employee focused. The operationally focused literature is explicitly based on the just war tradition.⁸¹⁸ Brian Orend writes, “Just-war theory is a coherent set of concepts and values designed to enable systematic and principled moral judgments in wartime.”⁸¹⁹ Within the professional military morality-ethics literature, the US DOD *Law of War Handbook*, for example, asserts that law of war treaties generating *jus in bello* rules governing service member action is based on the JWT.⁸²⁰ The JWT thus explicitly shapes the legal and policy guidance provided to service members informing the rules of engagement governing operational action.

The JWT-based, operationally focused component of the military ethics literature covers a wide variety of topics. As Cook and Syse put it, there is a “great diversity of activities nominally gathered under that [military ethics] rubric.”⁸²¹ The

⁸¹⁶ Lucas, *Military Ethics*, 92–3.

⁸¹⁷ Lucas, *Military Ethics*, 100–18. Brian Orend, in his chapter on “*Jus in Bello* #1: Just Conduct in War” (in his *The Morality of War*) includes a discussion of other aspects of military ethics, beyond decision-making in combat, in his discussion of “Rights on the Soldier Side.” Soldiers are, he argues, entitled to sound military training, effective equipment, and competent leaders. Orend, *The Morality of War*, 133–4. However, submerging training, equipping, commander education, and so on within *jus in bello* seems inadequate to me. These topics are so important they deserve their own category of thinking, their own set of “unit ideas.”

⁸¹⁸ Lucas, *Military Ethics*, 70–99.

⁸¹⁹ Orend, “Just Post Bellum: The Perspective of a Just-War Theorist,” 571.

⁸²⁰ Preston, Department of Defense Law of War Manual, 26, 104. See also Lucas’s *Military Ethics*, Ch. 4, 70–99, for a full description of the JWT.

⁸²¹ Indicating the broad scope of activities related to military morality and ethics, Cook and Syse write, “We have observed cadets being exhorted to be morally good by football coaches and beauty queens. We have listened to exquisitely crafted philosophical arguments clarifying central concepts such as ‘non-combatant’ and ‘double effect.’ We have heard military lawyers rehearse the laws of armed conflict (LOAC) before mandatory formations of military personnel fulfilling their ‘annual training’ requirement under the Geneva Convention. We have listened to thoughtful officers and enlisted anticipating the complexities of their future actions in combat and reliving and grieving over past actions that continue to trouble the conscience. We have observed religious-based expositions of the grounding of the military calling in basic religious beliefs from chaplains and religiously motivated military personnel.” Cook and Syse, “What Should We Mean by ‘Military Ethics’?” 119.

varied form of many texts within the military morality-ethics literature reflects this diversity.⁸²² The operationally focused component of military morality-ethics literature places the preponderance of emphasis on the *jus ad bellum* and *jus in bello* components of the JWT, and leadership and individual decision-making within the JWT framework.⁸²³ These two well-developed components of literature provide the bulk of the academic and operationality-focused military morality-ethics content.

6.5.2.b.ii *Set 2: The non-operationally focused literature.* Language referring to the importance of morality or ethics is found frequently in the US military professional moral-ethical literature, for example, the *Joint Ethics Regulation* (JER).⁸²⁴ However, the US texts with “moral” or “ethical” in the title tend to focus on providing guidance for service member decision-making as members of a large government organization. The texts emphasize *temptation* relevant guidance on moral-ethical decision-making and action required to comply with a wide range of rules governing financial actions and interpersonal relationships.

This part of the moral-ethical literature is as a result focused on ensuring service member compliance with interpersonal control system rules concerning things like equal opportunity, sexual harassment, sexual assault, safeguarding personally identifiable information, avoiding the abuse of taxpayer resources by inflating travel claims, and the like.⁸²⁵ For example, the JER claims, “[The JER] provides a single source of standards of ethical conduct and ethics guidance, including direction in the areas of financial and employment disclosure systems, enforcement, and training.”⁸²⁶ The JER includes an “Ethical Decision-Making Plan” of just over a page and a half long, but fails to mention decision-making in conflict.⁸²⁷ Thus the US DOD ethics guidance, oddly, does not refer to proper moral-ethical behavior in combat—*jus in bello*.

⁸²² See, for example, the compilations in Wakin, ed., *War, Morality and the Military Profession*; Lloyd J. Matthews and Dale E. Brown, eds., *The Parameters of Military Ethics* (McLean, Virginia: Pergamon-Brassey’s International Defense Publishers, Inc., 1989); Martin L. Cook, *Issues in Military Ethics: To Support and Defend the Constitution* (Albany: State University of New York Press, 2013); Lucas, *Military Ethics*; Nathan K. Finney and Tyrell O. Mayfield, eds., *Redefining the Modern Military: The Intersection of Profession and Ethics* (Annapolis, MD: Naval Institute Press, 2018).

⁸²³ Mattis, *Ethical Challenges in Contemporary Conflict*; James Mattis, *Discipline and Lethality* (Washington, D.C.: Secretary of Defense, 2018); McMaster, “Remaining True to Our Values”; McMaster, “Preserving the Warrior Ethos.” Cook writes, “Moral judgment about war fall into two discrete areas: the reasons for going to war in the first place and the way the war is conducted. The first is traditionally called *jus ad bellum*, or justice of going to war, and the second *jus in bello*, or law during war.” Cook, *The Moral Warrior*, 26.

⁸²⁴ Aspin, *Joint Ethics Regulation*.

⁸²⁵ This is discussed below as Stockdale’s “ethics for dentists.” Cook, *Issues in Military Ethics*, 15.

⁸²⁶ Aspin, *Joint Ethics Regulation*, 1.

⁸²⁷ Aspin, *Joint Ethics Regulation*, 98–9.

The moral-ethical guidance provided within the Services is similar. For example, the US Navy Code of Ethics reads:

DO

Place loyalty to the Constitution, the laws, and ethical principles above private gain.

Act impartially to all groups, persons, and organizations.

Give an honest effort in the performance of your duties.

Protect and conserve Federal property.

Disclose fraud, waste, and abuse, and corruption to appropriate authorities.

Fulfill in good faith your obligations as citizens, and pay your Federal, State, and local taxes.

Comply with all laws providing equal opportunity to all persons, regardless of their race, color, religion, sex, national origin, age, or handicap.

DO NOT

Use nonpublic information to benefit yourself or anyone else.

Solicit or accept gifts from persons or parties that do business with or seek official action from DOD (unless permitted by an exception).

Make unauthorized commitments or promises that bind the government.

Use Federal property for unauthorized purposes.

Take jobs or hold financial interests that conflict with your government responsibilities.

Take actions that give the appearance that they are illegal or unethical.⁸²⁸

This code of ethics provides excellent guidance for managing occupational/bureaucratic *temptations*.⁸²⁹ However, a sailor reading the *US Navy*

⁸²⁸ "Navy Code of Ethics," Secretary of the Navy, 2005, <http://www.secnnav.navy.mil/Ethics/Pages/codeofethics.aspx>.

⁸²⁹ See also the US Air Force 2.3 Military Ethics of Air Force Instruction 1-1, https://static.e-publishing.af.mil/production/1/af_cc/publication/afi1-1/afi1-1.pdf.

Code of Ethics for guidance on the moral-ethical implications of killing in war at and from the sea will be disappointed. Similarly, a Marine seeking guidance on just action in a complex humanitarian assistance mission in the “Gray zone”⁸³⁰ will find little of value to inform her decision-making. This is not to say that the guidance is useless or incorrect, only that it is inadequate from the perspective of this research in providing insight into appropriately responding to the full range of potentially morally injurious events service members may face.

The difficulty of the challenge posed by the presentation of moral-ethical guidance that emphasizes the non-operational is compounded by the institutional attention resources dedicated to this sphere of military moral-ethical decision-making. The non-operational or “enterprise”⁸³¹ aspects of military life are overemphasized in the literature and guidance provided. This unbalanced expenditure of institutional attention is evident in the mandatory training requirements.⁸³²

⁸³⁰ For example, during a humanitarian assistance mission that has suddenly become much more complex due to the action of terrorist/criminal groups in the area cooperating with externally supported proxy forces.

⁸³¹ Further discussed in Chapter 4.

⁸³² For example, the US Navy Fiscal Year 2024 General Military Training (GMT) Requirements include seven mandatory topics: Controlled Unclassified Information (CUI), Records Management in the DON: Everyone’s Responsibility, NCIS Counterintelligence and Insider Threat Awareness and Reporting, DOD Cyber Awareness Challenge 2024, FY24 Operations Security (OPSEC), Sexual Assault Prevention and Response (SAPR) Awareness, and Suicide Prevention. See “FY 24 GMT Requirements,” May 2024, https://www.mynavyhr.navy.mil/Portals/55/Messages/NAVADMIN/FACT_SHEETS/Fact_Sheet_NAV_236_23.pdf?ver=H18bX78YQYoFM9BxNnzAxw%3d%3d The Fiscal year 2020 GMT requirements included the following: “The mandatory GMT topics include Sexual Assault Prevention and Response Awareness; Cyber Awareness Challenge; Counterintelligence Awareness and Reporting; Privacy Act; and Suicide Prevention. Personnel with less than three years of time-in-service must also complete Anti-terrorism Level 1 training. For personnel with greater than three years of time-in-service, Anti-terrorism Level 1 periodicity is now a triennial requirement and will be mandated for all hands in FY-22.

Command Discretion GMT topics that commanding officers may assign include Alcohol, Drugs, and Tobacco Awareness; Combating Trafficking in Persons; Domestic Violence Prevention and Reporting; Electromagnetic Warfare; Energy Policy; Equal Opportunity, Harassment, and Resolution Options; Hazing Policy and Prevention; Operational Risk Management; Operations Security; Personal Financial Management; Records Management; Sexual Health and Responsibility; Stress Management; and Traumatic Brain Injury.” https://www.navy.mil/submit/display.asp?story_id=110551

The US Marine Corps GMT includes the following: Marine Corps Water Survival Training (MCWST), Hazing, Sexual Assault Prevention and Response (SAPR), The Marine Corps Operations Security (OPSEC) Program, Chemical, Biological, Radiological and Nuclear Defense Training Requirements, Marine Corps Combat Marksmanship – Rifle, Marine Corps Combat Marksmanship—Pistol, Operational Risk Management (ORM), Marine Corps Equal Opportunity (EO) and Sexual Harassment, Marine Corps Physical Fitness Program-PFT, Marine Corps Physical Fitness Program—CFT, Level I AT Awareness Training / Counter Intelligence Awareness and Reporting, Annual Cyber Awareness / PII Training, Violence Prevention Awareness Training, [This is concerned with the “insider threat.” As MCO 5580.3 defines it, “Violence prevention includes efforts to assess, investigate, mitigate, and respond to behaviors that may precede acts of harassment, intimidation, threats, violence, as well as behaviors consistent with radicalization and insider threats. Harassment, intimidation, threats, violence, and inappropriate behaviors will not be tolerated. The intent of this program is to prevent violence, and that requires a lean and efficient process where internal and external expertise and assets are leveraged to provide a unit commander/supervisor informed courses of action to prevent violence.” 3.

<file:///C:/Users/mhallett/Desktop/MCO%205580.3%20Violence%20Prevention%20Program.pdf>. Tobacco Cessation (Semper Fit), Unit Marine Awareness and Prevention Integrated Training (UMAPIT), Records Management Training, Combating Trafficking in Persons (CTIP).

In addition, several critiques of military moral-ethical failures within the military focused moral-ethical literature reinforce the bureaucratic, governmental focus.⁸³³ The US Government Accountability Office (GOA), for example, defines ethics as the “Department of Defense’s required rules-based program, which ensures compliance with standards of conduct.”⁸³⁴ This is clearly a control-, not trust-based approach to risk management. The GAO’s report to the US Congress does not mention any operational combat-related ethical issues. She focuses on sexual behavior, bribery, travel, use of government funds, and cheating. Other ethical issues and failings are relegated to a brief “among other things.”⁸³⁵ This “among other things” may or may not concern operational activities. Although failings in these areas are easy to perceive and for the public to understand (and thus strike at the heart of the trust between the profession and the public it serves), they are only part of the moral-ethical professional military challenge.⁸³⁶

As portrayed in Figure 35, the military morality-ethics literature—both the institutional texts produced internally and the academic literature focused on military morality-ethics—often divide into two different “domains” based on the area of activity prioritized: war or peace. The peace, or “non-operational,” set of texts focuses on the moral-ethical layer of decision-making in the day-to-day operations of the military as a large governmental organization. The second “war” focused “operational” set of texts is primarily focused on national-level decision-making (*jus ad bellum*—justly declaring war) and how to act in accordance with the institutional values as an individual member of the military in combat (*jus in bello*).⁸³⁷

Integrating the disparate sets of decision-making guidance is left to the individual service member.

<https://www.marines.mil/Portals/1/Publications/MCBUL%201500%20DTD%2020FEB15.pdf>

As of January 1, 2015, Unit Marine Awareness and Prevention Integrated Training (UMAPIT) integrates and replaces the previous stand-alone training on Child Abuse and Domestic Violence, Combat Operational Stress Control, Substance Abuse, Suicide Prevention, and Family Advocacy into one package. Information on the objectives and recommendations on presenting UMAPIT is available for download from www.thegearlocker.org, Behavioral Health website.

The suicide prevention training deals with symptoms, and how to refer to services, not causes.

⁸³³ Davis, "The U.S.Navy's 'Fat Leonard' International Fraud And Bribery Case."

⁸³⁴ US Government Accountability Office, "Military Personnel Additional Steps are Needed to Strengthen DOD's Oversight of Ethics and Professionalism Issues," (Washington, D.C.: GAO, 2015), 1.

⁸³⁵ US Government Accountability Office, "Military Personnel Additional Steps are Needed," 1.

⁸³⁶ See, for example, Davis, "The U.S. Navy's 'Fat Leonard' International Fraud and Bribery Case."

⁸³⁷ Paul Robinson references Patrick Mileham's very useful distinction between institutional (which in his usage corresponds to the non-operational) ethics and operational ethics. See Paul Robinson, "Ethics Training and Development in the Military," *Parameters* (Spring, 2007): 28–9.

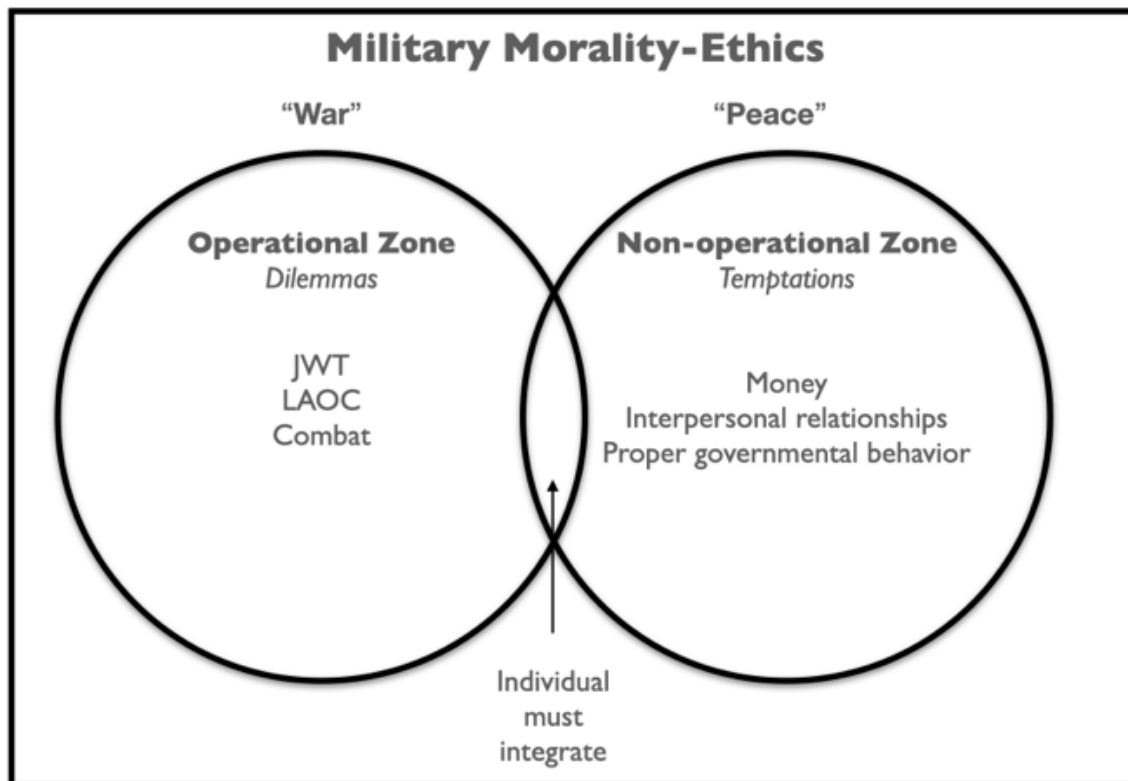


Figure 35: *Disciplinary Bifurcation*

6.5.2.c *Implications for moral injury management*

The current non-operational literature focuses on individual compliance with rules and regulations as a way to manage temptations. It tends to neglect moral conflict rising to the level of dilemmas, especially dilemmas in high-stakes situations that could present PMIEs. However, as seen in Chapter 2, moral conflict, including PMIEs caused by institutional betrayal, also occurs in the non-operational sets of military activity. This camouflage and concealment of non-operational moral conflict thus hinders the development of more effective moral injury management capabilities.⁸³⁸

6.5.2.d *Solution: the jus in militaribus integrated framework*

Attention to *jus in militaribus* solves this problem by providing an integrated view of the moral-ethical aspects of the full range of military activities. The *jus in militaribus* framework facilitates analysis of just and unjust action across the full

⁸³⁸ Matthew Bowen, "Themes of Betrayal In Wartime Oral History," *Journal of Psychohistory* 45, no. 2 (Fall 2017), <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=ofs&AN=125017635&site=eds-live&scope=site>.

range of military activities—not only in “war/armed conflict.”

The traditional approach to moral-ethical theory-of-practice formulation and guidance promulgation has focused on, as discussed above, the state and individual as the primary actors in conditions of declared war.

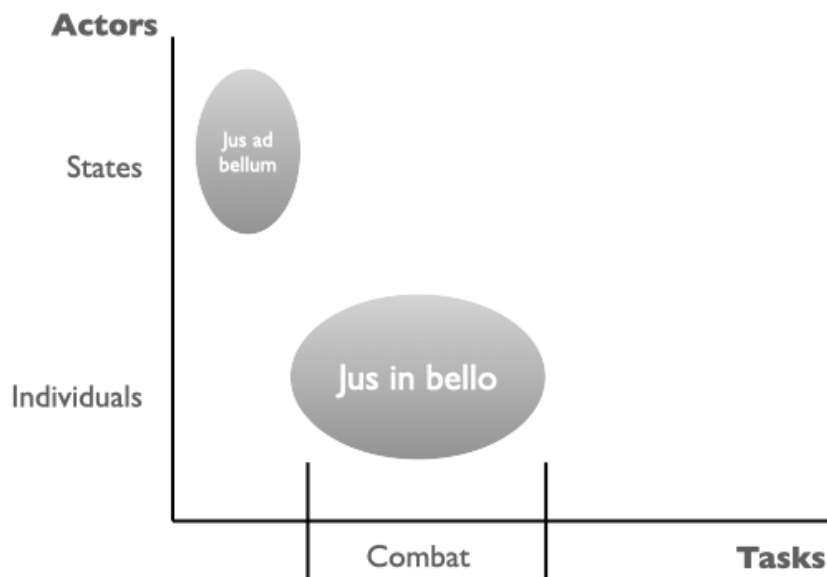


Figure 36: *Traditional Coverage of Military Moral-Ethical Guidance for Relevant Actors and Tasks*

Figure 36 shows the traditional guidance “coverage,” limited primarily to *jus in bello*, that is, considerations for just and unjust action in clearly defined combat situations.⁸³⁹

Jus in militaribus enables *vertical* expansion to include the full set of relevant actors—at the national level, within the institution, and individual service members. It enables *horizontal* expansion to include the full set of military tasks. Figure 37 portrays *jus in militaribus* enhanced coverage.

⁸³⁹ Cook, *The Moral Warrior*, 26–7.

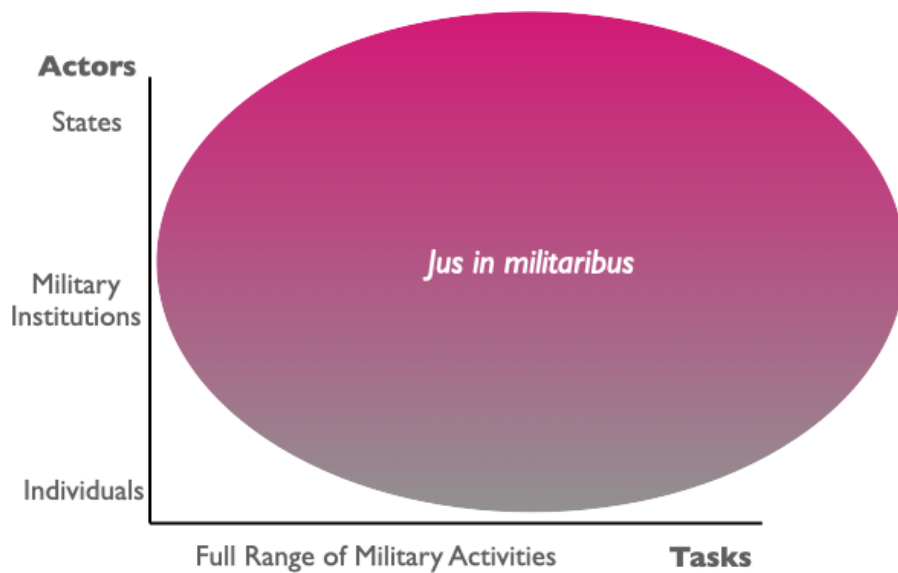


Figure 37: *Jus in Militaribus*-based Coverage of Military Moral-Ethical Relevant Actors and Tasks

Figure 37 indicates the expanded scope of *jus in militaribus* based guidance, which includes the full range of military activities, across the enterprise and functional layers of the institution—not just the subset of military activities included in combat. *Jus in militaribus* provides descriptions of the justice and injustice of types of interactions with different actors in particular contexts. Thus, attention to *jus in militaribus* enhances the ability of the stewards of the profession to provide guidance by cultivating a richer orientation to inform interpretation and decision, and action and feedback. This offers a superior approach to moral injury capability development than the previous reliance on *jus in bello*, even as that is increasingly supplemented with the other JWT-based control systems guidance, for example, *jus post bellum* and *jus in vim*, to provide moral-ethical guidance for all military tasks calling for the potential use of violence.

6.5.3 Advantage #3: Provides a Military Context-Appropriate Heuristic for Moral-Ethical Decision-Making

Justice in military life requires that military institutions build and cultivate trust / avoid betrayal in all interactions—both of these focus on the external exercise of control, and the internal (within the institution) exercise of control of the means of control.

Making decisions in the complex, uncertain, and violent conditions of military

activity is difficult. The information required to make an optimal decision is seldom (if ever) available to the decision-maker at the point of decision. Yet in many cases, while the optimal response may not be immediately clear, it is possible to quickly perceive what would constitute a betrayal based on the JWT-informed *jus in militaribus*. Therefore, when attempting to select a course of action, avoiding betrayal provides a way to both decide and interpret one's own actions, even when it turns out that the decision was mistaken. Thus, a major advantage of moral-ethical guidance formulated within the *jus in militaribus* framework is the way in which it enables the articulation of a simple heuristic to inform decision-making—avoiding betrayal. As discussed in Chapters 1, 2, and 3, the experience of betrayal—both betraying and as one betrayed—is a major contributing factor to moral injury. The definitional focus on personal responsibility (as traced in Chapter 2) and a lack of a model of military trust have hindered development of approaches to reduce betrayal, especially institutional betrayal.

The *jus in militaribus* framework-based guidance corrects this deficiency by providing a simple heuristic—*avoid betrayal*—for making discretionary judgments with high degrees of moral-ethical content.

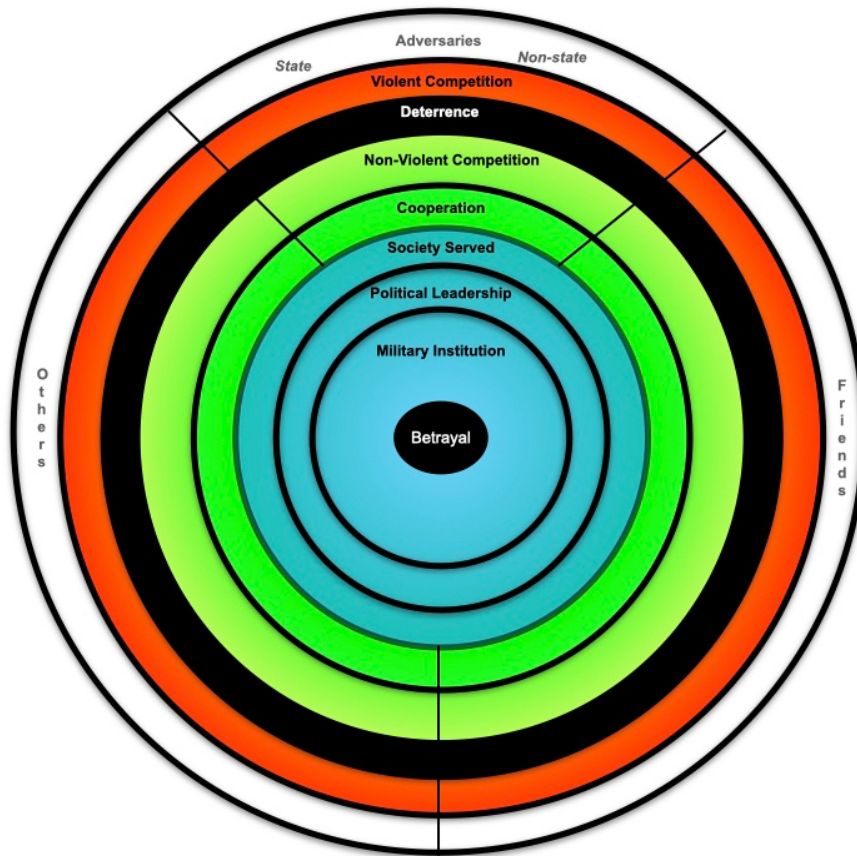


Figure 38: Graphic Representation of the “Avoid Betrayal” Heuristic

Figure 38 provides a graphic representation of the scope and content of *jus in militaribus* based theory of practice. Starting from the center, the theory of practice is focused on the simple *avoiding betrayal* heuristic. This includes avoiding betrayal of the following actors and organizations: self, other service members, the military institution, political leadership, and society served. It also includes those actors and organizations with which the institution is cooperating, competing non-violently, and competing violently (the traditional subject of *jus in bello*). The articulation of the framework provides a simple heuristic and actionable “hooks” for subsequent thinking and action.

The model of military trust presented in Chapter 5 provides the additional guidance necessary to operationalize this heuristic. In other words, the trust model indicates how to avoid trust violations—betrayals—causing moral conflict, and in some high-stakes cases PMIEs, by encouraging trustworthy behavior and discouraging untrustworthy decision and actions. The increased granularity provided

by the model facilitates detection of trust violations (emerging from the competence, fiduciary duty, or integrity “domains,” like threats from land, sea, or air). It also enables the formulation of more effective responses to actions degrading trustworthiness and increasing distrust and/or mistrust than does the previous blunt understanding of military trust as a monolithic factor in organizational life, as seen for example in references to trust as the “bedrock” of the profession.

6.5.4 Advantage #4 Enables Strategic Thinking Beyond Compliance

Control system-based compliance is inadequate to fully manage the risk of unjust action because military operations require the operation of professional, and thus autonomous, decision-making. Advantage #4 of *jus in militaribus* results from the utility of the *jus in militaribus* framework for enabling strategic thinking. Before further analyzing the connection between military moral-ethical decision-making and strategic thinking, this section defines the term “strategic.”

By “strategic,” I am not using the term as a synonym for “important,” as is often the case in US military writing.⁸⁴⁰ Instead, I am using the term “strategic” in a precise sense as described by Arthur F. Lykke in his “Toward an Understanding of Military Strategy,” where he defined military strategy as follows: “Strategy = ends + means + ways.”⁸⁴¹ Each of these terms require definition.

6.5.4.a Ends

Ends refer to objectives the military task is intended to achieve.⁸⁴² At the highest grand strategic level, the ends are the overall political domain-level goals established by the political leadership. However, these goals are often ambiguous and open to interpretation.⁸⁴³ The military ends are therefore the result of interpretation such as that performed through the Joint Planning Process, specifically

⁸⁴⁰ Douglas C. Lovelace critiques the often sloppy use of the term “strategy” in his foreword to Harry R. Yarger's *Strategic Theory for the 21st Century: The Little Book on Big Strategy* (Carlisle, PA: Strategic Studies Institute, 2006). He writes, “The word ‘strategy’ pervades American conversation and our news media. We tend to use strategy as a general term for a plan, a concept, a course of action, or a ‘vision’ of the direction in which to proceed at the personal, organizational, and governmental—local, state, or federal—levels. Such casual use of the term to describe nothing more than ‘what we would like to do next’ is inappropriate and belies the complexity of true strategy and strategic thinking. It reduces strategy to just a good idea without the necessary underlying thought or development. It also leads to confusion between strategy and planning, confining strategic possibilities to near-time planning assumptions and details, while limiting the flexibility of strategic thought and setting inappropriately specific expectations of outcomes” (v).

⁸⁴¹ Arthur F. Lykke, “Toward An Understanding of Military Strategy,” in *U.S. Army War College Guide to Strategy*, ed. Joseph R. Cerami and Jr. James F. Holcomb (Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, 2001), 179.

⁸⁴² Lykke, “Toward An Understanding of Military Strategy,” 180.

⁸⁴³ As discussed in Chapter 4 above.

the “Mission Analysis” step of that process.⁸⁴⁴

6.5.4.b Ways

Lykke writes, “‘Ways’ are concerned with the various methods of applying military force.”⁸⁴⁵ These ways are integrated into “courses of action” (COAs). Based on this interpretation, planners formulate hypotheses about what actions are required to bring current conditions closer to desired states. These hypotheses are formulated as courses of action. Commanders then select (decide) from the proposed hypotheses (COAs) to enhance the position of advantage. The selected COA (modified as necessary) is then fully articulated into an executable plan.⁸⁴⁶

6.5.4.c Means

The possible “ways” are the result of the available “means.” “Means” refers to the military resources (manpower, material, money, forces, logistics, etc.) required to accomplish the mission.⁸⁴⁷ These means are composed of *capabilities*. The capabilities are more than just the product of technology platforms, such as ships, aircraft, and tanks. Capabilities are composed of components divided into the categories of doctrine, organization, training, material, leadership, personnel, and facilities. This is captured in the acronym DOTMLPF.⁸⁴⁸

6.5.4.d Risk

Steven Heffington, Adam Oler, and David Tretler, in the National War College *Primer on National Security Strategy*, include “assessing the costs/risks associated with the strategy”⁸⁴⁹ as the fifth element of strategic logic. Chapter 2 discussed the Joint Risk Analysis Methodology, which is a doctrinally based way to integrate risk into decision making.

Thus, adding risk to Lykke’s equation results in the following:

Strategic thinking = ends + ways + means + risk

⁸⁴⁴ Munsch, *Joint Publication 5-0*.

⁸⁴⁵ Lykke, “Toward An Understanding of Military Strategy,” 180.

⁸⁴⁶ Munsch, *Joint Publication III-1 to III-75*.

⁸⁴⁷ Lykke, “Toward An Understanding of Military Strategy,” 180.

⁸⁴⁸ NATO, appropriately for an alliance, adds an “I” for interoperability. The US sometimes adds “P” for policy. This capability development paradigm is applied to Moral Injury Management Capability Development in Chapter 7.

⁸⁴⁹ Steven Heffington, Adam Oler, and David Tretler, eds., *A National Security Strategy Primer* (Washington, D.C.: National Defense University Press, 2019), 2.

Strategic thinking is required to balance each of these elements to produce effective strategies to accomplish the full range of military tasks.

6.5.4.e Strategic thinking and military moral-ethical decision-making

This study places strategic thinking within Snider's moral-ethical cluster of military expertise.⁸⁵⁰ Strategy and ethics are well connected in the academic literature. George Lucas, for example, writes,

I follow the lead of political philosopher Michael Walzer in equating ethics with sound strategy. 'Ethics' and 'sound strategy' are alike in inquiring about the ultimate ends of our actions. Both demand that we prove willing to subordinate choices among tactics to the satisfactory achievement of those ends. Both invite us, further, to examine what ends are appropriate, meaningful, and ultimately worth pursuing.⁸⁵¹

Effective moral-ethical decision-making is thus an integral part of effective strategic decision-making.

Strategic thinking, like moral-ethical decision-making, is difficult. This difficulty is due in part to the often paradoxical nature of military professional judgment. Edward Luttwak describes the paradoxical nature of military strategy, writing, "It is the struggle of adversarial forces that generates the logic of strategy, which is always and everywhere paradoxical, and as such is diametrically opposed to the commonsense, linear logic of everyday life."⁸⁵² The paradoxical nature is evident at all levels of military decision-making, from the grand strategic to the tactical, and across the full range of military activities including the enterprise and operational layers. Luttwak writes,

Thus, we have for example, the Romans *si vis pacem, para bellum*, if you want peace, prepare for war, or tactically, the bad road is the good road in war, because its use is unexpected—granting surprise and thus at least a brief exemption from the entire predicament of a two-sided human struggle.⁸⁵³

Moral-ethical conflicts, including those presented by PMIEs, can emerge from the

⁸⁵⁰ Snider, "American Military Professions and their Ethics," 20.

⁸⁵¹ Lucas, *Ethics and Cyber Warfare*, xi.

⁸⁵² Edward Luttwak, *The Grand Strategy of the Roman Empire: From the First Century CE to the Third*, revised and updated edn (Baltimore, MD: Johns Hopkins University Press, 2016), xiii.

⁸⁵³ Luttwak, *The Grand Strategy of the Roman Empire*, xiii.

difficulty of comprehending these paradoxes. *Jus in militaribus* provides a framework for strategic thinking in ways that better enable professional decision-making when faced with PMIEs. In addition, the *jus in militaribus* framework, by bringing to the surface the full range of decision-making considerations—beyond the limited guidance provided by *jus in bello*—enables more effective moral injury management capability development.

6.5.4.f *The good kill and strategic thinking*

The paradoxical nature of military life is especially clear in the difficulty associated with understanding the tension between the killing-related demands by the military in order to protect others in the service of national level political objectives and the moral-ethical commitments, including forbidding killing, with which people join the military. The aim of preparing to kill, and killing, is to protect from coercion through violence. Yet, “Coercing others through violence to reduce violence” is at first glance paradoxical, and certainly opposed to the commonsense logic of everyday life. The military has generally, except in regard to ensuring compliance with the LOAC-based control system, failed to explain the nature of killing in ways adequate to the moral injury management need.⁸⁵⁴ Strategic thinking is thus required to understand the morally ethically problematic nature of a core differentiator of military service—the requirement to prepare to, and if necessary, kill and harm other human beings.⁸⁵⁵

This tension between the moral code with which people enter the military and the transformation of values which makes killing a military virtue is inadequately explained in most military morality-ethics curricula. An hour of Geneva Convention mandated training on the law of armed conflict does not fully meet the explanatory need. The lack of adequate explanation creates cognitive and affective dissonance, contributing to moral injury vulnerability.

Awareness of the tension between civilian and military moral-ethical guidance surrounding killing appears in the literature. Richard M. Swain and Albert C. Pierce, in the *Armed Forces Officer*, describe the relationship between the US military profession and the society served as possessing two dimensions, the vertical and

⁸⁵⁴ Wood, *What Have We Done*, 28.

⁸⁵⁵ Anthony E. Hartle, *Moral Issues in Military Decision Making*, 2nd edn (Lawrence, Kansas: University Press of Kansas, 2004), 36.

horizontal. They write, “the vertical, which is the domain of civilian control of the military; and the horizontal, which involves how practices and values in the military mesh—or do not mesh—with practices and values in the larger society the military is sworn to serve.”⁸⁵⁶ The dilemmas associated with killing generate tensions that manifest along the “horizontal dimension” of the relationship between the military and the society it serves. Patricia Cook emphasizes the fact that the military institution itself forces this tension upon service members. She writes, “[T]he military profession is distinctive in requiring its practitioners to do something that they emphatically do not want to do: to intentionally injure and kill other human beings.”⁸⁵⁷ These actions are clearly in tension with the commonsense logic of everyday life. Drescher et al. write, “During war, service members are at times required (e.g., for survival, to accomplish a mission objective) to perform acts that would be illegal in most other contexts (i.e., killing).”⁸⁵⁸ Schorr et al., in their text “Sources of Moral Injury Among War Veterans: A Qualitative Evaluation,” describe this tension in their first category of the meta-category of “Personal Responsibility, Killing/Injuring the Enemy in Battle.” They write:

Injuring and killing the enemy in battle is central to the core mission of war. Service members are trained to kill and depart for war with the expectation that this is what they are setting out to do. And yet, a number of veterans in our focus groups described being changed by taking these actions that violated or, at the very least, challenged their previously held moral beliefs. This is captured in the quote below by a Vietnam veteran: “Thou shall not kill’, and then you go to war and you end up killing people and its kill or be killed...Another Vietnam veteran described the tension between the acts of war and moral expectations drawn from civilian life...It seems that moral injury may be most likely to occur after a person has been able to reflect on the situation and attempt to reconcile it with prior beliefs and expectations. In this case, the veteran was retrospectively struggling to reconcile civilian norms with those on the battlefield.”⁸⁵⁹

The problem of “reconciling civilian norms with those of the battlefield” cannot be entirely resolved through reference to the conventional moral-ethical guidance

⁸⁵⁶ Swain and Pierce, *The Armed Forces Officer*, 97.

⁸⁵⁷ Patricia Cook, “A Profession Like No Other,” in *The Routledge Handbook of Military Ethics*, ed. Lucas, 35.

⁸⁵⁸ Drescher et al., “An Exploration of the Viability and Usefulness of the Construct of Moral Injury in War Veterans,” 8.

⁸⁵⁹ Yonit Schorr et al., “Sources of Moral Injury among War Veterans: A Qualitative Evaluation,” 2208.

with which the people enter the military. For example, the equivalence between individual self-defense and militarily justified applications of violence is tenuous at best and provides an inadequate foundation for moral-ethical understanding sufficient to appropriately manage responses to potentially morally injurious events, especially those involving the taking of human life. The difficulty of the attempt to scale up the moral-ethical rules of ordinary life to justify killing in war is a major contribution to moral injury.⁸⁶⁰

Anthony E. Hartle's concept of "partial role differentiation" provides an explanation of the complex relationship between the civilian moral-ethical decision-making guidance and that provided to service members by the military institution. Hartle's concept thus provides a valuable input into "strategic thinking" about killing. In his *Moral Issues in Military Decision-Making*, Hartle provides a nuanced view of the relationship between the morality-ethics of the "home world" society from which service members emerge, serve, and return and the moral-ethical guidance associated with performance of their professional function, especially those functions involving killing and harming other human beings.⁸⁶¹ His primary claim is that:

The military professional, in the preparation for and conduct of war, appropriately takes actions that would not be morally permissible outside the role. The function of the military would not be possible otherwise. Because of their special responsibility to society, however, military professionals must consider and weigh the significance of their actions in terms of the general moral principles that derive from the basic values of society... Thus, in a partially differentiated role, and in applying an ethical code that reflects such partial differentiation, two sets of somewhat differing moral rules must be applied to choices among morally significant actions.⁸⁶²

The *jus in militaribus* framework enables stewards of the profession to better

⁸⁶⁰ Maguen et al., "Impact of Killing in War." Shira Maguen et al., "Killing in Combat May Be Independently Associated with Suicidal Ideation," *Depression & Anxiety* (1091–4269) 29, no. 11 (2012), <https://doi.org/10.1002/da.21954>, <https://nduezproxy.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,uid&db=aph&AN=83168042&site=eds-live&scope=site>; Maguen et al., "The Impact of Killing in War on Mental Health Symptoms and Related Functioning."

⁸⁶¹ *Moral Issues in Military Decision-Making* was first published in 1994. The second edition, published in 2004, explicitly includes discussions of the 1990–1 Gulf War (Desert Shield/Desert Storm), the Bosnian campaigns, September 11, and the wars in Afghanistan and Iraq. It thus considers the requirement to explain moral-ethical decision-making within contemporary forms of warfare.

⁸⁶² Hartle, *Moral Issues in Military Decision-Making*, 37.

explain the nature of this relationship. Killing, when necessary, must be done in accordance with the values of the society served and a foundational respect for other human lives as per international human rights norms, as well as commitment to mission accomplishment. Hartle's "partial role differentiation concept" helps enable strategic thinking, balancing ends, ways, means, and risk to make sense of, and thus reduce the decision-making dissonance created by, the conflict between the ethical code with which people enter the service and their professional actions. This tension, unmanaged, constitutes a major contribution to increasing the propensity to experiencing moral injury.⁸⁶³

By establishing a framework for understanding the relationship between the moral-ethical guidance with which people grow up and that of the military, *jus in militaribus* enables a more effective approach to understanding and managing this tension within the profession decision-making process.

6.5.4.g Strategic thinking and moral-ethical decision-making example vignette

Strategic thinking requires integrating, in ways congruent with the values of the society served, ends, ways, means, and risk. Chapter 3 described the Joint Risk Analysis Methodology. Service members are, as members of the profession serving in conditions of unlimited liability, obligated to accept high degrees of multidimensional risk.⁸⁶⁴ As James Glover writes, "The taking of risks is innate to the soldier."⁸⁶⁵ The following short vignette presents a moral injury relevant example of strategic thinking, including risk considerations.

Imagine a strategic corporal confronting a possible suicide bomber approaching a checkpoint at a market.⁸⁶⁶ Responding to this potentially morally injurious event requires nearly instantaneous assessment of, among others, the following risk dimensions:

1. Risk to the mission. Failing to prevent the suicide bomber attack entails failure

⁸⁶³ Kline Anna et al., "Morbid Thoughts and Suicidal Ideation in Iraq War Veterans: The Role of Direct and Indirect Killing in Combat," *Depression and Anxiety*, no. 6 (2016), <https://doi.org/10.1002/da.22496>. Burkman, Purcell, and Maguen, "Provider Perspectives on a Novel Moral Injury Treatment for Veterans."

⁸⁶⁴ Michael Hallett, "Cultivating Sailor Ethical Fitness," in *Ethics and the Twenty-First-Century Military Professional*, ed. Demy, 64. Karl Marlantes, *What It Is Like to Go to War* (New York: Grove Press, 2011), 222. However, although operating in conditions of unlimited liability—they must be willing to suffer and die to accomplish the mission—they are not required to take risks in which their death or that of their fellows approaches certainty except in rare cases.

⁸⁶⁵ James Glover, "A Soldier and His Conscience," in Matthews and Brown, *The Parameters of Military Ethics*, 148.

⁸⁶⁶ The concept of the strategic corporal, along with its relevance for this study, is discussed further below.

to protect the market so that local people can engage in economic activity without fear of death and dismemberment.

2. Risk to force. Allowing the bomber to detonate at the checkpoint may kill fellow service members.
3. Risk to self/moral injury risk. Shooting the potential bomber requires using violence against another human being and surfaces the “good kill” problem. Other considerations with moral-ethical valence include, but are not limited to, the following: a) The potential bomber may be under duress and not acting of his or her own violation; b) perhaps they are only presenting as a suicide bomber, but are really not; c) maybe they have been trained, equipped, and sent on the mission as a suicide bomber, but lack the intention to detonate and are seeking help.⁸⁶⁷

The service member is faced with an extreme moral conflict, in a high-stakes situation—a PMIE. On the one hand, shooting the potential bomber, by removing the immediate explosive threat, reduces the risk to mission and force and achieves the ends of the mission—protecting the people in the market. On the other, shooting an innocent person—using small unit means in a violent way—constitutes, to a limited but undeniable extent, an unjust action. Further, this action may inflame the situation, enhancing the adversary’s position of advantage by undermining the legitimacy with which the US force had been operating, thus hindering the larger achievements of the mission’s ends.

Jus in militaribus provides a framework for strategic thinking about this scenario that allows for the application of all *jus* “juses” – especially *jus in vim* in this case – that reliance on LOAC and ROE based on *jus in bello* does not. *Jus in militaribus* thus enriches the moral-ethical decision making orientation, enhancing both decisions and dealing with the aftermath of those decisions.

6.5.5 Advantage #5: Generates Structure and Guidance for Stewards of the Profession Task Execution

Balancing ends, ways, means, and risk is difficult, especially in the complex, uncertain, violent situations in which the military acts. Thus, the institution has a

⁸⁶⁷ See Joe Parkinson and Drew Hinshaw, "It Is a Bomb. Please, Save My Life.'—Nigerian Squads Face Wrenching Job: Defusing Explosives Strapped to Children by Boko Haram," *Wall Street Journal*, July 27, 2019, for discussion of these aspects of the decision based on experience in Nigeria.

responsibility to help service members develop the understanding necessary to examine free and informed choices as professionals. The *jus in militaribus* framework enables performance of this steward's task through formulation of a comprehensive theory of moral-ethical decision-making practice. Over the course of a career, service members can use the *jus in militaribus* framework to organize and integrate their moral-ethical learning, cultivating ever greater levels of military moral-ethical decision-making expertise as they advance in rank and responsibility. Thus, when they are called upon to act as stewards of the profession, they have at their disposal an integrated framework structuring their military moral-ethical expertise, not a mere haphazard series of moral-ethical improvisations that happened to serve (or not serve) them well over their individual career.

Jus in militaribus enhances the ability of the stewards of the profession to perform the following tasks relevant to enhancing moral injury management capability development.

6.5.5.a Stewards' task #1: negotiating the persistent tension between control systems and trust systems for risk management

As mentioned in Chapter 1, military organizations must encourage just action and guard against the risk that the institution itself, and the members of the institution, act unjustly. Both control systems and trust systems provide methods for managing this risk.

However, the distinction between trust and control systems is not always clearly made in organizations. The variability between trust and control systems for managing risk entails that theoretical distinctions between control and trust systems within the policies and practices for managing risk are operationally significant. Trust and control systems can positively reinforce each other or negatively interfere. Thus, understanding the difference between the approaches to risk management and creating the appropriate operational balance within the institution between the two approaches is an essential steward of the profession task.

Rousseau et al. raise this topic explicitly in "Not So Different After All: A Cross-Discipline View Of Trust."⁸⁶⁸ Of the types of trust they differentiate, both *deterrence*-based trust and *institution*-based trust bear close relationships to control

⁸⁶⁸ They write, "Whether institutional trust is a control or a form of trust support is a fundamental issue." Dirks and Ferrin, "The Role of Trust in Organizational Settings," 400.

systems. Indeed, they point out that some theorists question whether *deterrence*-based trust is actually trust, or instead merely a control system. Detailed contracts, for example, remove much of the requirement for trust, and rules and regulations intended as a foundation for *institution*-based trust may function, in some cases, as more of a control system than a trust-based system.⁸⁶⁹ Thus, while detailed rules and regulations can provide a foundation for the development of trust by bounding the limits of acceptable behavior, they can also degrade or prevent the development of trust. Rousseau et al. conclude that “In a sense, trust is not a control mechanism but a substitute for control.”⁸⁷⁰ The institutional control mechanisms can, even if intended to enhance trust, operate counterproductively to undermine trust.⁸⁷¹

Thus, control systems can provide a context for enhanced trust or create an environment actively discouraging trust, and in some cases, stimulating mistrust-based behavior.⁸⁷² Kramer discusses examples in which control systems based on monitoring and surveillance, intended to reinforce trust, undermine trust in two ways. One, they create fear of monitoring. Two, the existence of the monitoring and surveillance systems indicates to employees that they are not only *not trusted*, or that the employer is indifferent to their behavior, but they are *distrusted* to the extent that the resource expenditure on the monitoring and surveillance systems is justified.⁸⁷³ These control systems can generate negative distrustful or mistrustful behavior among employees otherwise predisposed to act in a trustworthy manner through stimulating “psychological reactance.”⁸⁷⁴ Thus, the use of institution control mechanisms can prevent the development of trust.

This undesired effect is a result of, in part, the organizational dynamic generated by social systems as “multi-loop nonlinear feedback systems,”⁸⁷⁵ as Jay Forrester describes. According to Forrester, as a result of social system complexity, organizations—even with the best of intentions and expenditure of massive resources (financial and human)—can still fail to generate their desired effects.⁸⁷⁶ Forrester describes the dynamic within government agencies as follows:

⁸⁶⁹ Rousseau et al., “Not So Different After All,” 399.

⁸⁷⁰ Rousseau et al., “Not So Different After All,” 399.

⁸⁷¹ Rousseau et al., “Not So Different After All,” 400.

⁸⁷² Kramer, “Trust and Distrust in Organizations,” 591.

⁸⁷³ Kramer, “Trust and Distrust in Organizations,” 591–2.

⁸⁷⁴ Kramer, “Trust and Distrust in Organizations,” 591.

⁸⁷⁵ Jay W. Forrester, “Counterintuitive Behavior of Social Systems,” *Technology Review* (January 1971): 2.

⁸⁷⁶ Forrester, “Counterintuitive Behavior of Social Systems,” 3.

Judgment and debate lead to a program that appears to be sound. Commitment increases to the apparent solution. If the presumed solution actually makes matters worse, the process by which degradation happens is not evident. So, when the troubles increase, the efforts are intensified that are actually worsening the situation.⁸⁷⁷

Due to failure to understand the complex, “wicked” nature of the problem, the institution develops systems based on the best available expertise that not only fail to achieve the objective but make the situation worse.⁸⁷⁸ Thus, over time, and with each expenditure of additional resources, the institution demonstrates increasing degrees of incompetence. This incompetence, when occurring in domains linked to moral-ethical decision-making, can generate moral conflict, and thus lead to justified declines in trust.

Recent US DOD efforts to increase trust may constitute examples of the system dynamic Forrester describes—actions intended to enhance trust through increased surveillance and monitoring (control system approaches) may actually both further degrade trust and increase distrust and mistrust. For example, surveys indicate that the recommendations to enhance institutional trust in the FY 2022 Office of the Inspector General Top Management Challenges Facing the DOD Ch. 10, “Preserving Trust and Confidence in the DOD,” are significantly degrading trust. That is, the institutional actions are both failing to enhance institutional trust and increasing institutional distrust.⁸⁷⁹ Thus, actions taken to enhance the “ethical soundness” of institutional decision-making in an exhortatory effort to enhance institutional trust are actually degrading that trust, both internally and externally.

The necessity for *both* control systems and trust systems to appropriately manage risk within military activities as described in Chapter 3 generates a persistent tension. Therefore, demarcation of the boundaries between the appropriateness of control systems or trust for managing risk poses a continuous challenge for military leaders. Successful mission decision-making in complex, dynamic, ambiguous environments, informed and sometimes restrained and

⁸⁷⁷ Forrester, “Counterintuitive Behavior of Social Systems,” 6.

⁸⁷⁸ See Rittel and Webber, “Dilemmas in a General Theory of Planning,” for further explanation of wicked problems.

⁸⁷⁹ See Anderson et al., *Reagan National Defense Survey Executive Summary*; Christopher C. Miller, “Those Soldiers in Jordan Were Casualties of Bureaucracy,” *Wall Street Journal*, February 2, 2024, https://www.wsj.com/articles/those-soldiers-in-jordan-were-casualties-of-bureaucracy-pentagon-procurement-0364f0c4?mod=commentary_more_article_posNaN.

constrained by doctrine, policy, and planning considerations requires rapid application of local knowledge *and* compliance with higher direction and guidance. Thus, as often heard in War College discussions, the relative balance between adherence to the standard procedures and the exercise of creative thinking “depends.” That is, the balance is struck based on the demands of the moment. Therefore, stewards of the profession need to understand what type of risk management system (control or trust) they are attempting to use to “control the means of control.” They must also understand the contexts and situations in which each is useful, where each is counterproductive, how to cultivate effective operation of both control and trust systems, and ensure the two systems are interacting in mutually supportive—not negatively interfering—ways.

Choosing which type of system is most appropriate in which circumstances requires the application of professional expertise. In other words, service members are constantly called upon to judge where the routine governed by explicit control systems ends and the creative response to unique situations requiring tacit trust begins. As Don Snider puts it, the making of discretionary judgments in complex, ambiguous situations constitutes the core task of the military professional.⁸⁸⁰

This tension generated by the requirement to both routinely adhere to control system-based constraints and restraints and autonomously exercise professional judgment is evident in the definition of doctrine, as found in the US Air Force *A Primer on Doctrine*.⁸⁸¹ Doctrine is the product of a strictly controlled deliberative process of developing shared understanding and provides a starting point from which creative thinking in the face of a particular situation can begin.⁸⁸² Reflecting awareness of the place of the routine in military operations, the *Primer* explains,

From one operation to the next, many things are actually constant. Doctrine, properly applied, often can provide an 80-to-90-percent solution to most questions, allowing leaders to focus on the remainder, which usually involves tailoring for the specific situation.⁸⁸³

⁸⁸⁰ Snider, "American Military Professions and their Ethics," 18.

⁸⁸¹ The primer explains that “doctrine is a body of carefully developed, sanctioned ideas which has been officially approved or ratified corporately, and not dictated by any one individual” (1).

⁸⁸² As a US Air Force doctrine explains, “Doctrine presented codified best practices on how to accomplish military goals and objectives. It is a storehouse of analyzed experience and wisdom. Military doctrine constitutes official advice, but unlike policy, is not directive.” Curtis E. Lemay Center, *A Primer on Doctrine*, 4.

⁸⁸³ Curtis E. Lemay Center, *A Primer on Doctrine*, 3.

Thus, as a starting point of shared understanding, doctrine is written such that it allows “decision maker latitude in interpretation and flexibility in application.”⁸⁸⁴ In other words, it provides a foundation for trusted decision and action—not only a set of constraints and restraints against which compliance can be judged.⁸⁸⁵ The theory of *jus in militaribus* and the accompanying model of institutional trust presented in this study constitute theoretical contributions to inform this “latitude and flexibility” for moral-ethical decision making.

6.5.5.b Stewards’ task #2: continuous check for institutional fitness for purpose

Jus in militaribus provides a framework for steward action as “reflective practitioners,”⁸⁸⁶ applying a critical “reflective eye” on the continued fitness for purpose of the military moral-ethical decision-making theory of practice. This “Fitness Monitoring” requires awareness of the nature and character of the global geopolitical environment, changes in society, adversary behaviors, and emerging technologies, as the world continuously changes—at an increasing rate.⁸⁸⁷

As seen in Gordon’s case study on the Royal Navy, and potentially evident in a case study of the US Army in Vietnam or the US military today, the institution itself can develop sets of incentives counter to functional performance effectiveness in ways that not only reduce its ability to provide protection, but also systematically generate moral conflicts potentially presenting as morally injurious events. To avoid these “pathologies” of institutional behavior, such as those Shay describes and which can be found in today’s news, the stewards of the profession can use the *jus in militaribus* framework to check for the continued fitness for purpose of the military institution.⁸⁸⁸ An institutionally focused version of what Clausewitz referred to as the “first question” can serve as a starting point for this check.

Clausewitz argued that the most important question political leaders and military strategists had to answer concerned determining the type of war they intended to fight. He wrote,

The first, the supreme, the most far-reaching act of judgment that the statesman and commander have to make is to establish by that test the kind of war on which they are

⁸⁸⁴ Curtis E. Lemay Center, *A Primer on Doctrine*, 4.

⁸⁸⁵ Gordon, in *Rules of the Game*, describes how doctrine enables decentralization.

⁸⁸⁶ Donald A. Schön, *The Reflective Practitioner* (United States of America: Basic Books, 1983).

⁸⁸⁷ Ray Kurzweil, *The Singularity Is Near* (New York, NY: Penguin Books, 2005), 11.

⁸⁸⁸ Shay, *Achilles in Vietnam*, 4. Shay, *Odysseus in America*, 263.

embarking; neither mistaking its form, nor trying to turn it into, something that is alien to its nature. This is the first of all strategic questions and the most comprehensive.⁸⁸⁹

Similarly, to develop an appropriate moral ethical decision-making theory of practice, and ensure the theory of practice remains fit for purpose, stewards of the profession can ask the following questions:

- What kind of military institution am I in and formulating moral-ethical decision-making guidance for?
- Is the resulting moral-ethical decision-making guidance fit for purpose in the current and emerging future environment on both the enterprise and functional layers?⁸⁹⁰

Stewards of the profession can use the *jus in militaribus* framework to inform their placement of their institution on the craft/procedural “slider” described in Chapter 4 as they answer the institutional character question to ensure continued institutional fitness for purpose. For example, a constabulary military designed for humanitarian assistance operations in the 1990s may be unsuited to the protective demands of the 2020–2030s.

6.5.5.c Stewards’ task #3: mission specific guidance

In addition to asking the broad institutional character questions, the *jus in militaribus* framework also enables asking mission-specific questions. Using *jus in militaribus* the stewards of the profession can engage in regular multidimensional analysis of the theory of military moral-ethical practice and guidance produced based on that theory of practice, to ensure its fitness for the demands of the task environment. For example, stewards operating within the *jus in militaribus* framework could ask, when planning for counterinsurgency and counterterrorism operations, questions such as the following:

- What are the moral-ethical aspects of these operations? Is our existing moral-ethical guidance

⁸⁸⁹ Carl von Clausewitz, *On War*, trans. Michael Howard and Peter Paret (Princeton: Princeton University Press, 1989), 88–9.

⁸⁹⁰ Although this section touches on the subject matter of the sociology of the professions in order to offer a framework through analysis of this question, it is not a fully exhaustive treatment of the associated issues. This section is intended only to point the way toward further research as a part of the stewards of the profession execution of *jus in militaribus* tasks.

sufficient?

- Are we providing the right mental models for moral-ethical engagement with adversaries using x, y, z tactics, techniques, and procedures?
- Do we need to adjust the guidance?
- Do we need to better explain how *jus in bello* should continue to guide our actions when interacting with adversaries who reject the combatant/non-combatant distinction and use our ROE against us?
- Should we develop ROE in this situation based on the *jus in vim*?
- Is it perhaps impossible to wage this particular counterinsurgency in accordance with our values?⁸⁹¹

6.5.5.d Stewards' task #4: the trust model and recommended remedial action formulation

The *jus in militaribus*, containing the model of military trust, links understanding of the forms of justice and injustice in military life (divided into the “*juses*”) with military *operate* and *generate* tasks in the functional and enterprise layers of the institution. It thus provides an integrated framework for analysis and development of institutional moral-ethical policies and practices across the full range of military activities.

The enhanced diagnostic precision provided by the military trust model's analytical distinction between trustingness and trustworthiness/untrustworthiness, and the subsidiary divisions/distinctions, enable enhanced precision for recommended remedial action formulation. In the absence of such precision the appropriate response to experienced or reported declines in trust remains unclear. For example, if surveys indicate a decline in trust, should the institution respond with enhanced training on virtue ethics to enhance individual integrity? Should it examine the institutional policies and practices across the four domains of organizational justice?⁸⁹² Should it increase training for unit leaders on their fiduciary responsibilities? Should it remove those fiduciary responsibilities from the scope of

⁸⁹¹ See Porch's *Counterinsurgency*. Porch acts as an especially insightful steward of the profession in this text.

⁸⁹² Jerald Greenberg, "Everybody Talks About Organizational Justice, But Nobody Does Anything About It," *Industrial and Organizational Psychology* 2, no. 2 (2009): 182–3, <https://doi.org/10.1111/j.1754-9434.2009.01131.x>.

the trust system, by, for example, creating separate control system-based organizations to investigate and adjudicate sexual assault accusations? All of these options present different sets of costs and benefits.

The model of military trust embedded in the *jus in militaribus* framework facilitates trust system analysis, diagnosis of deficiencies, and formulation of specific remedial actions and programs of work to implement those remedial actions. In the absence of such a model, the steward responses to perceived trust deficiencies, such as those listed in Chapter 1, remain a series of more or less haphazard improvisations, often driven by recency bias and the particular events that have captured the attention of political domain decision-makers in charge of the military at the moment—not the root causes of the trustworthiness decline. The model of military trust within the *jus in militaribus* framework enables decision and action in response to observation of declines in trust with sufficient specificity to bring about individual and institutional change beyond exhortatory appeals to “be ethical.”

6.5.5.e Stewards’ task #5: provide moral-ethical decision-making guidance for the “strategic corporal”

The articulation of the *jus in militaribus* and the model of military trust contained within the *jus in militaribus* framework will enable the stewards of the profession to provide richer moral-ethical decision-making guidance as part of an enhanced moral injury management capability. This guidance will be especially useful for the junior enlisted personnel Marine Corps General Krulak referred to as the “strategic corporals.”⁸⁹³

Krulak, in his 1999 article “The Strategic Corporal: Leadership in the Three Block War,” raised the changes in the character of conflict, in which warfare often, but not always, takes place in conditions absent declarations of “war,” as a critical issue for the military.⁸⁹⁴ The article articulated the personnel and leadership implications of the post-Cold-War changes in the character of conflict.

Krulak built the frame within which much contemporary military sense-making unfolds when he wrote,

Compounding the challenges posed by this growing global instability will be the emergence of an increasingly complex

⁸⁹³ Krulak, “The Strategic Corporal,” 2.

⁸⁹⁴ Krulak, “The Strategic Corporal,” 2.

and lethal battlefield. The widespread availability of sophisticated weapons and equipment will “level the playing field” and negate our traditional technological superiority. These lines separating the levels of war, and distinguishing combatant from “non-combatant,” will blur, and adversaries, confounded by our “conventional” superiority, will resort to asymmetrical means to redress the imbalance. Further complicating the situation will be the ubiquitous media whose presence will mean that all future conflicts will be acted out before an international audience.⁸⁹⁵

General Krulak thus encapsulated the trends shaping twenty-first-century conflict—the increasing complexity of the engagement space due to the technological diffusion of advanced weapons and the blurring of the clear separation between conditions of war and conditions of peace (upon which JWT moral-ethical guidance is based), all under the glare of the media spotlight.

Both the concepts of the “three block war” and the “strategic corporal” are especially relevant for this study. His term “three block war” refers to, as he explains, “contingencies in which Marines may be confronted by the entire spectrum of tactical challenges in the span of a few hours and within the space of three contiguous city blocks.”⁸⁹⁶ The term “strategic corporal” designates the junior enlisted service members required to make decisions in the three block war context with

unwavering maturity, judgment, and strength of character. Most importantly, these missions will require them to confidently make well-reasoned and independent decisions under extreme stress—decisions that will likely be subject to the harsh scrutiny of both the media and the court of public opinion.⁸⁹⁷

Krulak’s essay, describing the changed context and individual role in that context, thus bridges the gap between the treatment of the impact of macro-level changes in the conflict environment and the individual service member observing, deciding, and acting in that environment. The “strategic corporal” and “block wars” remain two of the key concepts shaping thinking about conflict in the twenty-first century.⁸⁹⁸

⁸⁹⁵ Krulak, “The Strategic Corporal,” 4.

⁸⁹⁶ Krulak, “The Strategic Corporal,” 4.

⁸⁹⁷ Krulak, “The Strategic Corporal,” 5.

⁸⁹⁸ Paul Robinson asserts, “We live in the era of the ‘strategic corporal.’” See Robinson, “Ethics Training and Development in the Military.” Rebecca Johnson’s “Moral Formation of the Strategic Corporal” focuses on the moral development of the “Strategic Corporal.” Rebecca J. Johnson, “*Moral Formation of the Strategic Corporal*,” in *New Wars and New Soldiers: Military Ethics in the Contemporary World*, eds Paolo Tripoli and Jessica

Krulak's article highlights how the covariance of the increase in the rate of change and complexity in the operational environment has led to, in many cases, an inversion of the relationship between the complexity of decision-making and rank. Up until the late twentieth century, the scope of decision-making generally correlated with military rank—the higher the rank, the greater the scope of decision-making and the impact of those decisions. Flag officers (O–7 to O–10) made decisions with operational and strategic level impacts, while the political leaders made grand strategic decisions. Field grade officers (O–5, O–6) made high tactical (shading into operational) and tactical decisions, while lower grade officers concerned themselves exclusively with tactical decisions. The enlisted personnel acted to carry out those decisions.

As a result of the changes in the external conflict environment, this clear mapping of decision scope and significance to rank has, in many cases, become blurred. Decisions at any level, including those by junior enlisted personnel—“strategic corporals”—can generate significant effects within the political-military domain.

6.5.5.f Moral-ethical decision-making relevance

Krulak's “three block war” concept links changes in the environment to an intensification of the importance of the moral-ethical layer of professional decision-making. In light of the challenges associated with the “three block war,” he writes, “The active sustainment of character in every Marine is a fundamental institutional competency—and for good reason. As often as not, the really tough issues confronting Marines will be moral quandaries, and they must have the wherewithal to handle them appropriately.”⁸⁹⁹ Thus, Krulak's description of the “three block” environment has served as the foundation for his call for an enhanced approach to service member preparation up and down the chain of command (from strategic corporal to Generals) based on three tasks: character development, an institutional focus on continuous professional development, and leadership development and sustainment.⁹⁰⁰ The prevalence of moral injury analyzed in Chapter 2 indicates that more than thirty years later, the military as an institution has not developed the

Wolfenden (Routledge, Taylor and Francis Group, 2011). David Wood in 2016 argued we are still not preparing the corporal for the moral challenges of combat. Wood, *What Have We Done?*

⁸⁹⁹ Krulak, “The Strategic Corporal,” 6.

⁹⁰⁰ Krulak, “The Strategic Corporal,” 6.

capabilities necessary to execute these tasks effectively. The *jus in militaribus* framework will contribute to the development and use of the “institutional competency” for performing these three tasks.

6.5.5.g Stewards’ task #6: the advantages combined enables “making better”

Building on the advantages provided by the *jus in militaribus*-based framework can enable the stewards of the profession to produce more effective moral-ethical decision-making guidance and appropriate learning experiences such that service members are better prepared for making judgments with high degrees of moral-ethical content across the full range of tasks.⁹⁰¹

The cumulative effect of application of the *jus in militaribus* framework to generate these advantages enables the stewards to take seriously Sir John Winthrop Hackett’s analysis, where he writes, “the interesting thing is that although war almost certainly does not ennoble, the preparation of men to fight in it almost certainly can and very often does.”⁹⁰² Figure 39 provides a graphic portrayal of the steward’s “make better” task.

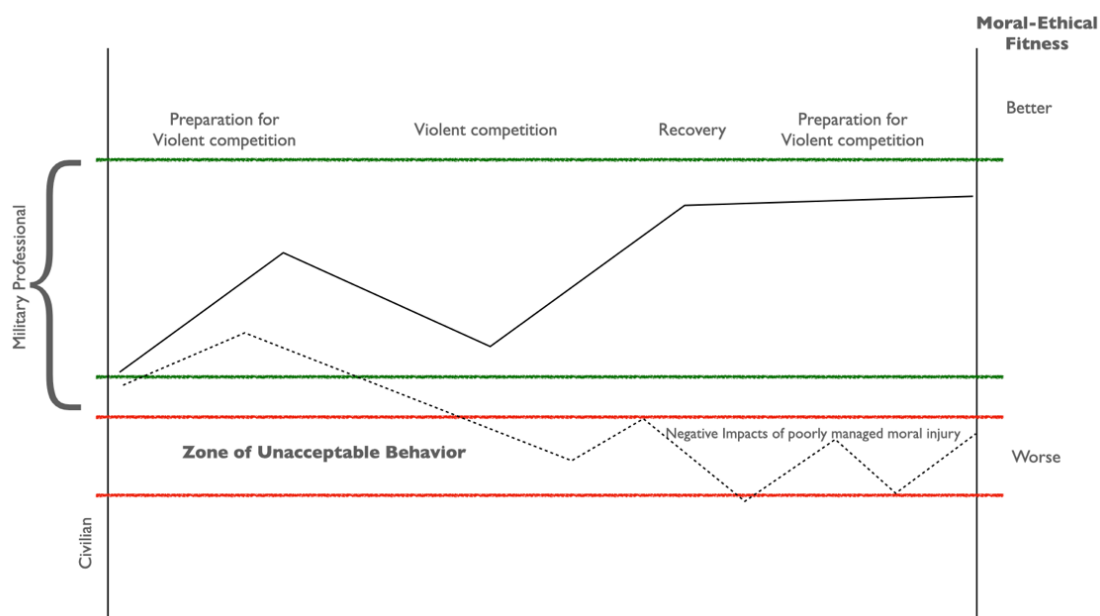


Figure 39: The Stewards “Make Better” Task

⁹⁰¹ These are examples of *jus ante bellum* activities enabled by the *jus in militaribus* framework.

⁹⁰² Hackett, “Society and the Soldier: 1914–18,” 82–3.

The left-hand vertical axis indicates the degrees of moral ethical fitness required for civilians and military personnel. The placement of the military professional above the civilians indicates that the military professionals are held to a higher standard of moral-ethical fitness.⁹⁰³ If the military institution is to preserve its institutional autonomy, the society's *trustingness* must remain buttressed by evidence of military *trustworthiness* that it is applying violence, and potential violence, in socially beneficial ways. Society therefore demands service members operate with higher levels of moral-ethical fitness.

The horizontal axis indicates a reoccurring "sine wave" of preparation for violent competition (intended to deter the actual use of violence), violent competitive activities, recovery from the use of violence, and a return to preparation for violent competition. This cycle is not tightly coupled to periods of war and peace. Movement through the cycle can occur within a single deployment or even a day of operations in the "four block war."⁹⁰⁴

The right-hand vertical axis indicates the degree of moral-ethical fitness using the categories of "better" or "worse."

The "Ennoble/make better" or "enhance ethical fitness task" has two parts.

Onboarding. The first is to help service members "onboard," that is, become members of the profession. This requires guidance on and support to make the "leap" over the "zone of unacceptable behavior" by explaining and enabling internalization of the "partially differentiated" approach to professional military moral-ethical decision-making.⁹⁰⁵ How military professional morality-ethics can include behavior that by the standards of the civilian world is "unethical"—especially killing—and yet remains congruent with the values of the society served, as discussed above, is not obvious.⁹⁰⁶ The stewards of the profession must explain, and support internalization by new service members, of a robust, actionable understanding of the relationship between the two sets of values.

Create "reserve buoyancy." Stewards of the profession, using the *jus in militaribus* frame to formulate the theory of practice and decision-making guidance,

⁹⁰³ See Lucas, *Military Ethics*: 104–10, for a discussion of how the military is appropriately held to a higher standard.

⁹⁰⁴ James N. Mattis and Frank Hoffman, "Future Warfare: The Rise of Hybrid Wars," *U.S. Naval Institute Proceedings* 131, no. 11 (2005).

⁹⁰⁵ Hartle, *Moral Issues in Military Decision-Making*, 161–70.

⁹⁰⁶ As discussed above in regard to Hartle's partial role differentiation concept.

can prepare service members for the full range of military activities, especially those including violence, such that service members develop “excess” moral-ethical excellence. The stewards’ “make better” task therefore, as indicated in the solid line blue of Figure 39, is to cultivate an increase in excellence over the minimum required baseline.

This moral-ethical excellence/maturity “surplus” in excess of the control system compliance-based decision-making requirements creates cognitive and emotional “reserve buoyancy.”⁹⁰⁷ With sufficient reserve buoyancy, when damage in a conflict occurs, that damage results in only a temporary decrease of moral-ethical excellence. As a result of more than adequate levels of self-trustworthiness, service members remain above a level of still acceptable moral-ethical excellence. This “surplus” reserve buoyancy, by providing an extra degree of moral-ethical fitness, enables repair, recovery, and subsequent greater growth of moral-ethical decision-making capability.

The aim of the preparatory “make better” process, from a moral injury management perspective, is to develop resilience or, more precisely, improvement as a result of encountering the challenge. As a result of this “anti-fragility,” the damage from moral conflict functions more like the micro-tears in muscle fibers, creating soreness in the short term but increased strength over time, rather than like the damage associated with a car crash or Improvised Explosive Device (IED) detonation.⁹⁰⁸ Cultivating this reserve buoyancy as part of service of preparation activities—*jus ante bellum*—primes service members for repair, recovery, and subsequent greater growth. This facilitates later movement along post-traumatic growth/positive adaptation pathways.

Insufficient preparation—indicated by the dotted line. Absent such preparation, as indicated by the dotted line in Figure 39, service members, when experiencing the nearly inevitable moral-ethical damage resulting from the experience of violence (Hackett’s “make worse”), may find themselves below the line of acceptability. As discussed in Chapters 1 and 3, and in Litz et al.’s moral injury model, the negative impacts of moral injury can compound (such as when resulting

⁹⁰⁷ On a ship, reserve buoyancy refers to the excess buoyancy, or flotation capability, such that if several compartments of the ship are damaged, allowing water intrusion, the ship still floats. The Titanic had insufficient reserve buoyancy due to a lack of structural compartmentalization.

⁹⁰⁸ See Nassim Nicholas Taleb, *Antifragile: Things that Gain from Disorder* (New York: Random House, 2012), for further discussion of anti-fragility.

in berserker behavior), creating a vicious circle, leading to “Kessler” type outcomes.⁹⁰⁹ Thus, the cultivation of “reserve buoyancy” through “making better” as part of service member preparation helps service members emerge from the, in many cases, inevitable moral injury suffered in violent action as stronger, across multiple dimensions, human beings, not broken vessels leaking dysfunction and degrading those around them.

In summary, the stewards’ “make better task”—preparation for complex moral-ethical decision-making—prepares service members to achieve three moral injury relevant objectives:

1. Reduce the occurrence of decisions when faced with PMIEs that result in moral injury.
2. Ameliorate the effects of decisions resulting in moral injury—both those decisions fully compliant with JWT-based rules of engagement and those falling short of rule compliance.
3. Enable recovery from moral injury by “making better” in preparation for military activities.

6.6 Part 5: Disadvantages

The previous part listed several advantages of the use of the *jus in militaribus* framework to shape military moral-ethical decision-making. Stewards’ use of the *jus in militaribus* framework could also generate disadvantages for military decision-making. This section discusses five of the most prominent potential disadvantages.

6.6.1 Potential Disadvantage #1: Increased Friction Leading to Paralysis by Analysis

The use of *jus in militaribus* could encourage a sensitivity to nuances of moral-ethical decision-making, rendering rapid decision impossible. The greater scope of analysis enabled by the *jus in militaribus* (e.g., is this a *jus in bello* or *jus in vim* situation?) could slow the speed of decision-making in violent situations. By providing a framework and vocabulary for detecting moral conflict (including potentially morally injurious events), the *jus in militaribus* could thus increase the decision-making friction across the full range of military activities. For example, the *jus in militaribus* “radar” by enabling service members to see potential betrayals

⁹⁰⁹ Litz et al., “Moral Injury and Moral Repair in War Veterans,” 700.

“over the horizon”—detect moral conflict-based threats—could lead to exquisite sensitivity to potential betrayal, reducing the timeliness of decision-making in ways that undermine professional effectiveness.

6.6.2 Potential Disadvantage #2: Loosening of Restraints and Constraints on Service Member Behavior

The control system-based, compliance-focused approach to military morality-ethical decision-making established a robust a set of restraints and constraints to manage the risk of unjust service member action.⁹¹⁰ Removing the clear distinction between war and peace as a result of integrating the various *juses* within the *jus in militaribus* framework, coupled with the adversary driven erosion of the clear distinction, the “bright line” between war and peace, could in turn loosen the JWT-based control-system risk management framework. This loosening, increasing service member freedom of action, could, by injecting additional ambiguity into the guidance for service member decision and action, confuse rather than clarify the moral-ethical guidance for PMIE responses.⁹¹¹ This might both increase the risk of unjust action and add to the already complex decision-making burden associated with PMIEs.

6.6.3 Potential Disadvantage #3: Casuistry

The increased analytical granularity enabled by the *jus in militaribus* framework could enable service members to disguise immoral-unethical conduct in a web of detailed justifications based on dishonestly subtle arguments. For example, accusations of immoral action in a low-intensity situation, like a food relief operation, could be countered with assertions that although the *jus in vim* applied overall, in that particular situation, in that block of the city, *jus in bello* applied, and the violent action was therefore justified.

6.6.4 Potential Disadvantage #4: Enhanced Sensitivity—“Saint Bartholmewization”

Disadvantage #1 speaks to the potential “drag” or decrease in velocity of

⁹¹⁰ According to the Naval Warfare Publication 5-0 Naval Planning, “Restraints are requirements placed on a command by a higher command that prohibit an action, thus restricting freedom of action (FOA), such as a prohibition on the use of mines. Constraints are requirements placed on a command by a higher command that dictate an action, thus restricting FOA; such as completing a task by a designated time.” Scott B. Jerarek, *Naval Planning NWP 5-01, 2-9* (Norfolk, VA: Navy Warfare Development Command, 2013).

⁹¹¹ The Australian Defense Forces Future Operational Environment 2035 argues, “In a competitive future scenario, with a more explicit threat, there may be a greater willingness and freedom of action afforded to the military.” Griggs, *Future Operating Environment 2035*, 45.

individual and organizational decision-making caused by attention to the *jus in militaribus*. Disadvantage #4 concerns the attention to the *jus in militaribus* increasing sensitivity to potential moral conflict—removing the “thick skin” that insulates from the effects of everyday moral conflict. This enhanced sensitivity could increase—not reduce—occurrences of moral injury. How? *Jus in militaribus*-based analysis could heighten awareness (through amplifying the “gain” of the moral-ethical radar) and increase sensitivity to potential and actual moral conflicts associated with dynamic interactions of professional life. The increased sensitivity could result in service members growing increasingly miserable due to the web of continuous moral conflict their subtle understanding of *jus in militaribus* has revealed. Thus, the normal, often unpleasant—when compared with civilian alternatives—nature of military life, consisting of a mixture of physical discomfort and multidimensional moral conflict emanating from subordinates, peers, and superiors, could become perceived as an intolerable bedlam of betrayal. Attention to the *jus in militaribus* encouraging focus on the moral-ethical layer of decision-making could reveal pervasive violations in the imperfect interactions of military life.⁹¹² The resulting situation, in which service members focus primarily on their suffering and efforts to manage the negative effects of moral conflict instead of performing their professional tasks, would hinder, not enhance, professional functionality.

6.6.5 Potential Disadvantage #5: Decreased Respect for International Human Rights Law

The use of the *jus in militaribus* could further undermine respect for international human rights law. Lack of respect for IHL is a major challenge in the twenty-first century.⁹¹³ The emphasis on the limits of control system-based compliance and emphasis on trust within the *jus in militaribus* framework could be viewed as constituting a move away from the hard-earned increases in the LOAC

⁹¹² This could be viewed as the opposite of “ethical fading.”

⁹¹³ See ICRC, *International Humanitarian Law and the Challenge of Contemporary Armed Conflicts: Recommitting to Protection in Armed Conflict on the 70th Anniversary of the Geneva Conventions*, International Committee of the Red Cross (Geneva, CZ, 2019), 72, <https://www.icrc.org/en/document/icrc-report-ihl-and-challenges-contemporary-armed-conflicts>. “In each report on IHL and the challenges of contemporary armed conflicts, the ICRC has emphasized that the single most important challenge to IHL is lack of respect for it. Efforts to enhance respect for IHL should be taken by all parties to armed conflict; by States, at the national, regional, and international level; and by all actors that can influence those involved in the fighting. The first—and a pivotal—responsibility that States have is to ‘bring IHL home,’ which means to consider ratifying or acceding to IHL treaties; to integrate into domestic law IHL treaties to which the State is party; and to integrate IHL obligations into military training and all levels of military planning and decision-making.”

compliance since the Lieber Code in the 1860s. Attention to *jus in militaribus*, from this perspective, enables a regression in the efforts to increase justness with which violence is used by states in pursuit of their policy objectives.

A summary list of the disadvantages is presented in Figure 40.

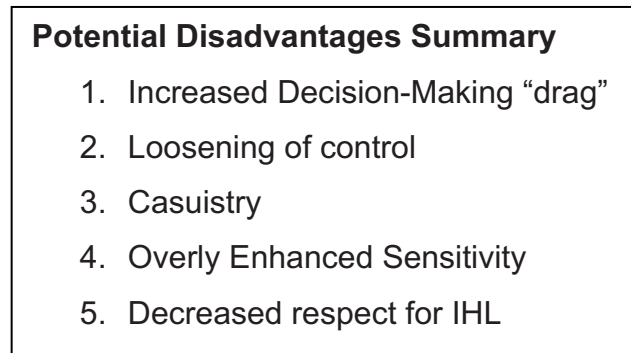


Figure 40: *Potential Disadvantages Summary*

6.7 Conclusion

The *jus in militaribus*, functioning as a metacognitive tool, provides a framework within which stewards of the profession can address the multifaceted aspects of justness and injustice in the forms of military life. This chapter has described the *jus in militaribus* framework in four parts. Part 1 provided a summary overview of moral conflict to prepare for the definition of the *jus in militaribus*. Part 2 defined the *jus in militaribus*. The *jus in militaribus* framework contains the control and trust systems for encouraging just and managing the risk of unjust military behavior across the full range of tasks. The combination of attention to the institutional trust violations and the increase in comprehensiveness as a result of the inclusion of the full range of tasks enables the *jus in militaribus*-based theory of practice to better address moral conflicts. This enriched theory of practice enables the stewards of the profession to formulate more comprehensive (including more than the narrow slice of military activity covered by the *jus in bello* guidance for combat) guidance for service members to make decisions when encountering PMIEs.

To clarify the role of the *jus in militaribus* in the military moral-ethical thought complex, Part 3 offered two analogies: the operational level of war, and “jointness.”

Part 4 discussed the advantages of the *jus in militaribus*. The advantages

include 1) more comprehensive theory-of-practice formulation; 2) more comprehensive moral-ethical decision-making guidance articulation overcoming the bifurcation of much military moral-ethical guidance; 3) presentation of a simple decision-making heuristic—avoid betrayal; 4) the enabling of strategic thinking beyond compliance; 5) provision of a framework within which the stewards of the profession can execute their moral-ethical decision-making relevant tasks.

The potential disadvantages listed in Part 5 include 1) increased decision-making friction; 2) increased immoral and unethical behavior enabled by misuse of the *jus in militaribus* framework to make self-serving subtle distinctions to justify behavior; 3) illegitimate use of theoretical nuance to justify unjust action; 4) increased sensitivity to potential moral conflict, including betrayal, to such a degree that service members are “flayed alive,” and as a result of their increased sensitivity experience military service as a miserable sequence of reoccurring large and small (mortal and venial) betrayals; and 5) decreased respect for international human rights law.

The *jus in militaribus* provides a conceptual framework for thinking about the moral-ethical implications of military action—with the full set of actors across a full range of interactions. To conclude this study and provide practical “hard impact,” the following chapter turns to the ways in which use of the *jus in militaribus* framework can enhance moral injury management capability development activities.

Actionable Insights

1. The *jus in militaribus* framework consists of three bundles: the “*juses*”, the model of military institutional trust, and the guidance potentially attached to the task descriptions found in the Universal Joint Task List (UJTL).
2. The *jus in militaribus* framework offers the following advantages for enhancing military moral injury management capabilities:
 - a. Increases the scope of the guidance coverage
 - b. Overcomes the bifurcation of military moral-ethical decision making guidance
 - c. Provides a military context appropriate heuristic for moral-ethical decision making
 - d. Enables strategic thinking beyond compliance
 - e. Generates a structure and guidance for stewards of the profession task execution
3. The *jus in militaribus* framework offers the following possible disadvantages:
 - a. Potentially increases decision making friction.
 - b. May loosen restraints and constraints on service member behavior
 - c. May encourage disingenuous, self-serving justifications for unjust moral-ethical decision-making
 - d. May increase service member sensitivity to betrayals
 - e. May decrease respect for international human rights law

Chapter 7: Conclusion

7.1 Introduction

The study answered the research question “What addition to the US military doctrinal articulation of the JWT will enable development of military moral injury management capabilities adequate to the need?” by articulating the *jus in militaribus* and formulating a provisional model of military institutional trust embedded therein.

This study’s articulation of the *jus in militaribus*, built on the foundation provided by Jonathan Shay, provides a framework to inform senior leader analysis of and adjustments to the internal policies and practices of the military institution to enhance the justness with which the organization performs its functions.⁹¹⁴ The *jus in militaribus* framework provides a theoretical structure within which senior leaders can conceptualize balancing risk mitigation measures based on control *and* trust systems across the full range of military activities. The framework thus provides a mechanism through which senior leaders can formulate approaches to manage the risks that the institution will act unjustly (both externally and internally) as it performs its functions. The JWT-informed control systems are well articulated and integrated into institutional training, education, and operational processes. The trust systems, as discussed in Chapter 3, are less well developed. Therefore, this study placed the bulk of its emphasis on the *trust*-focused component of the *jus in militaribus* framework.

Part 1 of this final chapter describes this study’s findings in lessons process terms and describes the elements of the proposed enhanced military moral injury management capability in accordance with the Doctrine, Organization, Training, Materiel, Leadership, Personnel, Facilities, and Policy capability development paradigm.⁹¹⁵ Part 2 presents the study significance. Part 3 offers suggestions for future research.

⁹¹⁴ Shay, *Odysseus in America*, 291.

⁹¹⁵ See the JALLC for description of the lessons process, and the DOD Dictionary for definition of DOTMLPF-P. See also Michael Hallett and Oke Thorngren, “Attempting a Comprehensive Approach Definition and Its Implications for Reconceptualizing Capability Development,” in *Capability Development in Support of Comprehensive Approaches: Transforming International Civil-Military Interactions*, ed. D. J. Neal and Linton Wells (Washington, D.C.: Center for Technology and National Security Policy, Institute for National Strategic Studies, National Defense University, 2011), for an application of the DOTMLPF-P capability development paradigm to interagency cooperation capability development.

7.2 Part 1: Findings

This section presents the findings of this study in accordance with the NATO lessons learned methodology as found in the *Joint Analysis Lessons Learned Handbook*.⁹¹⁶ The findings are presented in this way in order to shorten the conceptual “distance” between this study and further research on military moral injury management capability development.

7.2.1 Lessons Methodology

The NATO Lessons methodology is executed through a five-step process beginning with Step 1, analysis of Observations. Step 2, Analysis, yields insight into the root causes of the observed phenomena. Based on this analysis, Step 3 consists of the formulation of *Recommended Remedial Actions*. In Step 4, a *Lesson Identified* consisting of a bundle of observation, analysis, and recommended remedial action and tasking authority is formulated. Step 5 consists of implementation of the recommended remedial actions. Once implementation actions are complete, the *Lesson Identified* is designated as a *Lesson Learned*.⁹¹⁷ In terms of this methodology, this study constitutes a partial formulation of a Lesson Identified concerning military moral injury management. The following paragraphs summarize the findings of this study in the Lessons Process terms.

7.2.1.a Observations

Observation #1. The inadequate definition of moral injury hindered moral injury management capability development.

Observation #2. While control-system approaches to managing the risk of unjust action are well articulated, military definitions of trust remain vague.

Observation #3. The military institution is ill defined.

Observation #4. Moral injury remains a significant problem for the US military.

7.2.1.b Lessons Identified

Lesson Identified #1. The military needs to add the *jus in militaribus*, attention to the justness of the policies and practices of the military institution to its doctrinal

⁹¹⁶ Joint Analysis Lessons Learned Centre JALLC, *Joint Analysis Handbook*, fourth edn (Monsanto, Portugal: NATO Joint Analysis and Lessons Learned Centre, 2022). http://www.jallc.nato.int/products/docs/Joint_Analysis_Handbook_4th_edition.pdf. This methodology is congruent with the US lessons process.

⁹¹⁷ JALLC, 19–21.

understanding of the JWT, in order to better address the challenge posed by moral injury.

Lesson Identified #2. Articulation of a model of military trust is required to understand the “trust violation/betrayal” sources of moral injury.

Lesson Identified #3. The military needs to enhance its moral injury management capabilities. This remains the case even after Shay called for such a step in his 1994 text.⁹¹⁸ (Thus, in terms of the lessons process Shay’s text provided an unimplemented *Lesson Identified*.)

7.2.1.c Recommended Remedial Actions

1. Further articulate Shay’s concept of the *jus in militaribus*. Chapter 6 constitutes the implementation of this recommendation.

2. Formulate a model of military trust suitable for informing moral injury management capability development. Chapter 5 constitutes the implementation of this recommendation.

3. Articulate a military moral injury management capability in terms of the Doctrine, Organization, Training, Leadership, Materiel, Personnel, Facilities, and Policy paradigm. The next section constitutes a brief sketch of each of these capability elements as an input to the implementation of this recommendation.

4. Formulate a *Moral Injury Capability Development Strategy*.

5. Compose a *Moral Injury Capability Development Plan* to execute the strategy.

Steps four and five are beyond the scope of this study.

7.2.2 The DOTMPLF-P Capability Elements

The *jus in militaribus* provides the framework for articulating moral-ethical considerations and connecting them to mission-focused decision-making. It thus adds value to military moral-ethical decision-making by enabling creation of a foundation for enhanced moral injury management capabilities.

This section first defines the capability element and then provides a brief articulation of how the capability element applies to moral injury management. This section could be viewed as a contribution to a future Capabilities Assessment.⁹¹⁹

⁹¹⁸ Shay, *Achilles in Vietnam*, 209.

⁹¹⁹ For a description of a capabilities-based assessment process, see DAU, “Capabilities Based Assessment,” October 2021, <https://www.dau.edu/acquipedia-article/capabilities-based-assessment-cba>.

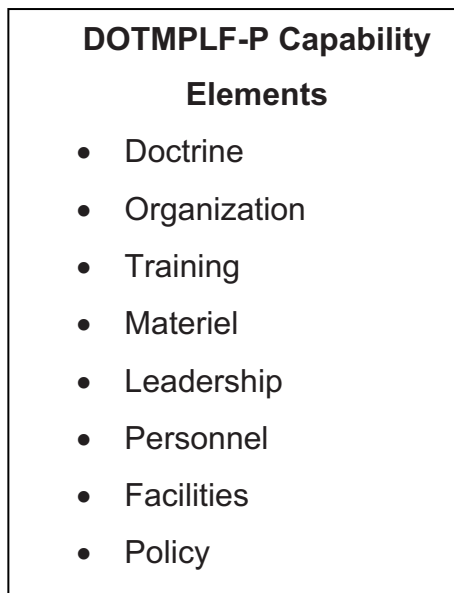


Figure 41: DOTMLF-P Capability Elements

7.2.2.a Doctrine

As discussed in Chapter 3, doctrine consists of texts that codify shared experience and insight into sets of practices.⁹²⁰

Chapter 3 reviewed the military doctrinal treatment of trust. Chapter 2 reviewed the limited treatment of moral injury in official US military publications. These reviews revealed that moral injury is not defined in the US DOD dictionary, Joint Doctrine, or Service Doctrine.⁹²¹ The *Law of War Manual*, promulgation of rules of engagement for specific operations, and the ethics codes such as the Joint Ethics Regulation and Service Ethics Regulations are necessary.⁹²² However, according to the analysis in this study, they remain *insufficient* to fully meet service member decision-making needs. Further, while the professional literature contains many excellent resources on moral-ethical decision making, the military lacks an overarching text, a “keystone” doctrinal publication, providing a comprehensive view

⁹²⁰ “Doctrine presents codified best practices on how to accomplish military goals and objectives. It is a storehouse of analyzed experience and wisdom. Military doctrine constitutes official advice, but unlike policy, is not directive.” Curtis E. Lemay Center, *A Primer on Doctrine*, 4.

⁹²¹ The “doctrine adjacent” text *Moral Leadership* by the Army Chaplain Corps defines moral injury. Miller, *Moral Leadership*. However, their definition, as discussed in Chapter 2, does not mention institutional betrayal as a possible source.

⁹²² “Navy Code of Ethics,” Secretary of the Navy, 2005, <http://www.secnav.navy.mil/Ethics/Pages/codeofethics.aspx>. Aspin, *Joint Ethics Regulation*.

of what Snider referred to as the “moral-ethical cluster of military expertise.”⁹²³ Absent this text, moral conflict in general, and moral injury specifically, lacks a doctrinal “home.” The problem is not a lack of insight, but the linking of that moral-ethical insight to action in an institutionally structured way. In the absence of moral injury relevant doctrine, the various moral-ethical insights from the military professional and academic literature, and ethics and leadership-focused commands (e.g., the Navy Leadership and Ethics Center), remain only tangentially connected to institutional policies and practices. Extensive individual effort is required by service members to extract the full value from these resources.⁹²⁴ The institution needs to more effectively facilitate this value extraction in order to enable enhanced moral injury management.

Recommendation. The Joint Staff J3 (with support from the J7) should produce a Joint Doctrine Note on moral-injury management. The Joint Doctrine Note will provide insights to inform formulation of military moral-ethical decision-making guidance by the stewards of the profession to better manage moral injury. The Joint Doctrine Note would serve as a starting point (not the final word) and a resource for subsequent service doctrine development and revision relevant to moral injury management, and moral-ethical decision making in general, and thus provide additional content for Snider’s “moral-ethical cluster of military expertise.”⁹²⁵ For example, the Joint Doctrine Note could inspire revision of ADP 6-22 *Leadership and the Profession*, especially the section on trust.

Alternatively, moral injury could be discussed in JP 4-02, *Joint Health Services*. JP 4-02 “provides fundamental principles and guidance to plan, execute, and assess joint health services during military operations.” JP 4-02 already discusses combat and operational stress.⁹²⁶ However, placing moral injury within the

⁹²³ Examples of valuable learning resources include NCO Worldwide, “Character and Ethical Leadership Self-Reflection Guide,” <https://www.ncoworldwide.army.mil/Resources/Leader-Tools/Character-Ethical-Leadership-Self-Reflection-Guide/>, and the Moral Leadership Training Model, as well as the discussion of ethical leadership in ADP 6-22.

⁹²⁴ These resources are plentiful, e.g., Justin R. Mostert et al., eds., *Ethics for the junior officer* (Annapolis, MD: U.S. Naval Institute Press, 1994).

⁹²⁵ Snider, “American Military Professions and their Ethics,” 20.

⁹²⁶ The doctrine describes Combat and Operational Stress Control (COSC) as follows: “COSC includes programs and actions to be taken by military leadership to prevent, identify, and manage adverse combat and operational stress reactions in units. These programs optimize mission performance; conserve the fighting strength; and prevent or minimize adverse effects of combat and operational stress reaction on Service members and their physical, psychological, spiritual, intellectual, and social health. The goal of these programs is to return military personnel to duty as soon as possible.” Kevin D. Scott, *Joint Publication 4-02 Joint Health Services, III-3* (Washington, D.C.: Joint Chiefs, 2018).

health framework would reinforce the tendency to see moral injury as a “medical” responsibility, and not a “leaders at all levels of the chain of command” responsibility. The above analysis, following the work of Jonathan Shay, indicates that such an approach would not suitably enable moral injury management capability development adequate to meet service member needs. Continued medicalization of the response to moral injury would perhaps enable further development of recovery support techniques. However, it would do little to prevent or reduce the intensity of moral injury.⁹²⁷

7.2.2.b Organization

Organization refers to, as discussed in Chapter 4, the way in which the institution, and the components of the institution, are structured. In terms of capability development, the organization component provides a framework for analyzing the possible need for organizational change, such as the creation of new organizations, or changes to lines of authority through which command and control is exercised.

Recommendation. In my view, no organizational changes in the active duty structure are required. The US military already has the organizational structures in place—for example, the Stockdale Center for Ethical Leadership at the US Naval Academy, the Center for the Army Profession and Ethic at West Point, The Leadership & Innovation Institute (LII) at Air University, Maxwell Air Force Base, and the Navy Leadership and Ethics Center (NLEC) at Naval Station Newport, Rhode Island—necessary to further develop a military moral injury management capability. The Joint Staff J7 could task one of those organizations to take the lead on moral injury capability development.

Additional organizations may be required to, for example, manage the return from combat deployments, along the lines of the US Naval Reserve “decompression” sessions held in Heidelberg. Organizational support might also be required to create organizations for veterans who have detached from the military but could still benefit from persistent affiliation with the units with which they deployed to combat. For example, the military could authorize annual meetings for active, reserve, and veteran service members. Currently each of these groups are segmented into separate organizational “silos.” Private charities could then provide financial support

⁹²⁷ In reference to Figure 1 in the introduction, the moral injury response would remain “right of the boom” that is, after the damage has already taken place.

while the "regimental system organization" Shay called for (based on the UK model), organized, and executed the events.⁹²⁸ The organizational process, involving paperwork, quarterly meetings, financial reports, and so on could also, by providing a way for veterans to feel useful to the unit after leaving the service, constitute a nucleus of relationship around which moral injury management capabilities could coalesce.

These events, by providing a regular, recurring focus for relationship maintenance outside a clinical context, could generate relationship continuity supporting moral injury management efforts.⁹²⁹ The primary point of the regular meetings would be to preserve unit comradery, friendship, and so on. The moral injury management capabilities would emerge as a positive externality of the achievement of the other aims. Those considered at most risk could, for example, be assigned to the core team and attend the regional and national meetings sponsored by military affiliated charities.⁹³⁰

7.2.2.c Training

The need for additional training supports the requirement for the development of a single doctrinal text on moral-ethical decision-making, including moral conflict and moral injury. This text would supplement, not replace, the existing moral-ethical decision-making literature. Such a text could serve as the source for curriculum development to enhance moral injury management. In addition, training on moral injury could be integrated into leadership courses, as part of the leadership development continuum for both officer and enlisted personnel.

The moral-ethical training should focus on the hard problems the data indicates are producing most of the negative outcomes⁹³¹ Such an approach would make training time available for inclusion of moral injury into learning experiences. Keeping Wong and Gerras' critique of simply adding training requirements in mind,

⁹²⁸ See Shay, *Achilles in Vietnam*, 198.

⁹²⁹ Participants would probably complain about the "bureaucratic reporting requirements," e.g., trip reports, travel requests, travel claims, After Action Reviews, and so on. However, the paperwork would connect people to the military institution in ways that attending meetings with a Veterans Administration counselor does not. People could even advance in "rank" within the organization, including those of the non-profit ecosystem: e.g., Veterans of Foreign Wars, Wounded Warrior Project, and so on. Members of these organizations could even provide moral injury relevant training to active duty and reserve units.

⁹³⁰ The organization could help fill the vacuum described in Salahi, "'When They Came Home They Were on Their Own'."

⁹³¹ "Within the category of Personal Misconduct, the preponderance of reliefs were for adultery, inappropriate relationships, harassment, or sexual assault. In 2010 the Adultery, Inappropriate Relationship, Harassment, and Sexual Assault subcategory accounted for nine of the 10 cases (90%)."

the time dedicated to discussion of responses to temptations could be reduced in order to free up instruction time for analysis of moral injury.⁹³² As a general instructional principle, the moral-ethical decision-making training could focus on the highest risk “threats”: moral-ethical dilemmas, not the more easily addressed temptations. Training could emphasize those forms of moral conflict leading to the bulk of negative outcomes. Texts such as “Conquering the Ethical Temptations of Command: Lessons from the Field Grades” could inform the training focus.⁹³³ For example, dilemmas presenting PMIEs, and as leaders increase in rank, temptation-based threats posed by the Bathsheba syndrome would receive most of the instructional time.⁹³⁴

Recommendation. Integrate moral injury into the moral-ethical decision-making section of existing leadership courses. Free up space for inclusion of moral injury by decreasing instructional time dedicated to temptations, by, for example, providing a handout on temptations and ways to respond for discussion in class if students have questions.

7.2.2.d Material

“Material” within the capability development paradigm refers to the technological tools used by the military to generate effects. It was the recognition that simply purchasing new equipment—material—was insufficient to produce enhanced capability to generate effects that led to the formulation of the capability development paradigm. In terms of moral injury capability development, the limitations of the acquisition system are most relevant to the material capability element.

Jonathan P. Wong, Obaid Younossi, Christine Kistler Lacoste, Philip S. Anton, Alan j. Vick, Guy Weichenberg, and Thomas C. Whitmore, in their report *Improving Defense Acquisition, Insights from Three Decades of RAND Research*, define acquisition as the “the management and development processes by which the department acquires, develops, and sustains weapon systems, automated

⁹³² Wong and Gerras, *Lying to Ourselves*, 4.

⁹³³ Analysis, such as that found in the Commanding Officer Detach for Cause Study, indicates that these constitute especially frequent causes of officer dismissals. See Clinton Longenecker and James W. Shufelt, “Conquering the Ethical Temptations of Command Lessons from the Field Grades,” *Joint Force Quarterly* (2nd Quarter, 2021), https://ndupress.ndu.edu/Portals/68/Documents/jfq/jfq-101/jfq-101_36-44_Longenecker-Shufelt.pdf?ver=5zOb4qs7emzoqqGuIP8nw%3d%3d.

⁹³⁴ Miller, “Those Soldiers in Jordan Were Casualties of Bureaucracy,” 1.

information systems, and services.”⁹³⁵ This is a core part of what was referred to in Chapter 4 as the “enterprise” function of the military institution. Christopher C. Miller argues that the US Department of Defense acquisition remains inefficient, ineffective, “bureaucratic,” and thus fails to provide the capabilities service members require. This inadequacy, he argues, resulted in service member death and injury in January 2024.⁹³⁶ The model of moral conflict and trust within the *jus in militaribus* framework enables formulation of a more precise diagnosis. The failings Miller describes are not the result of *bureaucracy* but of *bureaucratization*, leading to technical and moral-ethical layer incompetence. The technical and moral-ethical incompetence, evident in flawed grand strategic, strategic, and operational decisions leading to the tactical failures resulting in service member death and injury, undermine professional functional performance on both the enterprise and functional layers, and thus reduce institutional trustworthiness.

The persistence of acquisition system inadequacies constitutes institutional level betrayal.⁹³⁷ Thus, moral injury related “material” efforts should concentrate on improving acquisition system responsiveness to service member requirements.⁹³⁸

Recommendation. Add a “moral Injury threat assessment” to the Joint Capabilities Integration and Development System (JCIDS) Capability Based Assessment analytic process, and the corresponding processes within each of the services.⁹³⁹ Senior leaders could thus more accurately assess the moral injury relevant tradeoffs in the acquisition system.

7.2.2.e Leadership

Leadership, sometimes extended to include “Education” to differentiate it from the Training capability element, is defined in ADP 6-22 as follows: “Leadership is the activity of influencing people by providing purpose, direction, and motivation to accomplish the mission and improve the organization.”⁹⁴⁰ In terms of enhancing the

⁹³⁵ Jonathan P. Wong et al., *Improving Defense Acquisition: Insights from Three Decades of RAND Research* (Santa Monica, CA: RAND Corporation, 2022), 1.

⁹³⁶ Miller, “Those Soldiers in Jordan Were Casualties of Bureaucracy.”

⁹³⁷ See Shay’s discussion of weapons procurement during the Vietnam war and, more recently, Miller’s WSJ article. The model of moral conflict and trust within the *jus in militaribus* framework enables formulation of a more precise diagnosis. The failings Miller describes are not the result of “bureaucracy” but of bureaucratization, leading to technical layer incompetence, undermining professional functional performance on both the enterprise and functional layers, and thus reducing institutional trustworthiness.

⁹³⁸ See Wong et al., *Improving Defense Acquisition*.

⁹³⁹ DAU, “Capabilities Based Assessment.”

⁹⁴⁰ US Army, *Mission Command*, 1–13.

moral injury management capability, leaders must be acquainted with the moral injury syndrome and understand their role in preventing it, ameliorating the effects, and enabling recovery. As Shay wrote, military leaders and policy-makers hold the key to prevention of moral injury through enhancing cohesion, leadership, and training.⁹⁴¹ Education on the model of military trust, which provides a metacognitive structure for thinking about avoiding the sorts of betrayals—trust violations—that can generate PMIEs, and moral injury constitutes the key steps for this capability element.

Recommendation. Include education on moral injury, and how violations of trust can generate PMIEs presenting potential sources of moral injury, within the normal leadership education and development continuum. For example, a line item on “preventing and responding to moral injury” could be added as a task to the US Navy Leader Development Framework.⁹⁴²

7.2.2.f Personnel

Personnel concerns the availability of qualified personnel for various tasks within the institution. In accordance with Shay’s conception of the nature of the moral injury challenge, the military institution does not need additional people to deal with the issue—the existing personnel need to be appropriately trained and educated to reduce PMIEs generation, enable better amelioration of their effects, and further recovery. Indeed, adding personnel could encourage “outsourcing” of the problem away from leaders at all levels who constitute the “center of gravity” of moral injury management. This could produce the perverse effect of enabling bureaucratic camouflage and concealment of the problem—appearing to “do something” while actually just creating a new jobs program.

Recommendation. Resist the temptation to add additional personnel. Enhance the training of existing personnel to deal with moral injury.

Although this study does not call for the addition of new personnel to more effectively manage moral injury, the following paragraphs provide recommendations for specific sets of personnel already present within the military institution. This study often speaks of the “stewards of the profession.” As a way to enhance the “hard impact” of this study, and answer Shay’s call to “work to change those things in

⁹⁴¹ Shay, *Odysseus in America*, 6.

⁹⁴² Richardson, *Navy Leader Development Framework*.

military institutions and culture that needlessly create or worsen these injuries [of mind and spirit],”⁹⁴³ this section provides recommendations for specific military “stewards”: unit leaders, chaplains, and curriculum developers.

7.2.2.f.i Unit leaders. Unit leaders have the primary responsibility to provide moral-ethical decision-making guidance for those under their command. *Jus in militaribus*-based institutional level moral-ethical decision-making framework provides the structure, the “disciplinary matrix,” within which unit leaders can articulate guidance relevant to their tasks.⁹⁴⁴ The framework can help until leaders—for example, from platoon to fleet—ask and answer questions like the following:

- What are the potential moral-ethical conflicts, especially PMIEs, we may encounter associated with performance of these tasks?
- What decision-making guidance do I therefore need to articulate and share with members of my unit?
- What factors should we weigh contemplating risk for this particular mission?
- How can we avoid betrayal in this set of tasks?

These questions apply when entering a major maintenance availability, reporting to a staff position at a major headquarters, leading a ground unit in the middle of extended violent competition along the Dnieper River, or commanding a maritime force approaching the Scarborough Shoal.

7.2.2.f.ii Chaplains. While unit leaders need to “own” moral-ethical preparation and decision-making guidance, chaplains can also play an important supporting role. Shay writes, “Religious and cultural therapies are not only possible, but may well be superior to what mental health professionals conventionally offer.”⁹⁴⁵ Chaplains occupy a privileged position in the military moral-ethical ecosystem and thus have an opportunity to add significant value to moral injury management capability development by focusing explicitly on service member *spiritual* needs.

Jonathan Shay and Karl Marlantes in *What it is Like to Go to War*, and David Wood’s *What Have We Done*, emphasize the importance of rituals upon return from

⁹⁴³ Shay, *Achilles in Vietnam*, xiii.

⁹⁴⁴ See Thomas Kuhn for further definition of the disciplinary matrix. Kuhn, *The Structure of Scientific Revolutions*, 182.

⁹⁴⁵ Shay, *Odysseus in America*, 152.

deployment for military service members in order to reintegrate more effectively.⁹⁴⁶ Chaplains could help service members prepare through providing both pre- and post-engagement rituals. These could be of two types. One, *exclusionary* faith community specific approaches, requiring membership in a particular faith community. Chaplains would in effect say, “This is how we—members of this particular faith—prepare and recover. This is not for you if you are not deeply involved in our faith.” Two, pre- and post-engagement syncretic inclusive activities. These could start from a particular faith community or be modeled on interpretations of other rituals. For example, chaplains could develop pre- and post-engagement rituals based on Arjuna’s dialog with Krishna at the Battle of Kurukshetra in the Bhagavad Gita, Eleusinian mysteries, or the Athenian healing through narrative in the theater when Socrates returned from combat with the rest of the city. These could be open to all. Further research is required to determine if such approaches could prove useful.

7.2.2.f.iii *Curriculum developers.* The *jus in militaribus*, by linking the discussion of justice and injustice in military life to specific military tasks, provides a potentially useful framework for curriculum developers in two ways. One, the *jus in militaribus* could provide a framework for the first “analysis” step of the Analysis, Design, Development, Implementation, and Evaluation (ADDIE) curriculum development approach, facilitating course content creation.⁹⁴⁷ Two, the *jus in militaribus* provides a way to produce scenarios to inform learning. For example, when using the Experiential Learning Model, task vignettes built on the Universal Joint Task Listing plus the added enterprise moral-ethical considerations could provide the initial concrete experience.⁹⁴⁸ After selecting a task to examine (in either the enterprise or functional institutional layer), learners could then work through which *jus* was applicable—and why—as a way to explore potential responses and thereby prepare them for the use of their discretionary judgment applying the moral-ethical cluster of expertise to complex problems.

⁹⁴⁶ Shay, *Odysseus in America*, 244–5. Marlantes, *What It is Like to Go to War*, 202–3; Wood, *What Have We Done*.

⁹⁴⁷ Theodore D. Martin, "TRADOC Pamphlet 350-70-7 Army Educational Processes" (Fort Eustis, Virginia: United States Army, 2018), 20.

⁹⁴⁸ Martin, "TRADOC Pamphlet," 15.

7.2.2.g Facilities

The facilities capability element concerns the construction and maintenance of physical property such as real estate, aircraft hangars, headquarters buildings, dry docks, shipyards, repair facilities, factories, and so on. No additional facilities are required to enhance military moral injury management capabilities.

Recommendation. Resist the temptation to create “moral injury management” facilities—moral injury management requires understanding and enhanced moral-ethical decision making in all facilities.

7.2.2.h Policy

Policy is guidance from the senior levels of the institution, or from the civilian leaders controlling the institution. As the US Air Force *Primer on Doctrine* defines it (emphasis in italics),

Policy is guidance that is directive or instructive, stating what is to be accomplished. It reflects a conscious choice to pursue certain avenues and not others. Thus, while doctrine is held to be relatively enduring, policy is more mutable, but also directive. Policies may change due to changes in national leadership, political considerations, or for fiscal reasons. At the national level, policy may be expressed in such broad vehicles as presidential executive orders. Within military operations, policy may be expressed not only in terms of objectives, but also in rules of engagement (ROE)—what we may or may not engage with kinetic and non-kinetic capabilities, or under what circumstances we may engage particular targets.⁹⁴⁹

From the moral injury management perspective, therefore, stewards of the profession need to analyze policy for the degree to which it facilitates or prevents the presentation of PMIEs. That is, they need to explicitly analyze the policy, both new and existing, to determine if the policy produces outcomes that could likely manifest as PMIEs. For example, the personnel policy that encourages short combat tours of duty or rules of engagement for urban counterinsurgency should be analyzed through the PMIE production lens.⁹⁵⁰ This analysis, even when it results in an assessment that a policy evaluated as presenting high potential for PMIEs should be retained, would encourage clear awareness of the moral injury risk involved. The

⁹⁴⁹ Curtis E. Lemay Center, *A Primer on Doctrine*, 4.

⁹⁵⁰ See Porch, *Counterinsurgency*.

enhanced awareness of risk would allow for formulation of risk mitigation measures. Currently, in the absence of a concern with moral injury as a component of the policy development and analysis process, the risk of moral injury as a result of policy is concealed and camouflaged, encouraging a primary emphasis on the personal responsibility source of moral injury, and a neglect of the military institution itself as a moral injury source, as discussed in Chapter 2. This not only hinders efforts to enhance moral injury management, but degrades institutional effectiveness, as seen in poor retention and recruitment due to perceived PMIEs.

Recommendation. Add questions as to the degree to which a policy under consideration could intentionally, or unintentionally, generate PMIEs to the policy review process. This could be accomplished by, for example, adding a line to a policy review Standard Operating Procedure (SOP).

7.2.3 Recommendation Summary

1. Develop a *Moral Injury Management Capability Development Strategy*.
2. Develop and publish a *Moral Injury Management Capability Development Plan* to implement that strategy.
3. As the critical first step of the Moral Injury Management Capability Development Plan, direct the Joint Staff Operations (J3) to produce, in cooperation with the appropriate organizations, a Moral Injury Management Joint Doctrine Note. As the ADP 1-01 explains, doctrine development is often the first step in capability development. ADP 1-01 states:

The Army approaches solutions to problems through changes to broad categories of doctrine, organization, training, materiel, leadership and education, personnel, and facilities (DOTMLPF). Doctrine is usually the first approach taken as it is often the easiest and quickest to change and can dramatically impact the conduct of operations. In some cases, the impact of changes in the other factors cannot be fully realized without a significant change in doctrine. Doctrine can also serve as the basis for changes in the other DOTMLPF categories.⁹⁵¹

The Moral Injury Management Joint Doctrine Note will serve as a foundation for *Moral Injury Management Capability Strategy* and *Moral Injury Management*

⁹⁵¹ ADP 1-01 Doctrine Primer, 1-1 (Washington, D.C.: Headquarters, Department of the Army, 2019).

Capability Development Plan writing, revision, and implementation to inform action for all DOTMLPF-P capability elements. In accordance with the normal capability development process, this first Joint Doctrine Note production step could stimulate further doctrinal development and revision.⁹⁵²

This implementation step is necessary to help ensure that the excellent work by scholars and practitioners on moral injury does not remain “on the shelf” contributing only to the texts capturing “lessons identified,” and not generating actual policy and practice improvements—that is, becoming a “lesson learned.” The official formulation of moral injury relevant doctrine will not guarantee effective moral injury management capability development. However, absent articulation of moral injury within the official doctrine system through which the military operates, more effective moral injury development, that is, implementation of recommendations to more effectively prevent moral injury occurrences, ameliorate the effects of moral injury, and enable recovery from moral injury across the full range of military activities will remain unlikely.⁹⁵³

7.3 Part 2: Significance of the Study

This study is not intended as a contribution to the “hortatory” type of military morality-ethics literature.⁹⁵⁴ Instead, this study addresses two gaps in US military doctrine. One, the too limited appreciation of the JWT tradition indicated by reference to only *jus ad bellum* and *jus in bello* in the *US Law of War Handbook* and the lack of explicit doctrinal discussion of the other “*juses*.” Adding the *jus in militaribus* as a framework for the full scope of the JWT is necessary to enable enhanced moral injury management capability development. The second gap is the result of a lack of

⁹⁵² See William C. Mayville, CJCSI 3010.02E Guidance for Developing and Implementing Joint Concepts, (Washington, D.C.: Joint Staff, 17 August 2016).

⁹⁵³ How could this work? The J3 could, for example, direct development of a Moral Injury Management Joint Concept to start the doctrine development process. It could then ask the relevant service organization to task the Navy Leadership and Ethics Center (NLEC) or the Center for the Army Profession and Ethic (CAPE) in their Fiscal Year 2026 Program of Work to coordinate the Joint Doctrine Note Production. The lead organization could then bring in subject matter experts from the Naval War College Stockdale Center, the Naval Academy, Military Academy, the Air Force Academy, Coast Guard Academy, the other war colleges, and other key organizations to develop the Joint Doctrine Note. Scholars, both within and outside of the military instruction, have already completed most of the theoretical work necessary. Thus, the codification in the official Joint Doctrine Note format could be accomplished fairly quickly, and thus inform further concept and doctrine development activities. The resulting doctrinal understanding could be integrated into the Joint and Service doctrinal libraries in various ways. The point of this recommendation in this study is not to prescribe the precise form of the doctrinal treatment (e.g., inclusion in existing Leadership related doctrine, production of an entirely new Joint Doctrine within the J3 Operations series, J5 Planning series, or a decision that doctrinal articulation of moral-ethical decision making is unnecessary). It is to call for the institution to develop a moral injury management capability in accordance with its established capability development procedures in order to better meet service member needs.

⁹⁵⁴ Cook and Syse, “What Should We Mean by ‘Military Ethics’?,” 19.

a model of military trust.⁹⁵⁵ Military doctrinal discussions of trust, even the US Army's reference to "mutual trust," generally provide inadequate detail to enable diagnosis of deficiencies of trust and the causes and remedies of mistrust.⁹⁵⁶

This study addresses those inadequacies through the provision of a model of military institutional trust of sufficient granularity to provide insight into specific steps institutional leaders can take to reverse the decline by enabling specific, "hard impact" actions in response to declines in perceived trustworthiness. Therefore, this study presents a model of institutional trust, as a component of the *jus in militaribus*, with sufficient granularity to inform development of a trust cultivation capability suitable for informing policy and practices of the military institution and incorporation into relevant doctrine. The *jus in militaribus* framework, and the military institutional trust model contained within that framework developed in this study, will enable organizational leaders to diagnose those policies and practices generating mistrust more precisely and formulate remedial actions to enhance trustworthiness and trustingness.

7.4 Part 3: Future Research

A non-exhaustive list of potential research topics follows below.

One, while experts in moral injury are aware of the complex nature of the moral injury syndrome, future research could examine the degree to which an understanding of moral injury has propagated through the military services. Anecdotal evidence I have observed seems to indicate that more work on increasing understanding within the military remains necessary. For example, the disambiguation between PTSD and moral injury still remains unclear for many.

Two, researchers could test the effectiveness in enhancing moral ethical decision-making in complex situations through stewards' use of *jus in militaribus* framework to structure learning in comparison to the standard pre-deployment rules of engagement brief. Such testing could evaluate if the *jus in militaribus* approach does or does not improve decision-making, including enhanced management of moral conflicts rising to the PMIE level of severity. Researchers may discover that a narrow focus on individual responsibility in combat provides more effective approaches to managing moral injury. The inadequacies of moral-ethical guidance

⁹⁵⁵ Kavanagh et al., *The Drivers of Institutional Trust and Distrust*, 2.

⁹⁵⁶ *Army Leadership and the Profession*, 1–7.

may result not from too great, but too little emphasis on rules compliance. Thus, the assumption in Chapter 5 that professional military moral-ethical decision-making and risk management requires trust in addition to control systems compliance may be invalid. Improved behavioral surveillance techniques, enabled by machine learning technologies, may offer a more granular and timely system of compliance enforcement than is possible through individual and institutional character development, and appeals to just action in accordance with the just war tradition.

Three, further research could examine and if and how philosophical and theological approaches offer more effective approaches than medicalized interventions to enabling service members to appropriately manage moral conflicts and the moral emotions associated with those conflicts.⁹⁵⁷ This research informed by, for example, Nancy Sherman's "Gentle Stoicism"⁹⁵⁸ and faith community-based theologically grounded approaches could help the military institution develop more effective moral injury management capabilities in two ways. First, by reducing entanglement in fashionable theories prominent in other parts of society, but ill-suited to military requirements. Second, by reducing the tendency to embrace pharmaceutical interventions as the primary response to a vast range of interpersonal and individual challenges.⁹⁵⁹

7.5 Conclusion

By producing a framework for analysis of the role of trust in the moral-ethical aspects of service members' making of "discretionary judgments"—which Snider defined as the core task of the military professional—and balancing between control and trust systems to manage the risk of unjust action, the attention to the *jus in militaribus* provides the foundation for more effective moral injury management capability development.

Although intended as a useful resource for all service members, this study is intended primarily to inform senior leaders, both officer and enlisted, operating as what Snider refers to as the "stewards of the profession."⁹⁶⁰ This research primarily focuses on explanation of *jus in militaribus* as a metacognitive framework to inform

⁹⁵⁷ Farnsworth et al., "The Role of Moral Emotions in Military Trauma."

⁹⁵⁸ Nancy Sherman, *Stoic Warriors: The Ancient Philosophy behind the Military Mind* (New York: Oxford University Press, 2005).

⁹⁵⁹ External interventions to alter brain chemistry may be useful in some cases, especially novel approaches based on use of, for example, micro doses of LSD.

⁹⁶⁰ Snider, "American Military Professions and their Ethics," 19.

senior leader formulation, adjustment, and monitoring of institutional policies and practices relevant to moral injury management. So presented, this interpretation of *jus in militaribus* is offered to enhance the “stewards’ of the profession” performance of moral injury relevant tasks.

Performance of these tasks will help the stewards of the profession of arms as they balance the cultivation of technical expertise with the requisite moral-ethical understanding to meet three key objectives. One, that military personnel act appropriately during all military activities. Two, that military service members possess the cognitive and affective/emotional tools they need to avoid responses to potentially morally injurious events that result in moral injury. Three, that service members have the support required to cultivate the personal resilience necessary to readily recover from moral injury when it does occur.

Actionable Insights

1. Develop a *Moral Injury Management Capability Development Strategy*.
2. Develop and publish a *Moral Injury Management Capability Development Plan* to implement that strategy.
3. Request that the Joint Staff Operations (J3) Directorate produce, in cooperation with the appropriate organizations, a *Moral Injury Management Joint Doctrine Note*.

The Joint Doctrine Note will provide insights to inform formulation of military moral-ethical decision-making guidance by the stewards of the profession to better manage moral injury.

Glossary

Term/Concept	Definition	Reference
Betrayal	“A treacherous giving up to an enemy. 2. A violation of trust or confidence, an abandonment of something committed to one’s charge.”	"Betrayal, n." <i>OED Online</i> , Oxford University Press, March 2021, www.oed.com/view/Entry/18344 .
Bureaucracy	Often referred to derogatively, but absolutely essential. “Bureaucracies originated out of society’s need for efficient, routinized work. The focus on efficiency drives an organization characterized by centralized planning and control, little delegation of discretionary authority, and compliance-based behavior.”	Howe, <i>Professionalism, Leader Development Key to Future</i> .
Bureaucratization	Bureaucratization privileges the formulation of standard procedures and rules over the application of professional expertise. ⁹⁶¹	Lacquement and Galvin, <i>Framing the Future of the US Military Profession</i> , 70
Capability	The ability to create an effect through employment of an integrated set of aspects categorized as doctrine, organization, training, materiel, leadership development, personnel, facilities, and interoperability.	https://nso.nato.int/nato-term/Web.mvc
Command	“[R]efers to the ability to direct, order, compel with or without authority or power.”	Boyd, <i>Organic Design for Command and Control</i> . See also Leadership
Control	“Means to have power or authority to regulate, restrain, verify, (usually against some standard) direct or command. Comes from medieval lant	Boyd, <i>Organic Design for Command and Control</i> .

	contrarotulus, a “counter roll” or checklist (contra, against plus rotuius, list).	
Disciplinary Matrix	“[D]isciplinary because it refers to the common possession of the practitioners of a particular discipline; ‘matrix’ because it is composed of ordered elements of various sorts, each requiring further specification.”	Kuhn, <i>The Structure of Scientific Revolutions</i> .
Distrust	“confident negative expectations regarding another’s conduct.”	
Espoused Theory	“Espoused theories are those that an individual claims to follow.”	Argyris, Putnam, and Smith, <i>Action Science: Concepts, Methods, and Skills for Research and Intervention</i> .
Ethics	<p>“a. The branch of knowledge or study dealing with moral principles;”</p> <p>“[E]thics based on <i>involvement in a tradition</i> that defines what is <i>good</i>.”</p>	<p>"Ethic, n. and adj." <i>OED Online</i>, Oxford University Press, March 2021.</p> <p>Dreyfus and Dreyfus, <i>What Is Moral Maturity?</i></p>
Healthy distrust	a judicious scepticism or “taking with a grain of salt” attitude to institutional action	
Leadership	“Implies the art of inspiring people to cooperate and enthusiastically take action toward the achievement of uncommon goals.”	

<p><i>Jus in militaribus</i></p>	<p><i>Jus in militaribus</i> is a framework consisting of the conceptualizations of just and unjust policies and practices of the military institution mapped against the full range of tasks—to both generate and operate—that the institution performs to protect society.</p> <p>Concern with justness of the policies and practices of the military institution.</p>	<p>Shay, <i>Odysseus</i>.</p> <p>See Chapter 6.</p>
<p>Morality</p>	<p>“a. In <i>plural</i>. Points of ethics; moral principles or rules. b. The branch of knowledge concerned with right and wrong conduct, duty, responsibility, etc.; moral philosophy, ethics.”</p> <p>“...[D]emand a <i>detached</i> critical <i>morality</i> based on <i>principles</i> that tell us what is <i>right</i></p>	<p>"Morality, n." <i>OED Online</i>, Oxford University Press, March 2021.</p> <p>Dreyfus and Dreyfus, <i>What Is Moral Maturity?</i></p>
<p><i>Moral Conflict</i></p>	<p>Potentially morally stressful situations.</p>	
<p>Moral-ethical</p>	<p>The combination of both the rules and principles guiding behavior and the ethical image of professional excellence guiding behavior.</p>	
<p>Military Morality-ethics</p>	<p>Military morality-ethics articulates and facilitates the internalization of the morality (principles) and ethics (image of professional excellence) concerning the treatment of others as members of a</p>	

	profession functioning on behalf of society.	
Moral Injury (MI)	<p>Moral injury is a form of severe emotional, psychological and/or spiritual distress . It results from “enduring consequences of perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress deeply held moral beliefs and expectations.”</p> <p>“Moral injury is present when (1) there has been a betrayal of what’s right (2) by someone who holds legitimate authority [or the self] (3) in a high-stakes situation” (Shay, <i>Casualties</i>, p. 183).</p>	Shay, <i>Casualties</i> .
Mistrust	“[An] atmosphere of doubt and suspicion that loosens human bonds among members of an organic whole or between organic wholes.”	
OODA Loop	Observe, Orient, Decide, and Act (OODA) loop. “The entire ‘loop’ (not just orientation) is an ongoing many-sided implicit cross-referencing process of projection, empathy, correlation, and rejection.”	Boyd, <i>The Essence of Winning and Losing</i> .
Potentially Morally Injurious Event	An event the encounter with which may cause moral injury. Examples of potentially morally injurious events include the following: facing betrayal, killing, disproportional violence, harming civilians, violence, and sexual assault within the unit.	

Professional Ethic	“A professional ethic is the evolved set of laws, values, and beliefs, deeply embedded within the core of the profession’s culture, which binds individual members together in common purpose to do the right thing for the right reason in the right way.”	
Stewards of the Profession	Senior leaders responsible for institutional strategy formulation and execution.	
Theory of Action	<p>“Theories of action are theories that can be expressed as follows: In situation <i>S</i>, if you intend consequence <i>C</i>, do <i>A</i>, given assumptions $a_1 . . . a_n$.”</p> <p>“From the perspective of the agent who holds the theory, it is a theory of control. It states what the agent should do to achieve certain results. From an observer’s perspective, to attribute a theory of action to an agent is to propose a theory of explanation or prediction.”</p>	<p>Argyris, Putnam, and Smith, <i>Action Science: Concepts, Methods, and Skills for Research and Intervention</i>.</p> <p>Argyris and Schön, <i>Theory in Practice: Increasing Professional Effectiveness</i>.</p>
Theory-In-Use	<p>“Theories-in-use are means for getting what we want. They specify strategies for resolving conflicts, making a living, closing a deal, organizing a neighborhood—indeed, for every kind of intended consequence.” The theories in use make intentional action possible by defining “governing variables” within a range we find compatible with our life processes. They write, “Our theories-in-use specify which variables we are interested in</p>	<p>Argyris, Putnam, and Smith, <i>Action Science: Concepts, Methods, and Skills for Research and Intervention</i>.</p> <p>Argyris and Schön, <i>Theory in Practice: Increasing Professional Effectiveness</i>.</p>

	(as opposed to the constants in our environment about which we can do nothing) and thereby set boundaries to action. Within these boundaries, theories-in-use provide the programs by which the variables may be managed.” “Theories-in-use are those that can be inferred from action.”	
Theory-of-Practice	The set of organizational <i>theories of action</i> guiding organizational performance.	
Trust	The willingness of a party to be vulnerable to the actions of another party based on the expectation that the other will perform a particular action important to the trustor, irrespective of the ability to monitor or control that other party.	
Trustingness	<i>Trustingness</i> —(similar to Mayer’s the “Trustor’s Propensity”) indicates the degree to which the individual or organization is willing to depend on the other to act as counted upon. ⁹⁶²	
Trustworthiness	Attributes or characteristics of a trustee that inspire trust	

⁹⁶² Alfano and Huijts, "Trust in Institutions and Governance," 258.

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