

# BUREAUCRACY VERSUS ETHICS

STRIVING FOR “GOOD ORDER AND DISCIPLINE”

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## A Look At The Past

In 1764 the Marquis de Bourcet opened the first staff college in Grenoble. This staff school and the others that followed shortly afterward were developed with the idea of creating a professional officer corps that would make the successful undertaking of war technically and materially possible. This, in theory, freeing the commanders to fight the war. Napoleon, however, changed all that.

The lesson learned from the Napoleonic era, “...was that the combination of professionalism with genius created dangerous men. Genius suddenly appeared to be the enemy of stability, even though the central justification for creating an army based upon the principles of reason was to harness that genius in the service of the nation. Abruptly the authorities inverted the purpose of professionalism and used it as a structure designed to eliminate genius. That is, they removed professionalism’s very reason for existence—the creation of soldiers who can win—and reduced it to a talent for bureaucratic organization.”<sup>1</sup>

Add to this the subordination of military leaders to Government (as opposed to State) authorities, and it meant that the important battles to the generals were now not on the battlefield, but in the backroom. Backroom victories became the only way for generals to increase their prestige, or to assure themselves of a civil service position after retirement. However, this also meant that the civil staffs had a vested interest in encouraging mediocrity in the military staffs, thus making it easier for them to be compromised. This was best stated by Guibert in his *General Essay on Tactics*.

If by chance, there appears in a nation a good general, the politics of the ministers and the intrigues of the bureaucrats will take care to keep him away from the soldiers in peacetime. They prefer entrusting their soldiers to mediocre men, who are incapable of training them, but rather are passive and docile before all of their whims and beneath all of their systems... Once war begins, only disaster can force them to turn back to the good general.<sup>2</sup>

Guibert identified this problem over 200 years ago, and we have done little to counteract the effect since.

The evolution of the staffs that were created did not lead to greater professionalism, but to a dangerously limiting form of bureaucratic logic. The staff schools developed a shared vocabulary among themselves and their students, and this vocabulary has had the effect of reinforcing errors by providing a collective means of action while eliminating either singular or collective questioning of the status quo, or the morality of a decision. Thus the “bureaucracy, safely repeating today what it did yesterday, rolls on as ineluctably as some vast computer, which once penetrated by error, duplicates it forever”<sup>3</sup>—or until the programming is rewritten.

Our staff schools have given our officers the intellectual tools—shared method; shared, self-serving vocabulary; pre-digested arguments; and the superior air of professionals—to prove, even when surrounded by self-generated disaster, that they are right. The standard defence being that it was the circumstances that were at fault, not their, or the system’s, actions.

This system of military doctrine serves a useful purpose in that it provides a framework for the initial education of neophyte military thinkers, but may make it difficult to change our organization. After this initial introduction reliance on a doctrinal system hinders the building of an intellectually strong, powerful, creative, and ethical officer corps. So how do we develop more ethical leadership in our officer corps of the future?

## Examining The Present

In my engineering studies I learned that the best way to start an examination of a problem was to go back to first principles. Notwithstanding documents such as *Statement of Defence Ethics* the foundation of ethics and morality in the military is rooted in the following quotation:

We, reposing especial trust and confidence in your loyalty, courage and integrity do by these presents constitute and appoint you to be an officer in Our Canadian Armed Forces. You are therefore carefully and diligently to discharge your duty as such in the rank of Sub-Lieutenant or in such other rank as We may from time to time hereafter be pleased to promote or appoint you to, and you are in such manner and on such occasions as may be prescribed by Us to exercise and well discipline both the inferior officers and men serving under you, and use your best endeavour to keep them in good order and discipline, and We do hereby Command them to obey you as their superior officer, and you to observe and follow such orders and directions as from time to time you shall receive from Us, or any your superior officer, according to Law, in pursuance of the trust hereby reposed in you.

Yes, that is the text of our commissioning scroll. That is what sets the officer apart from the non-commissioned member. While every member of the Canadian Forces and the Department of National Defence has an individual responsibility to act in an ethical manner, our officers have the added obligation to ensure that their subordinates act in such a manner. This means that they must accept the burden of responsibility for their own actions, as well as the actions of their subordinates. If we fail to accept this responsibility we are breaching the fundamental command given to us by our State: To use our best endeavour to keep our subordinates in good order and discipline.

Before we try to come up with new slogans to teach people, we must ensure that we are living up to the existing standards. The problem is: how do we do this? Before we answer that question we need to know our starting point.

Although, many officers claim that they are part of a Profession, the Canadian Forces Officer Corps is missing one of the fundamental requirements to qualify as one. That is, we lack the checks and balances that other professions have. Specifically, we lack a review committee that has the authority to strip an individual of their professional standing; *independent* of the chain of command. This body would be the equivalent of The College of Physicians and Surgeons, the various provincial Law Societies, or Engineering Societies. These bodies have disciplinary powers over people in the profession that extend outside of federal or provincial statutes or the companies or organizations that they work for. In short they can strip a doctor, lawyer, or engineer of their professional status even if there are no criminal charges laid, or civil proceedings started.

Therefore, for our Officer Corps to truly become a Profession we must have an independent professional review committee of some kind. The establishment of this committee

is more problematic for the military because of the specific idiosyncrasies of the defence structure. However, if we keep the committee responsible to the State (as opposed to the Government) there should be little difficulty.

The distinction between State and Government is one that is slowly being lost in Canadian Society at large. Even our past Chief of the Defence Staff confused it, when he stated in front of the Somalia Inquiry that the Prime Minister is the Commander in Chief of the Canadian Forces. This distinction, however, is vital to the Forces. The Canadian public must see that the Canadian Forces is loyal to the country, not simply to the government of the day. When we attest our loyalty on enrolment we do so to the monarch (the Head of State) not to the Prime Minister (the Head of Government). As the Governor General is our Commander in Chief, and he is the issuing authority for officers' commissions, he should also be the one (on advice) that revokes them.

Therefore the establishment of an ethics committee chaired by the Governor General with representation from all commissioned ranks, elements and components, and that operates independently of the chain of command is quite plausible.

## **Setting Our Sights**

The inclusion of the Governor General is imperative. This is the only way to ensure there is no confusion that the military responds solely to the State. This body must have the power to investigate all things dealing with officer professionalism, and have the authority to strip an individual of their commission, even if no charges are laid under the National Defence Act or any other act.

The nine person board must represent all levels of the chain of command in order to be seen as independent and hence should have the following make up:

- The Governor General (Permanent Chair)
- Two Flag Rank/General Rank Officers,
- Three Senior Officers, one each of:
  - C Captain (N)/Colonel,
  - C Commander/Lieutenant Colonel,
  - C Lieutenant Commander/Major, and
- Three Junior Officers (at least one being a Sub-Lieutenant/Lieutenant or Acting Sub-Lieutenant/Second Lieutenant.)

The members must represent a balanced background. The following breakdown is suggested:

- Sea Element, one regular force and one reserve force
- Land Element, one regular force and one reserve force
- Air Element, one regular force and one reserve force

- Two discretionary

The inclusion of reservists on this board is an important component. On review boards for some para-military organizations, like the police, there are civilian representatives. The inclusion of these people often leads to conflict in the board because there is not an in-depth understanding of the milieu that the people work in. This problem would be even greater for the military. The reservists on this board would provide a strong link to the civilian community, thus lending the board legitimacy in the eyes of the public, while ensuring that all members of the board have an understanding of the situations that they will be examining.

To lay out all the policies and procedures would require far more depth than can be covered in this paper, however there are some fundamental issues that must be clarified.

- To provide continuity, board members should be appointed for a fixed term of four years, with a staggered rotation of two new members per year.
- To maintain independence, the board must have sole authority for naming its replacements.
- As the board is independent of the chain of command, appointment to it should be considered a secondary duty.
- In cases of revocation proceedings there should be a requirement for a two-thirds majority vote. As with other such bodies, decisions should be appealed through the court system.
- To eliminate any real or perceived threats, no member of the board should be able to initiate an investigation or proceedings against anyone in their direct chain of command.
- The cost of establishing and running the committee should be borne by all serving officers in the form of annual professional dues.

## **Striving For The Future**

We are at a time in history when doctrine and bureaucracy have taken over our organization. It is time to remind ourselves what it means to wear the uniform of Canada.

We must, at all times, remember that while we are wearing this uniform we represent the government and the people of Canada, as well as the element whose uniform we wear. Whatever we do reflects, for better or for worse, on ourselves, our element, and on the people of Canada. We have been entrusted with the responsibility of upholding the honour of our uniform, and all that it represents. The whole world will judge this uniform and Canada on our conduct while wearing it.

We must, therefore, comport ourselves on all occasions, and in all circumstances in such a manner as to reflect credit upon our element, our government, and our country. Our every act must encourage all people to have confidence in this uniform, and what it represents.

We must be mindful that fine men and women have died wearing the uniform of Canada, and that we are accountable to their memory. We must be proud of our element, but remember that no one element has a monopoly on courage, conviction, and sacrifice.

We must remember that our rank and our uniform do not excuse us from the responsibilities of behaving like civilized, respectable, and responsible members of Canadian society. In all our actions we must be guided by common sense. To use the words that Sun Tzu wrote twenty-five hundred years ago: "When you see the correct course, act; do not wait for orders."<sup>4</sup>

The Canadian Forces have recently gone through what some have described as a crisis in leadership and morality. While some may not be willing to go as far as defining the last couple of years as a crisis it has certainly been an unfortunate period, and has pointed out to even the most casual observer that there are some problems that must be addressed. We cannot allow ourselves to be lulled into inaction simply because that task seems to daunting. In the words of Winston Churchill, "We must learn from misfortune the means of future strength."

We are currently faced with a wide-open window of opportunity for dramatically improving how we as an organization operate. If we fail to take advantage of it, and remain with the status quo, we run the real risk that our Canadian Forces will be but a footnote in the history of Canada. To prevent this, we must look forward not back. We do not need to *return* to an era of moral leadership, we need to *discover* one. Making all our military leaders accountable to an independent ethics committee will be a huge step in that transition.

## End Notes

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1. Saul, John Ralston. *Voltaire's Bastards: The Dictatorship of Reason in the West*, Penguin Books, Toronto, 1993, p. 193.
2. Comte de Guibert, *Écrits Militaires 1772-1790*, préface et notes du Général Ménard (Paris: Editions Copernic, 1976), p. 192. « Si par hasard il s'élève dans une nation un bon général, la politique des ministres et les intrigues des courtisans ont soin de le tenir éloigné des troupes pendant la paix. On aime mieux confier ces troupes à des hommes médiocres, incapables de les former, mais passifs, dociles à toutes les volontés et à tous les systèmes... La guerre arrive, les malheurs seuls peuvent ramener le choix sur le général habile. »
3. Tuchman, Barbara W. *The March of Folly: From Troy to Vietnam*. Ballantine Books, New York, 1984, p.386.
4. Sun Tzu. *The Art of War*. Translated by Griffith, Samuel B. Oxford University Press Paperback, New York, 1971, p.112.