Chapter 7

Ethics and Dilemmas in the Royal Netherlands Air Force

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7.1 Introduction
On 1 November 1911, a bomb was dropped from an aircraft for the first time. It was actually a specially adapted hand grenade. It landed on a Turkish army tent in Libya during the Italo-Turkish War. When further air bombing raids took place over the following days, the Turks protested. They had already been subjected to heavy artillery fire from the Italian fleet, but these few hand grenades launched from the air were, in the opinion of Turkey, completely beyond the pale. A lively ethical discussion developed in the international press about the acceptability of aerial bombing raids. This was the first of a long series of discussions continuing right up to the present day.

Before that date, there were hot air balloons. The first use by the military of hot air balloons dates from the Franco-Prussian war of 1870-1871, when they were used for aerial reconnaissance. The first regulations for aerial warfare emerged from the First Hague Peace Conference in 1899. It was agreed that persons travelling in the balloon basket were prohibited from dropping explosives onto towns. This norm was only valid for a limited period of five years. At the start of the First World War (1914-1918), military flying was characterised by amateurism and chivalry. There are legendary tales about the successful “Red Baron” Von Richthofen of the German Luftwaffe, who painted his plane red in order to scare his opponents. Much has changed since those days. After 1917, the air battle became deadly serious, with chivalry having all but disappeared. Between the two World Wars the first theories about aerial warfare stated explicitly that the distinction between civilian and military should be ignored.

This chapter provides an outline of the moral norms and values applicable in the present day Royal Netherlands Air Force and in air battle in general. The first half of the chapter offers a brief examination of the RNLAF code of conduct, the culture of the organisation and the teaching of ethics. We will then discuss the norms and values that apply under operational conditions.
7.2 From Values to the RNLAF Code of Conduct

The early 1990s saw radical changes in the mission, organisation, management and population of the armed forces. Compulsory military service was suspended and the theatres of operations where the armed forces would be called upon to deploy moved “out of area”. This brought about changes in the position of the armed forces in Dutch society, which led the Minister of Defence to request advice from the Societal Council for the Armed Forces Social Council (now disbanded). The advice related to the “socialisation” of the armed forces: how characteristics generally accepted within society, such as individualisation or emancipation, can be maintained within the armed forces with no adverse effect on military operational performance. The suspension of conscription meant that the stream of outspoken, critical recruits dried up. There were fears that a sub-culture would be created within the armed forces. The Council presented its findings in February 1996. These called for a code of conduct for military personnel, not so much to allow retrospective checking, but rather “… as a means of defining in advance how military personnel should conduct themselves” (Societal Council, MRK, 1996a,62). In November 1996, a code of conduct for the whole Ministry was published. The Commanders-in-Chief were then tasked with tailoring this code of conduct to their “own” Service. This resulted in the RNLAF code of conduct, which was published in early 1998.

7.2.1 The Introduction of the RNLAF Code of Conduct

In 1997, the RNLAF Code of Conduct Implementation Working Group was set up and tasked with formulating a draft text for the RNLAF code of conduct. The Working Group was aware that a code of conduct needed to have widespread support within the organisation and, to achieve that level of support, a comprehensive round of consultations took place. In 1998, the final version of the RNLAF code of conduct was introduced. At the last minute, the decision was taken to have a code of conduct based on the individual airman and thus using the first person singular. This was a change from the draft text, which used the “we” form. In his reaction to the draft text, Vermeulen, a chaplain, wrote: “The ‘we’ form conjures up loyalty and team spirit. Using the ‘we’ form, however, can also create the effect where individual RNLAF personnel feel no personal responsibility for the code of conduct. ‘We’ tends to be interpreted as ‘not me, but them’”. For this reason, Vermeulen rewrote the draft code of conduct in the “I” form, (Vermeulen, 1997, 12-13). This represents an interesting choice regarding the attitude of the individual towards the collective. In contrast, the final version of the code of conduct of the Royal Netherlands Navy is written in the “we” form.

Much has already been written about the background to military codes of conduct. In 1980, in the United States, Gabriel described why a military code of conduct was needed and offered a model text. Most of the discussion about the background of the Dutch situation has been published in Dutch, with the exception of the article published in English by Van Iersel, Van Baarda and Verweij (2000).