

Running Head: Ethical Dilemma to Release or Incarcerate

Ethical Dilemma to Release or Incarcerate

Sergeant Major Daniel J. Clark

Ethical Dilemma Paper

18Z5, Student, USASMC

2 December 2006

Class 57

Abstract

The paper is about the ethical dilemma the Army faces whether to release personnel that enlisted in the Armed Forces for the purpose to receive college money, but when the country calls upon them to server in time of need they are unwilling. The dilemma is to release them from their obligation or incarcerate them.

### Ethical Dilemma to Release or Incarcerate

In today's Army there are many Soldiers in the reserves, on active duty with little experience, and even active duty with a lot of experience that are unwilling to fulfill their commitment when called upon to go to war. The Army faces a dilemma, which I feel is an ethical dilemma, when dealing with these Soldiers to simply release them or to prosecute them which may result in a jail sentence. Does the Army decide to release or incarcerate the Soldier based on what is ethical or what is financially good for the military? This is a complex issue and no two situations are exactly alike. We will look at three general situations to see how the Army deals with the ethical dilemma it is given and if it should incarcerate or release.

First, imagine a Soldier is in the Army Reserves and is a full time student. He has joined the reserves solely for the reason to help pay for college. While in the Reserves his unit is called upon to deploy for one year. The Soldier is open about his situation and wants to complete college and would rather pay back the college fund money he received from the Army Reserve before quitting school. He is so adamant about this that he would go to jail before deploying. This Soldier has his own beliefs why he should be allowed to complete college. At this point the military faces an ethical dilemma. Should the military prosecute the Soldier or does the military make a decision based on cost effectiveness. This means is it worth the military's time and money to prosecute the Soldier or just let him leave the military and pay the money back. The military must pay the Soldier while he is being prosecuted, pay the lawyers and take their time that could be better used, and account for that Soldier as an enlisted member against the overall strength of the Army. The dilemma is that should the Army hold the Soldier to his

obligations that he swore an oath to defend our nation and enjoys the Army's benefits. Or should the Army think of the American tax dollars and is it worth prosecuting compared to the value that we the people would receive. What benefit would the military receive for the money that they invested in prosecuting the Soldier? Remember that this kind of Soldier is of no use to the military because he will never serve in a deployed unit. Prosecute or release is the dilemma? I think the dilemma is an easy one for the military. The military has thousands of Soldiers entering service that complete their duties honorably and this Soldier will be able to be replaced in time with someone with the right mind set. So, although it is wrong for a Soldier to be able to just quit his country I think the military does the right ethical decision to release a Soldier in this situation and make the Soldier pay back the money that he received.

Now let's look at another situation where the Soldier is on active duty but with very little experience. This is important because of the value that the Soldier holds in the unit. This Soldier may have just finished basic training and would have very little value as far as experience goes. Is this Soldier worth prosecuting in order to force him to deploy with the unit or do we just release him and focus on the Soldiers that are mentally ready to deploy to war? Let's compare what it would cost the military to prosecute the Soldier with the intent to put him or her in jail for the duration of that person's term of obligation. You would have at least two lawyers on the case, one for him and one for the command. There would be a judge of the rank normally LTC or higher. Also, the Soldier is being paid during the time of prosecution. Again the Soldier is being held on the books as an able body Soldier to serve in the military reducing the overall strength of the military. Compare just ~~these~~ <sup>these</sup> few factors with the cost of chapering the Soldier out of

the military and training a new Soldier that wants to server our great nation. Again, the military has to make an ethical decision and they have to make one based on how to use the American people tax dollars which in this case supersedes the dilemma of holding the young Soldier to his or her obligation. So again, I say the Army makes the right decision by focusing on a new recruit in its dilemma to release the Soldier from service and cut its losses to focusing on another new recruit.

Now let's look at a third situation in which the Soldier has experience and has been part of a unit for possibly several years. Remember, the previous Soldier added little value to the combat readiness of their unit. What is the best course of action for the Army? Do we enforce a different standard? Or does the military draw the line at some point and say the Soldier has to continue to server or face charges? In this case the Army continues to face an even greater dilemma. The Army must consider if the enforcing two different standards is ethical. Now the Army needs to look at is it being ethical by letting some Soldier out. Does the Army and military in all branches make the right decision by allowing some Soldiers out with no deprecations and others with prison sentence that will follow them for the remainder of their lives? As we think of what is right or wrong we must keep in mind that everything is not black and white and no two situations are the same, but at the same time, members of the United States Army, must remember that our mission is to defend our nation and do it in the most cost effective manner possible. Keeping this in mind, the leaders of our Army must make the ultimate decision to persecute or release. My belief is that at some point the Army needs to persecute a Soldier and put him or her in jail for not fulfilling their obligation. Another question is where is that point in the time line that is correct to persecute?

The answer to this difficult question or dilemma is that the Army does make the right ethical dilemma decision. The first reason is that the young Soldier with little experience is not cost effective to process and is no different than a basic training Soldier that gets out with a failure to adapt prior to completing training. Some Soldiers just make the wrong choice by enlisting in a all voluntary service. The Army makes the right choice based on what is the right thing to do with our tax payer's money. The college student that refuses to deploy is another situation that the military has several options. Make the Soldier pay the money back or delay his service obligation until he completes his schooling. Again, the military make an ethical decision based not only on what is good for the tax payer's money but what is good for American and promoting education. After the Soldier complete his or her degree. He could become a much needed asset to the military. In regards to the third situation, I think the military is just in persecuting a Soldier that refuses to continue to serve and the military is also correct in making the decision even though in many people's mind there is a double standard. In this situation with the unique responsibilities of the military the Army and all branches are just in looking at each situation separately and saying that there will be different punishments for different situations. The Army has continually made the right decision concerning the ethical and moral dilemma based on the obligations to the American taxpayers balance with the protection of our nation.