

Running head: AN ETHICAL DILEMMA

An Ethical Dilemma

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Abstract

As Children, our family members and close contacts mold our ethical and moral traits. However, these characteristics are sometimes altered by personal experiences. The decisions of a Soldier, JAG Officer, and a Chaplain were instrumental in this dilemma. This dilemma included fraternization, adultery, and lying by a Soldier, a JAG officer who uses a weak excuse to avoid involvement, and a Chaplain who refuses to get involved for fear of ruining a Soldier's career. One minor ethical dilemma can often evolve to major dilemmas by the decisions of those that become involved. As a result, leadership in today's Army can not enforce the founding factors of ethics, the Army Values.

An Ethical Dilemma

Ethical behavior is an issue in the United States Army and the world. On more than one occasion ethics of Soldiers became an issue for me while assigned as First Sergeant (1SG). The most memorable issue involved a male Sergeant (SGT) and a female Specialist (SPC) while deployed to Iraq. The Second Platoon Sergeant (PSG) came to the Orderly room with information from one of his Soldiers. His Soldier caught these two Soldiers involved in intercourse in the Troop dayroom at about 0200 one morning. Immediately, the issue of fraternization was realized as a major problem while must be addressed quickly. At this time, no one comprehended that this was just the tip of the iceberg!

After less than three months in Iraq, the two Soldiers became romantically involved. They were seeing each frequently in various places on the Forward Operating Base (FOB). As the investigation continued, it was revealed that more than one individual on the FOB knew about their meetings. After investigating the situation, it was determined that the Judge Advocate General (JAG) officer actually walked in on the two while she was engaged in oral sex with him. The commander was immediately informed of the issues and presented with recommendation that he begin paperwork for an Article 15 at a minimum. The SGT was under our control. The SPC was under the control of the Headquarters Troop (HHT). The HHT command group was alerted to the issues and informed that the female was banned from any contact with the SGT and our Troop area. At the same time, the Soldier's PSG was advised to counsel the Soldier on his future punitive actions.

Ethical Issues

The issues started to mount after this. The SGT did not deny his actions, but he was not completely honest about his background. Several disturbing facts reared their ugly head a few

months later. This is where the plot thickened. The company commander received the counseling statements from the PSG and sat down with the Soldier to advise him of the impending action. After this, the commander went to the JAG officer for the FOB to discuss the case and to get him to sign a statement about what he witnessed. The JAG officer refused to make a statement. This was the second ethics issue. Why would he refuse to make a statement? He cited his position as the JAG officer and a conflict of interest as an excuse. He should have called Regiment to get one of his superiors to oversee this case instead of refusing to make a statement.

As time progressed, these two were denied contact with each other while on the FOB. The JAG officer submitted his paperwork to the Squadron Commander for his review and recommendation. In the mean time, both Soldiers requested leave. Squadron approved her leave for the first week in May and his for the last week of May. This upset the both of them. The SGT came to the company office and requested to change his leave. His request to change his leave was refused. An explanation of the Squadron leave policy made it clear to the SGT that the company had only a certain number of leave slots and that the company command group had no control over them. The SPC also contacted her command group to see if she change her leave dates. She received the same response as he did. Even though they were not to see each other, both of them went to the personnel section that controlled leave to try to trade leave dates with someone else. Again, they received bad news. Their leave dates could not be changed. Squadron had already submitted them to Regiment and could not change them now.

The third ethics issue started as the two went to the Squadron Chaplain for assistance. They proceeded to tell the Chaplain that they planned to get married while on leave. He, feeling sorry for the troubled couple, contacted the Squadron commander and requested that he change their leave dates so that the two love birds could get married. The Squadron commander called

Regiment and received approval to change their leave dates. Why did the Chaplain go to bat for the couple, knowing that both return to the FOB as newlyweds with no accommodations to live together as husband and wife? Why would the commander agree to allow the two to go on leave to get married, knowing that the FOB could not accommodate a newlywed couple? We already had a husband and wife on the FOB and they were not living together. No one could give a valid answer to any of these questions. What was the ethics issue? The couple lied to the Chaplain.

Now the fourth ethics issue reared its ugly head! It seems that the SGT failed to mention one more significant issue. He married a young lady several years before. Although they did not live together and had not for over eight years, he did not divorce her. He was a married man. He could not get married until he applied for divorce from his first wife. He not only lied to the Chaplain, he also was committing adultery by being involved with another woman. The SGT did not intend to marry the SPC. His only thoughts involved spending the approximately 25-30 days on leave with free sexual favors. Members of the command group began to wonder if this SGT had any ethical values at all. It was determined by all members of the company and platoon command groups that he definitely did not deserve to be a SGT. He did not possess any of the Warrior Ethos or Army Values. He was a disgrace to all of the traits, characteristics, and values of the noncommissioned officer (NCO) corps.

The Plot Thickens

As the situation continued, most of the feelings were that things could not become any more complicated. It soon became apparent that this was far, far from the truth. With all that had happened while they were on leave, these two were sneaking out of their quarters at all hours of the night to see each other at various locations on the FOB. This was a violation of direct orders to stay away from each other. The company command group met with the Squadron Command

Sergeant Major (CSM) to request a transfer for either one of these Soldiers. After looking at the situation, the CSM arrived at the conclusion that it would be easier to transfer the female. The SGT was involved in patrols with his platoon. The SPC was a member of the support staff. She could be replaced without affecting any of the Squadron's missions. Within two days, she transferred to another FOB. As she was removed from the FOB, the company commander filed a request for a court martial for the SGT with the JAG officer. The JAG officer informed the commander that he needed more documentation for the court martial to proceed forward. He again asked the JAG officer to make a sworn statement to solidify his case and again the JAG officer refused. As a last resort, he went to the Chapel to talk to the Chaplain about making a sworn statement about his dealings with the SGT. He also refused to make a statement. He did not want to be responsible for ruining the career of this Soldier. What a way to operate on a military base!

Now that we have even more ethical issues, we must continue to pursue the case against this Soldier. We have a Chaplain who did not want to get involved, although he knew that the Soldier was wrong and took advantage of his position as a Chaplain. We also have a JAG officer who would not get involved for a very weak reason. The possibility existed that we may not be able to build a strong enough case to court martial this man without their sworn statements. The commander, frustrated but determined, continued to acquire statements from members of the Soldier's platoon. He built as strong a case as he could without two key pieces of information. He turned all his findings over to the JAG officer and also gave a copy of all the paperwork to the Squadron Commander. When we left Iraq four months later, the case was still pending and no action taken.

Individual Values

Ethics are a vital part of an individual's character. Training, as a youth by a person's parents, relatives, and other people such as clergy and teachers, influences the decisions we make as adults. The moral values that mold us as youth affect all of our personal traits. Our values and beliefs are a direct reflection of all of the influences in our lives. Our ethics are deeply rooted in our personality. The choices that we make may not always be correct. However, we make those choices based on our internal understanding of right or wrong. Sometimes we even make decisions that we know are wrong in an attempt to help others. This often creates many more problems. It is best to simply deal with the issue morally and ethically correct and understand that the consequences are a result of sound judgment.

From various individual's viewpoints and upbringing, numerous ethic issues occurred in the above situation. First, all Soldiers received a briefing on fraternization before entering Iraq. They received briefings on getting involved sexually with other Soldiers and numerous other subjects including pornography and alcohol. This SGT knew that getting involved with an enlisted person was against the Army's fraternization policy. He also knew that sexual relations with other Soldiers while he was still married was also against Army regulations. What triggered him to get involved with this female? Was it his fault? Was it her fault? Or were they simply lonely and found each other? Did they simply disregard regulations and policies for physical desires? No matter what the answers to the questions, he and she both knew the consequences of their relationship, yet they continued. This seemed to be a critical flaw in his ethical character.

Now we look at issue two. Not only do we have this SGT making poor ethical decisions, we have a JAG officer who seems to have questionable ethical values. Why would he refuse to sign a sworn statement when he knew that the law and moral issues were on his side? Did he compromise his moral and ethics for personal reasons? Can this type of behavior be tolerated of

officers in their capacity? No one but the individuals involved can answer any of these questions. Surely, he was able to justify his decisions in his own mind.

As the third dilemma transpired, it becomes evident that two wrongs do not make a right. It seems that the Soldier has created a hole and is trying to dig out of it by telling more lies. Lying will never accomplish anything. it will only dig the hole deeper. Plus, lying to a Chaplain is about as low as anyone can go. Then to complicate the situation even more, we find out that the SGT is married and is committing adultery. We now discover that any inkling of ethical values that we thought that he may possess are no longer valid. He deserves a court martial for his actions

In conclusion, how can we justify the Chaplain's stand on the situation? What were his motives for his decisions? How can a man of God take such a stand, knowing that it goes against all of his religious background and teachings? He alone can answer these questions. This proves that every person has ethical dilemmas in his life. We must all make hard decisions. However, we must be able to understand that these decisions not only affect us but every one around us. Each of us makes decisions based on our ethics every day. Some of these are easy and some are very hard. We must face them knowing that we have made the best possible decision for the situation we are facing. We must then accept the result of these decisions and take responsibility for them, good or bad. Even as members of Class 58, we must make decisions that should be morally and ethically correct every day. Many of these decisions reflect our moral beliefs, our character, and ethics.