

Ethics Thought Paper

The Ethical Problems Soldiers Face with Detainees in Iraq

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The Army is facing many ethical problems today, but none draws more publicity than situations regarding inappropriate treatment of detainees from Iraq. Most recently, reports have surfaced accusing the Central Intelligence Agency of torturing detainees from Iraq in secret prisons located throughout the world. Then there is the Army's Abu Ghraib Prison abuse scandal that shocked the country and damaged America's standing as a world leader. American Soldiers face ethical problems on a daily basis when they encounter detainees in Iraq. The Army requires its Soldiers to handle and treat detainees in accordance with the Laws of War. The problem is that many Soldiers are not adequately prepared to face the complex ethical situations they encounter with detainees in Iraq.

Many Americans and military leaders believe that the Army properly trains Soldiers to handle detainees in combat. They feel Soldiers know the Laws of War, and that the Army should punish the ones who violate these laws. It is true that the Army trains Soldiers on the Laws of War and on Army values to give them the foundation to make the right decision in any situation. This training begins in basic training and continues periodically throughout a Soldier's career. However, the training that Soldiers receive does not adequately prepare them for the extreme circumstances that often surround the detaining of enemy combatants. The training fails to satisfactorily address the emotions a Soldier may be experiencing while handling detainees, how

these emotions interact with their beliefs and personal values, and how this may cause a Soldier to violate the laws governing the handling of detainees.

No one knows exactly how they will act in a situation until they experience it. The situation preceding a detention is often stressful and emotionally charged. The Soldiers of the detaining unit have often just been attacked and some of their fellow patrol members may have been wounded or killed. When the Soldiers detain the suspect(s) and come face-to-face with the person(s) they believe attacked them, very strong emotions like hatred are likely to arise. This is where a Soldier's personal values and the Army values are likely to conflict. It is very difficult to treat someone who just tried to kill you with dignity and respect, and it takes a lot of self-discipline to avoid illegal retaliation against a detainee in these situations. The Army needs to better prepare its Soldiers for these types of situations by implementing training that describes the stressful situations that often lead to detentions and the common emotions and dilemmas Soldiers have faced while handling detainees in Iraq. It should illustrate both right and wrong examples of treating detainees and show the consequences of inappropriate actions.

In Iraq, American Soldiers also have the difficult task of having to meet a standard that their enemy ignores. The Laws of War require a captor to treat enemy prisoners or detainees with dignity and respect. Most American Soldiers abide by the rules, but the terrorists do not. If captured in Iraq, American Soldiers expect that their terrorist captors will abuse and most likely execute them. They also expect that their execution will be gruesome and visually presented to the world in attempt negatively affect public opinion in the United States. This creates an ethical problem for Soldiers because most of them hold the belief that rules are supposed to apply equally to everyone. Knowing that their enemy will disregard the law frustrates American Soldiers and makes them more likely to mistreat detainees.

Another problem is that some units unnecessarily place their Soldiers in situations that create ethical problems for them. When the authorities release a detainee due to a lack of evidence, some units require the capturing element to return the detainee to their home or place of capture. In many of these situations, the capturing and returning element is very confident that the detainee conducted an attack against them. In one specific case, someone detonated an improvised explosive device on an Army patrol in Iraq during daylight hours. Some members of the patrol observed a man jump up from a concealed position and run away immediately after the explosion. Several Soldiers chased after the man, but they lost him when he jumped into a heavily vegetated canal. After a couple of hours of vehicle and door-to-door searches, they detained a very nervous man who fit the description and whose clothes were wet. The Soldiers treated the detainee appropriately and delivered him to the detention facility, expecting justice to be served.

A couple of weeks later, the unit received instructions to return the detainee to the place of capture and release him. Many of the Soldiers who believed that this man was guilty of attacking them now had to go out of their way to set this person free. Unfortunately, situations similar to this one are very common in Iraq. This procedure violates sound judgment and creates a situation where Soldiers may inappropriately take justice into their own hands. For obvious reasons, American law enforcement agencies do not require their officers who are specially trained in handling arrested individuals to perform such acts. It is inappropriate for leaders to place American Soldiers unnecessarily in such complicated situations. The Army needs to implement new policies that prevent leaders from putting their Soldiers in overly difficult ethical situations if at all possible.

Most American Soldiers handle the ethical problems associated with detainees with great character. Unfortunately, some do not, and they cause great harm to the Army and the United States of America. The number and severity of detainee abuses demonstrate that many Soldiers in Iraq are not adequately prepared to handle the complicated ethical situations they encounter with detainees. The Army needs to improve its ethical training in relation to the Laws of War and implement new policies that will reduce the likelihood of detainee abuse. This will produce Soldiers who are better prepared to handle and treat detainees in Iraq and a more respected Army.