

The Code of Conduct–Not Legislated But Trained In Peacetime and Lived in Combat  
and Captivity To Achieve Mental and Physical Resilience and Avoid Moral Injury  
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In August 1955, nearly two years after the signing of the Korean Conflict Armistice, Dwight D. Eisenhower signed into effect Executive Order 10631 that stated, "Every member of the Armed Forces of the United States are expected to measure up to the standards embodied in the Code of Conduct while in combat or in captivity."<sup>1</sup> To ensure this six-article creed of conduct was implemented, specific training and instruction was given to the use of the Code. Since the signing of the Code of Conduct it has gone through only two modifications of four provisions, notwithstanding the change in nature of conflict that U.S. military forces have faced.<sup>2</sup> The code remains applicable even in today's changed battlespace as a firmly comprehensible, achievable set of beliefs and expectations.

Now, more than ever, as the Nation combats violent extremist movements that threaten our freedom in a state of persistent conflict, trained and ready forces must have the capacity to deal with protracted confrontation among state, non-state, and individual actors who are increasingly willing to use violence to achieve their political and ideological ends, as well as the physical and mental stamina to deal with rapidly changing and high risk threats. Living by the Code of Conduct may well also have a salutary benefit of helping service members avoid *moral injury* defined as "perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress deeply held *moral* beliefs and expectations"<sup>3</sup>

This paper will advance the notion that the Code of Conduct has become an integral part of developing and sustaining U.S. service member endurance, both emotional and physical, as the nature of conflicts has changed. Through meaningful training, and individual and cultural adherence to the standards in advance of deployment, instead of a coercive, proscriptive legalistic approach, service members are encouraged to act in accordance with the Code of Conduct to enhance their ability to recover from physical and emotional adversity, to live within standards of moral and ethical excellence, and to conduct themselves with principled action.

This lived by example approach to the Code of Conduct will also be described in the context of physical and mental fitness, training readiness, commitment to national and service-specific values, and the well being of service members' loved ones.

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<sup>1</sup> Executive Order 10631--Code of Conduct for members of the Armed Forces of the United States, Aug. 17, 1955, 20 FR 6057, 3 CFR, 1954-1958 Comp., p. 266, <http://www.archives.gov/federal-register/codification/executive-order/10631.html> .

<sup>2</sup> Id. Article V amended by EO 12017 of Nov. 3, 1977, 42 FR 57941, 3 CFR, 1977 Comp., p. 152. which U.S. military forces have faced; the first change came about in 1977 when President Carter made it more "reasonable" by taking out the verbiage that would imply only one suitable course of action. See also *Id.* Articles II and VI amended by EO 12633 of Mar. 28, 1988, 53 FR 10355, 3 CFR, 1988 Comp., p. 561. The second change came in 1988 when President Reagan made it gender neutral

<sup>3</sup> Brett Litz, et al. "Moral Injury and Moral Repair in War Veterans: A Preliminary Model and Intervention Strategy." *Clinical Psychology Review* 29, no. 8 (2009): 695-706.