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The Ethical Dilemma Facing Leaders During Tactical Questioning

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Abstract

Today's leaders are faced with the ethical dilemma of what they will allow their Soldiers to do in reference to tactical questioning. Situations in Iraq and Afghanistan occasionally demand that Soldiers go further than what the Army says is right in order to obtain crucial information for mission accomplishment. Leaders must constantly evaluate tactical questioning situations to ensure the situation does not get out of hand and risk embarrassing the unit or the command, while still allowing their Soldiers to do what is necessary to get the information they need.

The Ethical Dilemma Facing Leaders During Tactical Questioning

One of the ethical problems facing the U.S. Army today is that which arises when Soldiers must conduct tactical questioning during combat missions. The necessity for Soldiers to get correct information immediately from suspects during these missions sometimes leads to violations of Army regulations regarding tactical questioning. The ethical problem exists when leaders must decide how to deal with these situations. Leaders cannot compromise the safety of their Soldiers or their Soldier's loyalty, nor can they damage the image of their command or unit. Certainly leaders in these situations cannot allow blatant violations of Army regulations concerning tactical questioning, but the line between what they should do according to regulation, and what they should do for their troops sometimes comes into conflict and varies from situation to situation.

Tactical questioning are the methods used by Soldiers, who while on mission, must get information from suspects in order to complete their mission. The questioning is not interrogation; it is short in duration (less than 15 minutes long), without, abuse, torture, or extreme duress. Tactical questioning must be conducted by responsible Soldiers and an interpreter, who are only asking questions which directly affect the current mission. The questioners cannot make direct threats towards the suspect or his family. These are the methods Soldiers must use, according to the Army, and in most cases, those methods are sufficient to gather enough information so Army units can successfully complete their missions.

Today in Iraq and Afghanistan, U.S. Soldiers are constantly in situations where they need to tactically question suspects during missions. They need accurate information immediately, and sometimes Soldiers have to aggressively question suspects for information, occasionally

going further than the Army regulations allow for tactical questioning. Sometimes aggressive actions are necessary in order to find important suspects, to identify suspects who otherwise would go unidentified, and to find weapons caches. In short, the information gathered helps to save U.S. Soldier's lives and helps protect their well being. If Soldiers always adhered strictly to the regulations, they would lose many opportunities to apprehend these dangerous suspects and find weapons which have been harming and killing our troops.

One thing we strive for as leaders is to have our Soldier's confidence. We achieve this through proving to them that we will protect them, and that we value them. This means that in combat, we show them that we value their well-being and safety more than we value the well-being of suspects. And when information is necessary in order to keep our Soldiers safe, they will be able to get that information, even if it means they have to go somewhat further than Army regulations allow.

However, it is obvious that we cannot ignore all regulations regarding tactical questioning. We cannot allow U.S. troops to unnecessarily harm, injure, or torment suspects. The U.S. holds itself to a higher standard of behavior than do our adversaries in regards to handling captured personnel, so we cannot behave as they do. The world also holds us to higher standards, and the negative international backlash against the U.S. government and our military is significant when information surfaces about U.S. Soldiers committing gross violations of the treatment of captured personnel. We cannot tolerate such violations.

The leaders on the ground; the junior officers and senior NCOs who are located with their Soldiers, also have an obligation to their command and their unit. The obligation is to protect the unit name and their commander's reputation by no allowing negative situations to occur. The

leaders on the ground must control the situation enough so that tactical questioning situations do not get out of hand and escalate into serious incidents. If that happens, those leaders have failed both their Soldiers and their command. NCOs must closely monitor their Soldier's actions at all times and stop the questioning before it goes too far.

What would be considered too far? Every situation is different, with regards to time, urgency, information needed, type of mission, and type of suspects. Anything that leaves marks on a suspect, such as cuts, scratches, burns, bruises, or broken bones are all visual proof that tactical questioning went too far. Weapons should not be unnecessarily fired around suspects, and no women or children should ever be threatened. Soldiers should never film or photograph tactical questioning. Anything filmed or photographed could be misunderstood to someone else, and they might take it in the wrong way, even if there are no regulation violations taking place. Actions that Soldiers should film and photograph are those that show suspects being medically treated by U.S. or Partner Nation medics for injuries sustained during a hard take down of a suspect, or for injuries sustained prior to the suspect's apprehension. Leaders should only choose Soldiers who are level-headed and mature enough to conduct tactical questioning. All tactical questioning should be out of sight from the majority of Soldiers, with only the necessary personnel present. Women and children on the objective cannot witness tactical questioning. Only a woman from the U.S. or Partner Nation soldiers should question women, and only in the presence of other women or a trustworthy witness. Taking precautionary measures such as these will allow leaders to lessen the risk of regulation violations, and Soldiers will still be able to obtain the information they need to accomplish their missions.

As leaders we know what is right and what is wrong. We teach our Soldiers right from wrong and ensure they act appropriately. We do not tolerate actions which jeopardize the unit's

good name. But sometimes there exist situations where doing what we know is right for our Soldiers safety and what the Army says is right may not be the same. This presents us with an ethical dilemma which we must resolve on the spot. We must find ways to do what is right for our Soldiers and protect our Soldiers, yet still stay as close as we can to what the Army says is right. If we do that, our Soldiers will know we are loyal to them and to our command, that we are doing the right things, and that we are not blatantly violating Army regulations and guidance. We can still uphold Soldier and unit discipline and maintain it while doing everything we can for our Soldier's safety and mission accomplishment.