On Character and Creativity: Philosophical Reflections on Moral
Education in the United States Military

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Abstract

My dissertation seeks to bring recent work in ethics and creativity to bear in new and interesting ways on the Army's moral education efforts. The U.S. Army aims to develop leaders who can exercise excellent moral judgment, often in extreme situations, and who have the ability to solve new, complex problems as well as old problems in innovative ways. One question I aim to answer is, "How might the U.S. Army develop leaders who are deeply moral *and* exceptionally creative?" In order to do that well, the Army needs substantive conceptions of both character and creativity. I argue for a conception of character that places emphasis on the skill-like nature of virtue and, subsequently, a conception of creativity as, itself, a skill. The exercise of a skill is sensitive to a variety of external factors present in any given situation. The exercise of virtue is sensitive to situational factors as well, but moral education in the Army gives insufficient attention to this. While character development is about much more than *merely* about doing the "right thing," one important aim is to equip agents to exercise good judgment. In the context of moral education, I argue that deliberate attention to situational factors (including institutional structures) will help agents make better decisions, even while adding complexity to the problem. As moral agents develop, practical wisdom enables them to exercise the virtues in new, unfamiliar, and often ambiguous situations. In this way, the exercise of practical wisdom is itself a creative act, and yet creativity is not typically emphasized in moral education. I argue that teaching creativity as an integral part of moral education will better equip agents (i.e. military personnel) to exercise practical wisdom in an increasingly complex world.

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Introduction[1]

The Army, and especially West Point, has for nearly two centuries been concerned with maintaining high ethical standards of conduct across the organization and developing "leader[s] of character"[2] who exemplify virtuous behavior across a wide variety of situations. Despite these commitments, one need not look far to find military leaders, even some at the most senior levels, who seem to have lost their way morally.[3] The Army is in a continuous search for ways to address ethical failings and is heavily invested in moral education as a central mission. My overall aim is to aid the Army in its search for way to better its moral education efforts.

In order to do this, I will first argue that the Army's very view of character is less robust and not as psychologically realistic as it could be. I take one's conception of character to be central to any attempt at moral education. As such, a superficial view of character will limit the effectiveness of any programs built upon it. After making the case for this, I will offer a more fine-grained conception of character, highlight some problems currently pressing the Army on the moral front, and finally suggest some steps the Army might take to begin addressing moral education in a more realistic

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[1] The views expressed here are those of the author and do not reflect the official policy position of the United States Military Academy, the Department of the Army, the Department of Defense, or the US Government.

[2] The full text of the USMA mission is: "The United States Military Academy's mission is to educate, train and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country and prepared for a career of professional excellence and service to the nation as an officer in the United States Army." See www.westpoint.edu

[3] General (Retired) David Petraeus is probably the most prominent recent controversy. Leave aside whether or not anyone should care about his moral failing. For my purposes, it is sufficient to note that the military cares about whether or not its senior leaders commit adultery (or fraud, sexual harassment, and so forth).

way. I hope the following questions will help clarify the overall arc of the

dissertation as I see it:

- Chapter 1: What theoretical framework for virtue and creativity is in play here?
- Chapter 2: Given that soldiers are trained to follow orders and conform in a wide variety of ways, why should we expect anyone in the military to be creative?
- Chapter 3: How would your proposal handle a real problem such as widespread dishonesty in the Army?
- Chapter 4: How would your proposal change the way the military conducts moral education?

The (very) short answers to the above questions are as fallows:

- Chapter 1: The conception of character I develop that relies heavily on the notion of "skill" and takes seriously external factors when thinking about exercising the virtues. The conception of creativity follows similar contours.
- Chapter 2: Rote learning and high levels of conformity early in the education process are not antithetical to independent thinking later in life.
- Chapter 3: It would recognize that the alleged dishonesty problem has little to do with character and a great deal to do with institutional structures and and perverse incentives. As such, efforts to curb "dishonesty" would be aimed primarily at changing systems.
- Chapter 4: Moral education efforts would reflect a greater sensitivity to the power of external factors, and they would foster creativity as an integral part the overall program.

Overall, I intend to examine and constructively critique the Army's

conception of character and moral education, drawing upon contemporary

virtue ethics, moral psychology, and the best philosophical and empirical

work on creativity.

I should note that the U.S. Army is funding my project, and, for that, I am most grateful. With no undue pressure or coercion from the Army, I aim to make a substantive contribution to the ongoing discussion of morality in the military.[4] This discussion is alive presently in the Army, and it has the attention of the Army's senior leadership. As recently as July 2015, the Chief of Staff of the Army—the senior ranking general officer in the Army—along with the Secretary of the Army, gathered all the senior leaders of the Army for an ethics symposium to discuss matters with which I am concerned here.[5] The Army is committed systematically to developing moral leaders who are capable of moral decision making under the most extreme conditions. However, there is clearly more work do be done toward this end. It is my overall aim to make a substantive contribution to this effort.

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[4] In other words, no one is making me write on this issue. The analysis and conclusions are my own, not shaped by any pressures from the institution or any person in the institutional Army.

[5] For the sake of context, I should note that there is no other occasion during the year where the Chief of Staff of the Army gathers all his top Generals, Non-Commissioned Officers, Warrant Officers, and Civilian leadership. That he would gather this group indicates how important this issue is the Army's leadership. I attended this event, which was held at West Point, NY from July 28-29, 2015.

Chapter 1
Developing Character in the U.S. Army

"Human organizations are flawed because humans are flawed."[6]

—Jim Frederick, *Black Hearts: One Platoon's
Descent into Madness in Iraq's Triangle of Death*

[…] such virtue as we may attain is *never complete, always surpassable. Always fragmentary*, it is often visible only from a certain angle, so to speak. At best we can be virtuous sinners. Actual human virtue is *frail*, and *dependent* on conditions beyond the voluntary control of the individual whose character is in question[7] (italics mine).

—Robert Adams, *A Theory of Virtue: Excellence
in Being* for *the Good*

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[6] Frederick, Jim. *Black Hearts: One Platoon's Descent into Madness in Iraq's Triangle of Death.* Broadway Paperbacks, (New York: 2010), p. xvii.

[7] Adams, Robert. *A Theory of Virtue: Excellence in Being for the Good.* Oxford University Press (Oxford: 2006), p. 12.

Abstract

The U.S. Army has long been committed to growing "leaders of character" and fighting our nations wars in an ethical way.[8] The United States Military Academy is one commissioning source for future Army officers, and it's mission is "To educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned *leader of character* committed to the values of Duty, Honor, Country and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army" (emphasis mine).[9] My overarching focus will be on the development of leaders of character. I do not doubt the sincerity of the Army's character efforts. But I worry that our very conception of character itself limits the effectiveness of our character development efforts. In what follows, I will draw on recent scholarship in virtue ethics and attempt to offer a more substantive conception of character that, I hope, will open space for improved efforts at character development. To the extent that I provide criticisms of our efforts, I do so as a long-time team member who desires to see the efforts improved. I mean for this project to be primarily a *constructive contribution.*

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[8] This is not to say that the U.S. Army has always and everywhere "fought well" in the ethical sense. Examples abound of where this was not the case. For one of the most egregious, see Frederick, Jim. *Black Hearts: One Platoon's Descent into Madness in Iraq's Triangle of Death.* Broadway Paperbacks, (New York: 2010). Nevertheless, the stated commitment is both to individuals who exhibit character in their lives and fight within ethical constraints.

[9] See http://www.usma.edu/about/sitepages/mission.aspx Accessed February 11, 2016.

1.0 Introduction

In his now classic "Aristotle on Learning to be Good," Myles Burnyeat notes "[…] About one thing Socrates was right: any tolerably explicit view of the process of moral development depends decisively on a conception of virtue."[10] The United States Military Academy aims to develop "leaders of character" in a systematic way. If Burnyeat is right, the success of such effort depends in no small measure on a conception of virtue itself. That will be the primary concern of what follows. I will draw on contemporary scholarship in virtue ethics in an effort to provide a more nuanced view of virtue that the Army might adopt and, subsequently, enhance its character development efforts.

Though I am writing in the context of the U.S. Army, for the project I am not so much concerned with "military ethics"—as in, just war theory and related concerns. I am more concerned with something like a *military ethic.* What does it mean to be a good officer? There are, of course, a variety of theoretical approaches one might employ in answer to this question. I will take a *broadly* virtue ethics approach. I say *broadly* as I recognize that within what properly may count as "virtue ethics" (leaving aside those additional views that would count as "virtue theory"), there are a variety of views, different conceptions of virtue, and a whole host of internally controversial issues (e.g., the unity of the virtues). It is not my aim to develop an

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[10] Burnyeat, M.F. "Aristotle on Learning to Be Good." Essays on Aristotle's Ethics. Ed. Amelie Rorty. University of California Press, (Berkeley: 1980), pp. 69-92.

additional, unique account of virtue. Nor is it my aim to try to sort out a host of internal debates within virtue ethics. In the context of the character development program at the United States Military Academy, my aim is rather narrowly focused on how we might best *teach* virtue (i.e. moral education). Though this will necessarily involve refining our thinking about how we conceive of virtue in the first place. So in route to answering questions about moral education, I must settle on some conception of virtue (even if only tentatively) and thus, what it might look like in the context of a moral education program.

I will draw primarily on the work of two contemporary scholars in virtue ethics. First, drawing on the work of Julia Annas, I will explore her emphasis on virtue-as-skill. The skill analogy is not new, but Annas presses it to a greater degree than most. In particular, I find her emphasis on aspiration, or the "drive to aspire" as she says, helpful for thinking about one key requirement for moral development. An emphasis on aspiration as a critical component will help us see that more deliberate effort is needed to get cadets (and officers) to see their own moral development as something that must be aimed at in a particular way. Second, I will draw on the work of Robert Adams, and I will emphasis his insistence that virtues are "fragmentary" and "frail."[11] Emphasizing this will help both recalibrate our expectations of the degree to which officers, and especially cadets, can be

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[11] Adams, *A Theory of Virtue,* p. 12.

expected to develop virtue. And it will help temper our responses to moral failings. But I do not mean 'temper' as a plea to "go soft" on moral failings. Rather, I mean to shape and to inform our thinking about virtue such that our responses to moral failings are both more appropriate and more realistic with respect to the reliability of character to produce good behavior. With that in mind, I will take a look at one substantive critique of virtue ethics provided by John Doris—namely, situationism. Doris and others draw heavily on empirical literature from social psychology to argue that our behavior is far more sensitive to situational factors than we might think. While I do not accept Doris's rejection of character as "global traits," I do think it is helpful to think about the situational context of any given moral decision. I consider the empirical literature to be not so much a "proof" of some particular phenomena but more of an exhortation to take seriously the situational factors that could be morally salient in a given instance. When thinking abut the complex of situational factors for any given difficult ethical situation, it may become difficult to know just how to proceed. This is one reason for my inclusion of creativity in the theoretical discussion.

Drawing on both philosophical (primarily Gaut) and empirical (primarily Amabile), I explore a view of creativity that, I think, parallels Annas's view of virtue-as-skill. Linking these two will illuminate ways we might develop creativity in Army officers. More specifically, I will urge that we develop creativity in the context of moral development, where creative

efforts are always explicitly bound by ethical constraints. Beyond that, I think that the development of creativity (for Army officers) has a number of benefits. I will argue that, in part, the development of creative problem solving skills will yield, on balance, better ethical thinking (and acting) around hard cases. But more than that, the development of creativity, if Gaut is right, will involve the regular exercise of virtue—namely courage—as a matter of course. Finally, while the Army has always placed character at the fore of those qualities required of an Officer, the Army has more recently formalized a call for officers to be creative as well. With this in mind, I will now sketch each of these areas in more detail.

1.1 Contemporary Virtue Ethics

Since the publication of Elizabeth Anscombe's 1958 article "Modern Moral Philosophy," there has been a resurgence of interest in virtue ethics. Hursthouse notes that this resurgence has now made it necessary to distinguish between virtue ethics and virtue theory, the latter considered "a term which is reserved for an account of virtue within [Kantian ethics and Consequentialism]."[12] I will not be concerned here with virtue theoretic accounts developed within a Kantian or Consequentialist framework. Unfortunately, that only partially narrows the topic. Annas points out that debates over various "[…] systems of ethics centered on virtue […] have made

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[12] Hursthouse, Rosalind. "Virtue Ethics" Stanford Encyclopedia of Philosophy, http://plato.stanford.edu/entries/ethics-virtue/ (2012). Accessed February 06, 2016

it clear that the different theories do not share an agreed upon conception of what virtue is."[13] My aim here is not to add a *new* conception of virtue but rather to clarify which conception I have in mind throughout the chapters that follow. I will articulate a conception of virtue that draws heavily on the work of Annas and Adams and places special emphasis on both the skill-like nature of virtue as well as its fragility. Beyond that, I aim to be sensitive to the psychological complexities and the situations in which moral agents may find themselves.

We should begin with a definition (or a couple of definitions) of virtue. For Adams, "[…] *a virtue* is an excellent way of being for and against things, a way whose excellence can be part of the excellence of capital *V* Virtue."[14] The sub-title of Adams' book is "excellence in being for the Good." This is not intended to be "catchy" or cryptic. It is, rather, a very deliberately crafted statement, loaded with meaning, which Adams articulates as the work unfolds. He further explains that virtues are "not simply patterns of actions."[15] They are "[…] in large part dispositions […] to act in certain ways or from certain motives, views, or commitments."[16] Furthermore, virtues involve "[…] attitudes as centrally as they involve actions."[17] For Annas, a virtue is "a disposition of character to act reliably."[18] It is "[…] a lasting feature of a person, a tendency for the person *to be a certain way*" (italics

[13] Annas, Julia. *Intelligent Virtue*. Oxford University Press (Oxford: 2011), p. 1.
[14] Adams, *A Theory of Virtue,* p. 35.
[15] Adams, *A Theory of Virtue,* p. 161.
[16] Adams, *A Theory of Virtue*, p. 161.
[17] Adams, *A Theory of Virtue*, p. 161.
[18] Annas, *Intelligent Virtue*, p. 4.

mine).[19] I think 'disposition' for Annas here is supposed to be something like "an excellent way of being" for Adams. But I favor Adams here because he makes it clear that not just any way of being, however "reliable," will do. It must be an *excellent* way of being that includes much more than action. With that in mind, we can assume that Annas does not mean to include just any dispositions, however reliable they might be as predictors of behavior. It is less clear by her description of dispositions, but I take her mean dispositions toward particular aims that necessarily involve motives and other features which make them "intelligent." She continues, explaining that a virtue is "*active*" in that it disposes one to act "in certain ways," and "it *develops* through selective response to circumstances."[20] Annas prefers the term "persisting" to "lasting" to, I think, reinforce the idea that a virtue is active. As an example, "Jane's generosity, supposing her to be generous, persists through challenges and difficulties, and is strengthened or weakened by her generous or ungenerous responses respectively."[21] Additionally, a virtue is a *reliable disposition.*[22] "If Jane is generous, it is no accident that she does the generous action and has generous feelings."[23] To be clear, the reliability criterion is does not stand alone. Good dogs and good cars are *reliable* in important ways. "Good" dogs will bring back the ball when thrown. "Good" cars will run for years without the need for significant maintenance. But *that*

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[19] Annas, *Intelligent Virtue*, p. 8.
[20] Annas, *Intelligent Virtue*, p. 8.
[21] Annas, *Intelligent Virtue*, p. 8.
[22] Annas, *Intelligent Virtue*, p. 9.
[23] Annas, *Intelligent Virtue*, p. 9.

kind of reliability does not make them virtuous. Annas does not mean to imply this either. Indeed, her insistence that virtue be intelligent precludes the sort of reliability one might find in dogs or cars. But the insistence on "being for the good" is another reason I favor Adams' conception of virtue. It is more overtly aimed at a particular end (or a set of particular ends). I should note that even when carefully couching virtue-relevant reliability in terms of "[…] motives, views, or commitments,"[24] 'reliable' ought not be taken as synonymous with 'guarantee.' For neither Adams nor Annas claims that the possession of virtue *guarantees* right action (or motive, commitment, etc.) While they both use the term 'reliable' to describe virtue, they do not fully share a conception of virtue.

It should be clear from these descriptions that there is both overlap (e.g., suggested by the language of disposition) and divergence (e.g., Being for things in an excellent way vs. Acting in a reliable manner). Again, my aim here is not to engage in a detailed comparison of various conceptions of character. For my purposes, I will take Adams' view as the dominant one, though I am not sure it will make a substantial difference for the aims of my project. Both Adams and Annas (and every other proponent virtue ethics) agree that virtue is far more than merely "*doing* the right thing," however consistently. It *must* involve right reasons and right feeling as well. Both Adams and Annas agree that virtue is something that *can* (and *ought to*) be

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[24] Adams, *A Theory of Virtue*, p. 161.

developed. And they agree that, to the extent virtue is developed in a person, it will give others a good reason, other things being equal, to expect certain behaviors from that person.

One major difference between their views can been seen in the way Adams conceives of excellence. He says, "I think of the excellence of things in terms of their relation (of a more or less fragmentary resemblance) to a transcendent standard (in fact, God) that is wholly good."[25] In the few places where Annas speaks of "excellence," she does not mean anything like what Adams means.[26] That said, the particular aspects on which I wish to focus from their views do not seem obviously incompatible. Specifically, I want to emphasize two aspects of virtue that I find noteworthy in both Adams' and Annas' accounting: the skill-like nature of virtue and its frailty.

For Annas, the skill analogy features prominently throughout her account. But she is careful not to reduce skill development to mere routine. "Because virtue is a disposition it requires time, experience, and habituation to develop it, but the result is not routine but the kind of actively and intelligently engaged practical mastery that we find in practical experts such as pianists and athletes."[27] Here one should see an immediate difference between, say, flossing one's teeth and performing Bach's Chaconne. The former is a habit in the ordinary sense; the latter is partially the product of

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[25] Adams, *A Theory of Virtue*, p. 36.
[26] Annas, *Intelligent Virtue*, p. 66. In the context of the skill analogy, she speaks of the "excellence of the finished product" when articulating how we might judge the success of skills (in particular, productive skills). The excellence of the finished product does not, she notes, depend on "the affective state of the person producing it." This seems to indicate a difficulty for the skill analogy, which Annas goes on to address.
[27] Annas, *Intelligent Virtue*, p. 14.

habituation (i.e. Those habits associated with gaining mastery on the violin),

but is much more than that. It is an example of the kind of "intelligently

engaged practical mastery" to which Annas refers.[28] "Courage will not make

one virtuous, or a morally good person, unless one's main aims, for the sake

of which one manages one's fears, are good aims—and well-chosen good ones

at that."[29] Behind the skill analogy are two important components: "[…] the

need to learn and the *drive to aspire*."[30] It is unclear to me whether Annas

means the "need to learn" in a passive or active sense. She might mean 'need'

in the straightforward, descriptive sense; the learner literally does not know

how to do X and *needs* to learn.[31] It seems to me that *everyone* has the need to

learn in this sense. As such it is a need in the passive sense that it can be

present without the recognition of the learner. But another way to

understand the "need to learn" is more active. In this way, the "need to learn"

is an active and reflective recognition by the learner that there is a gap

between where he is and where he would like to be, morally speaking. I think

Annas means the "need to learn" in the latter sense. If I recognize, for

example, that I lack courage broadly, then I aim to become more broadly

courageous. But this is a very vague aim, and one can recognize an aim

without any accompanying aspiration to secure it. If this is right, then the

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[28] Here I do not mean to imply that *all* instances of the performance of Bach's Chaconne would necessarily count as such. I suppose a robot could be designed to play the Chaconne. Indeed, self-playing pianos have been around for a long time. All of them can play better than I can. But it is odd to think of the "player piano" as having skill, let alone *intelligent* skill.

[29] Adams, *A Theory of Virtue,* p. 34.

[30] Annas, *Intelligent Virtue*, p. 16.

[31] This seems distinct from 'need' in the sense of an insatiable desire or a motivation.

'drive to aspire' is at least one feature that separates would-be virtuous agents (or virtuous persons in progress) from those who are not developing virtue in any meaningful way. This is a hugely important point for the context in which I am writing, and it is worth emphasizing further.

I have claimed that everyone has the "need to learn" in one sense (passive), and I suspect that most Army officers have the "need to learn" in the more active sense where they would acknowledge a gap between where they are morally and where they could be. This is good but woefully inadequate for moral development. The real work is done by the "drive to aspire." The drive to aspire is something that one *cannot* have thoughtlessly or involuntarily or even casually. And the drive to aspire is where the general recognition of a need to learn is translated into specific aims. Any serious athlete is likely to have specific aspirations appropriate to her sport (e.g., Run the race ten percent faster, jump two inches higher, and the like). Identification of the "target" is very important, but without the "drive to aspire," progress is unlikely. Similarly, if officers aim to "be more courageous," for example, but they lack the drive to aspire, substantial growth in courage is unlikely. This implies that even for an organization (such as the U.S. Military Academy) where there is a deliberate and programmatic effort to develop the character of its members (in particular, West Point cadets), if individuals do not *aspire* to virtue, in a specific and intrinsically motivated way, then even the most thoughtful programmatic

efforts (to the extent to which they operate independently of aspiration) will be largely ineffective.

Furthermore, while I agree that aspiration is a critical component for development in virtue, the athletic analogy seems to break down when trying to say what, exactly, aspiration to virtue would look like. Consider the student.

1. I aspire to run the 400m in 45 seconds, 2 seconds faster than my personal best, by the end of the season.
2. I aspire to be 50 percent more virtuous by the end of the academic year.

The former is exactly what one would expect from any serious athlete. Simply substitute the appropriate goal to the particular sport. But the latter sounds too vague to be actionable. What, then, would aspiration to virtue, or even a particular virtue, look like? If it is really a critical component, as Annas suggests, we ought to be able to say something more specific than "aspire" to virtue. Even if we consider a single virtue, say courage, how would we specify such an aspiration? Most American citizens do not have regular opportunities to exercise *physical* courage in their everyday lives. I suppose one might arrange such opportunities. For example, would skydiving for the first time count as an act of courage for anyone who has a fear of heights? Even if we narrow courage to something like "moral courage," we still face the same problem. Perhaps it is more likely that one would have the opportunity to exercise moral courage in the course of one's daily life.

Nevertheless, it is unlikely that these opportunities would look the same for any given set of ten people. It seems difficult, at best, to aspire in a substantive and reasonably measurable way to particular virtues.[32] I will address this in the final section of this chapter. Having looked at Annas on virtue as skill, I will turn to what I find most attractive about Adams' view.

The strongest attraction to Adams, for my purposes, is captured by Husthouse where she says,

> Adams steers a middle road between 'no character traits at all' and the exacting standard of the Aristotelian conception of virtue which, because of its emphasis on phronesis, requires a high level of character integration. On his conception, character traits may be 'frail and fragmentary' but still virtues, and not uncommon.[33]

The main point I wish to highlight here is Adams' claim that "character traits may be 'frail and fragmentary' but still virtues." Here I will not attempt to say how frail or how fragmentary one's character traits may be and still count as virtue, and, so far as I can tell, Adams leaves this an open question. More importantly, for my purposes, I want to emphasize the "frail and fragmentary" nature of character. This, as I will show later, is drawn, at least partially, out of Adams' interaction with recent empirical research in social psychology. I will address that in the next section. Insofar as Adams is pushing us toward a more psychologically realistic view of character, I think

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[32] I say "reasonably measurable" to indicate that we need some way to indicate progress—some way to say one has met or not met one's goal. But, I reject the idea that we can measure development in virtue the way one might measure development as a runner. There is no such thing as a virtue stopwatch (or X-ray, MRI, etc.).
[33] Hursthouse, Rosalind. "Virtue Ethics" Stanford Encyclopedia of Philosophy, http://plato.stanford.edu/entries/ethics-virtue/ (2012). Accessed February 07, 2016

this is a very helpful move. We, in the military, too often tend to conceive of virtue in binary terms—even while acknowledging the essentially developmental nature of growth in character—such that it is nearly impossible to provide a sensible analysis of officer misconduct, especially for those who appear to have a long record of being a "leader of character."[34]

If character really is far more fragile than we are apt to admit, this ought to push us in the following three ways. One, we ought to be more nuanced when judging officer misconduct rather than assuming that a singular instance of bad behavior is *the* "proof" that an officer lacks character. Two, it ought to make us far more vigilant in the continuous development and maintenance of *our own character*—understanding that any number of factors could conspire in such a way as to result in our own moral failing. Three, we ought to be very careful when elevating moral "heroes" to a place that is impossible for any flawed human to maintain. Hagiographic accounts of past military leaders often overlook serious moral failings and imply an impossibly high standard for moral leadership. A more balanced assessment of past leaders, acknowledging the good and the bad, would go a long way toward tempering both our tendency to ascribe *too much praise* to some and *too much condemnation* to others. Adams goes on to claim that "[…] there is no such thing as a *complet*e human virtue; no such thing as a *fully* good

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[34] I have in mind cases such as General (Retired) David Petraeus here. In cases like this, rather than providing a nuanced analysis of what might have led such a leader to scandalous behavior, the tendency is to judge the singular bad act in such a way as to overshadow decades of behavior otherwise consistent with good character (at least to my knowledge). This is what I mean about a functionally "binary" view of character. One has it, or one does not. And when someone engages in substantially bad behavior, even a singular act, it is taken as evidence that the person lacks character. This is obviously too simplistic and unhelpful.

human life if that means a human life could not be morally improved in any way."[35] That is to say, none of us has "arrived" morally speaking. Our character development is not a discrete event that takes place over a set period of time with a beginning and end. It is a persistent *activity* of the moral life.

This fits nicely with Annas' emphasis on her account of virtue as "essentially developmental, noting that we must always distinguish between the expert and the learner."[36] As a developmental account, it is assumed that the pursuit of virtue is a lifelong endeavor. Beyond being a "disposition to act reliably," virtues are "deep feature[s] of" and "central to" the person.[37] Yet, noting these descriptions of virtue from both Adams and Annas does not make it easy to pick out who is and who is not virtuous. One reason is that Adams and Annas will have a substantial disagreement here regarding the "unity of the virtues" thesis. I will not examine this in depth, but it worth making a few remarks for clarification. The "unity of virtue" thesis claims, "[…] if you have one [virtue] you have all the others […], and so if you lack even one you don't have any."[38] In short, I reject this. But the claim is not without good reason or historical warrant. Annas dedicates a whole chapter to the idea and deals thoughtfully with numerous objections. Adams argues against this along multiple lines. I will look briefly at each of their views.

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[35] Adams, *A Theory of Virtue*, p. 173.
[36] Annas, *Intelligent Virtue*, p. 4.
[37] Annas, *Intelligent Virtue*, p. 9.
[38] Annas, *Intelligent Virtue*, p. 85.

Annas defends the idea that "[…] the fully successful exercise of one virtue depends upon other aspects of the person's character."[39] She explains,

> Even learning about one virtue […] requires some grasp of the way it figures in many different areas of one's life; we can't understand bravery in just one compartment of our life, but have to be able to exercise it over other areas in an uncompartmentalized way.[40]

But this is not at all obviously true. Indeed, it seems straightforwardly true that one could learn about virtues in isolation to some degree. Does a soldier, for example, need a full understanding of justice or temperance to learn what it looks like to exercise courage in battle? I do not think so. Perhaps her own analogy will help clarify why this makes sense to her. She says,

> The unification of the virtues is then no odder or more mysterious than the fact that a pianist does not develop one skill for fingering and another, quite separate skill for tempo, only subsequently wondering how to integrate the results.[41]

This analogy would be compelling if it were appropriate. But I do not think the analogy is appropriate here. I think a better analogy would map the virtuous person on to the concept of the musician, and thus map particular virtues onto "plays the piano well" or "writes music well." A person can be an accomplished and genuinely great musician on account of playing the piano well *and* nevertheless fail musically in numerous ways. A phenomenal piano performer may not be able to play any other instrument. She may not be able to write or even arrange her own music. She may be extremely accomplished

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[39] Annas, *Intelligent Virtue*, p. 83.
[40] Annas, *Intelligent Virtue*, p. 84.
[41] Annas, *Intelligent Virtue*, p. 87.

in classical piano and yet unable to play jazz at the professional level. In other words, she can lack a variety of "musical virtues" and nevertheless be a truly excellent musician. I suppose the ideal musician would be equally accomplished in every aspect of music, but this would certainly be an unreasonably high requirement for one to be considered a good musician.

The concept of musician here is very broad. There are many ways to be a good musician. The idea permits of a plurality of musical virtues, clustered in ways that emphasize some or others depending on the particular way the person pursues being an excellent musician. This *does not* mean that just anyone could be an excellent musician in just any way. There are many ways one might fail to be an excellent musician. And yet, there are countless ways one might be an excellent musician. It might be helpful to think of being a virtuous person in this kind of pluralistic way. Requiring that virtuous persons have all the virtues seems an impossibly high standard. Annas is sensitive to this and says,

> We are quite free to call someone brave or generous when they fulfil the conditions in which we learned that bravery and generosity are. At the same time we are quite clear that they are not fully brave or fully generous; they do not indicate to us everything that these virtues involve.[42]

So she has no problem calling someone 'brave' or 'generous' on account of having acted bravely or generously. But she is quick to add that these persons are not *fully* brave or *fully* generous. Presumably, she means to say

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[42] Annas, *Intelligent Virtue*, p. 90.

we are permitted to call someone 'brave' in the above circumstances so long as we do not confuse that 'brave' person with the virtuous person. But if the unity of the virtues holds, and it requires persons to be *fully* virtuous in order to be called virtuous, it seems to narrow the set of virtuous people to near zero. While recognizing that a single instance of virtue is never sufficient to qualify one as virtuous, the unity of virtues thesis would disallow calling someone virtuous who was consistently virtuous in many ways (but not all) over time. Again, this seems an unhelpfully high standard—out of reach of ordinary human beings, of course. We ought not rush to call someone virtuous on the basis of a single act or even a single virtue. But it is too simplistic to say that a single virtue could not be truly displayed when disconnected from other virtues.

Furthermore, someone who has courage may not only possess a single virtue, he may posses a singular domain instantiation of that virtue (e.g., physical courage). This may seem odd. But consider a soldier who displays courage in battle. His action is deliberate, willful, and otherwise consistent with displays of physical courage in less consequential instances (such as refusing to give up on a long foot march, despite being cold, sore, and so forth). It seems to me that the physical courage displayed is non-trivial. It is not accidental. It is praiseworthy. It is not something "just anyone" would do, and he would do it again under similar circumstances. And, yet, it is no guarantee that this soldier would display other kinds of courage in other

circumstances. For example, courage may require one to stand up to one's boss when doing so will likely go poorly for the person who dares to do so. Courage may require one to face fully the consequences of one's poor decisions, even though doing so will come at a cost and could be avoided by a less courageous person who is clever enough to dodge the requirement. But why should this tell against a genuine display of physical courage in battle or elsewhere?

One of my aims has been to forward a more psychologically realistic conception of virtue. A commitment to the unity of the virtues thesis pushes us in at least two unhelpful directions. One, if we are honest about people, surely we must conclude that no one is virtuous if the standard is possession of all the virtues together. Two, if we insist that someone is virtuous, on account of a single virtue (such as the soldier who displays courage in battle), or even a subset of virtues, then we must deny or minimize the lack of other virtues present in that person's life. Both of these seem unhelpful. The former tempts us to give up on the very pursuit of virtue since it is practically unattainable. The latter tempts us to over emphasize genuine virtue in a person at the expense of truthfully acknowledging a variety of vices in that same person.

Adams rejects the unity of virtues for a variety of reasons. He believes, "The quest for virtue cannot yield more than an always and necessarily

incomplete and fragmentary approximation of a transcendent goodness […]"[43]

In other words, no one *is* fully virtuous. Those on the quest for virtue will never achieve more than a "fragmentary approximation" of that which they pursue. He goes on to say,

> One of my aims in this book is to articulate a conception of virtue that will facilitate appreciation of the diversity of human excellences to be found in our situation of religious and cultural plurality. And if different forms of virtuous life are possible (and indeed actual) there may be particular virtues that are found in some but not all of those forms of life […][44]

This amounts to a denial of the unity of the virtues thesis. And I think the musician analogy fits with this description. Adams uses the virtue of courage to further illustrate his point here. He considers some virtues to be *motivational* and others to be *structural*. Motivational virtues are "defined by goods that one is for in having them, and in that sense by their motive."[45] Structural virtues, on the other hand, "are not principally a matter of what one is for, but of how one organizes one's life around whatever end one is for."[46] With that distinction in mind, he takes courage "to be a matter of ones' ability and willingness to face fears and risks in governing one's response to them in accordance with what one sees as demanded by aims that are in fact among one's most important."[47] Courage, then, is a structural virtue. That is, one can be for any number of ends (including bad ones) and exercise courage

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[43] Adams, *A Theory of Virtue*, p. 173.
[44] Adams, *A Theory of Virtue*, p. 174.
[45] Adams, *A Theory of Virtue*, p. 174.
[46] Adams, *A Theory of Virtue*, p. 175.
[47] Adams, *A Theory of Virtue*, p. 175.

in service to that end. Adams goes on to clarify that courage is not "[…] compatible with every form of folly. It does require that responses to danger be governed by the agent's judgment of what is demanded by *important* aims."[48] On this view, the courageous acts of the soldier fighting for the unjust cause are just as courageous the soldier who fights on the side of the just cause. Furthermore, even terrorist acts, under the right conditions, could be courageous.

As noted earlier, even courage may manifest in a domain specific way such that even singular virtues are not "unified" in the sense that having one means one has it in every instance where it might be exercised. Adams notes,

> […] we distinguish between 'physical courage,' which deals with physical dangers, and 'moral courage,' which deals with social dangers. It seems quite possible to have one of these without the other, and I think either can be a virtue without the other.[49]

This is an argument against what we might think of as the unity of the *virtue* thesis. Broadly, I have been arguing against the unity of the *virtues.* But there is good reason to think that even individual virtues may be possessed truly and genuinely without that virtue manifesting across domains. This echoes the earlier discussion of physical and moral courage—an area that is particularly apt for discussion in a military context. Adams illustrates this nicely in a law enforcement context,

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[48] Adams, *A Theory of Virtue,* p. 177.
[49] Adams, *A Theory of Virtue,* p. 179.

> We recognize that a police officer who is ready to risk his life in the line of duty may not find it in himself to act on his beliefs in the face of likely disapproval from his associates. I think most people will find it plausible to classify his physical courage as real courage, and a virtue, even in the absence of moral courage.[50]

Adams even goes so far as to suggest that both moral and physical courage may be further divisible. Of physical courage, he says it may be " divisible into factually separable modules based on differences in ability to deal with different types of physical danger."[51] I find this plausible, though I will not press this point here.

I reject the unity of the virtues for reasons discussed above. I think rejecting the thesis opens up space to recognize virtue wherever we find it without carefully qualifying our judgments, and it allows us to hold up exemplars without burdening them with perfection. If virtue for humans is, as Adams says, at best a fragmentary and approximate, then perhaps the best we can do look to different people as exemplars of particular virtues. We ought to strive toward all the virtues, of course, while recognizing that progress in the journey is the best we can hope for. This, of course, has implications for teaching and learning the virtues.

As a bit of a lead-in to the next section, I want to look at one concern Annas raises regarding virtue development and social contexts. She says,

> If virtue is always learnt in given social and cultural contexts, and the learning of virtue requires that we progress by first trusting the teacher and teaching context, will the result not be essentially

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[50] Adams, *A Theory of Virtue,* p. 179.
[51] Adams, *A Theory of Virtue,* p. 181.

conservative? Virtue involves aspiration, but will the aspiration be strong enough to criticize the contexts and institutions within which virtue has been learnt?[52]

This particular concern is very much relevant to my own context, and I will develop it further in Chapter 2. Essentially, the concern is this: will students who learn virtue from trusted teachers in a social context be able sufficiently to reflect upon and, where appropriate, criticize the "contexts and institutions" in which the moral education occurred? Moral education in an ordinary educational context with deeply embedded power and authority structures comes with certain dangers. In this case, Annas, is asking essentially whether the learners will end up being largely "copiers" or real "artists." It should not be difficult to see the substantially elevated dangers in the context of *military* education where the moderately structured educational hierarchy has the highly structured military hierarchy layered on top of it. Annas answers "yes"; the aspiration will be "strong enough to criticize [...]"[53] I think this *must* be the answer, but it is far easier said than done. Noting the that social context is necessarily a part of moral education, it will be worth looking at one critique of virtue ethics which attributes a tremendous amount of power to one's social context—namely, situationism. I will turn attention to this important criticism now.

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[52] Annas, *Intelligent Virtue*, p. 5.
[53] Annas, *Intelligent Virtue*, p. 5.

1.2 The Alleged Challenge of Situationism

Empirical research from social psychology during the past several decades have given rise to an ethical view called situationism.[54] Adams, who is himself no situationist, acknowledges that

> […] empirical evidence suggests that virtues understood as tendencies to right behavior are less consistently present in the lives of people that have them—and to that extent have less reality—than virtues understood in terms of morally good views and motives.[55]

Among philosophers, the most prominent voice for more than a decade has been John Doris. I will draw primarily on Doris' 2002 work, *Lack of Character: Personality and Moral Behavior* to sketch the outlines of situationism. I am not skeptical of character or "robust" traits as the situationists are, and I am skeptical of some of the inferences drawn from the empirical work cited in support of situationism. But even after that, I think the situationist critique is worth a look—even if only to remind us of what we probably already know, namely, that our behavior is, to greater or lesser degrees, sensitive to situational factors. For my purposes, there are at least two reasons to engage the situationist critique. One is that, if the critique is right, and the idea of character is a facade, then it obviously undermines our attempts at character education (i.e. It seems like we ought to focus on situation-education and perhaps develop a kind of bad behavior defense). The

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[54] See Ross, L. and Nesbitt, R. E. *The Person and the Situation.* Temple University Press, (Philadelphia: 1991). Some of the most famous experiments drawn upon in support of situationism are the Milgram obedience experiments (First conducted at Yale in 1961) and the Zimbardo prison experiments (conducted at Stanford in 1971).
[55] Adams, *A Theory of Virtue,* p. 9.

second, and more substantial reason is that for the Army, ethical decisions with the heaviest consequences are often made in extreme situations. As such, it seems worth raising awareness of the role that situational factors may play in ethical decision making. I will explore this further in the final section of this chapter. Before we get there, let us consider the situationist view as articulated by Doris.

To begin with, the conception of character that Doris is pushing against is one that considers "good character" to be "*steady, dependable, steadfast, unwavering, unflinching*" in sharp contrast to a "lack of character" said to be "*weak, fickle, disloyal, faithless, irresolute.*"[56] The conventional way of speaking about character implies that "the person of good character will do well, even under substantial pressure to moral failure, while the person of bad character is someone on whom it would be foolish to rely."[57] For any given moral decision, character is the primary determinant. Drawing on research in experimental social psychology, Doris denies this is the case. In fact, the reality, he claims, is quite the opposite. "Behavior is […] extraordinarily sensitive to variation in circumstance."[58] Furthermore, "The problem with character explanations […is that…] they presuppose the existence of character structures that actual people do not very often possess."[59] To the extent that the situationist is motivated by a desire to

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[56] Doris, John. *Lack of Character*, Cambridge University Press (Cambridge, 2002), p. 1.
[57] Doris, *Lack of Character*, p. 1.
[58] Doris, *Lack of Character*, p. 2.
[59] Doris, *Lack of Character*, p. 6.

incorporate a more accurate psychological picture of persons, it seems like a worthy project. But it seems a bit quick to dismiss the very idea of character in light of a variety of 20th century social psychology experiments. And many have, of course, defended virtue ethics against these sorts of claims.[60]

One reason for advocates of virtue ethics *not* to be too alarmed by the empirical evidence is that it is almost solely focused on behavior. There is *no* serious view of virtue ethics that reduces to behavior. Behavior is, of course, a substantive concern, but reasons and emotions and motivations substantive considerations as well. Indeed, Adams notes that "Claims about virtue and the virtues are not chiefly about the ethical classification and evaluation of actions performed, but rather about the ethical significance of *what lies behind our actions*."[61] Furthermore, this multifaceted focus in virtue ethics on the "ethical significance of *what lies behind our actions*" is "fortunate" because "empirical evidence suggests that virtues understood as tendencies to right behavior are less consistently present in the lives of people that have them—and to that extent have less reality—than virtues understood in terms of morally good views and motives."[62] So even if one is highly sympathetic to the empirical research, it hardly lays waste to a substantive virtue ethic. This point should not be overlooked. In a later chapter, I will claim that the Army's concern with character is almost singularly focused on *right action*

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[60] For a condensed interaction between Doris and several critics, see *Philosophy and Phenomenological Research,* Vol. 71, No. 3 (Nov. 2005), pp. 632-677.
[61] Adams, *A Theory of Virtue,* p. 9.
[62] Adams, *A Theory of Virtue*, p. 9.

and that this belies a superficial view of character—and one that will lead to superficial character development efforts. I take the empirical research to be worth considering, especially in the context of the Army where we are particularly focused on getting "right behavior" (even if that focus is somewhat misplaced). But the empirical research ought to be considered as one contribution to the virtue ethics discussion—not as a reason to abandon virtue ethics.

One does not have to abandon a virtue ethical approach in order to acknowledge "our dependence on social context for the persistence of traits of character [...]"[63] In other words, one can retain a commitment to the existence of virtues, take the empirical evidence seriously, *and* nevertheless doubt that the empirical evidence shows that situational factors have more "more explanatory power."[64] It seems to me that the "evidence" is often taken rather hastily to imply that people do what they do, ethically speaking, almost purely on account of situational factors rather than character or a combination of the two. And if one acknowledges that a full explanation of any given ethical decision might require drawing on both character traits and situational factors, then one has an entirely new question regarding the "balance" of the two. And since, as briefly mentioned, character consists of much more than *mere* behavior, it is much more difficult (perhaps impossible by ordinary observational metrics) to measure. I am suggesting that one need

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[63] Adams, *A Theory of Virtue*, p. 160.
[64] Adams, *A Theory of Virtue*, p. 144.

not embrace the conclusions of the empirical researchers in order to take their findings into account. Indeed, it seems to me that we would do well to pay more attention to situational factors as *one aspect* of what one ought to be concerned with when developing one's character.

A further reason to view the situationist critique with a suspicious eye has to do with the reliability of the empirical research itself. The Milgram experiments are probably the most well-known[65] of the range of empirical research that situationists cite. According to Doris, "The Milgram experiments show how apparently noncoercive situational factors may induce destructive behavior despite the apparent presence of contrary evaluative and dispositional structures." In other words, "ordinary decent people" will engage in very harmful (to others) behavior under the influence of even "noncoercive" situational factors. During the experiments, subjects were asked to administer "shocks" to a "learner" when the learner did not give a correct answer. An "authority figure" stood near the subjects and calmly urged them to continue administering the shocks when the subjects seemed hesitant, making statements such as "please continue" and "the experiment requires that you continue" and so forth, with increasing urgency.[66] But what exactly does the show? Of the Milgram experiments, Miller asks us to consider the following:

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[65] Indeed, Magnolia Pictures recently released a drama, *Experimenter* (2015) recounting parts of Milgram's life and the experiments to which refer here.
[66] Doris, *Lack of Character*, p. 40.

[…] If the Milgram findings are representative, then you would likely kill that innocent test-taker in a matter of minutes. But if instead the setup had been slightly different and there were two authority figures giving contradictory instructions, then you almost certainly would have stopped early on when the shocks were only mildly painful.[67]

If this is right, then reconsider what the initial findings actually show? Even if one does not doubt the results, determining what the results *mean* is not at all obvious. Solomon considers the meaning of the results to be "[…] highly controversial […and undeserving of…] a central place in the attack on character that it is now receiving."[68] Rather than showing that a majority of participants will administer harm to an innocently simply when told to do so, perhaps it only shows something far more qualified like, "many 'ordinary' persons when voluntarily participating in a psychological experiment will, when persistently urged by an authority, obey the instructions given." But perhaps this is too strong. Solomon points out that "The Milgram and other experiments […] get rationalized and explained in all sorts of ways, but none of them violates the basic forms of psychological explanation that Aristotle would have found perfectly familiar."[69] Doris thinks that "Milgram's lesson is not simply that situational pressures may induce particular *undesirable* behaviors, but that situational pressures may induce particular behaviors,

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[67] Miller, Christian. *Moral Character: An Empirical Theory*. Oxford University Press (Oxford: 2013), p. 307.
[68] Solomon, Robert. "What's Character Got to Do With It?" *Philosophy and Phenomenological Research*, Vol. 71, No. 3 (Nov., 2005), p. 653.
[69] Solomon, "What's Character Got to Do With It?" p. 652.

period.[70] This seems right, *and* it is not at all obvious that it tells against any serious virtue ethical theory.

Adams raises a further interesting critique of the empirical research when he notes that "Care is required in using situational variability in behavior as evidence of weakness of a supposed virtue."[71] Adams distinguishes perfect and imperfect obligations in the following way:

> A perfect obligation is one that is violated if one does not perform (or refrain from performing) a particular type of action in every relevant case. An imperfect obligation is satisfied if one "does enough"—typically, if one performs the relevant sort of action in a sufficient proportion of cases.[72]

He gives non-violence and truthfulness as examples of the former (perfect), and generosity as an example of the latter. Note that Adams does not take every perfect obligation to be without exception. Violence is sometimes justified,[73] and it might be morally acceptable to lie on occasion.[74] For those empirical studies where the behavior falls under an imperfect obligation, it is difficult to know what the data means. Consider the often cited "good Samaritan" experiment conducted at Princeton Seminary in 1973.[75] Students were assigned a condition of variable urgency (e.g., "In a hurry" or "not in a hurry") and assigned a type of task (e.g., "Prepare a talk about seminary jobs" or "prepare a talk about the good Samaritan"). Then

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[70] Doris, *Lack of Character*, pp. 50-51.
[71] Adams, *A Theory of Virtue*, p. 145.
[72] Adams, *A Theory of Virtue*, p. 124.
[73] Adams, *A Theory of Virtue*, p. 124.
[74] Adams, *A Theory of Virtue*, p. 129
[75] Doris, *Lack of Character*, pp. 33-34.

they had to walk from one building to another. Along the way, each subject passed a confederate who was slumped over, moaning, and coughing. Leaving aside the results of the experiment for a moment, consider what sort of obligation is at play here. It seems reasonable to think that no one could help every person in need all the time. Even if we limit the obligation to something like "help a person who appears to need medical attention when passing that person within 10 feet," then to get closer to a perfect obligation, one would have to abstract to something like, "when you are physically capable and competent to do so, help a person who will die if you do not." But that is not our situation and probably only applies to trained medical personnel who find themselves in one-off situations where they are the only possible aid to a dying person.

As it stands, the obligation at play in the Princeton study seems reasonably imperfect. If this is correct, then what would it say if all or none of the participants stopped to help. None of them had a perfect obligation to help; they all had an imperfect obligation. But an imperfect obligation, by definition, requires one to perform the relevant action in a "sufficient" number of cases. This yields odd results in this case. On the one hand, the experiment could have recorded zero helpers where each participant was found out to have helped in nine previous relevantly similar instances. In this case, each participant ought to have been judged a "good Samaritan" or "one who *meets* her (imperfect) aid-rendering obligation well" even though they did

not help during the experiment. Conversely, the experiment could have recorded 100% helpers where each participant was found to have *not* helped in nine previous relevantly similar instances. In this case, each participant ought to have been judged "not a good Samaritan" or "one who *does not meet* her (imperfect) aid-rendering obligation well."

Even if the experiments were carefully focused only on perfect obligations, some are doubtful of experiments "which allegedly show that people can be motivated by trivial and irrelevant factors of which they are unaware."[76] These experiments and interesting and, in many ways, enticing. But it is difficult to sort which ones show something really substantive and which ones show only something interesting but not replicable. Indeed, replicability has been a point of contention for these and other types of experiments. Consider the coin-in-the-slot experiment. This is the helping behavior experiment where subjects who found a dime in a pay phone were alleged to be markedly more responsive to a person (a confederate in the experiment) in "need" (in this case, the confederate dropped a folder full of papers into the subject's path).[77] There were two groups: one group found a dime in the pay phone, and the other did not. "Only 13 percent of the dime finders failed to help, whereas 96 percent of non finders were similarly passive." This is supposed to show that a seemingly benign factor such as finding a dime in a pay phone makes an enormous difference when answering

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[76] Annas, Julia. "Comments on John Doris's 'Lack of Character,'" *Philosophy and Phenomenological Research*, Vol. 71, No. 3 (Nov., 2005), pp. 636-637.
[77] Doris, *Lack of Character*, p. 30.

the question, "Who will stop to help the person in need?" Annas points out that Miller "traces unsuccessful replays of the Isen and Levin coin-in-the-slot experiment."[78] There is good reason to doubt the reliability of the results of any of the empirical research where the experiments could not be reliably replicated with similar results.

Beyond this, Annas does not take the empirical research, even if it does show that which Doris alleges, to be substantially at odds with virtue ethics. She clarifies, "[…] Virtue ethics has never, over two thousand years, told us to develop characters that will determine our behavior in ways that ignore or are insensitive to the situations in which we deliberate and decide."[79] In one place, Doris urges that beyond "obligations to particular actions," we may have a "'cognitive duty' to attend, in our deliberations, to the determinative features of situations."[80] This comment is made in the context of a telling example. Doris present it thus:

> Think again about sexual fidelity. Imagine that a colleague with whom you have had a long flirtation invites you for dinner, offering enticement of interesting food and elegant wine, with the excuse that you are temporarily orphaned while your spouse is out of town. Let's assume the obvious way to read this text is the right one, and assume further that you regard the infidelity that may result as an ethically undesirable outcome.[81]

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[78] Annas, "Comments on John Doris's 'Lack of Character,'" p. 637, n.1. See also Miller, Christian. "Social Psychology and Virtue Ethics," *Journal of Ethics*, 2003, Appendix.

[79] Annas, "Comments on John Doris's 'Lack of Character,'" p. 638.

[80] Doris, *Lack of Character*, p. 148.

[81] Doris, *Lack of Character*, p. 147.

Those not attentive to situational factors may think there is no reason for alarm. If one is convinced of the strength of one's character, one is prepared for difficult situations, right? If character is a guarantee of good behavior, the person of character can enter this situation with confidence. But, Doris notes,

> If you take the lessons of situationism to heart, you avoid the dinner like the plague, because you know that you are not able to confidently predict your behavior in a problematic situation on the basis of your antecedent values. You do not doubt that you sincerely value fidelity; you simply doubt your ability to act in conformity with this value once the candles are lit and the wine begins to flow.[82]

This seems wise, but does it tell against virtue? Annas does not think so. She argues that it just is the the person who foresees the danger and avoids it who is the example of virtue here. The virtuous person is "intelligent in practical matters, flexible and innovative when required."[83] And regarding our "cognitive duty" to attend to the features of the (determinative) situation, Annas says, "[…] the virtue ethicist can cheer all the way; this is what the virtue ethics tradition has always emphasized."[84]

While I find both the empirical research and the situationist position to be interesting, I do not take it to tell against the *existence* of character or even, more precisely in the case of Doris, the existence of "global traits" of character. The situationist view does perhaps remind us that we ought to be

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[82] Doris, *Lack of Character*, p. 147.
[83] Annas, "Comments on John Doris's 'Lack of Character,'" p. 638.
[84] Annas, "Comments on John Doris's 'Lack of Character,'" p. 638.

sensitive to situational factors, but, as Annas points out, this is not an addition to virtue ethics. It is, at best, a reminder. And this exhortation fits nicely with Annas's view of virtue as skill. Serious athletes are extremely cognizant of their environments. They work very hard to arrange their environments in such a way as to facilitate the highest quality training and, subsequently, the best performances. Thinking about "character training" in this way could yield fruitful results, I think. But before exploring those, I will turn attention to another skill that I think has promise for character development—namely, creativity.

1.3 Creativity and Virtue

It is my contention that creativity, as a concept, has a closer relationship to virtue than we ordinarily imagine. Like moral agency, it seems to me a uniquely human trait. Sawyer thinks that "creativity is part of what makes us human."[85] Swanton claims that "[…] creativity is an aspect of the profile of all or virtually all the virtues."[86] Kieran argues that "exemplary creativity should be thought of as a virtue of character rather than just a mere skill or capacity."[87] He goes on to say, "It is a philosophical commonplace that creativity is highly valued. Yet just what kind of achievement it is to be a creative person has been much neglected."[88] There

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[85] Sawyer, Keith R. *Explaining Creativity*, Second Edition. Oxford University Press (Oxford: 2012), p. 4.
[86] Swanton, Christine. *Virtue Ethics: A Pluralistic View*. Oxford University Press, (Oxford: 2003), p. 143.
[87] Kiernan, Matthew. "Creativity as a Virtue of Character." In Scott Barry Kaufman and Elliot Samuel Paul (eds.), *The Philosophy of Creativity*. Oxford University Press. (Oxford: 2014), p. 125.
[88] Kiernan, "Creativity as a Virtue of Character," p. 125.

are many interesting questions one might explore with respect to creativity, but my interest in creativity here is several fold. First, however, we should get clear on what is meant here by 'creativity.'

Gaut first presents the common definition that "creativity is the capacity to produce things that are original and valuable." But he argues that this is insufficient as it would permit instances of the creation of things that are both original and valuable by a process that is clearly not creative. He gives the following (entertaining) example:

> Suppose that you daub me all over with paint and imprison me in a dark room where there is a primed canvas. I flail around for several hours, attempting to escape; my frantic thrashings cover the canvas in such a way that it becomes, unknown to me, a stunningly good abstract painting […] I have inadvertently produced something valuable and original, but it would be wrong to say that I have done so creatively […][89]

Conversely, if the method of production is purely "mechanical" it would be wrong to consider the act creative. "So *how* the original and valuable product is made plays an essential role in determining whether the act of making it is creative."[90] To account for this, Gaut adds a third requirement, which he calls *flair*. Flair is not given a robust definition but is clearly intended to be that "thing" that a person brings to the process such that the *how* of producing is neither by chance nor mechanized. For my purposes, I

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[89] Gaut, Berys. "Creativity and Imagination." In Gaut, Berys and Livingston, Paisley. The Creation of Art: New Essays in Philosophical Aesthetics. Cambridge University Press (Cambridge: 2003), p. 150.
[90] Gaut, "Creativity and Imagination," p. 150.

will use Gaut's formulation that "[…] creativity is the capacity to produce original and valuable items by flair."[91] So what does this have do with virtue?

There are a number of areas where I see important links between creativity and virtue. First, if Swanton is correct when she claims, "Creativity is […] part of the profiles of all virtues insofar as all virtue involves creative aspects of practical wisdom,"[92] then it seems to me that creativity has a central role to play in the development and exercise of virtue. Second, if Amabile is right to claim that creativity is sensitive to social environments,[93] then I suggest that thinking about creativity could helpfully illuminate aspects of our thinking about virtue. Third, if Gaut is right to suggest that creativity is inherently risky and, as such, "an essential virtue of the creative person is courage exhibited in the realm of his creative activity,"[94] then developing one's creativity would appear to have a moral component—namely that one would be simultaneously developing one kind of courage (as well as capacity for prudent risk taking). And if Gaut is further correct that creativity is best thought of as a skill,[95] then it fits nicely with Annas's conception of virtue. Finally, enhancing one's capacity for creative problem-solving seems to me that it would yield multiple benefits including finding creative solutions to difficult ethical problems *and* developing capacities for other goods such as empathy and the ability to look at problems from

[91] Gaut, Berys. "The Philosophy of Creativity." Philosophy Compass, Vol. 5, No. 12 (2010), p. 1041.
[92] Swanton, *Virtue Ethics: A Pluralistic View*, p. 99.
[93] See Amabile, Teresa. *Creativity In Context*. Westview Press (Boulder: 1996).
[94] Gaut, Berys. "Creativity and Skill." In Michael Krausz, Dennis Dutton, and Karen Bardsley (eds.) Philosophy of History and Culture, Volume 28: The Idea of Creativity. Brill Academic Publishers. (Leiden: 2009), p. 102.
[95] Gaut, "Creativity and Skill."

multiple perspectives. On balance, I suggest that developing creative skill in a way that is overtly linked to development in virtue could, I think, yield better ethical decision making, despite empirical research which argues the contrary.[96] I will not pursue each of these connections. Instead, I will focus on the ideas that (1) both creativity and virtue are intelligent skills, where aspiration is an essential feature of developing such a skill and (2) that exercising these skills well requires practical wisdom.

As noted above, Gaut considers creativity itself to be a skill in contrast to several other accounts. I think Annas's account of virtue-as-skill is very helpful for understanding one way that creativity might work. As a skill, I think that it can be learned. *That* it is a skill does not imply that everyone could learn equally well (or even learn it at all).[97] As with any intelligent skill, there are a variety of factors, ranging from natural abilities to having the best teachers, that could influence how well one might learn it. But it is nevertheless generally learnable *and* teachable. I suggest the same is true of virtue. To the extent that virtue and character share similar features (e.g., Being intelligent skills), it seems they would be developed in similar ways (e.g., Requiring the "drive to aspire" and good teachers and the like).

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[96] See Gino, F. and Ariely, D. "The Dark Side of Creativity: Original Thinkers Can Be More Dishonest." Journal of Personality and Social Psychology, Vol. 102, No. 3, (2012), pp. 445–459. I will address this in Chapter 3.

[97] Gaut makes this point on p. 96 of Gaut, Berys. "Creativity and Skill." I would clarify that, in my estimation, anyone of ordinary psychological health could learn to be more creative than they are. To the extent that anyone can learn to be more virtuous, anyone can become more creative. The sorts of things that would block the development virtue (psychological disorders of various sorts) would probably also block creativity.

Amabile argues that intrinsic motivation is invaluable for creativity.[98] Amabile's work demonstrates the "creativity-enhancing effect of working on something for its own sake […]"[99] In other words, those who are (primarily though not necessarily exclusively) intrinsically motivated in the pursuit of a creative endeavor are more likely to produce creative results. This seems to me very much related to what Annas calls the "drive to aspire" which I take to be tied up with one's coming to value the virtues for their intrinsic, rather than instrumental, worth. If Amabile is right, then aspiration (on account of recognizing the intrinsic worth of creativity) should be a prominent feature in the development of individual creativity. If aspirations to greater creativity (or greater virtue) are low, then we should expect efforts at both creativity and character education to be largely ineffective. I suspect that aspiration is frequently overlooked as a component of both character and creativity development efforts. Annas suggests this is indeed the case for many accounts of virtue. It is likely the case for many accounts of virtue *education* as well. Annas notes,

> Many accounts of virtue give insufficient weight to the drive to aspire. They assume that we learn from family, school, and friends to be brave, loyal, and generous, and that this process is something like mindless absorption: we allegedly just come to take on the dispositions which our family and society call virtuous, without having the distance to criticize them.[100]

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[98] See Amabile, *Creativity in Context* and *The Social Psychology of Creativity*. Springer-Verlag (New York: 1983). The former is a substantial revision to the later.

[99] Amabile, *The Social Psychology of Creativity*, p. 6.

[100] Annas, *Intelligent Virtue*, p. 22.

There are two important points here. The drive to aspire is essential for education in virtue. Any moral education program that fails to address *that* will have a limited effect at best. But Annas points out another perhaps even more important point here. Without the drive to aspire, a moral education program runs a great risk of producing those who are adept at imitation. Imitating the virtuous teacher is a good and necessary part of moral education. But the kind of imitation I mean here is pejorative and intended to imply that something is "fake" and "inauthentic" such imitation luxury items (e.g., bags, watches, etc.) or a copy of a very valuable painting. The drive to aspire has three basic components. It requires the learner

> [...] to *understand* what in the role model to follow [...] to become able to acquire *for herself* the skill that the teacher has [...] and to strive to *improve*, to do what he is doing better rather than taking it over by rote from the teacher.[101]

The third component is, I think, where the "action" is, so to speak. The first two components are necessary but not sufficient for either virtue or creativity. It is the practical wisdom that allows one to see a *better* way (or, in complex situations, one *good* way among several) that distinguishes the artist from the technically-skilled imitator.

Swanton suggests that creativity is integral to practical wisdom. Snow characterizes practical wisdom for Aristotle as "[...] the ability to discern situations that call for virtuous response, know the actions that are

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[101] Annas, *Intelligent Virtue*, pp. 17-18.

appropriate in those situations, and know how to act accordingly."[102]

Providing more detail, she continues,

> Very roughly, we can say that practical wisdom includes skills of
> discernment—the abilities to discern the morally salient features of
> situations, as well as appropriately virtuous responses—and, in
> general, the wherewithal to deliberate well about practical matters.[103]

I want to argue that exercising creativity well requires practical

wisdom the same way that exercising loyalty, for example, does. Consider one

of the concerns what Swanton addresses, namely whether creativity itself is

an intrinsic good. It seems to me that it is not. Terrorists around the globe

have exemplified tremendous (and deadly) levels of creativity to in recent

years. How do we account for this? I think Swanton would agree, though she

problematizes tension between creativity and other virtues (rather than

"virtue" *aimed* at evil ends).[104] But her answer is, I think, equally applicable

both to the problem she raises and the one I raise. She points out that "[…]

creativity is one thing, virtuous creativity is another."[105] That is to say,

answering the potential tension between creativity and other virtues as well

as creativity in service to bad ends, "relies on the tried and tested glue of

phronesis or practical wisdom. Creative *virtue*, it would seem, is wise

creativity, and wise creativity is creativity that is also responsible,

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[102] Snow, Nancy. *Virtue as Social Intelligence: An Empirically Grounded Theory*. Routledge. (New York: 2009). p. 82.
[103] Snow, *Virtue as Social Intelligence*, p. 82. Snow argues that practical wisdom in this sense is similar, but not identical to, social intelligence which, she says, "could amount to what Aristotle calls cleverness—the ability to reason well, though not virtuously." p. 83.
[104] Swanton, *Virtue Ethics: A Pluralistic View*, p. 171.
[105] Swanton, *Virtue Ethics: A Pluralistic View*, p. 171.

temperate, cooperative, and so forth."[106] Put this way, it seems that creativity

shares this tension and potential for misapplication with other virtues such

as loyalty, courage, and the like. Some of the greatest evil of the 20th Century

was perpetrated by militaries with fiercely *loyal* soldiers.[107] And it seems to

me that courage is an apt term to apply to at least some persons who would

blow themselves up in service to their cause. We might argue that loyalty and

courage aimed at evil ends are sufficiently lacking and ought not count as

virtue. Something seems very right about this, but recall Adams' conception

of a structural virtue. One could be for bad ends and orient one's loyalty to

those bad ends in a principled way. The idea that loyalty and courage might

be exercised truly but toward bad ends ought to serve as a reminder that the

action itself is not all that counts when accounting for virtues. When thinking

of our own pursuit of virtue, and, in my context, developing virtue in future

Army Officers, we *must* emphasize that doing the "right action" is *not* all that

matters. It probably is not even what matters most. We must aim to for

virtuous creativity, *virtuous* courage, *virtuous* loyalty, and this depends upon

practical wisdom.[108] To be sure, the ability to deliberate about practical

matters is not necessarily a moral skill. It might merely be what Aristotle

calls "cleverness—the ability to reason well, though not virtuously."[109] But

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[106] Swanton, *Virtue Ethics: A Pluralistic View*, p. 171.
[107] The Nazi Army seems the obvious example here.
[108] To be sure, I do not think we need to start specifying, in ordinary usage, all virtues as "virtuous x" and so forth.
[109] Snow, *Virtue as Social Intelligence*, p. 83.

this is precisely why I think developing a capacity for creative problem solving *in the context of character development* is a worthy aim.

Exercising virtues in situations that are not familiar is essentially an exercise in creative problem solving, though it probably more resembles an activity such as improvisational jazz. Improvisational jazz involves a kind of creative problem solving, but when done by professional jazz musicians, it happens in a way that is transparent to the untrained observer.[110] By definition, no two improvisational jazz performances are identical. But this should not be taken to imply that there are no rules or that there is no way to be *wrong*. Quite the opposite. A jazz ensemble who performs the same tune over and over is working off a standard melody (called "the head") which is often captured in a single piece of sheet music. It might take 35-40 seconds to play through the melody (such as Dave Brubeck's *Take Five*) once, but performances of a single piece could last five times that long. And most of what gets played is *not* written down anywhere. There are hundreds of decisions being made throughout the performance. Leadership changes hand almost effortlessly but in an unscheduled way as one musician hands off the lead to another. But the reason they are able to do this is precisely because they have practiced for thousands of hours, mastering the skills appropriate for the field. Though it might not work with the same speed, and it might not appear as effortless, it seems to me that developing the ability to exercise the

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[110] I count myself among those "untrained observers." Over the past few years, I have had the pleasure of working with the "Jazz Knights," the Jazz Ensemble of the West Point Band. I have learned a great deal from them, especially from our discussions of "improv and ethics."

virtues in new situations is not terribly different from the way an great jazz musician develops the ability to play something new every performance for an entire career.[111]

This, of course, is similar to the way professional athletes perform from a training perspective. Given the open-ended nature of any given solo performance (within a standard piece such as *Take Five*), it might be even more apt an analogy than professional sports where performances, such as running around the track as quickly as possible, are more constrained. At any rate, it seems to me that improvisational jazz is exactly in line with the skill analogy. One might think that creative problem solving is of purely instrumental value, and certainly it could be used in a purely instrumental way. But I want to argue that creative problem solving, done well and in service to morally feature rich problems, is a kind of practical wisdom. Furthermore, I want to argue that at least one aspect of creative problem solving is, itself, a moral act (regardless of the problem being addressed). That aspect is the inherently risky nature of creativity (and, therefore, the subset of creativity I am calling creative problem-solving). To provide both context for this comment *and* a direct link to virtue, consider this line of argument from Gaut:

> We value creativity for its own sake, then, in part because it expresses a certain kind of freedom. In being creative, we show ourselves to be capable of rising above the routines that govern so many of our

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[111] By "new" I do not mean "radically different." Individual solo performances are often similar while nevertheless unique.

activities […] We see exhibited in this way a kind of practical freedom, an ability to stand back from the routines that govern our ordinary lives and reflect on whether there is another, better way to proceed.[112]

Recall Annas's concern that a narrow on focus students merely imitating the teacher would result in a system that is "too conservative." As noted earlier, Annas worries whether "[…] the aspiration be strong enough to criticize the contexts and institutions within which virtue has been learnt?"[113] This is exactly the same concern Gaut expresses with respect to creativity. Creativity for Gaut and Virtue for Annas, when practiced well, give one the ability to critically reflect on our situations and to determine whether there is a better way. But there is more. In doing this critical reflection, particularly in the context of an institution, one will almost certainly be required in due course to "go against the grain" in a way that is uncomfortable, unpopular, and may work counter to one's advancement in the organization. Doing this is risky, and taking prudent risks of this sort requires courage. Gaut argues that creativity involves just this kind of risk on account of it necessarily involving a kind on non-routinized activity and, therefore, lack the kind of reliability that routines provide. Because of this, Gaut claims that "A creative act, not being governed by a routine, lacks this kind of reliability, so it is in that way, inherently risky."[114] To return to the jazz metaphor, this picks out the difference between the uncreative musician who simply plays the notes

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[112] Gaut, "Creativity and Skill," p. 102.
[113] Annas, *Intelligent Virtue*, p. 5.
[114] Gaut, "Creativity and Skill," p. 102.

on the page, exactly as written, and the improvisational master who takes

the notes on the page as the baseline and develops them into something much

more grand.[115] Or on a larger scale, the difference between the jazz musician

who plays well but "plays it safe" throughout a career in contrast to the one

who takes risk and eventually advances the entire field.

I have looked at creativity alongside virtue and argued that (1) both

creativity and virtue are intelligent skills and that (2) exercising these skills

well requires practical wisdom. My larger aim is to articulate the relevance of

the points to growing leaders in the Army—and specifically for producing

(virtuous and creative) leaders for the Army at the U.S. Military Academy. In

the section that follows I will re-visit the context in which I am writing and

try to articulate my particular aims within this context.

1.4 Virtue Ethics for the U.S. Army

I want to return to the primary aim of this project, namely, to suggest

ways the Army might produce more virtuous (and creative) leaders. The

mission of the United States Military Academy at West Point has long been

to graduate "leaders of character," and West Point has always had some form

an honor code, though it was not formalized until the mid 20th century.

Nevertheless, it was not until 2015 that West Point published, in a single

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[115] The question of whether creative people operate in mostly non-routinized ways is important and beyond the scope of my project. In my estimation, those who consistently produce creative work do so *not* because they have rejected all routines but, rather quite the opposite. They embrace a whole host of routines (such as where, when, how, and with what tools they work) that provide support for the real creative work (which is, itself, non-routinized and not routinizable).

document, a formal character development program. This is not to say there

has been no character development program; there certainly has. But it is

now formally documented in what is referred to as the "Gold Book."[116] The

opening page of the Gold Book states.

> […] Our mission statement implies that each Cadet must internalize
> our shared values and aspire to live honorably at all times in all
> environments. The Gold Book explains how West Point's four
> programs[117] develop moral, civic, social, performance, and leadership
> character, described in West Point's Character Development Strategy.
> […] The transitional and developmental process begins with education
> about acceptable and unacceptable behavior. Behavior change occurs
> through structured reflection and introspection following a challenging
> developmental experience. […] Honorable behavior is the
> manifestation of a Cadet's new character. Cadets demonstrate their
> strong character by living honorably in all situations. Honorable
> actions happen naturally because they flow from internalized Army
> Values. I find the analogy of a full coffee cup to be a useful illustration
> of character. If someone bumps your elbow while you are holding a full
> cup, the contents automatically spill out. Likewise, our actions that
> "spill out" when our character is tested are the manifestation of the
> character inside each of us. With the right character, our actions will
> demonstrate honorable living.[118]

The above represents a summary of the core ideas undergirding West

Point's character development program. In what follows, I mean for criticisms

to be constructive. My aim is to see the program improved. And I take what is

articulated in the Gold Book to be a very sincere effort to better equip future

officers to serve the United States well. I take the term 'character' to be a

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[116] There is a "Red Book" that covers the academic program, a "Green Book" for the military program, and a "Black Book" for the physical program. The Gold Book is the analogous document for the character development program.
[117] This refers to the academic, military, physical, and character programs.
[118] West Point Gold Book (May 2015), 1.

value laden shorthand for something like "good character" or "moral character". On just about any conception of character, one could imagine a person having bad character. There are a number of assumptions here worth examining. The first assumption has to do with the very conception of 'character'. The Gold Book assumes that character is a 'thing' inside a person—and a unified thing at that—which can be strengthened in a somewhat linear fashion (akin to what lifting weights will do for a muscle) through the right sort of education and "exercise" (i.e. "structured reflection"). There is some warrant for this broad conception. Though somewhat superficial, the view does echo with classic Aristotelian virtue ethics where one "exercises" the virtues and imitates the virtuous person in order to become more virtuous. And on a very superficial explanation, the virtuous person ideally "sees" the right action in any given situation and does that action without hesitation. Despite it's loose Aristotelian feel, it is neither obvious nor widely accepted that character is quite this sort of thing. And the second assumption is equally problematic.

The view of character articulated here further assumes that good character guarantees right action. But I have argued that it is false. Adams points out, "Virtuous character is not sufficient to ensure right action […and…] virtuous character is also not necessary for right action."[119] In other words, a person of good character might fail to perform a right action in a

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[119] Adams, *A Theory of Virtue,* p. 6.

particular situation for a variety of reasons, some of which would not count as a failure of character. Conversely, a person of poor character might perform the right action in a particular situation for a variety of reasons, many of which might be either disconnected from good character or, in some cases, on account of some aspect of poor character. If this is right, then good character might still be a proper aim for an officer in the Army, but it will be for reasons other than that good character guarantees right action across a variety of situations. And if good character is not necessary for right action, it will be helpful to reflect on West Point's Cadet Character Development Program (CCDP) and articulate, in a more fine-grained way, what the aims of the program are and which ones are most important. There will need to be some consideration for whether right action always takes precedence over, for example, proper motivation, or vice versa or somewhere in between.

Consider the consequences of a program concerned primarily with right action. If the desire is for cadets and officers to "do the right thing every time" *simpliciter*, then there are other easier and probably more effective ways to ensure this outcome. For example, the one might frame the whole program in terms of incentives and disincentives such that punishments for even minor infractions could be severe. Or rewards for right actions could be increased until sufficiently attractive such that it would yield a rate of right action that is higher than the present rate. To be sure, no thoughtful officer would endorse such a program. And West Point would not endorse a program

exclusively focused on external behavior. This is why the opening of the Gold Book makes reference to internalizing "shared values" and aspiring "to live honorably." The message is clear: West Point aims to produce *good* people— not merely people who will reliably perform the right action. Yet, if our program is executed in a way that reduces to rewards and punishments, then we risk inadvertently focusing on "right action" to the exclusion of developing *good persons*. We should begin with a concept of virtue (though I will use 'character' here as a shorthand for virtue). As noted in the introduction, "[…] any tolerably explicit view of the process of moral development depends decisively on a conception of virtue."[120] From the opening of the Gold Book, one gets some sense of how the institution conceives of character. One frequently hears the "coffee cup" analogy as a way to clarify what is meant by character.

Regarding the understanding of character as being like coffee in a cup, I think the intuition is right. Our actions ought to be in line with our character. We should be able to expect the virtuous person to act, well, virtuously. We should be able to rely on the honest person to act honestly, and so forth. And in true Aristotelian fashion, we should expect that the truly virtuous person not be conflicted about acting according to virtue; it should, as the analogy suggests, simply "spill out." But, as I have articulated, there are at least two reasons that this analogy is misleading. One is that the

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[120] Burnyeat, "Aristotle on Learning to Be Good," pp. 69-92.

possession of virtue is no guarantee that one will *always* act according to virtue. There are a variety of reasons for this, and I have highlighted sensitivity to situational factors. So, for example, keeping with the coffee cup analogy, if one were to take a cup of hot coffee and toss it out into the air where temperatures were -40 °F, what spills out will *not* be coffee in the ordinary sense. The liquid will instantly freeze, turning into something that would not count as coffee, except possibly in a chemistry lab. External factors matter.

Beyond this, the that idea that character is inert and that its exercise is largely a matter of "getting it inside" downplays (or completely ignores) the rational and emotional component bound up with any substantive view of character. It suggests a kind of *automatic* action. This basic intuition has some warrant as well. Under a virtue-as-skill view, it is fitting that a person of character will respond "automatically" to certain phenomena in the way that a professional athlete will respond "automatically" (e.g., the way an Olympic swimmer performs a kick-turn between laps). But the billiard-ball causality suggested by the coffee cup analogy runs the danger of suggesting a *mindless* activity. To the extent that virtue-as-skill includes the development of habits and what might be called automatic responses, it just is the "intelligent" part of the virtue-as-skill view that distinguishes it from mindless habit. That which becomes habit in the context of character development ought to be done so thoughtfully and in-line with the agent's

"drive to aspire." It should be uncontroversial that mindless, robotic response is the polar opposite of what virtue requires, and it is *not* what West Point or the Army is aiming for. We want officers who can quickly survey a broad array of features for any given situation, pick out the morally relevant ones, critically reflect on what virtue (or multiple virtues) requires, exercise practical wisdom, and where right action is not immediately obvious, creatively craft solutions for difficult and complex issues. And yet, in some extreme cases, we want officers who will do this in a way that might be considered "automatic" (e.g., When surprised by the presence of a non-combatant in the house during a raid, *don't shoot*). I have emphasized the importance of considering the situation for any given ethical decision. But the broader "situation" is worth considering when thinking about moral education as well.

Adams notes, "Virtue is real, and one of the most excellent things in human life. But it is a dependent and conditioned virtue. We are dependent creatures and dependent also in matters of virtue and vice."[121] This does not take away from the crucial point that one have the "drive to aspire" with respect to one's moral education. Adams continues,

> Important as it is to participate actively and voluntarily in one's own moral education, that is certainly not the whole story of the process. Education in virtue is shaped by social contexts that we did not and could not have created for ourselves, and is accordingly dependent on them.[122]

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[121] Adams, *A Theory of Virtue,* p. 161.
[122] Adams, *A Theory of Virtue,* pp. 159-160.

Situational factors matter, and the context of moral education matters.

Individual "ownership" is a critical part of moral development, but it is not

the *only* part. To the extent that both virtue and creativity are sensitive to

environments, in the context of a particular organization (such as the U.S.

Army), they are, in my estimation, leadership concerns. In other words, the

environment (what in business parlance is referred to as "organizational

culture") is a leader responsibility. I do not mean to suggest that re-shaping

institutional culture is an easy task, especially in an organization the size of

the U.S. Army (which—including active duty, guard, reserve, and civilian—

has well over 1 million employees).[123] But it is nevertheless a leader

responsibility. And that it is a *hard* task does not mean we should shy away

from facing it head on. One powerful way we might change the culture is to

consider more carefully, and change where appropriate, the language we use

in ethical discussions.

Aristotle did "think about virtue as a matter of getting it *right* in some

sense—hitting the target, choosing the correct action."[124] But thinking purely

in terms of right and wrong can significantly constrain one's ethically viable

options in tough situations. Consider the well-worn admonition that leaders

show subordinates "what right looks like". This assumes that leaders always

know what "right" looks like *and* that there is a singular "right" for any given

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[123] http://www.defense.gov/News/News-Releases/News-Release-View/Article/652687/department-of-defense-dod-releases-fiscal-year-2017-presidents-budget-proposal
[124] Adams, *A Theory of Virtue,* p. 9.

situation. But both of these assumptions are highly suspect. Adams points out,

> If an action is right it is not wrong, but an action may well be good (in a way) and bad (in another). Saying that a certain action is 'the right thing to do' normally implies that doing something quite different instead would not be right in the same sense.[125]

But Adams asks us to consider the difference between framing an ethical decision as "right or wrong" and "good or bad." He continues, "[…] saying that something would be 'a good thing to do' by no means implies that there are not quite different alternatives that would be equally good." Adams does not really develop this, but he (wisely) notes that this point "[…] is of some importance in our world of cultural, religious, and ethical plurality."[126] I agree, and I would add that an additional reason to consider the way we frame moral activity has to do with the way framing any given problem will constrain the set of possible solutions. I will address the idea of reframing later in this project. For now, I will only suggest that the Army would benefit greatly from considering the implications of Adams's point here. Reframing is one technique of creative thinking, and reframing our ethical decisions in terms of what is "good" in a situation rather than simply what is "right" will require a good deal of creativity to sort through. But I think this is a better way. And if this is right, there is a real need for developing creative officers. Because the importance of virtue for military officers is more obvious than

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[125] Adams, *A Theory of Virtue*, p. 10.
[126] Adams, *A Theory of Virtue*, p. 11.

the importance I am placing on creativity, I should say a bit more about why I think creativity is critical for the development of good officers.

I have emphasized the similarities between creativity and virtue-as-skill. And I have highlighted several benefits of creativity. But I think that creativity is an essential, and often overlooked, leaderships quality. On the importance of emphasizing creativity, Sawyer claims that there are several (very pragmatic) reasons why creativity will "continue to increase in importance."[127] Among those reasons is this: "Jobs that don't require creativity are increasingly being automated, or are moving to extremely low-wage countries."[128] If one considers this in the context in the Army, it only increases the strength of the claim that Army leaders will do well to develop their creative muscles. There are many, many jobs in the Army. Not unlike the commercial sector, many of those jobs that do not require creativity will be (or ought to be) automated in the future. I have in mind jobs that currently require a human to process certain kinds of administrative actions or "verify" basic compliance with policies. Any job which primarily entails ensuring that all appropriate blocks are checked will likely be done by machines in the future. These sorts of jobs require decision making, but it is exactly the kind of "if-then" decision making that computers are best suited for. I suspect that robots will even be able to operate where the required decisions are not straightforwardly "if-then" and the robot must "learn" from "experience" in a

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[127] Sawyer, *Explaining Creativity*, p. 4.
[128] Sawyer, *Explaining Creativity*, p. 4.

meaningful way.[129] Indeed, humanoid robots will probably become an integral part of human fighting units (i.e. What is now a 100 person unit might become a 30 person unit with 70 fighting robots). What will *not* likely go away any time soon for the Army is the need for leadership—specifically, a kind of leadership that requires a creative capacity. If Sawyer is right that creativity is "part of what makes us human," then one might think that non-human entities such as robots cannot, in principle, exercise creativity in the relevant sense. If this is right, then human leaders, insofar as they are actually leading, in the Army cannot be replaced by robots. And if creativity is essential for good leadership, then the need for growing creative future leaders is imperative for the Army and its commissioning sources.

Finally, we would do well to take seriously Adams claim about the nature of virtue as it might be found in non-ideal humans. Adams says,

> I believe that such virtue as we may attain is *never complete*, *always surpassable*. *Always fragmentary*, it is often visible only from a certain angle, so to speak. At best we can be virtuous sinners. Actual human virtue is *frail*, and *dependent* on conditions beyond the voluntary control of the individual whose character is in question[130] (italics mine).

If Adams is right, and I think he is, what does this mean for our attempts at character education? What is a reasonable expectation for a 23-year-old graduate of West Point in terms of moral character, and, by

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[129] For an interesting application of computers that learn, see Vance, Ashlee, "The First Person to Hack the iPhone built a Self-Driving Car. In His Garage." *Bloomberg*, December 16, 2015. http://www.bloomberg.com/features/2015-george-hotz-self-driving-car/ Accessed April 04, 2016.

[130] Adams, *A Theory of Virtue*, p. 12.

extension, what is a reasonable expectation for officers five, ten, twenty years and beyond? And what about the 18-year-old private? Surely our expectations ought to be sensitive to variances between the 18-year-old private "off the street," the 23-year-old West Point graduate who has benefitted from a full-blown character development program over 47 months, and the 55-year-old General Officer who has over 30 years of experience. Here I think the power of the skill analogy is evident. It pushes us to think about character development more similarly to the way we think about other kinds of training, such as training in military tactics. No one expects new cadets to be even somewhat proficient in tactics. Cadets receive training of gradually increasing complexity and intensity throughout their 47-month experience such that upon graduation, one can reasonably expect that new Lieutenants have some base of knowledge and experience in small unit tactics. Yet, no one would consider a brand new Lieutenant to be fully developed in a tactical sense. They have years of additional tactical training ahead. In a real sense, no one ever really "masters" tactics because tactics, if they are to be effective, must adapt to each new environment. Tactical leaders must know how to take their mastery of the basics (like the "head"[131] for jazz musicians) and improvise their way through new and ever-changing situations. Developing character-as-skill is not radically different.

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[131] Interestingly, those musical pieces that any good improvisational jazz musician is expected to know are referred to as the "standards." This has a very familiar ring for the military.

Drawing on contemporary scholarship in virtue ethics, the critique provided by situationism, and research on creativity, I have set forth a view of character that I think will be helpful to the Army generally, and to West Point in particular, as we continually seek to refine both our character development and our (overlapping) leader development efforts. The mission of West Point, as mentioned, is

> To educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned *leader of character* committed to the values of Duty, Honor, Country and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army (emphasis mine).[132]

It is my hope that what I have presented here as well as in what follows throughout this project will contribute in some constructive way to achieving that end.

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[132] See http://www.usma.edu/about/sitepages/mission.aspx Accessed February 11, 2016.

Chapter 2
Moral Education, Conformity, and Creativity in the U.S. Army

In the ideally just state, moral education will involve a large amount of conformity […] Why should people who are (crudely put) brought up to be moral conformists suddenly turn out to be intellectual pathbreakers later in life?[133]

—Julia Annas, *An Introduction to Plato's Republic*

Very small children perhaps have to do what they are told in order to orient them rightly, but good ethical education does not encourage the habit of doing what you are told.[134]

—Julia Annas, *Intelligent Virtue*

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[133] Annas, Julia. *An Introduction to Plato's Republic.* Oxford University Press. (Oxford: 1981), p. 87.
[134] Annas, *Intelligent Virtue*, p. 34.

Abstract

Annas worries that Plato's conformist education will fail to yield intellectual "pathbreakers." She also insists that the best moral education does not "encourage the habit of doing what you are told." Yet, Plato thought his educational program would produce the most intellectually and morally fit persons in the polis—the guardians. In the first half of this chapter, I will argue against Annas's criticisms of Plato's particular program, but, more importantly, I will take Annas's criticisms as a way to raise some very important issues. In other words, while I think her critique of Plato fails in many particulars, I think her worries are very much worth taking seriously. In the second half of this chapter, I will consider her criticisms in light of the United States Army and, in particular, the whole-person educational program at the United States Military Academy. I will aim to answer the question, "How might we develop Army officers who are able to operate in a highly structured environment but who have the capacity and the willingness to exercise moral courage when the situation requires it?"

2.0 Introduction

Annas worries that there is no good reason to think that those educated in Plato's "conformist" educational scheme will become creative thinkers or "pathbreakers" as adults. Put negatively, insofar as any person educated under Plato's scheme does become a pathbreaker, she does so in spite of, rather than because of, the education she received. I want to challenge this. And I want to take the question Annas raises as a real challenge to be met, rather than a kind of tacit conclusion for an argument that has not really been made. I will begin by taking up the challenge as it is aimed directly at Plato's scheme, and I will argue that however counterintuitive, Plato's insistence on conformity of various sorts, if done well, is a help, rather than a hindrance, to creative thinking later in life. But my larger aim is to consider Annas' question a challenge, by extension, to the way the U.S. Army conceives of an officer's moral education and the multi-layered tension between widespread insistence on conformity in nearly every domain of the military and an articulated desire that officers exercise "creative thinking"[135] in those same domains to address a wide variety of problems in an ethically appropriate manner. Though I argue that Plato's scheme escapes Annas's criticism, I think, unfortunately, she has described a real problem in the U.S. Army rather accurately. As such, I will take Annas's

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[135] Field Manual (FM) 6-22: Leader Development (2015: 1-1).

worry as a warning and explore the tension between conformity, especially

orders-following, and the expectation that officers exercise moral courage.

Beginning this inquiry with Plato, we see that after he has established

the need for a highly trained group of individuals, the Guardians, to rule the

state, he begins a lengthy and fascinating discussion on how these guardians

are to be educated (374d).[136] He describes his educational project broadly as

"physical training for the body and training in the arts for the soul."[137] Julia

Annas argues that Plato's proposed course of education is both authoritarian

and, at least in one respect, self-defeating. That is to say, the system of

education Plato suggests will not produce the sort of people he wants (e.g.,

"intellectual pathbreakers"). In what follows, I shall argue that Annas's

criticism is off the mark for a number of reasons. First, it is unclear that

Plato could have constructed any system that would not have been viewed by

a contemporary reader as "authoritarian." Second, it is terribly anachronistic

to chide Plato for failing to aim at something like the modern notion of

intellectual autonomy. Finally, Annas's critique that Plato's educational

project is self-defeating is simply false. I will then take up the challenge

Annas presents as it applies to moral education in the U.S. Army. The

defense will be principally similar, though I ultimately conclude that the U.S.

Army provides an unfortunately large-scale "proof" of Annas's point. I will

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[136] Plato is, of course, focused on the education of the guardians, not the military. I am not suggesting that Plato would endorse educating officers in the U.S. Army in the same way he proposes to educate the guardians in the Republic. I am suggesting, however, that the way the U.S. Army conceives of moral education of the officer force, particularly the officer corps, has many similarities to the way Plato proposes to educate the guardians.

[137] Plato. *The Republic,* Trans. G.M.A. Grube. Hackett Publishing Company, (Indianapolis: 1974), para. 374e.

explore this tension between the need to follow orders and the need to exercise moral courage by looking at several relevant actual cases from Iraq and Afghanistan. Conformity and following orders has a real and obvious place in the military. But when improperly balanced, goods such as loyalty, can lead to very bad ends. We cannot abandon conformity, uniformity, following orders, and the like. But we must find a way to develop, for example, loyalty in a way that does not ultimately run counter to the Army's stated values. Furthermore, we must find a way to foster moral courage in officers through practice so that when the situation requires it, they are morally fit to exercise it.

2.1 What is Plato's Educational Project?
Understanding what Plato was up to

To begin with, Plato's ideas concerning what constitutes a good education in general seem to be much broader, covering a good deal more ground, than what we have become accustomed to in contemporary America. As Annas notes,

> For Plato, education covers not just the content of what you learn, but the forms in which what is learnt is presented—the kind of music you listen to, the sort of exercise you take, the type of objects that surround you. He is far from identifying education with *what goes on in school*. For him it covers the whole of a child's development.[138]

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[138] Annas, *An Introduction to Plato's Republic,* p. 82.

As a broad characterization, this seems correct. Plato appears to be concerned with the development of the whole person, not merely the "life of the mind." Perhaps a better way to put it is that Plato cannot conceive of the life of the mind as separate from moral and physical education. Particular differences and context notwithstanding, this is the generally the way the U.S. Army conceives of educating future officers (e.g., at institutions such as the United States Military Academy at West Point). I will begin by discussing education broadly and then focus on moral education in particular. For both Plato and the Army, education is not conceived in terms of merely "absorbing information or skills which can be periodically tested."[139] Students are no doubt tested. But this testing for Plato takes the form of "labors, sufferings, and contests" that test the *character* of the student rather than the absorption of some particular component of the curriculum.[140] This is not to say that the particulars of the curriculum are not important. But those particulars are always couched in the larger context of the good life for Plato and, what one might think of as the "good officer life" for the Army.[141]

Plato's educational scheme proceeds in several phases. I will focus on the early phase, which I will call the "grammar school."[142] In Plato's grammar school, he places a great deal of emphasis on music and poetry. The aim of

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[139] Annas, *An Introduction to Plato's Republic,* p. 83.

[140] Plato. Trans. Grube (1974: 413c-d).

[141] When making the parallel to the U.S. Army, I will restrict any discussion of a "good life" to refer to life as an officer while serving in the institution of the Army (i.e. "What does it mean to be a good officer?" rather than the broader question, "What does it mean to be a good human?").

[142] I credit Dorothy Sayers essay "The Lost Tools of Learning" (London: 1948) for use of this phrase in this sort of way. She uses it to refer to phase one of the Trivium, an educational scheme that proceeds from grammar to logic to rhetoric. I use it here to refer to the early stage of Plato's scheme where rote memorization and "conformity" would be appropriate as a beginning step on the way to creativity.

this phase, it seems, is both to develop character and to lay a material foundation for more rigorous future academic study (e.g., mathematics). As in the crafts of architecture and furniture making, we have in our "bodily nature […] seemliness and unseemliness."[143] Plato suggests, "Unseemliness, poor rhythm, and discord are closely akin to poor language and poor character, while their opposites are closely akin to, and imitations of, the opposite, a good and moderate character."[144]

Good poetry, that which represents "the image of good character," shapes the soul in such a way as to lead the child to "love of […] and harmony with, the beauty of reason."[145] While bad poetry, that which represents "character that is vicious, mean, unrestrained, or graceless" will cause the students to develop a "large evil in their souls."[146] But the usefulness of good poetry and music goes beyond mere character development. Plato thinks there is a more overtly academic benefit as well. For example, being raised on good music, that which exhibits the best rhythm and harmony, will shape the soul such that, at the appropriate time, the student will "welcome [reason] and easily recognize it because if its kinship with himself."[147] It seems to me that Plato means to get at the mathematical qualities of good rhythm and harmony. That is, there are substantial mathematical relationships among the notes that together form good rhythm and harmony. This kind of music is

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[143] Plato, *The Republic,* para. 401a.
[144] Plato, *The Republic,* para. 401a.
[145] Plato, *The Republic,* para. 401a.
[146] Plato, *The Republic,* para. 401c.
[147] Plato, *The Republic,* para. 402a.

a sort of embodied mathematics. If this is right, then it should not be surprising to find that Plato thinks education in poetry and music will lead one to a love of mathematics, which is the focus of the second stage of Plato's education. Analogously, West Point thinks poetry is important enough to require it as a core course in the West Point curriculum.[148] Of course, the reasoning for this requirement is not identical to Plato's reasoning, and the Army would likely not speak of shaping anyone's "soul". The Army overtly aims to shape the character of all officers in training, and, arguably, the Army aims to shape the character of all employees (not merely officers, but all regular employees, including Department of the Army Civilians). But the idea that future officers engage in imaginative and empathetic engagement with poetry and fiction as a way to develop character is relevantly similar. To be sure, character development is not the *only* reason West Point requires poetry for its undergraduates, but developing character traits such as empathy is a self-conscious reason for doing so. In Plato's second stage, he believes that a focus on mathematics will enable the student to "recognize" the order and harmony present there. But it is more than a simple recognition of pattern. For Plato, to recognize order and harmony is to recognize that which is beautiful and good. For the guardians, there is further study in philosophy beyond mathematics, but I will focus here on the

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[148] Of note, this is a freshman course out of which one cannot test. Cadets may test out of many core courses (e.g., freshman composition, and numerous courses in history, chemistry, physics).

pre-mathematics education, which is the primary object of Annas's critique. It is that to which I will now turn.

2.2 A Reply to Annas
Answering Annas while taking seriously her concerns

A major objection Annas makes to Plato's educational scheme is that it is authoritarian. Presumably she takes as a given that authoritarianism, wherever it is found, is bad. She notes, "Plato's programme of education is authoritarian in two ways. It is the only education offered; there will be no works of art other than the ones deemed beneficial, and *a fortiori* there will be no alternative schools."[149]

It should be noted that the educational scheme Plato is conceiving is specifically targeted at the education of those who would become the guardians. Plato is not working out a broad educational program for all the citizens of Athens. However, this seems to me less a statement about the educational program and more a statement about what sort of person is naturally suited for such a program. In other words, it seems reasonable to say that Plato see himself as developing the best possible education, designed to educate those who are so inclined to full moral maturity and wisdom. As it turns out for Plato, however, most people simply are unsuited by nature to receive such a high quality education. It is not that he necessarily wishes to exclude most of the population. Rather, in his view, most of the population

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[149] Annas, *An Introduction to Plato's Republic,* p. 89.

simply is not qualified, intellectually or morally, for such a rigorous and thorough education. So there may be alternative education for the non-guardian, but, if there is, it is an inferior education. In addition to there being no alternatives for the guardians, Annas further suggests that Plato's students are not encouraged to question the values they are taught. Plato, she says, "[…] does not think that children should be made aware of alternative values, or encouraged to question the ones they are presented with."[150] It is hard not to take Annas's prioritization of autonomy as implying that it trumps all other goods, such as truth or goodness. One may choose value X or value Y or neither or both, and, so long as one is choosing for oneself, apart from any "coercion," one is on equal moral footing with another who simply chose differently.

Plato, it should be clear, does not see values as anything like this panoply of choices waiting to be made by individuals who are otherwise unencumbered by moral education or the influence of external factors. Rather, Plato sees values as being more or less fixed and knowable. Plato wants people to be taught values X, Y, and Z, to embrace them, and to grow to love them. This seems very foreign to Annas, but, if it is true that Plato sees certain moral values as being fixed in a manner similar to '2+2=4', then it is really not surprising that he would endorse the teaching of values in a

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[150] Annas, *An Introduction to Plato's Republic,* p. 87.

manner similar to the teaching of mathematics. There are a number of issues with Annas's criticism of Plato worth addressing.

First, Plato was overtly teaching toward a particular end. He thought of education more like training for a particular sport than generically "getting in shape."[151] Training for hurdles requires a host of physical (e.g., strength training, speed workouts) and even mental (e.g., visualizing clearing the hurdles) exercises in addition to actually jumping over the hurdles. But all those other exercises contribute to the ultimate goal of clearing all hurdles over a given distance before anyone else. It is important to recall that Plato is formulating an educational program primarily, if not exclusively, for the would-be rulers of the state. He is not, at least not obviously, aiming at something like a generally educated society. I'm not sure if the kind of education Annas has in mind is anything like this. You might think that another reasonable vision for education would aim at something like a broadly educated state. But I am not sure this is what Annas has in mind either. The role of the teacher for Annas seems to be something more like facilitator of a vast array of choices. If one is inclined toward hurdles, one is free to pursue that. If one is not inclined to train for hurdles, that is acceptable too. And if one prefers to weave the hurdles, so long as the choice is freely made, Annas should welcome it. What really matters for Annas is

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[151] This is interesting in light of Annas's more recent work, *Intelligent Virtue*, which takes the "skill analogy" as fundamental to understanding virtue. It is difficult to say whether this is what Annas had in mind in 1981 or this is a more recent shift in her thinking.

that the student is living "the kind of life which he or she has freely chosen, rather than living according to other people's desires or expectations."[152]

One might object that I am conflating moral education with other kinds of education (e.g., math and science). Annas is focused on moral education, and it is not uncommon to maintain that morality cannot really be taught, at least not in a way that looks anything like mathematics or science. But I am uncertain that Plato could make sense of the notion that somehow mathematics and morality were radically different and could not be taught is similar ways. In fact, I do not think Plato sees them as fundamentally different in structure. Annas says that Plato's system, "[…] aims to impose on children a single set of values in such a way that they will not be seriously skeptical about them either at the time or later in life."[153] Yet, Annas seems comfortable with imposing on children at least the single value that one ought autonomously choose one's values in such a way that "they will not be seriously skeptical about [the unquestionable value of autonomously choosing one's own values] at the time or later in life." Furthermore, she ought to level the same charge regarding mathematics. In order to be consistent, she ought to complain that Plato seeks to "impose on children a single set of mathematical concepts in such a way as they will not be seriously skeptical about them at the time or later in life." It seems to me that moral education, for Plato, is much like education in mathematics in some important ways.

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[152] Annas, *An Introduction to Plato's Republic,* p. 74.
[153] Annas, *An Introduction to Plato's Republic,* p. 89.

Nevertheless, the suggestion of a substantive parallel between morality and mathematics is surely controversial.

If teaching moral truths in a way similar to mathematical truths is, for Plato, understood as "authoritarian," then I suggest that he could not have crafted anything other than a kind of education that we would call "authoritarian" without abandoning other aspects of his larger projects (e.g., describing the ideally just state). Insofar as it fails to acknowledge how Plato's educational project fit into his larger story of the just state, Annas's criticism that it is authoritarian seems unwarranted in a way. But to the extent that calling it "authoritarian" is justified, is it also bad? It is worth saying a bit more about why Annas and others might understand Plato's project to be authoritarian.

While I ultimately do not concur with Annas' criticism on this point, it is helpful to note some aspects of Plato that would lend support to her interpretation. For example, Plato is fairly straightforward with his assessment regarding the natural capabilities of any given human being. He has no reservations about suggesting that some people are cut out for greatness; others are not. He notes, "each one of us is born somewhat different from the others, one more apt for one task, one for another."[154] While it is not entirely clear what Plato means by this remark, Annas suggests, "One thing Plato does *not* mean is that *individual* differences

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[154] Plato, *The Republic,* para. 370b.

between people are important and that society benefits when these are developed and encouraged."[155] But why could he not mean some variation of this? Surely Plato at least partly means for society to benefit by his formula. After all, he is sketching the organization of the ideal State. It is plausible to think that he could mean, "benefiting society is important, and developing and encouraging individual differences fosters this. As such, it is also important." But this subtle shift in emphasis makes a big difference. For Annas, the individual differences have intrinsic worth and take priority over the collective good. For Plato individual differences ought to be encouraged insofar as they benefit society as a whole. Plato's elevation of the whole over the parts lends itself to the criticism that his system is authoritarian. Furthermore, his shameless endorsement of an entire class of people (i.e. the Guardians) as superior to all others and uniquely qualified to run the State could understandably be taken as authoritarian.

Plato also urges that everyone should "do their own thing" but, as Annas notes, he does not mean anything like what we have come to mean by that phrase.[156] We mean, explains Annas, that each person should "live the kind of life which he or she has freely chosen, rather than living according to other people's desires or expectations."[157] This suggests "spontaneity and individuality" and an encouragement to "choice of life-styles that develop

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[155] Annas, *An Introduction to Plato's Republic,* p. 74.
[156] Annas, *An Introduction to Plato's Republic,* p. 74.
[157] Annas, *An Introduction to Plato's Republic,* p. 74.

variety."[158] Note here the links between free choosing and "spontaneity" and "individuality." These qualities, it seems for Annas, represent the best of what it means to be a fully mature human being. I am unsure whether Plato would have any objections to any of these as an end state for education. But Plato has a very particular vision regarding how one gets to a place where one is able to choose freely and wisely. So Plato does encourage each to do his "own thing," but, for Plato "doing one's own thing implies a great deal of conformity and identification with a role shared by others." Doing one's own thing has much more to do with performing those tasks for which one is best suited (and learning to desire doing that) than doing what one desires, whatever that may turn out to be. It is understandable that this may be taken as heavy-handed and authoritarian. But I think this is to misunderstand Plato's larger project, namely, to design a highly functioning and just state. It seems worthy of note that no one can really simply do whatever one wants. People who pursue what they want often spend a great deal of time doing that which they do not want on the way to doing what they want. Consider a person who desires to be a physician. Any given physician, no doubt, had to do a number of things she did not want to do in order to become a physician. One might say when pursuing the desire to be a physician, one is tacitly expressing a desire to do all the other things required by the pursuit. But it seems more accurate to say, for most people, one's

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[158] Annas, *An Introduction to Plato's Republic,* p. 74.

desire to become a physician outweighs one's desire *not* to do a number of other things (e.g., Work long hours, take courses in advanced chemistry, and so forth). And even when one becomes a practicing physician, it is unlikely that he will be doing only that which he freely chooses and desires. One might thoroughly enjoy performing hand surgery, but there are a host of other tasks that go with any given hand surgery (e.g., studying the details of the particular case, filing the insurance appropriately, billing the procedure accurately, leading the surgical team effectively, following up with all patients, risking a certain percentage of malpractice suits, etc.). So while "doing one's own thing" for Annas gives the appearance of "spontaneity" and "individuality," I suggest that this somewhat of an idealized, romanticized, and fundamentally unrealizable view of pursuing one's desires.

Plato does not see people first as individuals whose primary calling is to do what they choose. Rather, he sees people as essentially social. As such, individuals must determine where they fit best in society such that they contribute according to their gifts. Annas is correct to note that Plato "does not begin by stressing what makes each person concerned to live his or her own life as he or she sees best […] Rather he sees individuals as finding their natural place in some co-operative association."[159] Again, it is understandable that Annas would find this vision authoritarian. And she agrees with Plato in this point insofar as "fulfilling one's roles" and "doing that at which one is

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[159] Annas, *An Introduction to Plato's Republic,* p. 75.

naturally gifted for the benefit of the group" is done of necessity, or, as she says, "in the context of pressing need."[160] Any other time, Annas thinks requiring this is unjustified. On the contrary, Plato thinks it is always right to contribute as we are best suited to do so. I suggest that a hidden assumption in Annas on this point is that one's choices are a virtually unlimited version of the American Dream: at the end of the day one can do and be whatever one wants to do and be; the choice is up to the individual. But Plato simply denies this as a premise and insists that for any given individual, her choices range over some finite set of options from which she may choose. And some individuals, for one reason or other, have a wider range from which they may choose. One cannot be anything one wants to be. One can be that for which one is suited. Or, less restrictively, one can be one or more of the things for which one is suited. One person may be better suited for office work than NBA basketball, or for distance running more so than the 100 meter hurdles. The "American Dream," as ordinarily conceived of along the lines Annas suggests, is false. But I digress.

Annas further criticizes Plato for maintaining that it is always selfish for a person to refuse to co-operate "as fully as possible in producing the common good," suggesting that this is "not at all plausible where staying alive is not at stake."[161] But I think this is not a dispute about coercion, as Annas would have it. Rather, it is a fundamental dispute about the role of

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[160] Annas, *An Introduction to Plato's Republic,* p. 76.
[161] Annas, *An Introduction to Plato's Republic,* p. 76.

persons in the State. Thus, Plato says, "We prevented the cobbler trying to be at the same time a farmer or a weaver or a builder, and we said that he must remain a cobbler […]"[162] And Annas takes him clearly to be describing something like a harsh dictator who forces individuals to perform roles without any consideration of their desires. But again, this points to a deeper disagreement. Plato is not, I think, trying to force individuals into roles. Yes, he has a non-arbitrary vision for certain people performing certain roles. But he also has a vision for shaping the very desires of individuals such that they will desire to perform those roles for which they are best suited.

"Education is to produce people who are attracted to good and feel repulsion to evil, finding it ugly and vulgar."[163] Plato does not want simply to force people into roles. Rather, he thinks that when a person does that for which he is fitted, that person does *good*. Nevertheless, Annas sees this insistence on a particular educational course as authoritarian. And in addition to accusing Plato of being authoritarian, Annas further suggests that his educational program is stifling to autonomy.

Plato's authoritarian education, suggests Annas, has the effect of destroying a child's "intellectual autonomy" and failing to develop a child's "individual personality." Annas asserts that some educators think this inevitably happens in systems that consist of "too thorough a training in accepting group values at an early age."[164] It is not clear that anyone was

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[162] Plato, *The Republic*, para. 346b6.
[163] Annas, *An Introduction to Plato's Republic*, p. 83.
[164] Annas, *An Introduction to Plato's Republic,* p. 87.

concerned with autonomy (the way we mean it) in ancient Greece. Autonomy, the way Annas uses the term, seems to me a very contemporary concept. As such, why would we expect an educational scheme developed in ancient Greece to have as a goal something like autonomy? It seems to me that we would expect Plato's educational scheme to have as a goal something more like being a fully rational, morally mature, wise leader of the State.

Annas further remarks that Plato's education fails to encourage students to "[…] set up their own individual judgments as a test of what each will find acceptable."[165] This is probably true, but it seems to me that "autonomy" and "individuality" are just as much learned values as any other value, including the value of community. Though it sounds counterintuitive, we might say that Annas insists that students be forced to conform to the idea that individual autonomy is the aim of education. The properly educated must "set up her own judgments as a test of what she will find acceptable," just so long as one first finds acceptable, by her own judgments, the claim that individual autonomy is the primary aim of education. It seems that "forcing" the value of individual autonomy is not, in principle, formally different from "forcing" the value of community over individuality?

Even discounting the above, it is difficult to grant Annas the very modern complaint that Plato's educational schema does not encourage people to question their beliefs. Given the historical context, of course there were

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[165] Annas, *An Introduction to Plato's Republic,* p. 92.

some aspects of Plato's overall view that seem (and, in some cases, actually are) oppressive (e.g., forcing individuals into certain societal roles on the assumption that people are genetically "wired" to be rulers, craftspersons, and the like). And yet it seems difficult to sustain the charge that Plato, trained by the gadfly of Athens himself, would conceive of an ideal society as one made up of citizens who fail to "think for themselves." Annas's complaint about autonomy is related to her complaint about creativity. As such, I think the responses to those complaints are related as well.

2.3 Plato's Education and Creativity

Fleshing out why Plato should expect creative graduates

Full-maturity, morally and intellectually, is marked both by free choice and a high level of self-monitoring and self-limiting. Freely choosing as one sees fit is at the heart of what it means for one to be autonomous. For Annas, it seems that autonomy, being a fully autonomous person, consists in making one's own choices insofar as it is possibly to do so without the influence of any factors outside one's own individual, rational-moral self. As a stipulated definition of autonomy, this is not terribly surprising or even objectionable in itself. The contention that I suspect Plato would have is not with any particular definition of autonomy. Rather, I suggest that Plato simply does not consider autonomy, at least in early education, to be the most important thing. Insofar as he would consider, however anachronistically, autonomy

important, it would be some definition of autonomy that would likely not satisfy Annas. That is, Plato could agree that the best person (the guardian) is the fully rational, morally mature person who exercises her rationality and wisdom by choosing freely. But this free choosing could not be good merely in virtue of the fact that it is free. For Plato, there must be a particular object of the free choosing, namely *the Good*, or those things which participate in the good. It seems to me that autonomy, as it is usually articulated in a contemporary context is considered an intrinsic good. I think Plato would disagree. This will hopefully help one see the disagreement I suggest that Plato and Annas have over the relationship between autonomy and creativity. For Annas, free choosing is at the heart of creativity. For Plato, freely choosing those things that participate in the good, those things that participate in the Form of beauty, and re-ordering those things into something of equal or greater good and beauty—*that* is creativity. But prescribing some particular object of free choice cuts against the very grain of true creativity for Annas. For in that moment when one tells another what must be freely chosen, the choice is no longer free. Without freedom, it is alleged, there can be no creativity.

Furthermore, because it is authoritarian and allegedly fails to foster individual autonomy, Annas argues that Plato's program actually prevents the development of creativity. She asks, "But why should people whose early years have been moulded by training in accepting the moral values of their

society have preserved the capacity for intellectual rigor and creativity required by these further studies?"[166] Put another way, "[…] Why would the education that Plato describes produce people capable of innovative and original thought?"[167] It is difficult to know what precisely Annas means by 'creativity' and 'original thought', but I take her to mean something like the ability to make (or formulate intellectually) something new out of what is given, rather than merely recite or repeat what one has been told. Insofar as this is right, it is a good worry. But Annas makes it sound as though the creative act, to count as "truly creative," must be *ex nihilo.* I do not think she means to say this, as it seems uncontroversial that the creative act any given realm (e.g., music, woodworking, aerospace engineering) requires raw material (e.g., knowledge of the fundamentals of music, wood, knowledge of aerodynamics and some building materials). But her persistent criticism of Plato teaching a particular "core" rather than presenting a variety of options lends itself to a system where creativity will be stifled due to a lack of raw material with which to be creative.

For Plato, there is *the* Good and then a spectrum of lesser goods. For Annas, it seems, there is no single Good; rather, there are many goods, many of which should be considered equally good so long as they are freely chosen. The goodness for Plato is found both in the free choosing and the object (to a significant degree) which is freely chosen. For Annas, all the good lies in the

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[166] Annas, *An Introduction to Plato's Republic,* p. 87.
[167] Annas, *An Introduction to Plato's Republic,* p. 88.

act of the free choosing irrespective of the object of the choice. So where for Plato, creativity is arranging the things which participate in the good in new and more interesting ways, for Annas, the very suggestion that there is a limit to the things that might be freely chosen undercuts autonomy and smacks of authoritarianism. I think this helps to explain Annas's apparent disgust for rote learning. If one is merely memorizing and learning by rote, one is doing that which is antithetical to autonomy. Rather than maturing morally and intellectually, one is actually failing to exercise the rational processes that are essential to autonomous decision-making. In contrast, Plato cannot conceive of creativity at all apart from some prior period (perhaps a long period) of rote learning during which one obtains the materials with which they might later be creative.

Contra Annas, rote learning does automatically lead to an inability to think creatively later in life. In fact, I argue that in most domains where creativity is essential to excellence in that domain, rote memorization is *necessary* for creativity later in life. Consider improvisational jazz musicians. It is reasonable to consider good improvisational jazz musicians to be creative. They often perform live, and their music—especially as expressed through various solo performances—is such that each performance is always unique. From the outside, it appears as though they "make it up as they go." But any jazz musician will tell you this is not the case.[168] Jazz musicians

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[168] I have discussed this at length with professional jazz guitarist and educator, Mark Tonelli, formerly of the West Point "Jazz Knights."

spend countless hours learning to play "the standards" (i.e. a broad set of musical scores known to any good jazz musician). There is a tremendous amount of rote memorization that goes into the development of a jazz musician. And it is precisely this rote memorization that allows them to improvise well rather than poorly. In other words, they master the script *so that* they can successfully go "off-script." One finds this pattern in many professions, not merely those considered to be "creative." That pattern is marked by rote memorization, repetition, and hours of practice as *the way* to creativity. Without the "authoritarian" aspect, one might argue there would be no "pathbreakers." Of course, this does not, by itself, mean that moral education works this way.

Annas says it is "not at all obvious," that, as Plato thinks, "receptiveness to accepted moral values in youth can co-exist with an intellectually adventurous mind in maturity."[169] But I think it is at least as "not at all obvious" that it cannot. Receiving the accepted moral values in youth does not *make* one, in a causal sense, "intellectually adventurous," but I do not think it blocks creativity and an "intellectually adventurous" spirit either, as Annas suggests. And if the jazz analogy holds, receiving accepted values early in one's education does more than stay out of the way of creativity. It actually provides part of the necessary foundation upon which to be creative. Plato would, I think, agree with Annas on the value of being a

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[169] Annas, *An Introduction to Plato's Republic,* p. 90.

pathbreaker, but not because pathbreaking has any intrinsic worth. Pathbreaking, like choosing or the exercise of creativity, only has value insofar as the path leads to somewhere better than one's present position. Far from inhibiting pathbreakers, Plato's program is designed to shape those who will break new paths to better places mathematically, morally, and aesthetically.

It will be helpful to pause here and consider briefly Plato's own view of creativity. Plato's view is often drawn from the *Ion*, and, unfortunately this singular account, while helpful, presents a limited view of Plato on creativity. As Dominic Scott notes, "*Ion* is a rhapsode who boasts of his ability to perform Homer and to expound his meaning [...but...] Socrates describes this as a form of possession in which Ion is temporarily driven out of his mind[170] [...]" Drawing solely on the *Ion*, Berys Gaut notes that "The association between creativity, irrationality and madness has been a recurrent one."[171] For those not convinced that creativity is, at bottom, a matter of being touched by the muse, Plato's view seems easily discarded. But Scott looks more broadly and finds at least two other models for creativity in Plato, drawing one from the *Symposium* and the other from the *Gorgias* and the *Republic*. Leaving aside questions about which one Plato "truly" embraced or which one, if any, is the "correct" view, I find the account from the

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[170] Scott, Dominic. "Plato, Poetry, and Creativity." In Pierre Destree and Fritz-Gregor Herrmann (eds.), *Plato and the Poets*. Koninklijke Brill NV. (Leiden: 2011), p. 131.
[171] Gaut, "Philosophy of Creativity," pp. 1036.

Symposium both interesting and more substantive than that found in the *Ion*.

A central feature of the account in the *Ion* is that the "source of creativity is external."[172] As such, the poets are considered to be "possessed, 'enthused' and ignorant of what they say."[173] With respect to education broadly considered, Scott notes that there is a sharp contrast between what happens in the classroom and the creative activity of the poets.

> […] 'Teaching' presupposes knowledge already existing in the learner, which the 'teacher' merely elicits (by questioning). By contrast, anyone under the influence of divine dispensation receives information from an external source.[174]

If this is right, then it provides at least one answer to Annas' challenge. If creative, "pathbreaker" activity is, by its very nature, externally inspired, then it should not matter how one is educated early in life. More importantly, it is not a result of *any* sort of educational process. As such, whether children are educated as Plato proposes or in a way that Annas would support, any creative activity later in life would be independent of, and not attributable to, that education.

In "stark contrast" to the purely externally inspired model of creativity in the *Ion*, the model Scott explores from the *Symposium* is more nuanced and reveals a "process that consists in drawing upon one's own internal

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[172] Scott, "Plato, Poetry, and Creativity," p. 133.
[173] Scott, "Plato, Poetry, and Creativity," p. 136.
[174] Scott, "Plato, Poetry, and Creativity," p. 137.

resources."[175] Diotima, the woman in the *Symposium* who teaches Socrates about love, is involved in the process but more as a "catalyst" that gets the internal process started. Rather than merely speaking *through* the poet, this sort of inspiration moves the poet to speak and does not require that poets be possessed or otherwise lose control of their rational faculties. Scott sums this up nicely:

> […] There may indeed by an initial period (or moment) of inspiration, which is highly charged with emotion and difficult to subject to rational analysis but, as Vincent Tomas argued, what distinguishes artistic creativity from madness or passive imagination is the presence of 'critical control.'[176]

For the purposes of answering Annas, it is interesting to note how creativity, especially with respect to the development of ideas, works. As a process, rather than a moment of possession, it appears to have an iterative quality where the poet "subjects his initial ideas to a process of elaboration and development."[177] Sculptors, for example, must start with some materials and some basic idea, however ill-formed, of what they might create. But the creative process requires that they "subject their initial (and 'inspired') insights to criticism, to reject some ways of developing them and follow others instead."[178] If this provides an acceptable metaphor for what is happening in

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[175] Scott, "Plato, Poetry, and Creativity," p. 143.
[176] Scott, "Plato, Poetry, and Creativity," p. 143.
[177] Scott, "Plato, Poetry, and Creativity," p. 143.
[178] I have made reference to improvisational jazz as a way of thinking of about the relationship of rote memorization to creativity. At the risk of metaphor overload, I suggest that improvisational comedy is probably even more apt here than jazz. Good improvisational comedians regularly subject their "initial insights" (i.e. their new material) to criticism (i.e. feedback from audiences in small venues). They will inevitably reject some material and develop other material to a level suitable for professional performance.

education more broadly, there is no good reason that conformity early in life (i.e. accepting teachings generally without resistance) should block creativity later (i.e. subjecting those accepted teachings to criticism, rejecting some in favor of others). Nevertheless, tension remains between conformity and creativity, and it is to this I will now turn. Specifically, in the next section, I will explore the tension between the conformity involved with following orders in the military and the expectation that officers will exercise moral courage. I will return to the role of creativity might play in following orders in the final section.

2.4 Obedience and Conformity in the Military
Tension between obeying orders and taking a stand

As a very large organization, the Army relies on its members to take orders and follow them, often, without hesitation. As such, future officers are trained to take orders.[179] Early in their training at West Point, new cadets are expected to do what they are told, when they are told, and to do it exactly as they are told. There is good reason for this. For example, many new cadets are unfamiliar with the physical and mental stresses of long, exacting days for weeks on end. They are often ordered to "drink water" even if they are not thirsty. This is to promote hydration and its benefits (such as reducing the

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[179] Interestingly, it seems to me that there is no real, direct training on giving orders. Cadets are given leadership positions during which it is expected that they will give orders when appropriate. But often, these orders are merely the passing down of an order that originated at a much higher level. Following orders is, I think, the overwhelming emphasis.

risk of heat exhaustion). New cadets are required to have positive control of their weapon at all times. This is not because they might have to shoot it at any moment. It is to install, deeply, in an almost instinctual way, the importance of weapons accountability. But it should not be surprising that there is a substantial tension between the desire that future officers be *both* rigorous orders-followers *and* highly creative problem solvers. But here I want to focus on an even narrower problem. How do we grow officers who follow orders rigorously *and* are willing to a) protest orders that do not make sense and b) refuse (otherwise lawful) orders when certain conditions are met?

With regard to obeying orders, let us first consider the oath that officers take upon commissioning:

> Army officer oath of office:
> "I, _____, having been appointed an officer in the Army of the United States, as indicated above in the grade of _____ do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; So help me God." (DA Form 71, 1 August 1959, for officers.)[180]

Army officers take an oath that obligates them to "support and defend the Constitution of the United States […]" Compare the above to the oath that enlisted soldiers take:

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[180] See, http://www.army.mil/values/officers.html (accessed Dec. 23, 2015)

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that *I will obey the orders of the President of the United States and the orders of the officers appointed over me*, according to regulations and the Uniform Code of Military Justice. So help me God." (Italics mine)[181]

Note that enlisted soldiers swear, in addition to supporting and defending the constitution, to "obey the orders of the President […] and […] the officers appointed over [them]." This seems to me to mark out a very important difference in the obligations of officers versus enlisted personnel. Yet, it is difficult to say exactly what it means. Clearly, officers are expected to obey orders. I cannot recall ever hearing anyone appeal to the officer oath as a grounds for *not* obeying an order. Nevertheless, it is interesting to note that officers to not actually swear to obey the orders of the officers appointed over them. Of course, it is generally understood that obeying such orders is expected, and a failure to do so will not be tolerated. In fact, one might be prosecuted under the Uniform Code of Military Justice for disobeying a lawful order. Consider the following articles from the Manual for Courts-Martial.

Article 92—Failure to obey order or regulation
a. Text of statute.
   Any person subject to this chapter who—
   (1) violates or fails to obey any lawful general order or regulation;

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[181] See http://www.army.mil/values/oath.html (accessed Feb. 19, 2016).

(2) having knowledge of any other lawful order issued by a member of the armed forces, which it is his duty to obey, fails to obey the order; or

(3) is derelict in the performance of his duties; shall be punished as a court-martial may direct.[182]

Article 90—Assaulting or willfully disobeying superior commissioned officer

a. Text of statute.

Any person subject to this chapter who—

(1) strikes his superior commissioned officer or draws or lifts up any weapon or offers any violence against him while he is in the execution of his office; or

(2) willfully disobeys a lawful command of his superior commissioned officer; shall be punished, if the offense is committed in time of war, by death or such other punishment as a court-martial may direct, and if the offense is committed at any other time, by such punishment, other than death, as a court-martial may direct.[183]

I put these in reverse order to highlight the difference in severity of these two Articles. On my reading, Article 92 appears to cover orders *generally* in whatever form they might come. This seems to me to include any Army Regulation, which is typically signed by a General Officer, but when someone uses the phrase "general order" in recent years, they typically mean "General Order Number One" (GO-1). There are many versions of GO-1, signed by the appropriate theater commander and updated as the situation requires. But they all spell out prohibitions regarding a range of activities from alcohol use to detainee treatment to proselytization. The language of

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[182] Manual for Courts-Martial, United States (2012), Article 92, p. IV-23.
[183] Manual for Courts-Martial, United States (2012), Article 90, p. IV-19.

"failure" indicates that the lack of obedience to such an order could be due to any number of reasons other than a deliberate decision to violate the order. The language of Article 90 is more specific, and the consequences for an Article 92 violation are potentially much more severe. I am not concerned with the portion about "assaulting" a superior officer; rather, I will focus on the "willfully disobeying" portion. Note that if the willful disobedience occurs "in a time of war" (which I take to be more inclusive than "in a war zone"), the punishment could be death. And even during peacetime, the fact that "other than death" is mentioned indicates the seriousness of this particular issue. From this it should be very clear that officers are expected to obey orders. Yet, we know there are times when orders ought *not* to be obeyed.

Though disobeying orders is not discussed much, even the most junior lieutenant can probably give the correct answer to the following question, "When ordered to go into the house and kill all the (unarmed) children, what should you do?" This is the kind of order that would fall under the category of "manifestly illegal." But what makes an order "manifestly illegal?" During the trial of Adolf Eichmann, the Supreme Court of Israel put it this way,

> The distinguishing mark of a "manifestly unlawful order" should fly like a black flag above the order given, as a warning saying "Prohibited." Not formal unlawfulness, hidden or half-hidden, nor unlawfulness discernible only to the eyes of legal experts, is important here, but a flagrant and manifest breach of the law, definite and necessary unlawfulness appearing on the face of the order itself, the clearly criminal character of the acts ordered to be done, unlawfulness piercing the eye and revolting the heart, be the eye not blind nor the heart not stony and corrupt, that is the measure of "manifest

unlawfulness" required to release a soldier from the duty of obedience upon him and make him criminally responsible for his acts.[184]

It is difficult to find examples of such orders in the U.S. Military. Those who intend to commit war crimes usually have the good sense not to announce it, and they tend not to order subordinates to participate. A recent case, from the Spring of 2007, involved the murder of four unarmed Iraqi detainees by three U.S. Army soldiers. The unit had recently lost two soldiers, one to a sniper round and another to an improvised explosive device (IED). During a routine patrol, elements from Alpha Company, 1-18 Infantry Regiment came under small arms fire. After picking up several Iraqi men during a patrol, First Sergeant (1SG) John Hatley, the senior non-commissioned officer in the company (a non-commissioned officer with 18 years experience), is reported to have asked one (and subsequently several others) of his subordinates, "How do you feel about offing these guys?"[185] Later that day, they did just that—lined the men up and shot them at point blank range. There is much more to the story, but my point here is that despite the 1SG's intent to murder the men, and enlist others to assist, he nevertheless asked others if they were "good" with it, rather than ordering them to do so. Had he issued an order to a subordinate, the order clearly would have been illegal. But whether intending to commit murder or urging

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[184] Cited in Mark J. Osiel, "Obeying Orders: Atrocity, Military Discipline, and the Law of War." California Law Review, Vol. 86, Issue 5, (October 1998), p. 973.
[185] Langewiesche, William. "How One U.S. Soldier Blew the Whistle on a Cold-Blooded War Crime." *Vanity Fair*, (June 16, 2015). http://www.vanityfair.com/news/2015/06/iraq-war-crime-army-cunningham-hatley-trial (Accessed Feb. 19, 2016).

some far lesser unethical behavior, most officers and non-commissioned officers know better than to *order* the bad behavior. At any rate, this sort of case is pretty clear, and it is not where I would like to focus. For my purposes, moral courage (and the law!) required everyone on the scene to take action to prevent the murder, but my interest is really in cases that are less clear cut.

What is an officer to do in a case where she receives an order that is, tactically speaking, really stupid? While it is difficult to find cases where an officer issues a "manifestly unlawful" order, it is not too difficult to find cases where an officer issues an order that is, to put it politely, not sensitive to the tactical situation. Consider this first-hand account from a company commander (Captain) in Iraq:

> In Iraq, in 2004, I was ordered to construct traffic-control points on the north end of the city of Samarra. After discussing the tactical situation with the maneuver commander on the ground, it was clear to me that the conditions were not set for my engineer company to conduct the mission. In response, I traveled more than 90 minutes to have a face-to-face visit with my commander. We discussed the security shortfalls and options to mitigate the risk. At one point, we contacted the brigade commander extremely late at night and tried to get the mission changed. We were unsuccessful and were told to execute the mission regardless of the risk. At the end of the day, I put as much combat power as I could on the site—had infantry in overwatch, dedicated indirect-fire support and helo support. I mitigated the risk as much as possible; despite these efforts, we were still attacked by the insurgents and forced to abandon the construction project.[186]

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[186] "Do you follow a stupid order?" *Army Magazine*. March 2010, p. 108.
http://www.ausa.org/publications/armymagazine/archive/2010/3/Pages/default.aspx (Accessed Feb. 26, 2016).

In this case, the commander received an order and, after assessing the situation, saw that it was not conducive to the mission he received. In other words, he predicted, based on the situation, that his unit would be attacked at a level which would prevent mission completion. It appears that the commander then took appropriate steps of "protest" (i.e. alerting the higher command and requesting either additional support or a mission change). In the end, he was told to "execute the mission regardless of the risk." Of course it is hard to judge a case without more information about the larger operational picture, but it does seem that the higher headquarters was failing to take seriously the reality of the situation "on the ground." For any given mission, the payoff should be worth the risk. So any mission worth taking "regardless of the risk" ought to be pretty important. The commander ultimately executed the mission. His assessment proved correct, and they had to abandon the project. But no one was hurt or killed. I suspect because of that, the event came and went with little notice.

But consider the case surrounding Pat Tillman's death by fratricide. In Afghanistan in 2004, Tillman (along with his brother, Kevin) was under the command of platoon leader, David Uthlaut. On account of an unrepairable vehicle, the platoon had been greatly delayed in getting to their destination. Uthlaut was ordered to split his platoon, leaving half with the broken vehicle and getting the other half to the destination. Because it would be night by the time they arrived they would not be able to conduct the mission at the

destination. Uthlaut objected repeatedly to the order, at one point saying, "So the only reason you want me to split up is so I can get boots on the ground in sector before it gets dark?"[187] In exasperated subordinate-to-senior speak, this means, "so you really want me to do something extremely risky just so that you can report to higher that we made it to the destination—even though we can't even perform the mission for which we were sent to the destination in the first place?" And he was told to execute, which he did. Later that day, after having split up the unit, Pat Tillman was killed by another soldier in his own platoon at dusk under very confusing conditions. Uthlaut was injured as well.[188]

In both cases, the commander on the ground protested the order as given and asked for something different based on their assessment of the situation. In both cases, they were told to execute as ordered. In neither case is there anything *obviously* unlawful about the orders as given. The orders seemed straightforwardly *lawful*. As such, refusal to obey would subject the offender to court-martial under one or more of the Articles cited above. Whether or not the risk was high is not really the question. Whether or not anyone might be hurt or killed is not the question either. There are some who use "risk" considerations as an excuse to avoid doing what is required. For example, a unit might send a few vehicles "outside the wire" (i.e. off their Forward Operating Base), "[…] speed around the area in their vehicles and

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[187] White, Josh (Contributor). "Barrage of Bullets Drowned Out Cries of Comrades," *Washington Post*, Dec. 4, 2004. http://www.washingtonpost.com/wp-dyn/articles/A35717-2004Dec4_2.html (Accessed Feb. 19, 2016).
[188] White, "Barrage of Bullets Drowned Out Cries of Comrades."

head back as soon as possible."[189] One question here is whether the orders made sense under the conditions. Another question (that sometimes overlaps with the previous) is whether the risk associated with the order was worth the payoff. Had either officer refused in the cases above, it would have gone extremely poorly for that officer. Yet, had Uthlaut refused, Tillman would not have been killed. But, of course, no one could possibly have known that ahead of time. As it turns out, in addition to being injured in the incident, Uthlaut was reprimanded in the aftermath. A leader in this position cannot win. Refuse on account of one's subjective assessment and be relieved or court-martialed or worse. Do not refuse, and be reprimanded and probably relieved when things go poorly.

In both the above cases, the ground commander's assessment turned out to be right. In the first case case (traffic control point), they were attacked and "forced to abandon the mission." But no one was killed. If this case was posed to a group of officers with the question, "should the commander have refused?" I suspect almost no one would argue that he should have refused the order. Yet, I further suspect that this judgment would be based largely on the fact that the outcome was not catastrophic. Maybe everyone would agree after the fact that the order was stupid, but "no harm, no foul," right? Assume for a moment that the commander took all the same steps but that the attack resulted in the death of seven of his own soldiers, three of the

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[189] Members of the 1-502nd are reported to have said this about their predecessor unit. Whether or not it is true in that particular instance is not relevant. The scenario is very plausible—on account of "risk," do something far less than what is called for and call it "mission complete." Frederick, *Black Hearts,* p. 55.

infantry soldiers who were providing overwatch, and two pilots who were shot down while providing helicopter coverage. If asked after the fact "should the commander have refused?" I think the answers would at least be distributed differently. But even if *everyone* agreed (after the fact) the commander should have refused the order, it puts ground commanders in an impossible position. If one deliberately disobeys an order, one will potentially go to prison (or be executed if in a "time of war"). If one executes a stupid order, even after substantial but professional protest, and no one is hurt, the event will pass, and no one will talk about it. The commander will get no praise for having protested. On the other hand, if one executes a stupid order, even after substantial but professional protest, and many soldiers are killed, there will be numerous negative outcomes for the commander. Again, this is a kind of catch-22.

The Army relies on soldiers obeying orders. The army *requires* soldiers to obey orders. The Uniform Code of Military Justice articulates harsh punishments for those who refuse to obey orders. Yet, it seems that that this near absolute insistence on obeying orders has a real cost. Even though the Army is clear that one ought not to obey an *unlawful* order, the likelihood of one's receiving a "manifestly unlawful" order is extremely low. In other words, most officers will never even have the opportunity to disobey an unlawful order. If one limits the set of orders that might justifiably be refused to only those cases where the order is "manifestly illegal," then the set of

strictly lawful orders becomes very wide. But surely there are orders that ought to be refused that would not count as manifestly illegal. If that is right, how would the Army develop officers who know when an order ought to be refused *and* have the moral courage to do so. What would "practice" for such a thing look like? Surely it would include developing officers who are comfortable openly questioning (to the point of protesting) orders. Given the seriousness of disobeying an order, how can the Army develop officers who are willing to refuse the order at the risk of substantial negative consequences to themselves?

2.5 Obedience, Moral Courage, and Misplaced Loyalty
What happens when we practice loyalty the wrong way?

Clearly, following orders is extremely important in a military context. And failure to follow orders is punishable under the Uniformed Code of Military Justice. It is commonplace when discussing such things to emphasize that one's duty is to obey *lawful* orders as opposed to *all* orders. And it is generally assumed that one will know an unlawful order when one sees it. For example, if one is ordered to shoot an unarmed detainee, one ought immediately to recognize that such an order is unlawful and in gross violation of multiple laws.

I began this chapter with Annas's worry that Plato's highly "authoritarian" education would not yield "intellectual pathbreakers."

Elsewhere, she expresses a closely related worry that is central to my concern about following orders.

> If virtue is always learnt in given social and cultural contexts, and the learning of virtue requires that we progress by first trusting the teacher and teaching context, will the result not be essentially conservative? Virtue involves aspiration, but will the aspiration be strong enough to criticize the contexts and institutions within which virtue has been learnt?[190]

Annas is concerned here that the context in which moral education must take place is dangerously conservative, such that "graduates" might not be able to critique their own education, their teachers, and the system under which they were taught. Though I do not think it ultimately tells against education in virtue, this concern is quite serious. Furthermore, it seems to me that Annas's worry does, in fact, play out in the U.S. Army. That is, the lack of emphasis on aspiration (discussed in Chapter 1) and the incentives that the cultural context provides are such that officers are generally unwilling to "criticize [their] contexts and institutions," and especially their superiors, in any meaningful way. To the extent that one can cite substantive examples of officers criticizing their institution, I suggest that they likely do so from a place of little actual risk (i.e. They are officers who either do not plan to stay in the Army for very long, or they have already served long enough to be guaranteed a retirement with benefits). More to the point, they are generally unwilling to resist their immediate superior, even in the most professional

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[190] Annas, *Intelligent Virtue*. p. 5.

manner. I am not advocating that one object to everything one's boss says or asks for. And I am not advocating that officers behave in ways that are unprofessional and otherwise "unbecoming." But my suspicion is that, for any given room of officers in a meeting with "the boss," when the boss says things that are false, misguided, potentially harmful, or just generally wrongheaded, the vast majority of officers will not protest. I further suspect that as rank goes up, the likelihood of being told one is wrong goes down exponentially. This seems bad.

I take Annas's worry about graduate's ability to criticize their institutions to include, implicitly, a worry about their ability to criticize their teachers as well. It is difficult to criticize one's teacher, especially in a context where the teacher serves as a trusted model of excellence (as ideally would be case with moral education). It is difficult to criticize one's teacher. It is perhaps even more difficult to criticize one's boss—the person who writes one's "report card" and generally has real power over one's future. This is of particular concern in the Army where in a good unit, the boss ought also to be the teacher and model of excellence. To attribute this problem to individuals of weak character would be a mistake. This is not just an individual officer problem. It is at least as much, perhaps more, a leadership problem. No doubt, some officers are more inclined to push back on their commanders or to take a contrary position on an issue. In these circumstances, it is not difficult to imagine the impact of the boss's response to critical feedback. The

response will likely either invite or block future critical feedback. Commander's who are not careful to invite this sort of feedback are, in effect, blocking it. I think there are a number of ways to address this. At the individual level, just like habituation in other virtues, one must *practice*. One must regularly exercise moral courage as part of one's moral education. To facilitate this, a moral education program must create the conditions for this sort of practice.

In the Army, with few exceptions, moral education is largely conceptual—in the form of lectures, classes, slides, and videos and such. This is good so far so far as it goes. But it is largely devoid of *practice*. One response is that the practice happens everyday in a thousand small ways. I think this is generally right, though it does not minimize the need for overt, deliberate practice. Beyond that, however, if the "thousand small ways" are at odds with the stated values, then this is a problem. It is not merely a problem of inconsistently. It is *practice* in the wrong direction. In some cases, perhaps with respect to loyalty, it is like exercising with poor form. Doing yoga with poor form generally *looks and feels* like one is doing yoga, but one is doing it in such a way as eventually to be harmful to one's shoulders, back, and so forth. Running can be a great exercise, but running the same easy pace on a treadmill day after day is not likely to yield much benefit. In other words, there are movements we can make, physically, that look like practice but are not going to yield the gains we seek. In the moral sphere, this

happens as well. Loyalty to one's buddies *is* loyalty in the ordinary sense. But when that loyalty is "practiced" in a way that is so extremely localized as to inhibit one's reporting a war crime, it is a serious problem. Furthermore, it is hard to detect. Since one's loyalty to the Army or the Constitution is not often tested in any meaningful way, it is difficult to know how any given soldier's loyalty hierarchy is arranged—until it is too late. I have two primary concerns here. One is that our moral education program must go beyond the conceptual to include *practice.* And two, our practice must be done well. There is at least one exception to my claim that our moral development program is largely conceptual that addresses both of my concerns in a narrow way. That exception concerns the habituation of physical courage.

At West Point, cadets are repeatedly required do physical activities that push them to manage fear and develop courage. For example, as part of a required swimming class, all cadets are required to jump off the 10 meter diving board. This may not sound like much. But for a non-diver who has never stood on edge of a platform high above the water, this is no small feat. Cadets participate in military exercises during the summer that involve simulated combat conditions. Many attend military schools, such as "Air Assault" and "Airborne" school where they are required to rappel out of helicopters and jump out of airplanes respectively. The list of such deliberate activities that aid the development of physical courage is long. But it is less obvious that there are many (if any) activities that aid the development of

moral courage. When one finds oneself in a situation that calls for moral courage, it is typically "by accident." In other words, one might find oneself in a situation where one has witnessed a violation of the honor code. But there is no *requirement* that every cadet will face such a situation. The West Point cadet honor code states, "A cadet will not lie, cheat, or steal or tolerate those who do."[191]

Where one finds oneself aware of a potential honor violation, one is *required* to act or else one becomes a potential honor violator through a failure to act. I suggest that even where there is a clear requirement to do so, many will struggle with reporting a fellow cadet (or officer) for a violation of some sort. But what about the countless cases where one ought to speak up in the absence of a *requirement* to do so? The culture of conformity and obedience to orders creates, I think, substantial tension between *following* and *questioning* (out loud in a substantive way) what one is told to do. Some find this easier to do than others. Some find this nearly impossible— unthinkable. Too much eagerness to stand up to a superior will likely lead to overstating the case and painting oneself as a belligerent rather than a team player. But too little eagerness to stand up a superior will likely lead to misplaced loyalties and bad consequences that could have been prevented. Sometimes when this happens at the platoon level, people get killed.

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[191] See http://www.usma.edu/scpme/sitepages/honor.aspx (Accessed, Feb. 26, 2016).

Sometimes when this happens at the General Officer level, wars are lost (*and thousands of people get killed*).

Does the Army teach officers how to stand up for what is right? Formally, yes. Absolutely. But this is an area where, as I once heard a senior officer say, "the audio doesn't match the video." We *say* we are committed to values. We talk (the audio) *ad nauseum* about the "Army Profession." But aspects of our internal culture (the video) betray tacit commitments that often trump the stated commitments. This creates a context where active dishonesty is virtually required, in order to get meaningful work done in the Army. I think of this phenomenon as the active component the "video" problem, and I will address it in Chapter 3. The passive component of the problem is that it incentivizes silence where one ought to be outspoken. It implicitly encourages getting along before doing what is right. In most everyday circumstances, the consequences of this are bad but not fatal. But I want to argue that the phenomena observed here amounts to *practicing* moral cowardice. For example, when administering non-judicial punishment,[192] it is not hard to imagine a case where a soldier is punished unfairly because the commander made an emotional decision, and no one called him on it. This is unfair but is unlikely to garner media attention. But I think each time a leader is in a position to speak out against a potentially poor decision and does not, that leader is not merely failing to exhibit moral

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[192] In the Army, this refers to punishments administered under Article 15 of the Uniform Code of Military Justice. Article 15 procedures essentially serve as a less formal alternative to a court martial and may be administered by any commander (i.e., Any person legally designated, on orders, as a commander).

courage. Rather, that leader is actively *practicing* moral cowardice. And if one habituates moral cowardice in everyday affairs, on what basis could one be expected to exercise moral courage when the stakes are much higher? In other words, I am suggesting that while the consequences appear to be relatively low for everyday instances of moral cowardice, the practice will make one "unfit" to speak up when the stakes are much higher. I mean 'unfit' here to indicate the moral corollary of being out of shape—literally not fit enough (morally) to do what is required. And, to be sure, I am not arguing that one ought to exercise moral courage *merely* to avoid bad consequences. That would be self-defeating as the one who exercises moral courage does so a great personal risk of bad consequences even where her moral courage successfully blocked other bad consequences (such as a war crime). It will be helpful to consider a couple of actual cases.

Recall the case from Iraq 2007, cited in the previous section, where the First Sergeant (1SG) asked several of his subordinates how they felt about "offing" several detainees in their area of Baghdad. Staff Sergeant (SSG) Jess Cunningham was not interested in murdering detainees, and he said as much. Sensing that expressing this was not enough to stop it, he decided to call in a formal situation report (SITREP) so that the headquarters element would have a record of the situation—"to include their location, the weapons seized, and especially the fact that they had taken prisoners."[193] This

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[193] Langewiesche, "How One U.S. Soldier Blew the Whistle on a Cold-Blooded War Crime."

garnered significant negative attention from the 1SG, but it ultimately did

not help; the detainees were murdered later that day. For a variety of

reasons, one of which was his own safety, Cunningham did not report the

incident immediately. The details came out months later when Cunningham

himself demanded a court martial after being charged with insubordination.

In April 2009, three soldiers, including First Sergeant John Hatley, were

convicted of murder. The Vanity Fair piece describes the scene at the end of

the trial,

> Accounts vary, but Hatley drew himself up and declared love for his
> soldiers and pride for having served with the best damned infantry
> unit in the United States Army. He did not give an inch. He called out
> the name "Wolf Pack!" The audience responded with "Hooah!" Hatley
> was led away in shackles. Later his sentence was reduced to 40 years.
> He joined Mayo and Leahy in the military's maximum-security prison
> at Fort Leavenworth, Kansas, where all three are held today.[194]

The fact that soldiers committed pre-meditate murder is very

troubling. The fact that one of those soldiers was the senior non-

commissioned officer in the company is deeply disturbing. But there are two

points here that ought not be overlooked and might be of more concern than

the mere fact of the murders. One is that as of the writing of the article,

Hatley has refused to admit to committing any crime. Even though the other

two who participated have "admitted to their crimes and expressed regret," in

Hatley's version of the story, no crime was committed because no detainees

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[194] Langewiesche, "How One U.S. Soldier Blew the Whistle on a Cold-Blooded War Crime."

were killed in the first place. The other point, more central to my purposes

here, is that is that despite being convicted of murder, the soldiers under 1SG

Hatley's charge seemed to remain fiercely loyal to him *all the way to prison.*

This is indicated by the courtroom audience reply "Hooah!" when Hatley calls

out the name of the unit. The first issue is a refusal to take responsibility for

one's own action—I consider this a form of moral cowardice. This is especially

bad in an Army leader where such leaders are supposed to take responsibility

not only for their own actions but also for the actions of those under their

charge. The second issue is a grossly misplaced loyalty. Unfortunately, this

loyalty, however misplaced, is probably a natural extension of the loyalty

practiced throughout the Army.

If this sort of misplaced loyalty seems outrageous, consider another

case where an Army Private blew the whistle on a murder-rape that occurred

in Iraq in 2006. Executive editor of *Time* magazine, Jim Frederick, re-tells

the story in his book *Black Hearts: One Platoon's Descent Into Madness in*

Iraq's Triangle of Death. The story of Bravo Company, 1- 502nd Infantry

Regiment, he says,

> […] is a story about how fragile the values that the U.S. Military, and
> all Americans, consider bedrock really are, how easily morals can be
> defiled, integrity abandoned, character undone.[195]

Frederick "does not attempt to gloss over the inherently brutal and

dehumanizing institution of warfare […or…] to make soldiers or the Army

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[195] Frederick, *Black Hearts,* p. xix.

look good as an unquestioned end unto itself."[196] The story is rich and

complex, and reading the account is worth the investment. In short, several

months into a very tough deployment, four soldiers decided to commit a

murder-rape at a home nearby their traffic control point (TCP). The events

took place in Mahmudiyah, "one of the three corners of an area known as the

Triangle of Death."[197] On March 12, 2006—about five months into their year-

long deployment—four soldiers left their base, entered the home of a local

family and killed (with a shotgun) the father, mother, and 6 year old

daughter. Then they raped the 14 year old daughter, killed her, and burned

her body too.[198] They returned to their base and went on with business as

usual for months before the events surfaced. I cannot possibly do justice to

the complexity of the overall situation here. But amidst the swirl of

situational factors, four guys planned and committed murder and rape—then

returned to their base and grilled chicken wings for dinner.[199] Two other

soldiers who were not involved arguably knew what happened within hours

of the tragic event. One was a brand new private who was left at the TCP.

The other was one of their leaders, Sergeant (SGT) Tony Yribe.

The event was reported by locals, and the Army dispatched soldiers to

look into it. SGT Yribe was in charge of those soldiers, and took three soldiers

and an interpreter to investigate the scene. Among that small group were

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[196] Frederick, *Black Hearts*, pp. xxii-xxiii.
[197] Frederick, *Black Hearts,* p. xiii.
[198] Frederick, *Black Hearts,* pp. 258-270.
[199] Frederick, *Black Hearts,* p. 368.

Specialist Paul Cortez and Private First Class Jesse Spielman—two of the soldiers who had participated in the murder-rape just a short time before. Upon return to the TCP, SGT Yribe found Private First Class Steven Green— the soldier who shot each family member. Green told Yribe, "I did that sh** […] I killed them […] I killed that family." But Yribe "dismissed the idea immediately as more of Green's crazy talk."[200] Yribe slept on it and asked Green again the next day. Green told him everything. Rather than reporting it immediately, Yribe told Green, "I am done with you. You are dead to me. You get yourself out of this Army, or I will get you out myself."[201] The crime went unreported for a couple of months. Over time, another soldier in the unit, Private First Class Justin Watt, became aware of the incident. At great personal risk, and after being accused by his own command of making false official statements, Watt reported the incident which ultimately resulted in the convictions of all four soldiers who participated in the murder-rape. But I should point out that a murder-rape happened and would have gone *completely unnoticed* without the report of a single Private First Class (the third lowest rank in the Army). Misplaced loyalty runs deep. Yribe had no intention of ever reporting the crime. And he was a non-commissioned officer, which is supposed to be a substantial professional demarcation over the previous rank of Specialist. Yribe was eventually granted immunity from prosecution in exchange for his testimony against the four others. So much

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[200] Frederick, *Black Hearts,* p. 269.
[201] Frederick, *Black Hearts,* p. 270.

for a leader taking responsibility, I suppose. Even after the convictions, as of

the writing of the book, one soldier in the unit, Private Chris Barnes,

continued to maintain the following commitment: "What they did was wrong

[…but…] I would never have turned them in. They're your brothers, you

know? There has to be some kind of loyalty there that you don't break no

matter what."[202] Though Barnes was the only one apparently willing to say it

publicly, it seems that many in the unit shared this sentiment. And this is

exactly the sentiment that seems to be at back of the unwavering support for

1SG Hatley from the Baghdad murders.

Loyalty is one of the seven Army values, but clearly it matters a great

deal what the objects of one's loyalties are and how those objects are

arranged. Loyalties can run very deep, but they do not always run in the

right direction. The Army acknowledges that there are numerous possible

objects of loyalty and is careful to specify the appropriate hierarchy of those

loyalties (i.e. "The U.S. Constitution, the Army, your unit and other

Soldiers).[203] The Army says that soldiers are to be loyal to these objects in

that order. But I suggest that soldiers, as humans, tend to *feel* and *act upon*

loyalty in exactly the reverse order. I doubt anyone ever jumped on a grenade

for *the constitution*, but many soldiers have jumped on grenades for their

buddies. Loyalties tend to deepen through shared hardship. It is not difficult

to imagine how deep loyalties can run, even when improperly aimed, during a

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[202] Frederick, *Black Hearts,* p. 344.

[203] See http://www.army.mil/e2/rv5_downloads/values/armyvalues.pdf, Accessed February 15, 2016.

combat deployment—especially in a place such as the "triangle of death" that was notoriously awful. Nevertheless, at least one Sergeant from the unit at Mahmudiyah where the murder-rape took place, saw the situation with some clarity. Sergeant John Diem reflects,

> If people continue to treat this like a mysterious event that came out of nowhere, and we don't change how we lead soldiers, and we don't honestly look at what caused this to happen, it's going to happen again. I mean, this isn't the only time. It's just the most notorious time.[204]

It would be naive, I think, to blame the crimes committed in Mahmudiyah or Baghdad or Abu Ghraib and elsewhere on "a few bad apples." I do not mean to imply that most soldiers would commit murder. I mean to imply that most humans (and therefore most soldiers) are *capable* of such atrocities under the right conditions. Preventing atrocities such as the ones described is far bigger than any individual effort to develop virtue. Diem's reflection points to an institutional problem. Institutional problems are, at their core, leadership problems.

I opened with a critical look at Annas's concern with Plato's educational program, arguing that her criticisms of Plato are either misguided or false. This should not be taken to imply, however, that her concerns should not be taken seriously. Quite the contrary, though I think Plato's system, in principle, remains on solid footing, Annas raises some very serious concerns for anyone who wishes to replicate, *mutatis mutandis*, such

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[204] Frederick, *Black Hearts,* p. 349.

a system in the non-ideal world where we live. I suggested that the U.S. Army attempts such a thing with the whole-person education provided at the U.S. Military Academy where character development is at the core of the program. By way of review, Annas sets forth twin concerns. One is that such a conformist system will fail to produce "intellectual pathbreaker[s]." Her related concern, articulated elsewhere, is that a moral education where conformity and imitation of a trusted teacher are central will fail to produce those who are willing to critique their institutions (and their teachers). In other words, there is a real danger that such a rigid program, especially where following orders and conformity is a deep feature, will yield those who place getting along in the organization above (nearly) all else.

I have furthermore highlighted the tension between conformity and moral courage in virtue education. This tension is particularly strong in an organization like West Point where one finds all the rigor of a military hierarchy enmeshed with the academic freedom (and encouragement of intellectual exploration) of a university body and in a context where a primary aim of the institution is to educate the character of its students. This is partly what motives my claim that creativity is one key to maturity in character, which is what I will explore in a later chapter of this work. I have focused here on loyalty as a way to illustrate what can happen when a virtue is misplaced or aimed at the wrong object or aimed at good objects in the wrong order. Among other things, (misplaced) loyalty seems to have been a

strong contributor to both of the atrocities discussed above. By way of conclusion, I want to highlight two points about misplaced loyalty. The loyalties, however misplaced, are consistent with the way we *practice* loyalty in the Army. It should not be surprising that a soldier would be conflicted over turning in his buddy, even for a murder, when loyalty to one's fellow soldier is a hallmark of military service. Second, the misplaced loyalties of those who committed the crimes, those who failed to report it, and those who continued to support the criminals and shun the whistleblowers afterward are *exactly the same* misplaced loyalties as those more senior officers who cover all sorts of lesser wrongdoing. *That* loyalty is not a difference in kind but only of degree. At bottom, leaders at all levels have to own the loyalty problem or else we should expect to get more of the same in the future.

Chapter 3
Lying for Good? Dishonesty and Character in the Army Profession

"[…] untruthfulness is surprisingly common in the U.S. military even though members of the profession are loath to admit it."

—Leonard Wong and Stephen Gerras, "Lying to Ourselves: Dishonesty in the Army Profession"

"We need systems that are wiser than we are. We need institutions and cultural norms that make us more honest and ethical than we tend to be."

—Sam Harris, *Lying*

Abstract

In February of 2015, the Strategic Studies Institute (U.S. Army War College) published a paper entitled "Lying to Ourselves: Dishonesty in the Army Profession" (henceforth, the "*Lying Paper*"). In it, the authors claim that the Army currently has a "culture of dishonesty"[205] where "untruthfulness is surprisingly common,"[206] and they place at least part of the blame on the institution itself. This is interesting for a variety of reasons. The *Lying Paper* is intended to be a description of a particular state of affairs in the U.S. Army. It is not really intended as a "judgment on the force."[207] I agree with the description of the phenomena provided by Wong and Gerras, and I want to extend the discussion along several lines. First, I will try to get clear on what we mean by "lying" in the kinds of cases cited. Second, I will analyze several sample cases and try to identify the shared features that make them interesting cases of lying. Third, I will explore ways we might understand the phenomena observed and what, if anything, we ought to do about it. Finally, insofar as anything could our ought to be done, I will suggest a way ahead that would allow us to get more of the behavior we want and less of the straightforward dishonesty that seems to be the only real option in so many cases.

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[205] Wong, Leonard and Gerras, Stephen. "Lying to Ourselves: Dishonesty in the Army Profession." United States Army War College Press (Carlisle, PA: 2015), p. ix.
[206] Wong and Gerras, "Lying to Ourselves", p. ix.
[207] I confirmed this through personal communication one of the authors.

3.0 Introduction

Though the *Lying Paper* is intended to be descriptive, there is an implicit judgment that the phenomena described is bad. One significant concern the authors have is with a phenomenon they call "ethical fading". If officers are consistently untruthful over time in mundane affairs, their word (verbal or by signature) eventually loses any forcefulness or "bond" that it ought to have. Furthermore, the authors do not suggest this is an issue for only a small handful of officers. Rather, they claim it is an issue for a huge majority of the officer corps. I do not disagree that what the authors describe generally represents a reality in the U.S. Army officer corps. However, I do not take the problem to be either straightforward or easily solved. My aim here is not to dispute the particulars of the cases they cite or the general description of dishonesty in the Army. My overall aim is to add to the discussion by way of clarifying definitions, analysis, and possible solutions. I will first look at the concept of lying and deceit and consider how it applies to the phenomena Wong and Gerras observe. I will consider some response to the phenomena and try to determine what it means for individuals and the organization. I will argue that the alleged phenomena are largely a function of the institution and has very little to do with character. Finally, I will suggest ways that we might move forward with greater honesty.

One might read the *Lying Paper* and think that the Army is full of liars and in desperate need of some serious organizational house cleaning.

This would be both factually wrong and to miss the point of the article. It seems to me that most reactions to the paper have fallen alone one of two lines (which may or may not divide nicely based on where one is in the Army structure). One reaction, specifically to the cases cited, has been, "Yes, I have seen and done either exactly that or something like that during my Army career." Another reaction has been, "I have not done that, and I would not stand for that in my organization." I confess, the former describes my own reaction, and I have not heard any of my peers or those more junior react along the latter lines. It should come as no surprise then that I find the article to be largely a true description of the way things actually are. So I would urge those who respond with denial to consider that there might be much more going on here than first meets the eye.

For those who generally take the description of the status quo to be accurate, it is unclear what one is to make of it all. It is, of course, perfectly natural to read it as saying "the Army has a problem with lying," assume that is all bad, and then ask how we might address it. But I think this would be to move over the issues too quickly. On the surface, it appears that the Army has a "big" problem with "little" dishonesty.[208] In what follows, I wish to pursue several overarching questions in light of the *Lying paper*. One question is, "Why are things the way they are with respect to dishonesty in the Army?" A second question is, "How should we judge those who are

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[208] This is the kind of phenomena Dan Ariely observed in numerous experiments on lying and cheating. The number of people who would commit "big" dishonesties was small, but almost everyone would commit "little" dishonesties. Hence, the "big" problem with "little" dishonesty.

dishonest in the ways illustrated by the various vignettes?" The third question is, "What should we do about it?" There is a fourth background question, the answer to which I think will be more clear in light of answers to the others. That question is, "Is dishonesty the real problem here?" Before we get to these, it will be helpful to explain what I mean by 'lying'.

3.1 On Lying:
What Do We Mean by 'Lying'?

The authors of the *Lying Paper* do not provide a definition of lying or dishonesty. One might think it is obvious what these terms mean. However, the participants in the case studies show that, at a minimum, various actors interpret specific actions in situations differently. One person's "lying" is another person's "risk mitigation." The terms 'lying' and 'dishonesty' are used somewhat interchangeably in common parlance (and in the *Lying Paper*). But I want to be careful to note that lying and dishonesty, while overlapping, are not identical. Stealing and cheating are both dishonest, but neither is lying. One could also tell the truth (i.e. *Not* lie) in a way that is deceitful. At West Point, if a cadet is asked, "Did you go to class?" the cadet might answer truthfully, "I did go to class" when the cadet walked to class and immediately left. This is, of course, equivocation on the idea of "going to class." And it is controversial whether this ought to count as lying. I think it is clearly an act of deceit (i.e. leading another to a false belief), but, strictly speaking, would not count as lying (on account of the factual truth of the claim). Furthermore,

honesty is a very broad concept, and I wish to focus on something more narrow than the set of all things that could be considered dishonest. Of honesty, philosopher Christian Miller says it is, "[…] notoriously broad in scope, encompassing everything from lying to cheating, promise-keeping, and stealing."[209] Even lying, generally understood when the term is used, is difficult to define.

Miller notes that "[…] Two commonly cited features of lying—first, the liar is said to be making statements which are false (by his own lights), and secondly, he is doing so for the sake of deceiving others (or, perhaps, himself)."[210] It is not hard to think of a case of lying where the statement made by the liar was, in fact, true—yet intended to mislead the hearer (as in the equivocation example above). Consider another example that might not count as equivocation but would still be both factually true *and* misleading to the hearer. Someone makes the claim, "John is a professional football player. He was picked in the first round draft and is a starter for his team." The average American will likely assume that John plays in the National Football League (NFL) (and is a rising star!). But the truth is that John plays in the Champions Indoor Football League, which is, in fact, a professional football league.[211] It just turns out to be a professional football league with which few (presumably) are familiar.

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[209] Miller, *Moral Character,* p. 286.
[210] Miller, *Moral Character,* p. 287.
[211] I am assuming here that the average American (like me) has not heard of the CIF.

Though Miller notes that the conditions of the statement being false and made with the intent to deceive "are widely rejected in the philosophical literature on the definition of lying," he proceeds with this definition as it covers most of the cases in which he is interested. For my purposes, it will be helpful to avoid getting side tracked by one-off cases that serve as counterexamples to common definitions, though I do wish to be as precise as possible. As such, it seems to me that the cases cited in the *Lying Paper* highlight instances of what might more properly fall under a definition of deceit. The aim of lying is often, but not always, deceit. And one might deceive by means other than lying. Again, as another example of equivocation, a soldier might say, truthfully, "Yeah, I went to Iraq and Afghanistan." But this could mean that the soldier flew into Baghdad and Kabul, spent a few hours on the ground, and returned the the U.S. Yet, no one in a social setting would take the phrase "went to Iraq and Afghanistan," when spoken by a veteran, to mean *that*. Such cases notwithstanding, the cases cited in the *Lying Paper* seemed to orient on an officer intending to convey information in such a way as to move the recipient to believe something that was false. Consider the following definition of deception:

> To deceive =df to intentionally cause another person to acquire a false belief, or to continue to have a false belief, or to cease to have a true belief, or to be prevented from acquiring a true belief, or to intentionally allow another person to acquire a false belief, or to continue to have a false belief, or to cease to have a true belief, or to be prevented from acquiring a true belief.[212]

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[212] Chisholm, R. M., and T. D. Feehan, 1977. 'The intent to deceive,' Journal of Philosophy, 74: 143–159. Quoted in Mahon, James E. "The Definition of Lying and Deception," *Stanford Encyclopedia of Philosophy*, http://plato.stanford.edu/entries/lying-definition/#TraDefLyi, (2015). Accessed November 17, 2015. This is but one of

One feature that is central to this particular definition is the requirement that the causing of a false belief be "intentionally" done. For my purposes, I do not dispute that one might unintentionally cause another to have a false belief. And I do not rule out cases where unintentional deceit might nevertheless render the deceiver morally culpable. But I am not interested in those cases. I am interested in cases only where an officer acts (or fails to act) in such a way as to intentionally deceives another. A second feature of deceit captured in this definition that one might deceive another if one "intentionally allow[s] another person to acquire a false belief, or to continue to have a false belief, or to be prevented from acquiring a true belief." For my purposes, it is not important to engage in a discussion of the range of different judgments one might render upon another who "causes" a false belief versus one who "allows" another to maintain a false belief. Consider two veterans in a social setting. Veteran A says, "I served tours in Iraq and Afghanistan," when he means that he landed at an airfield once for a few hours. This would almost certainly cause the recipient to obtain the belief that Veteran A served a 12-month tour in each location. Veteran B, who also landed there once, says, "I have been to Iraq and Afghanistan," but she does not elaborate. The person to whom she is speaking replies, "Wow, I cannot imagine what it must have been like to be in a two combat zones for

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a number of definitions that Mahon provides in this article. To be clear, I do not mean to suggest that all instances of deceit that meet the criteria here are morally bad. Some cases, such as deceit in service to the successful planning and execution of a surprise birthday partly seem unproblematic.

two years!" Note that Veteran B did not say she was in two combat zones for 24 months. But failing to clarify this in the face of the response would count as "allowing" the recipient to acquire and maintain a false belief. This kind of allowing is especially harmful in a case where, for example, a soldier is being tried for an offense he did not commit. If Soldier X is being accused of stealing parts for an aircraft from another unit, and Officer Y knows that this cannot be true (because Officer Y knows how the parts were obtained), then Officer Y can deceive (i.e. allow others to hold a false belief) without lying (i.e. making a statement that leads another to a false belief.)

The Army cases I am most interested in might involve deceit with one's "word" whether verbally or by signature, causing the recipient to "acquire a false belief." Deceit may also come in the form of selective silence intended to communicate something that is not true and, thereby allowing a commander to continue to believe something that is false. For my purposes, I will consider active and passive deceit morally equivalent.[213] As such, I will use the terms 'lying' or 'deceiving' interchangeably. I should be clear now that I do not consider these to be the same thing. But, for my purposes, when I use the term 'lying,' I mean "lying as one instance of deceit." I will have in mind the following definition of deceit:

> To deceive (often by lying) is: "to intentionally lead another person to a false belief."[214]

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[213] I do not mean to make a judgment on all cases of "doing" versus "allowing," such as cases involving doing harm versus allowing harm to be done when it is in one's power to prevent such harm.
[214] Thank you to Jim Cargile for this brief formulation.

To be clear, an intentional refusal to act (i.e. Correct someone's previously held false belief) when one is in a position to do so would count as "leading" that person to a false belief in the relevant sense here. Let us return now to examples from the *Lying Paper* in an effort to better understand why deceit appears to be so common in the Army.

3.2 The Prevalence of Lying:
Why Does There Appear to be So Much Dishonesty in the Army Officer Corps?[215]

As previously mentioned, two scholars at the Army's War College have argued that dishonesty is pervasive in the officer corps. It will be helpful to further narrow the kinds of cases I have in mind, to try to understand why lying in these cases appears to be so pervasive. The authors cite a variety of case studies based on interviews with officers of different ranks and responsibilities. But most of the cases seem to share some important features. These features include but are not limited to the following:

1. The officer did not set out from the beginning to be deceitful.
2. The behavior was widely accepted, however silently, as an organizational norm.
3. The officer did not see an obvious ethical alternative to the action taken

While the paper is subtitled "Dishonesty in the Army Profession," it is important to clarify that, in my view, the examples all illustrate a special

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[215] To be clear, the Lying Paper did not focus only on the officer corps. For my purposes, I will focus on officers and cadets (i.e. future officers).

category of dishonesty. I have already noted that I think most, if not all, the examples provided reasonably fall under the definition of 'deceit' given above. Though my first feature is not explicitly stated, it is clearly implied. For the second feature, none of the examples provided are "one-off" cases where an officer behaved dishonestly in a manner wildly inconsistent with the organizational culture and the behavior of that officer's peers and superiors and subordinates. None of the cases provided were such that the individual being dishonest could have just as easily been honest without creating significant organizational friction. And in none of the cases did the officer benefit directly from the dishonest behavior.[216] With respect to the third feature, in each case, it seems to me that the officer set out to complete a given mission honestly, but was unable, through a good faith effort, to complete the task to the standard expected. Having failed fully to succeed, after weighing competing priorities, the officer felt that there was no true option to report this shortcoming honestly without creating an unduly dramatic new situation which would have an overall negative impact on some or all of the organization (i.e. The time and energy it would take to deal with the fallout from being honest was not worth it). As such, the officer elected to report falsely by a variety of means ranging from verbal false reporting through vague terms or euphemisms, through document certification with a

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[216] One might say that the officer benefitted by avoiding the time and emotional toll of being honest. While this is true, this seems importantly different from a case where, for example, someone might lie about the nature of their military service in order to receive veteran benefits or lie about having completed one's required physical fitness test in order to avoid the effort or mask a failure (i.e. to complete the 2 mile run under the required minimum time).

signature, or simply by allowing false beliefs regarding task completion to

persist without objection. Furthermore, in each case, the officer did not

overtly benefit from the deceit, and the (false) reporting method selected was

commonplace throughout the organization.

The first examples offered in the *Lying Paper* fall under the heading of

what they term "The Deluge of Requirements." It is neither surprising nor

noteworthy that the Army has many, many requirements. It is also not

especially noteworthy that individual units usually cannot complete all the

mandated requirements. What should be surprising is that, if the authors are

correct, almost everyone lies about having completed such requirements. The

article notes,

> […] in 2012 the Department of the Army Inspector General (IG)
> examined how units were coping with the deluge of mandatory
> requirements involved in the Army Force Generation (ARFORGEN)
> process. The IG report noted: "At none (0 of 16) of the locations
> inspected were companies in the ARFORGEN process able to complete
> all mandatory training and administrative tasks during ARFORGEN
> which impacts their ability to lead effectively and take care of
> Soldiers.[217]

On it's face, this is not especially alarming. But the article notes that

units "rarely have the option to report that they have not completed the

ARFORGEN pre-deployment checklist." One might wonder why units do not

simply report accurately. The short answer is that the institutional, internal

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[217] Wong and Gerras "Lying to Ourselves," p. 5. It is interesting to note that the very way this report is written assumes that not completing some of the ARFORGEN tasks "impacts [leaders'] ability to lead effectively and take care of soldiers," but this is not obviously true. It could be that the requirements are simply overblown and cutting them by a significant percentage would have just the opposite effect. The senior leadership should not assume that because something has reached the status of a "requirement" necessarily implies that it is a good one.

cultural pressures within the Army will not stand for it at present. Given the current environment with regard to tolerance for non-compliance with training requirements, it is not surprising to find many other examples in this vein. The authors' examples include a single individual completing a mandatory online course for each person in her squad as well as a leader who fabricated training certificates by simply printing each soldiers' name on a template. In both cases, the idea is to avoid having each soldier spend an hour or more sitting through the mandatory online course, which has been deemed less important than competing requirements at the local level, and for which a certificate must be produced.[218] And the dishonesty is not limited to falsifying reports about training requirements.

Further examples include falsifying reports about equipment status (i.e. whether or not ones' vehicles are operational) and property accountability (i.e. whether or not one has possession of one's assigned government property). Though it has become more acceptable to report vehicles and aircraft as being less than "fully mission capable" (at least in certain contexts), it is fairly common to report one's vehicles as being more capable than they actually are using intentionally vague terms like "good" or "green" or "up" to serve as a general catch-all to imply that vehicles are in top condition when, in fact, they are not.[219] Similarly, with respect to government

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[218] Wong and Gerras "Lying to Ourselves," p. 8.

[219] Wong and Gerras "Lying to Ourselves," p. 7, 9. Furthermore, even in cases where the report is accurate, especially in a combat environment where not being ready for the next mission is not an option, it would not be surprising to find that a soldier (e.g. an aircraft maintenance tech) had to engage in "shady" business in order to acquire the proper parts required to make the repair.

property, one might report having a piece of equipment (where the vast

majority of Army equipment is comprised of numerous sub-components)

when one has fewer components than are required for the equipment to be

operational. The example from the *Lying Paper* is of a unit which claimed to

have an antenna when, in fact, the unit only had a "piece of plastic with a

serial number."[220] Without further details about this case, it is harder to say

why this officer reported the equipment this way. Typically, if one is

supposed to have an antenna, then one ought not settle for a "piece of plastic

with a serial number." But, again, it is not hard to imagine circumstances

where this makes a great deal of sense.

Consider that one officer is replacing another in a command position

six months into a combat tour. Anytime command exchanges hands at the

company level, a full physical inventory of all property is required. This is an

onerous process under the best of conditions and can be very challenging

when one's property is spread across multiple locations in a combat zone. In

this case, if the antenna in question is an obsolete piece of equipment, one

might think that a simple commander assessment and decision could address

this. But the "system" does not permit a commander simply to say "I don't

need this" and move on. During such an inventory, items must be physically

identified and complete (i.e. The end item—the antenna—must have all its

sub-components, such as brackets, stands, cables, and such). Any component

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[220] Wong and Gerras "Lying to Ourselves," p. 9.

shortages must be on order with documentation. And if one is not able

produce, physically, the item, an investigation may be required (which is, of

course, often appropriate). If an item, such as the antenna, is, in fact,

obsolete, there is a process for that as well. But generating the required

paperwork to execute that process is, all things considered, a low priority

even in a garrison environment. It is arguably a terrible use of time in

combat as it has zero bearing on anything related to mission accomplishment.

If this is right, then it is not surprising that officers find ways to avoid such

distractions by reporting that the property is accounted for even though the

"property" in question is only a "piece of plastic with a serial number."[221] It is

worth considering too that in a case like this, one might "do the right thing"

by ordering sub-components and even initiating an investigation for an end

item which is not there. This is probably the right thing to do in most cases.

But when the item is obsolete and, therefore, the sub-components are also

obsolete, it seems to me that spending taxpayer dollars to order all sub-

components is not a morally neutral option either.

In each of the above cases, there are a variety of reasons one might

falsify a report or be dishonest about the completion of training. But one

glaring contributing factor seems to be that leaders do not see an ethically

viable alternative.[222] In some cases, it might be the case that leaders are

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[221] To be clear, property accountability is a hugely important part of being an officer and not to be taken lightly. My observation is that we are not nearly as good as we need to be. I generally do not advocate treating property issues lightly. But the system, like so many systems in the Army is extremely rigid and provides no obvious ways to handle one-off situations as the one I described.

[222] With respect to those who think there is an easy answer to this, I submit that they have not fully understood the extent of the problem.

simply not creative enough to generate an ethical solution. I will address this in a separate chapter. But in many cases, there genuinely appears to be no "pure" solution that does not require some sort of compromise. I will offer two more examples that I hope will highlight at least one feature of these problems, namely, the system itself.

It is my contention that the vast majority of officers and non-commissioned officers set out to "do the right thing." So if we imagine a bell curve that models the range of officer intentions, there will be a very small percentage on the left end who systematically set out to cheat the system. This population, I claim, is small and not very interesting; they will likely be found out at some point. Conversely, there will be a very small percentage on the far right who cannot conceive of any compromise, ever. This population is also small and probably can be found either in a niche role that does not put them in the sorts of situations I have described or paralyzed with indecision on any given day in the Army. This population is also not interesting and will almost certainly not succeed in the Operational Army. But the vast majority of officers on this bell curve set out daily to be honest (perhaps more precisely, they do not set out to be dishonest).[223] But additionally, they are often fiercely committed to accomplishing the mission, wholeheartedly committed to taking care of their subordinates, and so forth. They have deep convictions about "right and wrong." If asked straightforwardly on any given

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[223] It is probably worth discussing whether officers ought purpose to be consistently honest or whether it is sufficient to purpose merely to avoid being dishonest as much as possible. There is a subtle but important aspirational difference here, one that might be more impactful than we think.

day, "Would you lie to other officers or to your soldiers," they would

unequivocally answer, "No!" Yet, when a "small" dishonesty is "required" to

achieve an otherwise praiseworthy aim (and the "small" dishonesty in

question is extremely common) it is not difficult to understand the rationale

of a leader facing such a choice. To clarify, by 'required' I mean to suggest

that the alternatives available are either to be dishonest (usually in some

"small" way) or to refuse and thereby set off a long chain of events that would

be disproportionally dramatic and time consuming given the context.

One example that is familiar to *all* officers involves the annual

performance evaluation. Army Regulation 623-3 *Evaluation Reporting*

System requires that face-to-face counseling be conducted quarterly between

the officer and her direct supervisor. The *Lying Paper* notes,

> It is the exception, not the rule, that the face-to-face counseling
> mandated by the regulation and verified by three members of the chain
> of command ever occurs […] compliance with the quarterly counseling
> requirement is extremely rare. Yet each year, tens of thousands of
> support forms are submitted with untruthful information.[224]

Here is a case where no one really gains anything by fabricating the

dates. The norm is that the required quarterly counseling does not occur. And

yet, the system, to my knowledge, will reject the performance report if no

dates are provided. It is not obvious how one would even process the report

without either fabricating the dates or initiating what no doubt would be a

long and awkward process of alternative submission while requesting an

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[224] Wong and Gerras, "Lying to Ourselves," p. 11.

exception to the Army policy requiring the quarterly counseling. This would

likely require the approval of the head of the Army Human Resources

Command or even the Chief of Staff of the Army. Both of these individuals

are positioned many echelons[225] above the vast majority of Army officers. In

other words, any request for an exception would have to be endorsed by each

commander in between the requesting officer and the approval authority.

This puts each subsequent commander a bit of an awkward position. Endorse

the request and thereby agree that the ensuing commotion is worth the

effort. Deny the request and implicitly endorse the dishonest route that most

others are taking. The first option, though it seems right "on paper", is

extremely disruptive to the organization and doomed to failure. The second

option amounts to an endorsement of the dishonesty that is being criticized in

the *Lying Paper*.[226]

I once witnessed an officer attempt to refuse this annual OER

dishonesty. After not receiving his quarterly counseling (as is the case with

nearly everyone), he refused to sign the portion of the OER which testifies

that the counseling was done (contrary to the norm). I then watched the

organization torment him mercilessly until he signed. *No one* stood by this

officer. *No one* even empathized with him while disagreeing. Everyone just

thought he was a stubborn fool. I am embarrassed to say that I was among

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[225] For the average junior officer, there would be 6-8 commanders in between that officer and the Command of Human Resources Command.

[226] At any rate, the general response to this problem seems to be "do the counseling!" But everyone already knows this. We would do well to ask why the counseling is not being done in the first place. Do officers really know how to counsel? Is it as valuable as we think it is? What impact would the act of simply putting the counseling on the calendar at the beginning of the annual cycle have? And so forth.

those who gave this officer a hard time. And while, under our current system, I would still urge him to sign, I am very sympathetic to his point.

Let us return for a moment to what I see as the structure of the problem in these cases. Recall the broad heading under which these examples fall is what Wong and Gerras call "The Deluge of Requirements." Sometimes it is the case that the requirements are decent and sensible, but one simply cannot accomplish the volume of tasks in the time allotted. Some requirements are well-intended but poorly tasked; some requirements really are dumb. Some people do them. Most people do something far less and report having done them. And a few people are in a position to ignore the requirement *and* to be honest about it.[227]

I was recently made aware of two requirements that share features with those cited in the Lying Paper. As such, these requirements likely generated a good deal of dishonesty. One was a requirement that everyone in an organization read an entire standard operating procedure (SOP) document by a certain date. The document was more than 100 pages long and consisted mostly of items that, in one estimation, were not central to the work of most of those tasked to read it. I am sure there was something reasonable that drove the task generation, but the reasons for the task were opaque to the recipients. I do not have empirical data to support my claim, but the odds are

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[227] For example, I spoke with a retired Colonel recently who had taken a civilian job in his previous organization. Some poor soul was trying to get signatures to "verify" 100% participation in one of the "dumb" training requirements. This retired officer refused to sign because he did not, in fact, do the training. Furthermore, he had no intention of doing the training. And his (rhetorical) question was, "What are they going to do to me?" Needless to say, not everyone can get away with such "courageous honesty."

strongly in favor of at least two phenomena. One, almost no one actually read the whole document. Two, every sub-unit who received the task reported 100% complete by the required date. Subsequently, all stakeholders (those issuing the task included) felt good and pressed on with their work.

A second task required that all uniformed personnel complete "Army Sponsorship Training." Sponsorship, in Army parlance, usually refers to the task of a soldier who is not new to a unit to welcome in a new soldier and ensure the new soldier gets sufficiently settled and integrated. I was not aware that sponsorship was such a widespread problem that building an official, online Army course, mandatory for all personnel, would be an appropriate solution. I am told the course takes about one hour to complete. Assuming this is an Army wide mandate, at current Army strength, then we have a requirement for just under 500,000 hours of training for a single task. My aim here is, of course, to highlight the way in which a requirement like this facilitates widespread lying. Though it is not my aim to attempt to calculate the actual dollar cost or the opportunity costs of such requirements, I think *that* would be worth investigating further.[228]

These tasks and others like them, taken individually *might* actually be worthwhile. But the fact that there are so many of them breeds cynicism about *all* of them. One upside to leaders thinking twice before sending down yet another tasking is that, in an Army where taskings are thoughtfully

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[228] If it turns out that the Army Sponsorship training is money well spent, then the point still stands. Take any number of other requirements that have little real value, and consider the 7+ figure costs of such requirements.

administered, people would likely take them more seriously and actually do them. But we have fallen into a perpetual cycle of lazy tasking. An organization expects its subordinate leaders to be familiar with a particular standard operating procedure. Rather than conducting some analysis around who really needs to be familiar with what, higher commands just task everyone to "read it", where 'it' stands for anything published, which conveniently allows the higher headquarters to say from that point forward, "you should have known." Instead of conducting analysis around the real problem related to "sponsorship" (if there is even a real problem), the Army just creates an online training and mandates that *everyone* complete it. From that point forward, anyone reportedly failing at sponsorship can be said to have know better. This is lazy tasking, and lazing tasking both fails to achieve the desired end and, more to the point here, encourages lying about having completed the task. It is the easy way, but everyone loses, largely on account of the widespread dishonesty that comes with reporting completion of such tasks.

3.3 Lying & Character:
Good Character and Perverse Incentives

If one judges the actors in the scenarios the *Lying Paper* provides and the ones I have provided above as lacking character, then we must account for this. A simple version of the argument runs as as follows.

> If officers have character, then they will be honest in all situations.[229]
> Officers are not honest in all situations.
> Therefore, they lack character.

If officers participate in the sort of behavior described in the Lying Paper, then those officers must, therefore, lack character. This is certainly one possibility, but it does seem odd (or tragic) to say of an organization that is built on trust and honor that most of its members fundamentally lack character. In fact, it is more than odd; it is *absurd* to think this is the explanation for the phenomena Wong and Gerras observe and describe. To pin the problem on the character of officers reflects a simple-minded analysis of the phenomena and a superficial conception of character.[230] I do not think it accurately reflects the moral reality in the Army. Yet, if one really does hold a superficial, binary view of character such that bad behavior is merely an externalization of one's internal character, then one is left with few options here. Fortunately, I know of very few who officers who take the observed phenomena to mean that we have a character problem in the officer corps. One might not be able to say what the problem is or how we might reconcile good character to the kind of behavior observed, but that does not imply that it somehow *must* be a character problem. At any rate, I don't think

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[229] I am not aware of any scholars of virtue ethics who consider character the sort of thing that guarantees that one will never act contrary to a particular virtue (in this case, honesty). But I do think this conception is not considered extreme in the U.S. Army. Without empirical evidence, it is difficult to say how widely this view is held. But I don't think most would disagree with this statement, "If we truly have leaders of character, we will not have the moral problems we have seen in the past" or "the behavior that officers exhibit tell us what their character is really like."
[230] This is not to suggest that all officers are moral saints or even that they are somehow morally superior to average citizens.

the Army, as an institution, really believes the phenomena described by Wong and Gerras points to a massive character problem.

In the absence of a more fine-grained understanding of the phenomena described, it might be tempting to answer these examples by simply asserting that these officers ought not commit the alleged deceit. But this answer, call it the "stop it!" response, fails to appreciate the weight and scope of the phenomena in question as well as the psychological realities of decisions made in such situations. Recall that the population in which I am interested is the broad swath of officers who aim to live according to the Army Values and "do right" by all stakeholders. The reality is that in the cases listed, as well as countless others, it is not entirely clear what the virtuous officer would do. To be more direct, it is not entirely clear that the virtuous officer would do *any differently than those in the examples given.* It is often not at all obvious how to be true to all the Army Values simultaneously in a given situation. When strict honesty threatens to derail the mission, or to propagate an injustice on a junior officer, or to forestall critical work, it is not clear what approach would be superior to those pursued by the officers in question.

There are a number of considerations we might pursue here. One is whether there is ever an exception to prohibitions such as lying or stealing. I will pursue this question in a separate chapter. A second consideration is what influence, if any, does the particular situation have on the behavior

exhibited. As articulated in Chapter 1, the "situationism" I have in mind here is not the older version, made popular by Joseph Fletcher in the 1960s with the publication of his book, *Situation Ethics: The New Morality*. In the introduction to that work, Jim Childress says of the methodology, "In its simplest terms, it is calculating love in the objective situation. It involves, in any particular context, an 'agape calculus' (95, 115, et passim)."[231] *That* situationism is was harshly criticized for being relativistic (which is controversial) and might be better conceived of as a kind of consequentialism.[232] The situationism I have in mind is that which draws on empirical research in social psychology to call into question notions of character that rely on what Doris calls "global traits." This brand of situationism has its origins in the work of Lee Ross and Richard Nesbitt, especially with the publication of their work, *The Person and the Situation*, in 1991. Some philosophers, most notably John Doris, have picked up on this work to offer critique of virtue ethics and, especially, notions of character. I will pursue the influence of situations in Chapter 4. A third consideration, which I will develop here, concerns our very conception of character.

While I do not accept the situationist claim that there is really no such thing as character, I do think situations play some important role in the moral decisions agents make in most circumstances. I am not sure it is

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[231] Fletcher, Joseph. *Situation Ethics: The New Morality*. Westminster John Knox Press, (Louisville: 1966), p.2.
[232] Childress says in the introduction, "Fletcher's situation ethics focuses on the ends and consequences of actions; he then justifies actions according to whether they are effective and efficient means in bringing about those ends and consequences." Fletcher, *Situation Ethics*, p.8.

possible to specify, as some of the empirical literature would like to do, the degree to which situational factors bear on moral decisions. I suspect there are, in most cases, too many variables to isolate. We do not need a precise measurement of such things, however, to acknowledge they are there and relevant. I will pursue the questions of exceptions and situational factors in a Chapter 4. Here I wish to draw on the view of character I proposed in chapter one in an effort to help that us better understand the phenomena described as lying in the Army and provide insights to the way ahead. A fourth consideration, and one which I will pursue here, is whether the phenomena described in the *Lying Paper* ought to count as lying or dishonesty in the first place. Or could it be the case that the alleged dishonesty we are witnessing in the Army might actually be good news with respect to the character of officers?

I think it is important to say up front that though my focus on the character of U.S. Army officers in the 21st Century raises some special concerns, much of my analysis is not unique to Army officers and is really a look at humans as moral agents. That said, I think the Army would do well to refrain from an overly optimistic view of the character of those who serve. But this has nothing to do with Army officers *per se*. It has to do with the idea that while I take character and virtue to be real properties that can and should be developed, the conduct of moral agents is deeply embedded in their

historical and social situation. Consider Nazi physician Hans Delmotte.

Robert Adams briefly recounts the experience of Delmotte at Auschwitz.

> When Hans Delmotte arrived at Auschwitz as a young SS doctor and
> first witnessed its horror, he was nauseated and refused to participate
> in selecting prisoners for the gas chambers. He is reported, instead, to
> have "said he requested either to be sent to the Front or he himself
> should be gassed," and that "he would never have joined the SS if he
> had 'known that there was such a thing as Auschwitz'."[233]

Here is an officer who seemed not to have lost his way, and he (rightly)

resisted when asked to participate in the atrocities at Auschwitz. A moral

hero, right? Perhaps in another version of the story. Adams goes on to note

that "After two weeks of Josef Mengele's persuasion, Delmotte consented to

do selections, and did them until they ceased at Auschwitz. At the end of the

war he killed himself."[234]

It is impossible, without many further details, to say exactly what

might have persuaded Delmotte away from his commitment to decency and

his initial (and apparently persisting) sense that what was happening at

Auschwitz was deeply wrong. But what were his alternatives? We, in the U.S.

Army, are likely tempted to say, "I would *never* do something like that no

matter who was giving the order." It is convenient and comfortable to assume

we are somehow morally stronger than average committed officers who

happen to work for a regime dedicated to committing atrocities. But I doubt,

given the totality of circumstances, if most of us found ourselves serving in

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[233] Adams, *A Theory of Virtue*, p. 140.
[234] Adams, *A Theory of Virtue*, p. 140. This story is taken from Lifton, Robert J. *The Nazi Doctors: Medical Killing and the Psychology of Genocide.* Basic Books (New York: 1986).

the Nazi Army in the early 1940s that we would have acted dramatically differently from the way those officers did. This does not alleviate Delmotte of responsibility. What he did remains morally reprehensible. My suggestion is that he did what he did on account of a complex set of factors and not because he was a particularly bad human being. For those who remain doubtful, consider the behavior of soldiers at Abu Ghraib. It is not my intent here to analyze that case in detail. To the previous point, it is extremely unlikely that we just happened to station a small group of the most immoral soldiers all at one place there they happened to be in a position to do what they did to detainees. It is far more likely that given the conditions set by the leadership (all they way up), and the complicated set of situational factors, *most* soldiers would have done the same. Nothing in the ecosystem at Abu Ghraib seemed to push back against the abuse that happened. The incentives were all wrong; they were, in Harris' words, *perverse.* Interestingly, Harris illustrates this with the image of prisons.

> Prisons are places of perverse incentives, in which the very norms one must follow to avoid becoming victim lead inescapably toward violence. […] A prison is perhaps the easiest place to see the power of bad incentives. And yet, in many walks of life, we find otherwise normal men and women caught in the same trap and busily making the world much less good than it could be. Elected officials ignore long-term problems because they must pander to the short-term interests of voters. People working for insurance companies rely on technicalities to deny desperately ill patients the care they need. CEOs and investment bankers run extraordinary risks—both for their businesses

and for the economy as a whole—because they reap the rewards of success without suffering the penalties of failure […][235]

Leaving aside the discussion of prisons, the examples here seem to be cases of otherwise, ordinary moral people who sometimes do bad things, not because they set out to do bad things, but, rather, because their moral options are severely constrained by the institutional conditions under which they operate, and the incentives to do that which is unethical are high. The path to the wrong is smooth, and the cost of doing the "right thing" in many of these cases is "too high." Perhaps there are some for whom no price is too high, but they are outliers. My interest is in addressing the problem for the rest of us. We tend to focus on the ethical obligations of the individual when talking about these matters, and I do think that is a very important topic. But what less frequently discussed and is perhaps even more important, is the role that institutions play in cases of "everyday" bad behavior. For my purposes, I want to return the focus to "everyday" lying in the Army and consider what role the institution plays there. To the extent that the institution drives people to lie, it seems to me that those inside the institution with the power to change it have an ethical obligation to do so.

If a government is responsible for public roadways and puts up a sign that says "merge" where it is not appropriate such that accident rates are much higher than they otherwise would be, involving drivers who are neither

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[235] Harris, Sam. *Lying*. Four Elephants Press (United States: 2013), pp. 78-79.

speeding nor breaking any other laws, it seems that the government is at least partly responsible for the harm caused. Conversely, if a government *fails* to put up a sign that says "yield" such that the accident rate involving vehicles moving into oncoming traffic is higher than it ought to be, it seems to me the government is responsible. Why should we, in the Army, think of our rules, regulations, and policies like this any differently? We put rules, regulations, and policies in place to drive certain behaviors and, in many cases, to ensure compliance with the law. But something has gone terribly awry when those rules, regulations, and policies have proliferated to the point where they are virtually impossible to comply with honestly, and when, subsequently, they incentivize (even if only inadvertently) dishonesty. The incentives to follow the rules to the letter are grossly overwhelmed by the incentives to get the mission accomplished without further delay. With respect to laws that have taken on such a character, Harris says, "This is among the many corrosive effects of unjust laws: They tempt peaceful and (otherwise) honest people to lie so as to avoid being punished for behavior that is ethically blameless."[236] The suggestion here is that laws themselves, if unjust, actually drive people to unethical behavior. One might object that the law cannot "make" one lie. This is right, strictly speaking. But the psychological reality is that people are attuned to incentives, and sometimes those incentives overwhelm their personal ethical commitments. By

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[236] Harris, *Lying*, p. 33.

"overwhelm" here, I do not necessarily mean that they lose sight of their ethical commitments and do the "wrong thing" unintentionally. In the kinds of cases I am focused on, the decision is often deliberate. The sense in which one's ordinary ethical commitments are overwhelmed here is meant to convey the idea that one does not see any other serious (ethical) option. As with many of the cases cited above, it is not the case that frustration with a requirement has overwhelmed one's personal commitment to honesty. It is that the unnecessary burden the system places on a person forced that person to weigh the commitment in question against her commitment to other publicly acknowledged goods (i.e. Duty, loyalty, mission accomplishment, and the like). And if one can be faithful to those other legitimate goods by being dishonest under an inflexible system of perverse incentives, then the dishonesty starts to seem like *the right thing to do.*

Consider, too, that the deception which occurs in the kinds cases I have discussed is more or less difficult depending on the data collection method used. For requirements such as the ones noted above, a few officers will probably do nothing and report complete. Most everyone else will do something less than the requirement and report complete. For example, some will read one sentence of the SOP and report complete. Others will skim, and still others will read a bit more. Some will not watch the online training at all. Others will log in and hit play while doing other work. How much they will do appears to depend more on how much their conscience will tolerate

and still allow them to consider themselves to be morally blameless than on a deep commitment to truth telling. But for all those falsely reporting task completion, I am not sure there is a moral difference, when reporting completion of a task, between doing nothing, doing a bit, and doing a bit more—none of which constitute doing the *whole* task. I suspect that if officers were made to write out a statement that said, "On my honor, I have read the required document in its entirety," I doubt anyone (initially) would sign it if it were not true. I also think this would be a terrible solution and to miss completely the larger point of the whole discussion. If officers were permitted to communicate compliance with the phrase, "I'm good," then almost no one would hesitate to imply having read the document without actually having done so. No doubt, those who decided it should be a requirement thought it important. But, as is often the case, what those who have tasking authority deem important does not align to what is actually important to all who receive the task. Like so many other similar tasks, no one pushes back on the stupidity of the task; *that* takes too much effort (and is destined to fail). Rather, everyone resorts to "check the block" mode, conserves their limited cognitive energy, and continues doing the work that matters to them at that time.

To the extent that Wong and Gerras are correct about the observed phenomena, I am not sure which is more concerning: that officers are frequently and casually dishonest or that almost no one ever pushes back on

the asinine tasks they receive day in and day out. For the moment, I want to keep alive the question of whether we have a problem at all. And, if we do have a problem, I especially want to keep open, for the moment, the question of whether the problem is one of lying in the officer corps. We may have one problem. We probably have a cluster of problems. It might turn out that lying (i.e. Officers regularly lying in their everyday work), is *not* the most important problem or even a problem at all.

3.4 Lying, Narratives, and Reframing:
Is There Another Way to Tell the Story?

It will be helpful to ask, again, what *precisely*, is the problem we face? Wong and Gerras have given us ample evidence which describes the phenomena of untruthful signing and/or providing false testimony in verbal or written form in a variety of contexts in the U.S. Army. But, as we have seen, there are a number of ways to interpret this phenomenon. One can accept the described phenomena and call it straightforward lying and dishonesty. One might argue that it is a problem, though one that is confined to a few *bad* officers and/or *bad* organizations. One might agree that it is a widespread problem but think that it is a function of an officer corps where most officers are simply lacking in character. Or one might accept the phenomena as described and reject the idea that it is best labeled *lying* or *dishonesty*. In that case, one might still think the Army has a problem (or some problems), but it will be a different problem than widespread lying.

Furthermore, the phenomena observed might *not necessarily* be a negative reflection of the character of most officers. Indeed, as I will argue here, it might be a *positive* reflection of the character of Army officers. Furthermore, to the extent that the observed phenomena is a problem, it is largely an institutional problem. And if it is an institutional problem, then arguably it is, at bottom, a *leadership problem*. I will say more about this in Chapter 4.

While I leave the question open for the moment, it should be uncontroversial to suggest that if, in fact, the Army did have a widespread lying problem, then that would be *bad*. And this kind of problem would not be at all unique to the Army. Sam Harris suggests that lying is bad for *all* stakeholders, calling lies the "the social equivalent of toxic waste." Here is the fuller context:

> "The lies of the powerful lead us to distrust government and corporations. The lies of the weak make us callous toward the suffering of others. The lies of conspiracy theorists raise doubts about the honesty of whistle-blowers, even when they are telling the truth. *Lies are the social equivalent of toxic waste: Everyone is potentially harmed by their spread* (italics mine).[237]

If lying is uncontroversially bad for the Army, and if it is, in fact, a problem as Wong and Gerras have suggested, then it should also be uncontroversial that we ought to take steps to address it. Wong and Gerras make three broad recommendations: acknowledge the problem (read: senior leaders must understand and own the problem), exercise restraint (read:

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[237] Harris, *Lying*, p. 41.

senior leaders must do the hard work of curbing the proliferation of

requirements),[238] and lead truthfully (read: all leaders must work to

"dismantle[…] the facade of mutually agreed deception by putting

considerations of the integrity of the profession back into the decision making

process").[239] Insofar as the problem has been identified correctly, these are

all good recommendations. I will focus, for the moment, on "acknowledge the

problem." In order to do so, I will employ some conceptual tools from Army

doctrine and consider alternative ways to think about the observed

phenomena.

The Army already has the conceptual tools[240] to make sense of a

complex set of phenomena such as that described in the *Lying Paper*. Chapter

Two of Army Doctrine Reference Publication (ADRP) 5-0, *The Operations

Process* (May 2012) includes a section on the "Army Design Methodology."

Two of the "key concepts" of the Army Design Methodology are *framing* and

narrative construction.[241] On framing, ADRP 5-0 says,

> Framing is the act of building mental models to help individuals
> understand situations and respond to events. Framing involves
> selecting, organizing, interpreting, and making sense of an operational
> environment and a problem by establishing context. How individuals
> or groups frame a problem will influence potential solutions. For
> example, an organization that frames an insurgent group as 'freedom

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[238] This is surely a good thing, but it seems to me that part of the problem arises from the very idea that a senior leader can accurately determine what is best for all subordinate units. No doubt, there is some truth to this, but a one-size-fits-all approach will not work. There needs to be room for subordinate leaders, perhaps at the Brigade level, to veto requirements that simply do not support their specific mission set.

[239] Wong and Gerras, "Lying to Ourselves," p. 32.

[240] I want to distinguish here conceptual tools (such as the Army Design Methodology) and concepts (such as various views of character). The Army has the conceptual tools. Finding the most helpful concepts is more a matter of keeping an open mind and drawing on experts across a variety of domains. This is true whether one is dealing with ethics or military campaign planning.

[241] ADRP 5-0 *The Operations Process*, (Washington DC: 2012), p. 2-4, sections 2-25 through 2-28.

fighters' probably will approach solving a conflict differently from an organization that frames the insurgent group as 'terrorists.'[242]

A point that should not be overlooked here is that they very way one frames the problem will define the boundaries for the set of possible solutions. And on narrative construction, the ADRP says,

> In a broad sense, a narrative is a story constructed to give meaning to things and events. […] To narrate is to engage in the production of a story–an explanation of an event or phenomenon by proposing a question or questions in relation to the artifacts themselves. These questions may include—
> • What is the meaning of what I see?
> • Where does the story begin and end?
> • What happened, is happening, and why?[243]

The manual goes on to say that "Narrative construction—the conscious bounding of events and artifacts in time and space—is central to framing […and…] the act of constructing the narrative itself is a key learning event for the command."[244]

These two tools can, I think, be helpful for better understanding the phenomena described by Wong and Gerras. At a minimum, the tools can help us conceive of alternative ways to interpret the data. One key assumption behind the Army Design Methodology that is *not* explicit in the ADRP is that when observing phenomena, one ought not assume one understands the problem immediately. To put it more strongly, one ought to assume that one *does not* understand the problem under consideration. This is quite

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[242] ADRP 5-0 *The Operations Process*, p. 2-4, section. 2-25.
[243] ADRP 5-0 *The Operations Process*, p. 2-4, section. 2-27.
[244] ADRP 5-0 *The Operations Process*, p. 2-4, section. 2-28.

challenging for those who have a good deal of experience in a given domain. Officers who have "been *there* and done *that*" are often quick to assume that the *here and now* is relevantly similar to the *there* and that *this* is relevantly similar to the *that* which they have seen before. And *sometimes* this is true. But we have seen numerous cases of great consequence during the last fifteen years of conflict which suggest that proceeding with caution here is is essential for getting after solutions to complex problems. Any unit who has deployed to both Iraq and Afghanistan can tell you that getting the job done in each place likely involves being sure *not* to do it in one place exactly like one did in the other.

As an example, consider an Attack Aviation Battalion which deploys back to back to back to Iraq. Each time, the Battalion deploys to the same location and is co-located with the Brigade Headquarters as well as all the other Battalions in the Brigade. By the third trip over, this unit has a highly refined set of "Standard Operating Procedures" (SOP). Of course, by the third deployment, a majority of the unit has turned over such that most soldiers on the third deployment were not on the first deployment. The SOP, when done well, can be a phenomenal tool to allow units to establish their footprints and begin executing missions quickly and with a high level of efficiency. As they say, in such situations, "there is no need to reinvent the wheel." But consider that this same Battalion gets called for a fourth deployment. However, this time the Battalion will be Task Force organized. This means it will lose some

organic elements—small elements of people and aircraft—and gain other non-organic elements—elements from other organizations with new people and different types of aircraft. This battalion will now be deployed to Afghanistan to a location where they will be the only Aviation battalion on station (i.e. At that particular Forward Operating Base airfield). They will work for an Aviation Brigade headquarters other than their own organic higher headquarters. Furthermore, the base altitude for their assigned airfield is 7000 feet higher than the location out of which they operated in Iraq or at their home station (unless the unit is based out of Colorado). A commander of such a task force who required aviators to "comply with the SOP" or even to stick to "current Army doctrine" *in every detail* would likely get people killed. This situation is so different from the previous three deployments that it really requires rethinking they way they will operate. This will mean developing new Tactics, Techniques, and Procedures (TTPs) on the fly and updating the SOP after the fact. It will likely mean experimenting with ways of operating that conflict with current doctrine. With that in mind, let us revisit the *Lying Paper* for a moment and assume, for the sake of argument, that we do not know what the problem is. This paragraph summarizes the findings of the study:

> This study found that many Army officers, after repeated exposure to the overwhelming demands and the associated need to put their honor on the line to verify compliance, have become ethically numb. As a result, an officer's signature and word have become tools to maneuver through the Army bureaucracy rather than being symbols of integrity

and honesty. Sadly, much of the deception that occurs in the profession of arms is encouraged and sanctioned by the military institution as subordinates are forced to prioritize which requirements will actually be done to standard and which will only be reported as done to standard. As a result, untruthfulness is surprisingly common in the U.S. military even though members of the profession are loath to admit it.[245]

Again, the paper is intended to be descriptive and not a "judgment on the force." The phenomena observed largely share the following feature: untruthful reporting (with one's word or one's signature) a state of affairs (i.e. The completion of tasks) which does not reflect the state of affairs (i.e. tasks were either not completed to standard or at all). I do not mean for what follows to represent a substantive application of the Army Design Methodology. Rather, I mean to suggest that the concepts might be helpfully applied to issues such as those raised by the *Lying Paper*. That said, with the observed phenomena recorded, we need a narrative to give meaning to the data. Constructing a narrative and helps us make sense of the data, which helps us frame the phenomena and thereby make sense of the problem (which might turn out to be different from the problem assumed at first glance). One narrative could be that the Army is full of liars, and, thus, the problem is a massive lack of character. Hopefully, this strikes us as a really bad narrative. I use it here to illustrate how the narrative drives the problem frame.

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[245] Wong and Gerras, "Lying to Ourselves," p. ix.

Another narrative is that the Army is essentially forcing (perhaps more precisely, *incentivizing*) officers to lie and be deceitful, "putting their honor on the line" and reducing an officer's word to a "[tool] to maneuver through the Army bureaucracy rather than [a symbol] of integrity and honesty." This narrative frames the problem in a way that juxtaposes bureaucratically induced false reporting and an officer's integrity. Framing the problem this way opens up space for a variety of judgments and solutions. But one solution that is precluded by such a framing is that officers can participate in the activity as described (i.e. Signing documents simply to navigate bureaucracy) *and* maintain their integrity. If one takes this to be the narrative, and perhaps it accurately describe some set of cases, then it seems that one is left to choose from an unfortunate range of judgments and solutions. The *Lying Paper* established that the behavior cited in the cases is common and widespread. If it is true that officers are "putting their honor on the line" when engaging in such behavior, then it seems we have at least two problems. One is that officers really are compromising their integrity through such behavior. And if they are compromising their integrity, then it seems that they are morally blameworthy for such behavior. After all, no one *forced* them to be dishonest. When given the choice, they elected to participate in dishonesty and deceit, even to lie. Even if one thinks the institution is complicit in this behavior, it is hard to avoid attributing at least *part* of the problem to the individual officer and, as such, calling the officer's character

into question. One might push back and suggest officers not be punished for such behavior given the nature of the circumstances. But punishment is a separate question from moral blameworthiness.

Additionally, Wong and Gerras claim that the phenomena described leads to "ethical fading." As noted in the introduction, this is the idea that "if officers are consistently untruthful over time in mundane affairs, their word (verbal or by signature) eventually loses any forcefulness or 'bond' that it ought to have." I am not sure if this follows. It is, in many respects, an empirical question, and it is far beyond the scope of my project to test such a hypothesis empirically. I will offer some ways to think about this issue. To begin with, I do not think that the phenomena described was a secret to anyone who has been around the Army more than a few days. Those who were shocked to hear about such behavior were likely senior enough to be very detached from the sort of circumstances described (or possibly in a position to refuse requirements and tell the truth about it with impunity), or they have been sending up inaccurate reports for so long, telling themselves they are accurate, they they actually believe it. A way one might test such a thing is to ask whether or not the peers and subordinates of Officer X value Officer X's word more or less on account of knowing that Officer X participates in the kind of behavior described in the *Lying Paper*. I am not in a position to answer this with empirical evidence. My guess is that the answer is a resounding *no*.

I have participated in such behavior. *All* my peers have participated in such behavior. Yet, somehow, we still trust one another. More precisely, we know who is and is not trustworthy. I do not value the word of my fellow officers less on account of their participating in acts such as checking the block on their Officer Evaluation Report stating that quarterly counseling was performed when the odds are strongly against that being true. Furthermore, the kind of behavior described has been going on for as long as anyone can recall. Yet, trust within individual units, between officers and their peers, between soldiers, and between officers and soldiers within relatively small units (i.e. Within squads, platoons, companies, and on small teams such as battalion staffs or individual sections of brigade staffs) seems not to be at any real risk of eroding. At the same time, an officer buried somewhere on a division staff collecting data for the Unit Status Report (USR), unless that officer is brand new, knows full-well that the data is not accurate. But it has to go up. And depending on where one is in the deployment cycle, it needs to reflect a certain readiness status.

I make these points as a way to say that generally speaking, unless an officer or non-commissioned officer (NCO) or soldier gives me a good reason be suspicious, I *never* worry that I am being lied to. And occasionally, I receive a good reason. In one such case during a deployment, an officer failed to carry his weapon to the gym and check it in at the front desk as prescribed by the established unit guidelines. Instead, he simply tossed it on a shelf in

the tactical operations center (TOC). When asked directly about the whereabouts of his weapon, he straightforwardly lied about it. *That* is a reason to doubt the officer's word in the future. Anecdotally, the percentage of officers who would lie in that way is, I suggest, extremely small. All this to say that I am not sure "ethical fading" is a real problem, and I think there is another way to interpret the phenomena.

 I think we can agree that the phenomena observed might rightly be characterized as "untruthfulness," which Wong and Gerras do. We might even call it institutionalized untruthfulness. It is commonplace and widespread. And it is required of officers who aim to get any actual work done. The Army, as a bureaucracy, as a very large institution, literally could not function if everyone began to be rigorously truthful in the kinds of situations the *Lying Paper* outlines. In what follows, I will revise the summary statement Wong and Gerras provide in service to a difference narrative. I have altered their words as follows:

> This study found that many Army officers, after repeated exposure to the overwhelming demands and the associated need verify compliance in order to continue to focus on more important work, have found themselves having to conform to some less than ideal, but prevalent, bureaucratic norms. As a result, an officer's signature and word, when it comes to various reports around mandatory training and such—often lazily tasked by those who do not care whether units actually do the requirement or not, only that they report having done the requirement—have become tools to maneuver through the Army bureaucracy. This kind of casual dishonesty is likely a prominent feature of any bureaucracy, such as a university or a government agency. Sadly, much of the deception that occurs in bureaucratic

organizations is tacitly encouraged and sanctioned as subordinates are forced to prioritize which requirements will actually be done to standard and which will only be reported as done to standard. As a result, untruthfulness about these things is surprisingly common in the U.S. Military. Fortunately, moral maturity allows most officers to navigate this non-ideal situation, thoughtfully sorting the things that do not matter for the things that do. Furthermore, there is no evidence to suggest that officers are untruthful with one another either interpersonally or at the small unit level. Everyone has participated in the behavior and has come to accept it as a norm, a "cost of doing business," or a bureaucratic necessity, though a few members of the profession are still loath to admit it.

In this version of the summary, hopefully one can see how the variant narrative frames the problem in a very different way than the way Wong and Gerras do. It does not assume that the dishonesty is a matter of compromised officer integrity or "putting their honor on the line." It assumes, instead, that the dishonesty is a kind of unfortunate bureaucratic necessity, one that members of large bureaucracies have accepted and learned to navigate. It furthermore assumes that an officer's ability to navigate such bureaucratic nonsense while maintaining the trust among peers and immediate superiors[246] and subordinates might be a mark of moral maturity. So do we have a problem at all? I think we might have a problem worth addressing, but it is *not* a problem with rampant officer lying. I will turn now to what I see as the real problem and how we might begin to address it.

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[246] To the extent that there are cases where officers are untruthful with their immediate bosses, I suggest that it is almost certainly a function of the boss, not the officer's character. Many bosses operate in such a way as to *disincentivize* candor. I would go so far as to say that Army culture largely disincentives candor, but that is another empirical question and a larger topic I will not address here. The point is that in cases where officers are untruthful with their bosses, it is because their bosses have created a micro version of the bureaucratic problem where untruthfulness is required to keep moving forward.

3.5 Is Untruthfulness the Real Problem?
An alternative problem, and what we should do about it?

I do think there is at least one problem worth addressing in the phenomena Wong and Gerras observe. They raise a closely related problem briefly near the end of the paper. They note, "Convincing ourselves that deceitfulness in the Army is mostly well-intentioned altruism serves to mask the caustic effects of lying, cheating, or stealing for self-advancement." Yes, insofar as officers are lying, cheating, and stealing while trying to convince themselves that it is "altruistic," *that* would be a problem. But for the cases on which I have focused, I have argued that while they involve untruthfulness, they are *not* cases that ought to count as *lying*. Rather, they are cases of unfortunate bureaucratic necessity that require officers to exercise mature judgment to discern between things that matter and things that do not. But there is still a potential problem here. Wong and Gerras cite "a very perceptive captain" as saying:

> In our own eyes and our perspective, we do things for the right reasons. When you really come down to it [though], the big question is that while you may be saying you did it for the good of your men, or you did it for the right reasons, how is that different at the end of the day from someone who didn't?

This comment appears in the context of "lying, cheating, or stealing for self-advancement," but I would like to consider the idea as it might apply to the cases of what I am calling "bureaucratic necessity." Most officers know that data for the Unit Status Report will never be accurate and, in a very real

sense, *it does not matter*. Officers know that almost no one actually read,

cover to cover, the SOP that was required by a headquarters two or three

echelons above (and who had no real sense of what is really going on at the

subordinate unit level). So they do what they can, report completion, and get

back to work. Officers know that almost no one actually receives quarterly

counseling but that the block must be checked in order to process their

evaluation. And the examples go on an on. None of these decisions are overtly

endorsed. All of them are tacitly endorsed. No one talks about it publicly.

Everyone will admit to it privately. Officers do not worry that they are

becoming morally corrupt for having checked the block on their evaluation

indicating that which is not true. These are judgment calls, made by

individuals privately and with no pressure to justify them in any public way.

Consider two cases of an officer who has just returned from a temporary duty

assignment.

    In Case A, the officer stayed at a hotel. The hotel provided breakfast.

When hotels provide breakfast, one is not supposed to claim per diem for

breakfast. But this officer, traveling for a week, had early meetings every day

which precluded her from actually eating the breakfast provided by the hotel.

I am fairly certain that, from the perspective of the bureaucracy, this is not a

relevant fact. Breakfast either is or is not provided. If yes, then no

reimbursement for breakfast per diem.[247] But this reasonable officer

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[247] The Joint Travel Regulations (JTR), Chapter 4 states, "A traveler is not authorized per diem for meals when they are: a. Furnished without charge, or b. Part of the accommodations cost [...]" JTR, 01 October 2014, p. 4B1-17

understands that the government is supposed to provide breakfast, and her duties prevented her from eating the breakfast provided by the hotel. As such, when filing her claim, she does not alert the system to the fact that breakfast was provided by the hotel. Subsequently, she is paid per diem for breakfast when *technically,* she was not entitled to said payment. Hopefully, this seems straightforward and reasonable.

In Case B, the officer has temporary duty at a location where he has a friend who offers him "free" lodging. This officer is entitled to full lodging costs but elects to stay with a friend at no cost. Upon return from the temporary duty, the officer has his friend generate a lodging receipt and is subsequently reimbursed for over $1,000 in lodging costs (which he did not pay to his friend). Here we have a case that involves falsifying documents (often a feature of the bureaucratic necessity cases) in order to receive money the officer was, had he chose to stay in a hotel, entitled to (but found a way *not to spend*).[248] Both cases involved officers claiming reimbursement for monies they were not entitled to by the letter of the law. Yet, I suggest that most officers will recognize the first case as one where an officer exercised good judgment and the second case as one where the officer committed theft and fraud, even though he was entitled to the funds (for the express purpose of lodging). In both cases, the officers "felt" comfortable doing what they did. How, then, can we be consistent in our judgment of their private judgments

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[248] The Joint Travel Regulations (JTR), Chapter 4 states, "Reimbursement may not exceed actual lodging costs [...]" JTR, 01, p. 4B1-1

where each violated different aspects of the same regulation (i.e. The Joint Travel Regulations).[249] There are a dozen other examples one could give between these two extremes (e.g. Renting a commercial Hummer when a compact car would do, staying in the most expensive commercial lodging allowable by claiming it was "mission critical" when a slight change of plan would permit staying in government lodging at a quarter of the cost).

Judging between these kinds of cases is the sort of thing most officers learn by osmosis—by simply being in the system for a long time. This "works" at some level so long as the officer corps is largely homogenous with respect to what "seems" right. On the other hand, if everyone is acting on individual, private judgments in such things, it seems difficult to accept one case and condemn the other when the only difference is that one does not "seem" right. Why not, instead, have real dialogue about such things. This would at least serve, I think, to narrow the range of what "seems" acceptable to officers. But insofar as we have any control over the systems at play here, it would be worth considering ways we could adjust the system to accommodate honest exceptions (such as claiming breakfast in the first case above).

As noted, I think that situations really matter. It is not the case that we can simply say "never be untruthful" and leave it at that, with no contextual sensitivity whatsoever. We make moral decisions as persons in a social context—in this case within a specific institution. The institution has

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[249] This is the 1,614 page document that governs travel rules for all uniformed service members and DoD civilian employees.

cultural norms, creeds, codes, laws, orders, policies, procedures, and so forth.

These factors do not always exert pressure in a uniform direction. Incentives

are often conflicting, and strong, and perverse at the same time. To fail to

acknowledge this is to fail to appreciate the richness of the context in which

the dishonesty we have been discussing is happening. We need to take

seriously the power these external factors have in any given case.

Specifically, we should aim to identify those places where our system pushes

us to be dishonest with onerous rules and regulations or impossible

requirements, and insofar as it is humanly possible, we should change them

or, at a minimum, establish a new cultural norm that allows one to be honest

about the exceptions one is taking. Acknowledge those areas where there is a

tacit expectation that, for example, commanders complete 100% of some set of

requirements. Make it very clear that commanders are to make mature

decisions about which requirements are most important, do them, and report

truthfully. Provide a mechanism for being truthful about quarterly

counseling that also allows the evaluation report to go through the system.

Allow for persons below the Department of Defense (DoD) or Department of

the Army (DA) to make decisions that address honest mistakes with respect

to administrative actions such as filing one's voucher for temporary duty.[250]

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[250] Often, the persons in the approval chain for such actions are appealing to DoD or DA directives or policies, such that they have no authority to grant exceptions. But the person who could grant an exception is echelons above them, and the amount of paperwork it would take to request an exception is demoralizing, unlikely to succeed, and certain to delay reimbursement for expenses.

For an organization that prides itself on honor and living honorably both on and off duty, it is disturbing to think that the organization could not function without the widespread dishonesty that the *Lying Paper* alleges. Yet, the nature of the cases identified here and in the *Lying Paper* imply precisely that. I argue that it does not have to be this way. I do not take this phenomenon to be an inherent feature of ideal bureaucracies. I leave open the question of whether it is a permanent feature of actual bureaucracies. Either way, any solution that amounts to saying "stop it" will not do. Simply telling officers "don't submit a false report" will not address the problem. Addressing this will require some thoughtful adjustments to systems and processes *and* the full support of the Army's senior leadership.

The idea of addressing systems as a means to facilitate good behavior (and curb bad behavior) has substantial potential. Harris considers how we might address the problem of lying and notes that we tend to think of solutions in terms of "[…] a person's personal ethical code and his individual approach to life, moment by moment."[251] This is where we focus, almost exclusively, in the Army—the individual. And this yields overly simplistic non-solutions that effectively amount to saying "stop it!" Rightly, Harris is dubious that this will yield the desired results. He goes on to say,

> […] I suspect that the biggest returns come at the level of changing social norms and institutions—that is, in creating systems that align people's priorities so that it is much easier for ordinary people to

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[251] Harris, *Lying*, p. 66.

behave more ethically than they do when they are surrounded by perverse incentives.[252]

Persons—*moral agents*—create and maintain institutions. Persons set and change cultural norms. In the case of the U.S. Army, those persons are officers, non-commissioned officers, warrant officers, and civilians—and specifically, the senior leadership of the Army. It is certainly not easy, but it is well within our power to change our institution and cultural norms such that, in Harris's words, they "make us more honest and ethical than we tend to be." I remain hopeful that we will do just that.

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[252] Harris, *Lying*, p. 66.

Chapter 4
Curiosity, Creativity, and Moral Development

"The sad truth is that most evil is done by people who never make up their minds to be good or evil."[253]

—Hannah Arendt, *The Life of the Mind*

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[253] Arendt, Hannah. *The Life of the Mind*, Mariner Books (Orlando: 1981), p. 180.

Abstract

Having argued that dishonesty in the Army is a real problem—not an individual moral problem but a bureaucratic one that, if it truly is in need of "solving" can only be solved at the institutional level. I will now turn to matters of moral education in the military. I will discuss individual actors and behaviors, recalling that these individual always act in a social context, within a complex ecosystem of situational factors—not the least of which are those associated with the institution which is the U.S. Army. Taking a broadly virtue ethics approach, I will avoid attempts to specify a "decision procedure" in favor of an emphasis on aspiring to be virtuous and a recognition that the institution may not always support the individual's aspirations to virtue. I will argue that teaching creativity both in parallel with and as integrated into our moral education efforts could yield better officers (morally speaking) who make better ethical decisions. I will focus on creative problem solving and the development of empathy as two key reasons creativity would help. Finally, I will suggest that human-centered design is a method of creative problem solving that could help us simultaneously gain problem solving tools and empathy.

4.0 Introduction
Educating Creative and Ethical Leaders

Moral education as a broad topic is far too large to address in a single chapter (and perhaps even in a single dissertation). But I need to address moral education as it seems to me to bear directly on the phenomena discussed in the previous chapter, namely the alleged widespread dishonesty in the U.S. Army. In order to keep the discussion focused, I will use various instances of dishonesty as the case studies and examples throughout. My focus on dishonesty should not be taken to imply that all virtues function in exactly the same way (particularly with respect to exceptions). In what may seem a counterintuitive move, I will begin with a discussion of exceptions to prohibitions against lying and leave open the possibility that there are, in fact, cases where it would be the least bad option to lie and other cases where it seems to be the morally required option under the circumstances. Having established some conceptual space for exceptions to prohibitions against lying, I will briefly sketch what the Army is calling for in its leaders. I will focus on two qualities in particular: that officers be ethically grounded and that they be creative problem solvers. There is some empirical research to suggest that these two qualities may operate at cross-purposes. I will argue that this claim is dubious at best. I worry whether it is even possible to test empirically such a thing as the relationship between creativity and dishonesty.

Drawing on both Annas and Adams, I will argue for a conception of character that draws heavily on the "skill analogy" coupled with the idea that character is at best, as Adams says, fragmented and fragile. But I will focus on two features that Annas describes as "the *need to learn* and the *drive to aspire*."[254] If Annas is right, our character development efforts will be nothing if they do not begin with the individual recognition that there is, in fact, something to be learned (i.e., That there is a gap between where we are as moral agents and where we ought to be) and an intrinsic motivation to do the work (i.e., A genuine aspiration to become better people). I will argue that creativity could support our character development efforts in a number of ways including, but not limited to: giving us a better picture of what it might look like to develop virtue, giving us actual problem solving tools, and pushing us to develop empathy. Specifically, I will recommend the creative problem solving approach called "human-centered design" or "design thinking" as a way both to teach equip officers for better creative problem solving (especially in the ethical realm) *and* aid officers in the development of empathy.

4.1 Lying & Exceptions:
Is Dishonesty Ever Justified?

When asked the question, "Is it ok to lie?" it seems very right to insist that the answer is "No!" Presuming the prohibition against lying in every

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[254] Annas, *Intelligent Virtue*, p. 16.

case is probably the best habit. Indeed, I think this is what we ought to teach young children. But I think one can answer this without implying that the "no" here is absolute. In Chapter 3, I denied that the dishonesty in most of the cases cited in the *Lying Paper[255]* ought to count as lying. Rather those cases represent an unfortunate necessity of working inside a large bureaucracy. Nevertheless, it is worth considering whether or not lying is an *absolute* prohibition. As Robert Adams notes, "[…] truthfulness is not an unrivaled value in human communication […] Most of us believe it is occasionally right even to tell a lie […]"[256] If that sounds extreme, consider it in the fuller context here:

> Few think it is a virtue to be disposed to disclose the truth in *every* situation. For truthfulness is not an unrivaled value in human communication; discretion and tact, for example, can compete with it. Secrets are important. Most of us believe it is occasionally right even to tell a lie, and often imperative to avoid mentioning secrets or facts whose utterance would give offense or affect inappropriately the social dynamics of a situation.[257]

Adams has in mind cases where other goods compete with truthfulness such that those other goods might justifiably win out. But this is not the only reason one might allow exceptions to lying. Referring to Kant's classic absolute prohibition against lying—including cases where one would lie to stop the murder of an innocent person—Sam Harris notes, "[…] in practice

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[255] Wong Gerras, Stephen. "Lying to Ourselves."
[256] Adams, *A Theory of Virtue*, p. 129.
[257] Adams, *A Theory of Virtue*, p. 129.

this rule can produce behavior that only a psychopath might endorse."[258] In other words, an absolute commitment to truth-telling would, in some cases, lead to absurd consequences.

One initially compelling argument in favor of exceptions to lying is particularly apt in a military context. The argument runs as follows. The military operates on the belief that there are exceptions to moral prohibitions against killing. It follows that there are possible exceptions to other moral prohibitions—including those typically spoken about in absolute terms. And it seems reasonable to think that such an exception, in the case of lying, would probably be less consequential than exceptions to killing, assuming the lie does not cause the wrongful death of a person. Thus, if we consider killing to be morally wrong, but we readily make exceptions based on a variety of factors, then what prevents us from *both* considering lying to be morally wrong *and* taking seriously that there might be a circumstance where lying would be justified? Harris goes on to say, on the basis of the argument above, "A total prohibition against lying is also ethically incoherent in anyone but a true pacifist."[259] This may be true, but the argument I have given for it is bad. Reasoning this way forces us to accept other conclusions that are rather undesirable.[260] For example, if "causing the death of another" is somehow at or near the top of the list of bad-making features, then surely torture that

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[258] Harris, *Lying*, p. 28.
[259] Harris, *Lying*, p. 28. Harris further notes that Sissela Bok makes this same point in her 1999 book, *Lying: Moral Choice in Public and Private Life.*
[260] Thanks to Jim Cargile for pointing this out.

does not result in death is less bad. As such, even if we have a standard prohibition on torture, there should be exceptions on account of the fact that it is less consequential than murder. But there are good reasons to think that there ought to be an absolute prohibition on torture.[261] If that example seems weak, substitute torture with rape. The point is that there might well be some things that we ought prohibit, without exception, that are "less consequential" than killing while *at the same time* allowing for exceptions to killing. So while we might admit exceptions to lying, it should not be on account of its being less consequential than killing. There are other ways to approach exceptions, of course.

Leszek Kowlakowski echoes the possibility of exceptions, but his reasoning is importantly different. Furthermore, he begins to answer the next (obvious) question about how we are to talk about lying if we cannot say it is always wrong. He notes:

> Although there are circumstances in which lying is permissible or even, in a 'good cause', desirable, it does not follow that we may simply say, 'Sometimes lying is wrong and sometimes it isn't', and leave it at that. This is too vague a principle to be relied upon, for it could be used to justify every instance of lying.[262]

I agree that it is insufficient to say simply that lying is sometimes morally acceptable—with no further specification. But what principle could possibly cover all instances of morally acceptable lying? In light of the claim

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[261] For one defense of an absolute prohibition on torture, see Waldron, Jeremy. "Torture and Positive Law: Jurisprudence for the White House." Columbia Law Review, Vol. 105, No. 6 (Oct., 2005), pp. 1681-1750.

[262] Kowlakowski, Leszek. *Freedom, Fame, Lying, and Betrayal.* Westview Press (Boulder: 1999), p. 31.

that "an absolute injunction against lying is both ineffective and potentially in conflict with other, more important moral imperatives," Kowlakowski asks, "how are we to go about finding a general principle which will take account of those times when lying is permissible? The answer […] is that *there is no such principle* […]" (italics mine).[263] So if it is not possible to have such a nuanced principle, then where does this leave us? Can we say nothing at all? Surely, this is not right. It seems to me that there is good reason *not* to alter the way most have spoken about lying throughout history, namely, in an absolute way, as though it is *in fact* always wrong. At the U.S. Military Academy, the honor code opens with the statement, "A Cadet will not lie […]," and it admits of no exceptions as formulated. Insofar as this formulation urges one to presume the prohibition in all cases, it seems good and right. But speaking of lying this way ought not bind us to the conclusion that there are no possible exceptions whatsoever. Indeed, our default in all circumstances ought to be that lying is not permissible. I suspect that when one finds oneself in such an extreme circumstance as might justify lying, one will likely know it.[264] But this raises a further problem. How is one to determine when lying is acceptable? Answering this particular questions is not my main concern, but I would like to explore the idea briefly here.

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[263] Kowlakowski, *Freedom, Fame, Lying, and Betrayal*, p. 31.

[264] This perhaps sounds a bit fuzzy, but I hesitate to create more and more narrow cases to "prove" that everyone would lie in some circumstance. I worry this might just be circular. Thanks to Anthony Weston for this point. Furthermore, those sorts of examples ("Would you lie to save a billion people?") tend to be a form of reductionist consequentialism. I wish neither to be reductionist nor consequentialist here.

Interestingly, Kowlakowski refers to lying as a "weapon," implying that it might be used in certain, extreme circumstances, but that one must do so with utmost caution.[265] I do not mean to suggest that this is the only way to think about lying, but it seems like we might be well-served to think of lying as a weapon. I wish here to distinguish between 'weapon' and, for example, 'gun'. Where one might use a gun for all sorts of benign acts such as target practice or Olympic competition, when one employs a gun to cause bodily harm to another, one is using the gun *qua* weapon. The former act does not have moral significance; the latter does. No civilized person thinks it is morally acceptable to use a gun to shoot just anyone indiscriminately. But most agree that, if one is attacked, one is justified in using a weapon to inflict harm appropriate to the situation in order to defend oneself. Yes, violence is sometimes wrongfully inflicted in the name of self-defense, but this does not lessen the weight of the claim that use of a weapon in self-defense is sometimes justifiable. And neither does it lessen the weight of the moral rule which says it is wrong to kill.

One might object to the comparison of exceptions to killing by pointing out the important difference between killing and *murder*. For the sake of argument, let us assume that distinguishing between 'killing' in war and 'murder' removes the force of the analogy to making an exception for deceit. In other words, justified killing is not murder and, thus, not morally

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[265] Kowlakowski, *Freedom, Fame, Lying, and Betrayal*, p. 32.

objectionable. So we would either need a special category of deceit to represent justified deceit or some argument to support the claim that the term 'deceit' is not morally charged the way the term 'murder' is. But let us assume that deceit is morally charged in a way similar to murder. I still think there is precedent for the allowance of occasional exceptions. Consider the classic doctrine of double effect from just war theory.[266] Simply put, "The doctrine (or principle) of double effect is often invoked to explain the permissibility of an action that causes a serious harm, such as the death of a human being, as a side effect of promoting some good end."[267] I do not think it is overreaching to suggest that we might call the kind of "double" harm here "non-culpable murder." The two effects to which the principle refers are the intentional, lawful killing of a military target (straightforwardly justified) and the *unintentional* (even if foreseen), but nevertheless lawful, killing of noncombatants (generally prohibited and not justified). The killing of enemy combatants is typically not murder. The killing of humans who are not enemy combatants is usually murder. *Intentional* killing of non-combatants is culpable murder. But when the conditions of double effect are met, the circumstances are such that one might murder a non-combatant in such a way as to avoid being held liable for the murder. To be sure, one of the stipulations of any formulation of this doctrine is that the bad effect be

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[266] I do not meant to imply there is a singular Just War Theory, as there is not. But most strains of just war theory endorse some formulation of the doctrine of double effect.

[267] McIntyre, Alison. "The Doctrine of Double Effect," http://plato.stanford.edu/entries/double-effect/ (2014). Accessed November 17, 2015.

unintentional. This component makes it disanalogous to my cases of *intentional* deceit on account of a commitment to other good aims. But my point is not that the doctrine of double effect provides the best analogy or proves my case. Rather, it provides a well-established, widely-accepted (even if still controversial) exception to the prohibition against causing the death of a non-combatant human being. The category *military necessity*[268] is often employed to cover these sorts of cases. I will leave aside the question of whether the U.S. Military too often and too easily employs this justification, but that would be worth considering elsewhere.

If we can readily embrace an exception for one moral prohibition— namely, wrongfully (though, to the extent that we accept the doctrine of double effect, non-culpably) taking another human life, then it seems we should be open to exceptions to others (though *not* because the exceptions are of lesser consequence). It seems that there should be room for sometimes making decisions that place some virtues ahead of others on account of a variety if unique situational factors. In the Army, we do this sort of balancing and prioritizing all the time. And if the Army continues to permit a morass of rules that consistently push officers to fabricate the truth in order to get their otherwise honest work done, then the Army is institutionalizing the practice of certain types of deceit. Doing this well often takes creativity. So one might argue that navigating the morass of bureaucracy is one big (unintentional)

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[268] In Chapter 3, I used the term "bureaucratic necessity" with this in mind.

training exercise in creativity. At the same time, one might argue that this kind of exercise simply teaches officers to apply creativity in ways that are at cross-purposes with other goods the Army requires officers to value. That is, we are developing in officers that creative mindset which "promote[s] individuals' ability to justify their behavior, which, in turn, leads to unethical behavior."[269] This seems bad. But what are we to make of the genuine need for rules (a perhaps very many rules) with respect both to moral education and creativity? Before answering this, it will be helpful to look at some specific examples of what seems to me justifiable dishonesty in the U.S. Army.

It seems to me that many of the examples provided by Wong and Gerras in the *Lying Paper* involved leaders making deliberate decisions to be dishonest where honesty could not be pursued in harmony with other goods and where those other goods were seen as more valuable under the circumstances. Often the circumstances in question are created by what Wong and Gerras call the "deluge of requirements"—that is, the Army consistently tasks subordinate organization with more tasks than is physically possible to complete in the allotted time. This is what I have referred to elsewhere as *lazy tasking*. Two prominent examples in the *Lying Paper* are compliance with those training tasks specified by Army Regulation (AR) 350-1, *Army Training and Leader Development* (commonly referred to as

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[269] Gino, F. and Ariely, D. "The Dark Side of Creativity: Original Thinkers Can Be More Dishonest." Journal of Personality and Social Psychology, 2012, Vol. 102, No. 3, 445–459.

"three-fifty-dash-one" tasks). One familiar case cited in the *Lying Paper* notes a conflict between completing certain tasks and allowing soldiers, who are about to be deployed for a year, to take leave prior to deployment. The officer interviewed stated:

> You feel more comfortable if it's not for us—if it's for what we think is the greater good. Like [lying about] all the 350-1 requirements prior to going on block leave. I want my soldiers to go on leave…It's not for me. It's for the greater good. [But] that doesn't mean it's right.

Unfortunately, there is not enough context here to say whether this is a case of justifiable deception or not. Lying is never justified *merely* because it is for the benefit of another. That it makes one feel "more comfortable" is probably a psychological fact for most people, *and* it is irrelevant to the question of whether the act is morally justifiable. Consider the broader features here. The tasks are in place, of course, to ensure that soldiers are "ready" to deploy and be successful. However, the Army is large enough that a single set of tasks cannot possibly be appropriate for all members of all sub-organizations preparing for all deployments everywhere. It seems to me that one ought to be concerned about the judgment of any officer who would blindly accept every task assigned and do it without question. That might seem appropriate in some light, but *blindly* doing what one is told is also a recipe for future war crimes.[270]

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[270] I discussed the idea of moral education and not merely doing what one is told in a Chapter 2.

Furthermore, if the purpose of the tasks is to prepare one for mission success, it seems to me that a good officer will be able to identify what activities contribute to mission success and what activities do not. If it turns out that, for a particular solder, going on leave to rest and take care of personal affairs contributes more to mission success that the specified tasks in question, then it would be better (possibly even morally better) to refuse the task in favor of other competing and more important (in terms of mission success) activities. In fact, in some cases, it seems like the *immoral* thing would be to complete the task to the detriment of other concerns (i.e., make soldiers work through the weekend to complete non-mission critical tasks at the expense of attending the pre-arranged Saturday meeting to finalize the details of the medical care plan for his child with extraordinary medical needs).

Other examples abound and include, as the *Lying Paper* notes, overlooking "weight control, alcohol, or pt [physical fitness]" during deployment. All the rules concerning military height/weight standards, alcohol use, physical fitness, and a host of other areas, are more or less arbitrary. They were created by the organization and, as such, are subject to change. As with the 350-1 tasks, they cannot possibly be expected to address all soldiers in all situations at all times. One might be physically built such that one is extremely fit and strong and, yet, in constant violation of the Army height/weight standards. The policy can not distinguish between the

person who is super-fit but technically overweight and the person who is

within height/weight standards but lives an objectively unhealthy life full of

terribly unhealthy habits.[271] One could create any number of scenarios where

soldier A and soldier B both have the same "issue" (e.g. An "alcohol incident")

but where, when the situation is explained, it is clear the two cases are not

really the same in many substantial ways. Our policies generally cannot

distinguish between these kinds of cases. But unit level leaders are in a

position to make these sorts of judgments. And, as the examples show, they

do make these judgments. But the system will not allow for it. Furthermore,

in some cases our policies call for something that arguably is *unethical*. One

example from the *Lying Paper* refers to a familiar case where "The cost of

investigating a lost widget isn't worth the cost of the item […]"[272] This is a

case where an officer with knowledge of the particulars ought to be permitted

to make a judgment call. And again, officers *do* make judgment calls. But, as

with so many other cases, the system gives officers no obvious honest way to

proceed. In this particular case, the resolution was to "write it off and later

say it was lost to the Pakistanis."[273]

This example is only of interest in the Lying paper on account of the

part about saying "it was lost to the Pakistanis." But why does the officer

believe that is the only alternative? It seems clear that refusing to pour

thousands of dollars (by way of an investigating officer's time) into the

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[271] To be sure, one need not be especially fit to meet the minimum requirements of the Army Physical Fitness Test.
[272] Wong and Gerras, "Lying to Ourselves," p. 14.
[273] Wong and Gerras, "Lying to Ourselves," p. 14.

investigation of a lost item, the cost of which is relatively small, is a prudent decision—especially in a combat environment where the need for "all hands" focused on the mission is high. One possible solution in this case would be to simply file a memorandum for record explaining the decision in a single paragraph.[274] This is not really about the cost of the item so much as its relative importance under the circumstances. The item in question could be a very low cost item, say a $20 Secure Digital (SD) Card (commonly used for storage in digital cameras) with sensitive photos from a unit camera, as the subject of the loss. *That* seems worth investigating, regardless of the price of the item itself.

I should point out here that the examples I have given only involve dishonesty on account of a system that will not permit the honest answer. As discussed in Chapter 3, these all seem to be cases of what I have called "bureaucratic necessity"—an unfortunate feature of modern bureaucracies that essentially present members with a limited set of bad choices. This should be distinguished from possible cases where lying might be the most ethical option *simpliciter*. While I do think there are might be some cases in which lying would be ethically permissible, we need not fully address that here in order to get at the Army problem of untruthfulness within a particular institutional framework. To the extent that the problem is a function of the institution (i.e., policies, regulations, cultural norms, etc.),

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[274] To my knowledge, this is not an acceptable solution "by the books."

which provides perverse incentives toward dishonesty, rather than a lack of character in the members of the institution, there are at least two implications. One is that the untruthfulness is, in an institutional sense, unnecessary. That is, if the policies and norms were adjusted, officers could, at least in theory, "get results" without the dishonesty. The other implication is that individual officers below the very top level cannot adequately fix this problem. As an institutional problem, it requires an institutional solution, which, of course, requires decisions from those at the very top of the organizational chart.[275] These sorts of problems are deeply human and complex. As such, they require creative problem solvers and creative solutions. Yet, creativity is not the sort of thing that might simply be layered on top of an organizations. I argue that it has great promise, but it is worth considering the potential downside first.

4.2 Creativity, Dishonesty, and Leadership: *What Kind of Leader Does the Army Want?*

Several scholars have suggested recently that there is a "dark side" to creativity.[276] One way to think about this if a creative person might employ creativity to good ends greater than the non-creative person, then a creative person might equally employ creativity to bad ends to a greater degree than the non-creative person. But the above quote hints that there may be a more

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[275] This is true all the way up. Cases involving DoD policy would required DoD decisions, and on up the chain.
[276] David Burkus, author of *The Myths of Creativity* wrote a chapter on this for the original draft of the book, but that chapter was not included in the final edition. The author kindly sent me a copy of the *unpublished* manuscript.

worrisome dark side—that persons of above average creativity tend to be persons who engage in above average dishonesty. Dan Ariely and Francesca Gino draw this conclusion based on empirical evidence. Namely, their research suggests that creative people are more likely to be dishonest.[277] This is concerning. I have already highlighted the tension around conformity and creativity and the particular challenge this poses for moral education in the military. The Army wants leaders of character, and West Point aims to develop such leaders. But the Army also wants creative leaders.

The Army currently recognizes the need for its leaders to be comfortable with ambiguity, take responsible but genuine risks, and creatively solve problems within substantial constraints. This requires, in conventional character language, a person of *strong character*. Again, succeeding (above all, morally) in an environment of ever increasing complexity just is the aim of character development efforts in the Army. As such, Army leaders must be able to exercise creative problem solving in a wide variety of contexts and within ethical constraints. At the same time, the Army should not assume that honesty and creativity can or will naturally live happily together. Simply reiterating that officers ought to "do the right thing" will not yield the desired results.

In the interest of a more feature rich context, it will be helpful here to look at what the Army says it wants of it's officers, with special attention to

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[277] Gino and Ariely, "The Dark Side of Creativity."

concerns around ethics and creativity. In October 2014, the Army published

the "Human Dimension White Paper: A framework for Optimizing Human

Performance." This document presents a vision for getting more out of the

force we have by focusing on human performance (rather than, for example,

better technology). It states:

> To dominate on the battlefield of the future […] The Army of the future
> must produce leaders, at every level, who think broadly about the nature
> of the conflict in which they are engaged. They must have a nuanced
> appreciation of social context, and an ability to develop strategically
> appropriate, ***ethical solutions*** to complex and often-violent human
> problems. Future leaders must ***innovate*** rapidly on the battlefield. They
> must have a highly refined sense of cultural empathy and a social
> intuition for their operational environment […] Operating in this complex
> environment requires ***agile, adaptive, and ethical leaders*** […]
> (**emphasis mine**).[278]

Additionally, the Human Dimension White Paper says that the new

version of Field Manual (FM) 6-22 (Leader Development) will "[…] establish

ways to create cohesive, resilient, and agile units characterized by high levels

of teamwork, trust, critical and creative thinking, and ethical decision-

making."[279] And the field manual does attempt to do just that. Published in

June 2015, the new FM 6-22 has much to say about leaders having character,

making ethical decisions, and being creative thinkers. The document seems

to assume that all these traits can go together peaceably, but, as noted above,

there is research to suggest that some traits—especially creativity and

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[278] "The Human Dimension White Paper: A framework for Optimizing Human Performance." United States Army Combined Arms Center. October 9, 2014.
[279] The Human Dimension White Paper, p. 20.

honesty—tend to go together but not in the way we would like. Gino and Ariely published their research on this topic in a 2012 issue of the *Journal of Personality and Social Psychology*. In their summary of their research, they state:

> We propose that a creative personality and a creative mindset promote individuals' ability to justify their behavior, which, in turn, leads to unethical behavior. In studies, we show that participants with creative personalities tended to cheat more than less creative individuals and that dispositional creativity is a better predictor of unethical behavior than intelligence (Experiment 1). In addition, we find that participants who were primed to think creatively were more likely to behave dishonestly than those in a control condition (Experiment 2) and that greater ability to justify their dishonest behavior explained the link between creativity and increased dishonesty (Experiments 3 and 4).[280]

There are a number of concerns one might raise with respect to this particular study. It is beyond the scope of this chapter to thoroughly critique the study cited here. A few points are worth mentioning. This particular study is actually comprised of a pilot study, followed by five separate experiments. Across they five experiments, participants were tested up-front for creativity (through multiple measures), intelligence, and even narcissism (for Experiment 4). The pilot study began by looking at ninety-nine employees across 17 departments within an advertising agency. Each employee took a short online survey:

> First, respondents indicated how likely they would be to engage in each of eight ethically questionable behaviors (e.g., "Take home office supplies from work," "Inflate your business expense report"; $\alpha = .78$) on

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[280] Gino and Ariely, "The Dark Side of Creativity," pp. 445–459.

a 7-point scale (1 = *not likely*, 7 = *very likely*). Next, they read two scenarios describing a person who has the opportunity to behave dishonestly (from Gino, Norton, & Ariely, 2010; see Appendix A) and then indicated how likely they would be to behave unethically if they were in the actor's shoes […] Three managers in the executive office also provided ratings for the level of creativity required in each department (using a 10-point scale: 1 *not at all*, 10 *very much*).[281]

For the pilot study, then, the data is largely self-reported. None of it is gathered by observing behavior. It seems to me problematic to assign a person's dishonesty on the basis of a self-report. Why should we expect a dishonest person to be honest in a survey about one's level of honesty if that person is habitually dishonest elsewhere? A person who is honest enough to self-report accurately on such a survey is probably *not* the person who regularly walks off with office supplies. Furthermore, why would the person who regularly walks off with office supplies admit to it for no good reason? If that person did admit to it, why should we think his self-evaluation is accurate (i.e., should not one expect a self-evaluation in this case to be skewed in a favorable direction?). We might say the same thing about inflating expense reports. It seems reasonable to think that a person who would inflate expense reports (in which case crimes are potentially being committed) would have no reason to hesitate inflating (or, in this case, deflating) answers on a survey. I am not suggesting that these research methods are unacceptable from the perspective of constructing good empirical

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[281] Gino and Ariely, "The Dark Side of Creativity," p. 447.

research. I do not doubt that this pilot study was conducted carefully using widely accepted methods. I'm only suggesting that, at least in this particular case, one has good reason to doubt the reliability of the data. The kinds of things the research aims to measure defy easy quantification. This, I think, makes the attempt to correlate dishonesty and creativity even more dubious (at least with data from the pilot study).

Note that the "measure" of creativity here is based on where the employee works and whether or not an executive at the agency thinks that success in that department requires more or less creativity. But this assessment seems dubious as well. Creativity is domain agnostic. It is not the case that "real" creativity is the purview only of traditional artists—those who draw, paint, sculpt, and so forth. Creativity is the sort of thing that manifests in all sorts of interesting ways depending on the domain. One might be a very creative software engineer, teacher, salesperson, product designer, musician, and so forth. Ad agencies themselves are generally considered "creative" organizations. This is not to say we cannot make *any* generalizations about fields (or departments) that require more or less creativity. But, specifically, when trying to correlate creativity and dishonesty in an empirically substantive way, I think self-reported survey data and "executive" assessment is not adequate. To be fair, Gino and Ariely consider the results of the pilot study to be "preliminary evidence." Let us turn now to the five experiments. The set of experiments attempt to baseline

the dishonesty level of individuals and then create situations in which to observe the behavior of participants:

> In Experiment 1, we measure creativity as an individual difference and examine whether this personality trait is associated with increased dishonest behavior. In Experiment 2, we prime cognitions associated with creativity and examine whether they temporarily promote dishonesty. In Experiments 3 and 4, we explore the mechanism explaining the link between creativity and dishonesty by focusing on people's ability to justify unethical behavior. Finally, in Experiment 5, we examine whether individual differences in creativity moderate the effect of priming a creative mindset on dishonesty.[282]

In experiment 1, creativity is treated as a personality trait. Of course, there are other ways to view it as well (e.g. as a skill). So far as I can tell, there was no attempt to measure participant's honesty up front throughout the series of experiments. People are more or less dishonest. If the set of participants were generally dishonest, then the results may only show that creativity enhances dishonesty where dishonesty is already present. Furthermore, experiments were deliberately crafted to tempt people to dishonesty. To the extent that more people were dishonest when tempted to do so (especially with little to no threat of negative consequences), this might just show that most people will be dishonest when it is *easy* to do so or when the incentives are high and consequences minimal. This is not surprising. Indeed, the situationist will say that when the situation "pushes" the individual toward dishonesty, odds are that the individual will behave dishonestly.

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[282] Gino and Ariely, "The Dark Side of Creativity," p. 447.

In several places, the authors frame results as a matter of participants facing "ethical delimmas." One problem is the use of the phrase "ethical delimma" to denote something like "ethically significant choice." Ethical delimmas are supposed to involve "conflicts between moral requirements."[283] But the authors use 'ethical delimma' in the following way:

> Ethical dilemmas often require people to weigh two opposing forces: the desire to maximize self-interest and the desire to maintain a positive view of oneself (Mead, Baumeister, Gino, Schweitzer, & Ariely, 2009). Recent research has suggested that individuals tend to resolve this tension through self-serving rationalizations: They behave dishonestly enough to profit from their unethical behavior but honestly enough to maintain a positive self-concept as honest human beings (Gino, Ayal, & Ariely, 2009; Mazar, Amir, & Ariely, 2008).

Charitably, this is an unusual way to think about ethical delimmas. Surely "maximize[ing] self-interest and the desire to maintain a positive view of oneself" are not the only factors people consider when making ethical choices. It is not clear that one or both of these two is even *always* considered, even if only as one among many "competing forces." As stated, it appears to say simply that people are self-interested and tend to behave that way. To the extent that the cited research is accurate, it may just suggest that most people think about the *wrong* things when making ethical decisions. Much more could be said here.

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[283] McConnell, Terrance. "Moral Delimmas." *Stanford Encyclopedia of Philosophy.* http://plato.stanford.edu/entries/moral-delimmas/, (2014). Accessed March 26, 2016.

With respect to the experiment(s) in question, there is nothing to indicate that the participants saw themselves as facing an ethical dilemma. Indeed, it is hard to know how the participants perceived their own actions across the cases. Perhaps they did not even see their choices as morally significant. Furthermore, the choices presented to participants were not difficult choices between competing moral requirements. To the extent that the participants recognized a choice between lying and not lying, their choice should not have been especially complicated. The choices in each experiment were not choices between subtly different though more-or-less justifiable actions. They were not choices between competing ethical demands. They were typically choices between telling the truth to get paid less or lying to get paid more (10x more in Experiment 1). In a fabricated environment like the ones created for participants, I am not sure what it says when most people lie to get more money. For any given paid experiment, the participant presumably gets zero benefit other than payment. In this set of experiments, participants were paid more for some outcomes. In experiment 1, for example:

> Importantly, the payout in each trial was determined by the following rule: For each left decision ("more on left"), participants earned 0.5 cents, whereas for each right decision ("more on right"), *they earned 10 times as much (i.e., 5 cents)*. Using this payment structure, on every trial where there were more dots on the left, the task presented a conflict between providing an accurate answer (indicating left) and profit maximization (indicating right). Thus, this payment structure triggered a motivation to find more dots on the right side, given that participants received the payoff simply on the basis of their responses

("more on the left" or "more on the right") and not on the basis of accuracy (italics mine).[284]

Given the payment structure and the framing of the "delimma," the results here are not at all surprising. In a scenario such as this where the consequences of dishonesty are zero (and, indeed, the "dishonesty" may not even be perceived as such), and the payment for a "more on the right" answer is *ten times* that of a "more on the left," it should be terribly unsurprising that most participants aimed to maximize profit. *Why wouldn't* the participant maximize profit only? Maintaining a "positive self-concept" seems terribly subjective and especially flexible where there is no external feedback mechanism (such as in the study). No one would ever know what decision the participant made. So this may just show that when there are zero consequences for dishonesty and one's particular choice will be forever hidden, most people will be dishonest. Again, this should not come as a surprise. Perhaps most people would do exactly as those in the experiment did. This would not show that most people are dishonest *generally*. It might serve as a reminder that we need systems, structures, norms, cultural pressures and the like to, as Sam Harris says, "make us more honest and ethical than we tend to be."[285]

I do not deny that creativity has an "enhancing" relation to dishonesty. I want to suggest that creativity functions here as an agnostic amplifier. It is

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[284] Gino and Ariely, "The Dark Side of Creativity," p. 448.
[285] Harris, *Lying*, p. 79.

an amplifier in that it "turns up the volume" on that which is already there. It is agnostic in that it does not judge what is already there. As such, it will have the same enhancing relationship to honesty and dishonesty. That is, where people are already honest, creativity will enhance that honesty, not diminish it. To the extent that Gino and Ariely found a great deal of dishonesty where creativity was present, it may only indicate that most people are dishonest (at least in contexts such as those set up by the experiments). But overall, creativity serves as a morally neutral enhancer of whatever trait is there already. If this is right, there is hope for creativity to aid our moral reasoning and our moral education efforts. Before returning to that, I wish to raise one final objection.

Dealing with this objection adequately would require at least a whole chapter. It is important enough, I think, to register it even if I am unable to deal with it here. In plain terms, I would like to question the very idea that character (and individual character traits such as honesty) can be measured by a psychological test. In my own context, the U.S. Army, we are obsessed with metrics. I suspect this is not unlike other large organizational contexts. We measure heart rates, push-ups, correct answers to math problems, and a host of other items. These are all basic questions of counting. They are relatively easy to measure, and they are easy for bureaucratic organizations to understand and process. In contrast, character and character traits are not like this.

I do not mean to suggest that character defies assessment. Rather, assessing character cannot be done with the same direct, empirical methods used to count other things. For any given act of apparent generosity, for example, there are a host of explanations for it that might have nothing to with good character. One might thoughtlessly give away money. One might be extremely calculating and think that a little generosity *now* will yield a great reward *later*. One might be genuinely generous in such a way that others frequently take advantage of one's generosity. One might be generous in one out of a hundred cases—where the one instance happens to be the only observed and recorded instance. In each of these cases, one might observe the same apparently generous act where such act is *not* an instance of virtuous generosity. Even where we might observe a person over time, it is conceivable to think a person, a small business owner for example, could consistently perform apparently virtuous acts (i.e., treating customers with great respect) for all the wrong reasons. If a small business owner treats all customers with respect purely as a self-interested matter of maximizing profit, that small business owner could hardly be called virtuous. Again, I do not mean to deny that character might be assessed at all—only that it does not lend itself to simple metrics and disinterested third-party observation. It is the sort of thing that must be assessed "up close" in an intimate way. People within organizations who have been there for a sufficient amount of time generally

know who can and cannot be trusted, who is and is not genuinely helpful, and so forth. From outside the organization, this is likely not obvious at all.

Returning to the point, my criticisms of this particular research are intended to show that these experiments do not show what they purport to show. Even if the study could show that creativity tends to go with greater dishonesty, it ought not discourage attempts to enhance creativity. It would, at best, serve as a reminder that people can use skills for good or evil—not that creativity (or any other skill) ought to be avoided. So it would be a false choice to suggest that the Army might have ethical leaders or creative leaders but cannot have both. On the contrary, empirical evidence for a negative correlation between creativity and dishonesty notwithstanding, I will argue that we might employ creativity in service to *better* ethical decision making.

To help better make sense of what role creativity might play for Army officers, we should consider what the Army wants from its leaders.[286] Numerous recent Army publications and comments from senior Army leaders further highlight the requirement that officers be creative problem solvers. In 2011, the 18th Chairman of the Joint Chiefs of Staff, General (Retired) Martin Dempsey testified before the Senate Armed Services Committee that, "We must continue to unleash innovation in the ranks and challenge ourselves to leverage these emergent capabilities in new and creative ways."[287] That same

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[286] To be clear, if the Army "wants" attribute x from its leaders, West Point will aim to produce leaders with the attribute x, whatever x may be.

[287] General Dempsey made this statement while testifying before the Senate Armed Services Committee in 2011. http://www.defense.gov/transcripts/transcript.aspx?transcriptid=4905

year, the 38th Chief of Staff of the Army, General (Retired) Raymond Odierno

said, "[…] the future decade [...] will require greater creativity, more

resourcefulness[288] […] These sentiments have since been written into Army

doctrine. Army Doctrine Reference Publication 5-0 requires the application of

"critical and creative thinking" to the operations process.[289] The 2013 Army

Leader Development Strategy requires that "[…] leader development must

continue to foster creativity at every level." Training and Doctrine Command

(TRADOC) Pamphlet (PAM) 525-3-1 makes the following remark about the

relationship between doctrine and creativity, saying,

> Doctrine explains how current Army forces operate and guides leaders
> and Soldiers in the conduct of training and operations. However,
> doctrine is not prescriptive and is not a substitute for creative thought
> or initiative.[290]

The 2015 Army Warfighting Challenges include "How to develop agile,

adaptive and innovative leaders who thrive in conditions of uncertainty and

chaos[291] […]" And the most recent Field Manual (FM) addressing "Leader

Development" requires that, "Leader development programs […] recognize,

produce, and reward leaders who are inquisitive, creative, adaptable, and

capable of exercising mission command."[292] This is a small sample of

comments from the most senior leaders of the Army and excerpts from official

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[288] GEN Odierno comments during the 2011 Joint Warfighting Conference in Virginia Beach, VA on May 11, 2011. GEN Odierno was Commander of the Joint Forces Command at that time. http://www.defense.gov/news/newsarticle.aspx?id=63926

[289] This is one of the principles of the operations process as outlined in Army Doctrine Reference Publication (ADRP) 5-0, The Operations Process. May 2012, p. 1-10.

[290] Training and Doctrine Command's (TRADOC) Pamphlet 525-3-1, the U.S. Army Operating Concept, Fort Eustis, VA. October 2014, p. 7.

[291] Warfighting Challenge #10, Army Warfighting Challenges Information Paper, January 18, 2015, p. 5.

[292] Field Manual (FM) 6-22: Leader Development. June 2015, p. vi.

publications. Talk along these lines among leaders throughout the Army is widespread and happening at all levels of command. Implied in all these remarks is that any creativity and innovation must be grounded in and limited by both a deeply held commitment to and a substantive understanding of ethical constraints.

That said, the Army should not assume that high levels of creativity will naturally operate along side a strong commitment to ethical behavior. Philosopher Christian Miller, director of The Character Project,[293] dedicates a chapter in a recent work to the empirical literature (including works by Gino and Ariely) on cheating. His survey focuses on cheating in general rather than cheating in relation to creativity, but the literature suggests that cheating is widespread in a variety of contexts. He notes,

> As compared to lying, discrete incidents of cheating are less frequent, since they often require more planning, effort, and time to carry out than do at least simple everyday lies. At the same time there seems to be evidence from a variety of sources that most human beings today are in fact disposed to regularly cheat when the relevant opportunities arise.[294]

If Miller (drawing on empirical research outside the military) is right, then there is no reason not to expect that Army officers are at least as predisposed as ordinary citizens to cheating (perhaps even more so when their thinking is dominated by an unbalanced commitment to "get results"). I find it noteworthy that one reason cited for the relative infrequency of

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[293] The Character Project is an interdisciplinary consortium of scholars whose work aims to address current pressing questions around character issues. The project is housed at Wake Forest University and run by Christian Miller.
[294] Miller, Christian B. *Character and Moral Psychology*. Oxford University Press, (Oxford: 2014).

"discrete incidents of cheating" is that they "require more planning, effort, and time […]" In other words, the author suggests that people cheat less, not because they are more virtuous with respect to cheating, but because cheating is relatively more difficult to carry out than lying. This suggests a further point worth exploring. In an organization, where dishonesty is relatively easy, one should expect to get more dishonesty. Where dishonesty is difficult (i.e., It takes more work), one should expect to see fewer instances. Of course, there must be more to the story. Many instances of dishonesty would be relatively easy to engage in *once*. Many easy cases of dishonesty would have really bad consequences if the actor was caught. In light of the sort of cases I have been discussing, I think that considering structuring the environment such that the desired behaviors are easier relative to the undesirable behaviors has promise. This is what I have in mind when referring to "addressing systems" in Chapter 3. For the moment, let us return to the (partial) profile of an Army Officer as articulated in doctrine.

Character and creative thinking are apparently important enough to the Army that each gets its own section in Field Manual (FM) 6-22.[295] And the document is filled with references to 'character' and 'creative' and 'ethical'. Yet, there is no real guidance on what creativity looks like in practice or how to develop it in our leaders. And, in light of evidence to the contrary, we need more work on exactly how we leaders will exercise both

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[295] See Army Field Manual (FM) 6-22, Section p. 5-1 (Character) and p. 7-53 (Gets Results).

high levels of creativity while simultaneously exercising high levels of good

judgment, constrained by the demands a strong moral character. This is

especially worth thinking about in light of the fact that "gets results" is an

actual leadership competency in FM 6-22.[296] The manual is careful to specify

that the mission ought to be accomplished the "right way" through "ethical

task accomplishment,"[297] but I suggest there is nevertheless a real danger

here. Too much emphasis on getting results, especially for the creative leader,

can quickly overpower moral considerations in the name of "mission first."

Getting results is just one of many possible rationales one might employ to

trump moral considerations. But unlike obviously self-serving rationales,

"getting results" can be both quite compelling and pursued with great

sincerity. In many cases, an officer might even risk disciplinary action

through a willingness to subsume ethical considerations in the name of

mission accomplishment.

One of my aims is to further explore the relationship between creative

problem solving and moral constraints. This will result in clarification, even

if only preliminary, of what we mean when we ask leaders to exhibit strong

character and simultaneously high levels of creativity. A second aim here is

to provide a more psychologically realistic view of character and character

development[298] and answer questions about moral education such as, "How

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[296] Army Field Manual (FM) 6-22, Leader Development. (Washington, DC: 2015), p. 7-22.

[297] See Army Field Manual (FM) 6-22, p. 7-53.

[298] There is a significant body of literature which suggests that the conception of character the Army tends to embrace is in need of revision. See Doris, *Lack of Character*; Haidt, *The Righteous Mind*; Miller, *Character and Moral Psychology*; Snow, *Virtue as Social Intelligence: An Empirically Grounded Theory*; Adams, *A Theory of Virtue,* for relevant critiques of classical conceptions of character.

might we (the U.S. Army) develop leaders that exhibit extremely creative thinking that is deeply grounded in moral considerations?"

4.3 Developing Character as Skill:
On Aspiring to be Virtuous

As articulated in chapter one, when I talk of developing character, I mean cultivating some set of virtues. And by virtue, I mean "a disposition of character to act reliably."[299] I will draw on Annas' strong reliance on virtue as skill to drive two lines of thought. The first is, as Annas notes, "[…] exercising a virtue involves practical reasoning of a kind that can illuminatingly be compared to the kind of reasoning we find in someone exercising a practical skill."[300] Second, a skill of the sort Annas highlights takes aspiration and habituation to master. That said, as discussed in Chapter 1, I will consider virtue, even in those with years of practice, to be fragile and subject to a variety of situational factors that could result in a virtuous acting "out of character." As Adams says,

> […] such virtue as we may attain is *never complete, always surpassable. Always fragmentary*, it is often visible only from a certain angle, so to speak. At best we can be virtuous sinners. Actual human virtue is *frail*, and *dependent* on conditions beyond the voluntary control of the individual whose character is in question (italics mine).[301]

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[299] Annas, *Intelligent Virtue*, p.4.
[300] Annas, *Intelligent Virtue*, p.1.
[301] Adams, *A Theory of Virtue*, p. 12.

In other words, in none of what I say do I mean to suggest that character is a guarantee that one will do what is right all the time in every circumstance. I will discuss the implications for moral development in three categories: individuals, actions, and environments. The first will focus on persons aspiring to become virtuous persons. The second will concern individual behaviors. The third will concern the contexts in which moral agents act. Though I will treat them separately, I should say that, in my view, moral agents are simultaneously subject to all three in any given instance of ordinary moral decision making.

Individuals

The Army has character development efforts aimed at cadets and officers at various places in their careers. The efforts of which I am aware are almost solely focused on the individual and, more specifically, individual behavior. These efforts focus almost solely on individual behavior and do not sufficiently address, for example, motivation or the role of emotion in ethical decision making. And it does not sufficiently address how officers view their own moral education. Officers are, like ordinary adult persons, responsible for their moral education. If they do not take ownership of their own moral development, it is unlikely they will grow in character rather than merely persist or even regress. Annas points out, the development of intelligent skills requires "the *need to learn* and the *drive to aspire*."[302] Without these two

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[302] Annas, *Intelligent Virtue*, p. 16.

things, progress is not likely. This is a significant point and ought not be overlooked. I take the Arendt quote in the opening of this chapter to point to one important role of aspiration—namely, that in aspiring to become virtuous, people are "mak[ing] up their minds" to be good, rather than to not. Consider this in the context of moral education in the Army.

Moral education in the Army is mostly passive. That is, to the extent that learning takes place, it happens "in the background." Officers get the opportunity to work with and for a variety of other officers during even a brief (i.e., 5-7 years) career. Anecdotally, it seems to me that most officers do not seek the "virtuous leader" and try to imitate that person. Rather, officers find themselves in a difficult ethical situation and reflect on what the "virtuous leader" (i.e., Someone they worked with or for in the past) might do. These sorts of reflections accumulate but are typically organized, if at all, only in retrospect. To the extent that there is an institutional effort to "teach character," it comes in unfortunate forms (e.g. "Classes" in the form of powerpoint presentation) and is, I think, largely ineffective.[303] Recipients are required to participate in classes and briefings, view powerpoint presentations, espouse the Army Values, and the like. But officers are not required, in any meaningful sense, to pursue character development in they way they are required to pursue other ends (e.g. Proficiency in their branch specialties, technical skills of various sorts, and other skills related to career

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[303] In a combat environment, these briefings tend to focus on legal concerns and "rules of engagement." This is not a bad thing, but I think it encourages one to ask "what is the letter of the law?" rather than "what is right?" "Right" by the rules of engagement can change from day to day and is, I think, the less important question to ask.

advancement). Furthermore, in order to "succeed" on the moral front, officers need only *refrain from certain behaviors*. No one is *required* to be virtuous. Rather, they are merely required to refrain from being vicious (i.e., Refrain from lying, cheating, and stealing). And one need not have strong character in order merely to *refrain* from lying, cheating, stealing. Any number of reasons, other than good character, might account for one's commitment to *not* lying, cheating, and stealing.

Additionally, character in the Army, at least with respect to some virtues, is narrowly conceived of in domain-specific categories. For example, 'courage' is one of the seven Army values. Ask most officers for an example of courage, and you are likely to receive an example of *physical courage*. This, of course, might properly count as courage. Though not all acts that appear as physical courage would count. Courage is a domain specific virtue. One might be courageous on the battlefield and utterly cowardly in a professional setting where one is required to speak the uncomfortable truth to a superior officer. This should not be surprising when thinking about the way skills work. Consider a runner who is quite fast when running a foot race on flat pavement. Should that runner attempt to run a race of the same distance on a course filled with obstacles, hills, mud, and frigid water, she will not be as fast on account of the change in environment. We might think she has the trait "runs fast on flat ground" but not the trait "runs fast on uneven terrain with obstacles." But this is easily corrected by recognizing the difference in

domains and working to develop the skill of being fast in off-road races. There is no reason such a runner could not develop the trait "runs fast off road." But we do not typically think about virtues in this way. At least in the Army, we tend to attribute something singular and global when we say someone is courageous. This is overly simplistic and misleading, and, I think, can be helped by pressing the skill analogy.

To extend the athlete metaphor, consider heavyweight boxing. No one doubts that any given heavy weight champion boxer possess boxing skills of the highest sort. And yet, every heavyweight champion boxer eventually gets defeated—and not always because they are simply getting old. Mike Tyson was famously defeated by Buster Douglas in 1990. Did he lose the trait of "being a champion fighter"? Perhaps in one sense. Whatever the contributing factors, it is reasonable to think that Tyson did not fight to his capacity that night. His repeated past performances were no guarantee of his future performance. Does this mean he did not possess phenomenal boxing skills? I do not think so. It means, at least, that winning in boxing takes phenomenal skills *and* a variety of other factors. And, of course, his past performances do count for something. He was far more likely to beat Buster Douglas than, for example, the average person in crowd. But his possession of the trait of "being a champion fighter" alone could not *guarantee* future performance. If virtue is a skill in a substantive way, then "performing virtuously" in any given context requires more than mere possession of the virtue. Let us now

consider particular ethical decisions in terms of the act itself and the environment in which the act takes place.

Actions

In discussing individual actions, I do not mean to imply that virtue is merely about "doing the right thing." Burnyeat notes, "The very subject of moral philosophy is sometimes defined or delimited as the study of moral reasoning, thereby excluding the greater part of what is important in the initial—and, I think, continuing—moral development of a person."[304] Moral education ought to aim at developing the whole person. But I will focus in what follows on behavior. Picking up on the skill analogy, it is clear that becoming virtuous requires practice (habituation). This idea is not new.[305] Of practice, Burnyeat points out that it "has cognitive powers, in that it is the way we learn what is noble or just."[306] It is, if you will, a mode of learning, an activity that facilitates knowledge. And though individual behavior is what we can see and judge, it is not the only thing important in moral education. And it is not the only aim of habituation. Kamtekar explains,

> This is why Aristotle sometimes says that the starting points for knowledge lie in habituation: to learn to do what is virtuous is among other things to come to take the appropriate pleasure in doing it; one could only take pleasure in, for example, facing danger or abstaining from overindulgence if one saw these actions as noble and virtuous, and this is what practice enables one to do.[307]

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[304] Burnyeat, "Aristotle on Learning to Be Good," p. 70.
[305] Aristotle discusses habituation in *Nichomachean Ethics* Book II
[306] Burnyeat, "Aristotle on Learning to Be Good," p. 73.
[307] Kamtekar, Rachana. "Situationism and Virtue Ethics on the Content of Our Character." Ethics, Vol. 114 (April 2004), p. 481.

Of note here is the way Kamtekar ties practice to feeling. We see here more clearly the interconnectedness of habituation (practice), understanding (knowing *that*), external activities (doing), and internal states (feeling)—such as taking pleasure in the activity or seeing the intrinsic value of the activity. Kamtekar continues,

> But this should not be understood as a process of conditioning in which a malleable soul is impressed by models of just any act-type, leading her to perform acts of that type: one consequence of Aristotle's assumption that we desire our own good is that not just any repeated action will stamp itself on the soul; rather if it is to engage our motivation, the action must be seen by us as good for […] Correct Aristotelian habituation, then, involves the discovery of (some of) the intrinsic value of virtuous actions in doing them.[308]

So while it is good to be concerned with right action, it is certainly not sufficient for moral development to be only concerned with right action or even to know what the right action would be in any given situation. One needs to feel the right way about the action *and* to see the intrinsic worth of the virtue "behind" the action. This is no small point in light of my claim that character development in the Army is largely passive. With respect to virtue, to the extent that officers do not see what Annas calls the "need to learn" and have the "drive to aspire," then we should not expect them to be advancing in virtue in any substantive way. Furthermore, if becoming virtuous requires more than merely doing the virtuous thing, then a system that only rewards and punishes action (i.e., "Success" can be had by merely refraining from

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[308] Kamtekar, "Situationism," p. 481.

doing bad things) will be a less-than-ideal arrangement for the development of virtue. Let us look more closely at the system or environment itself with respect to growth in virtue.

Environments

Commenting on the "character" of organizations, Adams says,

Human institutions, organizations, and movements rarely are wholly good or wholly evil. It is virtually inevitable that knowledgeable and morally clear-sighted individuals who play a significant part in such collective projects accept a degree of complicity in some evils while they seek to correct others and help achieve the goods of the project.[309]

The Army is no exception, and we would do well to admit as much. Pretending that we are "without sin," I suspect, breeds distrust as others sense that we do not have a realistic grasp of our own institutional character.[310] Clearly, we seek to correct some evils, but we cannot avoid the complicity that comes with simply being a committed member of the institution itself.

The situationist view of ethics is relevant here.[311] Though I do not agree with a situationist claim that denies character and takes situational factors as largely explanatory for the ethical decisions of individual behavior in a given circumstance, I do think it is worth seriously considering situations and what role that situational factors might play in any given scenario. For

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[309] Adams, *A Theory of Virtue,* p. 141.

[310] I do not mean to suggest here that institutions can have character in the way that persons can. But I am unsure what term better captures the dominant traits that "characterize" an organization. The term 'culture' does not quite seem to fit here. But I am open to suggestions.

[311] Here again, I mean to refer to "situationism" as defended by scholars such as John Doris.

my purposes here, for those who spend a good deal of their waking hours working in a formal institutional setting, such as the U.S. Army or a university, I take one's institutional environment to comprise a set of persisting situational factors. The set is not unchangeable, and there may even be variability across segments of the organization and so forth. But an organization of any size is going to have policies, procedures, cultural norms, and so forth.

I noted previously that by 'virtue' I mean, as Annas puts forth, "a disposition of character to act reliably."[312] I want to focus for a moment on the "reliably" part. Insofar as it is true that situations (and persistent situational factors as one might find in an institution), nudge[313] individuals, *for better or for worse*, toward certain behaviors, it is both good news and bad news. In the case of dishonesty in the Army, the set of certain persisting situational factors is, I think, why the problem will not go away. Essentially, it is an institutional problem and cannot be solved by the efforts of individuals within the institution, except those at the very highest levels of leadership. At the U.S. Military Academy, the exhortation that one always "choose the harder right" is impressed upon future officers early and often. And there is something obviously good about such an exhortation. But there is a very real

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[312] Annas, *Intelligent Virtue*, p.4.
[313] I take this term from behavioral economist Richard Thaler's book, *Nudge.*

sense in which institutions, if they truly want their members to be persons of character, ought to work hard to make the right easier to do.[314]

The well-known experiments that Stanley Milgram conducted at Yale in the 1960s help illuminate the power of environments. I will not recount the experiment here. Suffice to say that they were supposed to have demonstrated that ordinary people would do awful things (such as painfully shock an innocent person, perhaps even to death) in a context where an authority was persistently telling them to do so. But even if one thinks the experiment only shows something only like "in the context of a psychology experiment, when told by an authority to do so, most ordinary people will administer 'painful' shocks to an innocent," it might at least make more clear that situational factors matter. *How* they matter and to what degree is a separate question. But one need not consider the Milgram experiments to have revealed that we are all moral monsters at bottom to appreciate the power of situations. Suggesting an interesting twist, Miller notes that

> […] If the Milgram findings are representative, then you would likely kill that innocent test-taker in a matter of minutes. But if instead the setup had been slightly different and there were two authority figures giving contradictory instructions, then you almost certainly would have stopped early on when the shocks were only mildly painful.[315]

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[314] I do not think this works against the aim of having officers act according to virtue *in extremis*. In fact, I think it directly supports such an aim. The professional athlete does not train with poor equipment, inadequate facilities, a poor diet, and the like in order to learn to perform "under the toughest conditions." Quite the contrary, athletes train with every aid at their disposal, habituating the right "moves" so that when all the support structure is gone, those "moves" will have become "second nature," so to speak.

[315] Miller, *Moral Character,* p. 307.

In a complete reversal, consider what the outcome might have been if the subject in the experiment had received recorded audio instructions to administer the shocks, but the in-person authority figure urged her not to do so. In terms of what this means in an institutional context, the extreme example might be something like the story I previously recounted of Hans Delmotte, who objected initially to participating in Auschwitz but eventually did as he was told. For the U.S. Army, the consequences of our institutionally driven bad behavior are less dire,[316] but it seems that what is happening on a functional level is the same. The institution exerts pressures in a particular direction. When that direction is toward unethical behavior (i.e., Lying), most officers will object initially. But when they see how costly sustained resistance would be, most will, as Delmotte did after only two weeks, give in.

Situational factors matter, and institutions carry with them a persisting set of situational factors that nudge its members in particular directions. Sometimes these directions are *not* consistent with stated values of the organization. It seems to me that only leaders at the very top of the organization can address this. Getting the members of an organization to reliably "do the right thing" is, perhaps to a greater extent than we typically thing, contingent upon having good leaders.[317] That said, I do not take it to be evidence against the reality of character. I do take it to be evidence against the idea that character is a singular, integrated, internal trait that serves as

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[316] Here I do not mean to downplay incidents such as Abu Ghraib where these consequences are quite dire. Those cases are very bad. But the sheer scale of the Nazi project makes it worth distinguishing.

[317] Thanks to Jim Cargile for this comment during a discussion of my initial proposal.

a guarantee, for those who possess it, against bad behavior.[318] We must be more nuanced in our conception of character, especially if we are to craft a robust moral education program. The importance of our view of character should not be overlooked. Burnyeat notes, "[…] About one thing Socrates was right: any tolerably explicit view of the process of moral development depends decisively on a conception of virtue."[319] See Chapter 1 for more on a conception of virtue. I will turn attention now to leadership with a focus on how creativity might support our aims both to be virtuous and do help others to be virtuous in the U.S. Army.

There is much more that could be explored here, but I want to add one final note on developing virtue as skill. If creativity is a skill and virtue is a skill, and if a sports analogy holds, then our expectation ought not be that we might all achieve Olympic level performance. Everyone is potentially an athlete, but almost no one expects to be a legitimate contender for the next Olympics. This is not to set the bar too low and excuse laziness. It is only to suggest that most will not attain the highest levels of performance—either in sport or virtue. No one is fully virtuous, but *everyone* can be better than they are. But this requires a recognition of where one is, a recognition of the gap between that place and where one wants to be, and an aspiration to close the

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[318] I am not aware of any scholars of virtue ethics who hold a view of character as I have just described. But it seems to me that a common caricatured view of character treats it as such. And, I can say, in the Army, it is often conceived of in terms as I have described. It is an internal trait that one develops over time such that, when one has it, one can be confident that one will "do the right thing" all the time. This conception of character is superficial. And those with a more nuanced conception do not take character, even at its best, to be any guarantee against ever doing the wrong thing.

[319] Burnyeat, "Aristotle on Learning to Be Good," p. 69.

gap. If one considers the way athletes train, one quickly sees that countless ways they structure their environments to support their aspirations. It is not uncommon to find that Olympic athletes have very specific (and mostly arbitrary) rituals embedded in their "game plans."

Regarding rituals, even those that are completely arbitrary and border on the superstitious, there is empirical evidence to suggest that such rituals are not inconsequential.[320] I am not suggesting that officers adopt the practice of wearing lucky charms or conducting arbitrary clapping rituals as a strategy to develop character. I am suggesting that we need a strategy, both at the individual and institutional level. By "strategy at the institutional level" I do not mean something that merely exhorts individuals to develop character. Rather, I mean the institution ought to work to structure itself— policies, practices, cultural norms, artifacts, and so forth—to support the kind of persons it desires officers to be. At the U.S. Military Academy, we do exactly this in the athletic realm. If Cadet X is recruited to be a distance runner, then to a high degree, CDT X's "world" is shaped to support her being the best distance runner she can be. She is given the appropriate clothing for running in various environments. She is likely to have multiple coaches who help her define her aspirations for the season (i.e., Reducing her personal record time in the 5k by one minute). She will receive support from sports psychologists regarding various tactics for improving cognitive performance

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[320] See Damisch, L., Stoberock, B., & Mussweiler, T. (2010). Keep Your Fingers Crossed!: How Superstition Improves Performance. *Psychological Science, 21* (7), 1014-1020.

in support of her physical performance. She will likely be held accountable for her sleep (i.e., The coach will insist that she get proper sleep—in sharp contrast to the norm for cadets). Her diet will receive special attention. Physical therapists will be on hand both to help prevent injury and to rehabilitate as quickly as possible any injuries that may occur. Instructors and other persons will be on station to assist with academic requirements while traveling. And the list goes on and on. None of this should be terribly surprising. College and professional sports teams go to great lengths to provide similar environments for the success of their athletes. Recall that, following Annas, I am thinking about the athlete as developing an "intelligent skill" in such a way as to make it relevantly analogous to developing (intelligent) virtue. To the degree that the skill analogy holds, one would think an institution which aims to develop character would have similar environmental supports in place. Furthermore, hopefully, it is not controversial to suggest that the consequences of one failing to achieve record time in the 5K during a four-year college career is, in the larger picture, rather insignificant, when compared to the consequences of one's failing to develop one's character appropriately. But if one considers character and character development to be primarily an individual concern, independent of one's environment, then it will not be surprising to find little or no institutional support for such things. We tend to focus on changing the character of individuals, which is no small task, given that people entering

the Army are typically at least 18 years old. What if we focused, instead, on shaping the "character" of the institution, that is, reinforcing our cultural norms such that even where an individual self-consciously wants to do wrong, she would be confronted with powerful cultural norms?

I want to address two final concerns before turning attention to the role that creativity might play in moral education. The first is something that Annas makes explicit with respect to virtue but is usually presumed in the sports context. That is the role of aspiration. When considering serious athletes (e.g. Those pursuing the Olympic Games), no one questions whether or not the athlete aspires to be the best (and, of course, better than he is). Aspiration, it seems to me, is a necessary component for achieving truly great athletic performance. Yet, when discussing character development, the very idea of aspiration seems either to be assumed or judged irrelevant. But if virtue is a kind of skill, one that might be developed along the same contours as athletic skill, then it seems aspiration must be present for substantial growth to occur.[321] Again, drawing on Annas, she notes,

> […] from the start the learner of a skill needs also to have what I have called the drive to aspire, manifesting itself first in the need the learner has to understand what she is doing if she is to learn properly.[322]

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[321] I do not mean to imply that one must aspire to be better in order to develop any degree of virtue whatsoever. My guess is that most young adults, to the extent they have developed some degree of virtue, have done so rather passively. That is, their growth has been largely a function of a "good" upbringing, a variety of experiences rather than on account of their thoughtful aspiration to become a more virtuous person.

[322] Annas, *Intelligent Virtue*, p. 17.

A second point that is more clear in the athletic context is that athletes are not motivated by punishments and prohibitions. No one ever won a gold medal by focusing on a long list of "do not" items. Do not false start. Avoid running off course. Do not run slowly. Instead, athletes are surrounded by positive exhortations. Be fast. Be strong. Be focused. Be rested. Aim at winning. Aim to be the best. And the like. But this is not how we, in the Army, tend to think about character. The Cadet Honor Code, in many ways the foundation of West Point's character development program, is a short list of prohibitions—don't lie, cheat, or steal, or tolerate those who do. Subsequently, the institution has developed, even if only by accident, a culture where one tends to focus on *not* lying, for example, rather than *being* truthful. If one can avoid lying, which is not identical to being truthful, one can successfully navigate the system, evade punishment, and graduate. But this is hardly proof that one has developed character in the way the institution calls for.

At this point, I want to make what may seem like an odd move, but I think it is one with promise. I want to explore the role that creativity might play in our moral education. With Gaut, I consider creativity a skill.[323] As such, creativity shares many features with virtue. One significant contrast between sports and virtue is that it is hard to measure "success" with respect to virtue. A stopwatch can measure progress in the 5K, and run times make

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[323] See Gaut, "Creativity and Skill."

it fairly easy to compare runners to one another. There is no such device for

virtue. Creativity as skill is more similar to virtue in this regard; it is difficult

to measure and even more difficult to compare persons to one another.

Though I am not prepared to argue that creativity is itself a virtue, I think

developing creativity in the context of developing virtue could help us both

grasp more clearly what we are supposed to be doing (e.g. Aspiring to X,

practicing, and so forth) *and* simultaneously give us better tools for

addressing difficult ethical problems (i.e., Enhancing our ability to exercise

practical wisdom).

4.4 Creativity and Ethics:
Better Tools for Solving Hard Problems and Becoming Better Persons

There are at least three ways I see creativity as being helpfully related

to ethics. The first is that, in my view, the skill analogy is very helpful for

understanding both of them. The second is that a subset of creativity,

creative problem-solving, could help us better address difficult ethical

problems. The third is that I think some skills (e.g. empathy) associated with

creative problem-solving might help us develop as ethical persons. I discussed

the idea of creativity as skill in Chapter 1. Here I will focus on creative-

problem solving and creativity skills as they pertain to moral education.

Swanton claims that "[…] creativity is an aspect of the profile of all or virtually all the virtues."[324] I think this is exactly right. Practical wisdom just is the (mature) ability to apply the virtues in any given context. *That* is something one cannot simply copy by observation. It takes creativity to "see" how a virtue (or a cluster of virtues) might apply in many situations. This seems to align with the claim by creativity scholar, Keith Sawyer, that "Creativity is part of what makes us human."[325] Virtue seems to apply uniquely to humans, and I think creativity does so as well. If this is right, then perhaps virtue and creativity might go together in ways we have not previously considered. One might even argue that creativity itself is a virtue.[326] I will remain neutral on this question, though I do find the idea plausible. In what follows, I will explore the relationship between these two uniquely human traits.

As discussed in Chapter 1, creativity is somewhat difficult to define. As such, it is used popularly to convey a variety of attributes. That does not mean that it defies definition, only that providing an analytic definition that would supply necessary and sufficient conditions for all instances of creativity is highly unlikely. Creating a new and useful piece of artwork or music counts as creative, but that is not what we are primarily interested in when speaking of creativity in the Army. Following Gaut, I have argued that

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[324] Swanton, *Virtue Ethics*, p. 161.
[325] Sawyer, *Explaining Creativity*, p. 4.
[326] See Kiernan, "Creativity as a Virtue of Character."

creativity is a kind of skill, similar to many other skills.[327] If this is right, I think it can be learned and developed.

That said, it seems to me that the Army is primarily interested creativity in the context of problem solving. The creative problem solver embraces a mindset that, when given a mission under substantial constraints, tends to believe there is a way to accomplish the mission. That might turn out to be false, but the creative problem solver sees problems as opportunities. As such, hard problems are just greater opportunities. The creative mind does not ask for either a blank slate (i.e., no constraints) or a blank check (i.e., unlimited resources). Rather, the creative mind welcomes certain kinds of constraints.[328] Constraints drive creative solutions. The greater the constraints—up to a point—the greater the level of creativity one must exercise in service to the problem.

Furthermore, the Army is calling for creative problem solving in all environments, whether those of extreme complexity or mundane, "everyday" problems. It is my contention that problems which range from "establish security in Eastern Afghanistan" to "simplify the administrative process for employee leave" might be addressed by a similar process. With Weston, I will focus on creative problem-solving "not because it is the only or even the most essential thing in ethics, but because *it has a special promise*."[329]

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[327] Gaut, "Creativity and Skill." See Annas, *Intelligent Virtue*, for an argument in favor of virtue as skill.

[328] By constraints here, I mean things such as budget, space, materials, and so forth. These sorts of constraints can push creativity. Other kinds of constraints such as negative pressure or impossible timelines would more likely work against creativity.

[329] Weston, Anthony. *Creative Problem-Solving in Ethics*. Oxford University Press (2007), p. 7.

> Creative problem-solving is the art of expanding possibility. It is the ability to cast a situation in a new light or challenge a problem in a new light and thereby open up possibilities in it that were not evident before. It is the art of finding unexpected space in problems that may seem totally stuck to everyone else.[330]

Throughout the book, Weston offers a variety of techniques that might help unlock a greater set of possible answers to any given ethical problem.[331] One of the most powerful concepts is the idea of *reframing* the problem. Rather than "solving" the problem directly, there may be "better ways to make all-around progress on them[…]"[332] The basic idea of reframing is taking the problem as presented, considering whether or not the problem as presented is really the problem, and considering the problem from within a different set of boundaries—a new frame. Recall that in Chapter 3, I employed reframing in conjunction with narrative construction, noting that these conceptual tools are *already part of Army doctrine.* As a simple example, consider the Colonel who gives the order to the Engineer Lieutenant, "build a bridge across that river!" The Lieutenant has options, but they are few. Framing the problem as a need to "build a bridge" severely limits the set of possible solutions. If instead, the Colonel gives the order, "get those vehicles and supplies moved across that river by next Friday!" it would have opened up a much wider set of possible solutions. Framing the problem

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[330] Weston, *Creative Problem-Solving in Ethics*, p. 3.

[331] See Weston, *Creative Problem-Solving in Ethics* for a variety of techniques employed in an ethical context.

[332] Weston, *Creative Problem-Solving in Ethics*, p. 35. Note that the idea of making "overall progress" on a problem versus "solving" it is, itself, an example of reframing.

as "move people and things to the other side of the river within certain time constraints," opens a much larger possible set of solutions. Weston illustrates the with the real life story of Emmanuel Evans.

> Emmanuel Evans ran a department story during the 1940s and 1950s in […] Durham, North Carolina. The story had an attached, sit-down cafeteria. Segregation-era laws forbade the seating of black people in such an eating establishment. […But…] Evans was unwilling to treat his black customers in this way.[333]

Recounting the case, Weston notes that breaking the law would "quickly end with fines and jail […] Closing the cafeteria served no one's interest either."[334] Rather than changing the situation for his black customers, Evans decided to take the indirect approach and change the situation for his white customers. To address his problem, he simply removed all the tables "so that no one was seated." The result? "No law was broken, but a powerful statement was made. His cafeteria became the first desegregated eating place in town."[335] A question we might ask is whether Evans was a better person on account of having exercised creativity this way. Earlier, I pointed out that a person might perform a given act of apparent generosity for a variety of reasons that do not tell of good character. I think this is the case here too. So it is impossible to answer the question without more information regarding Evans and his decision. Perhaps he was a shrewd businessman who simply saw a way to accommodate more customers.

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[333] Weston, *Creative Problem-Solving in Ethics*, p. 36.
[334] Weston, *Creative Problem-Solving in Ethics*, p. 36.
[335] Weston, *Creative Problem-Solving in Ethics*, p. 37.

Perhaps he had a personal reason to turn the law on its head. Clearly, the story is intended to convey that Evans did what he did for genuine and right reasons. Insofar as this is true, I think we can say he is "better" as a person than other similarly situated local business owners at the time. However, he is not better *merely* for having been creative. His creativity allowed him to find a better way—*to be* a better person. As noted above, it enhances or amplifies what is already there.

Creativity, by itself, is no more good (or bad) than loyalty or courage. Detached from good aims, any of these could be exercised in service to great evil. Nazi's were tragically loyal. Suicide bombers are fatally courageous. And terrorists have demonstrated enviable levels of (sinister) creativity during our recent conflicts beginning with 9/11. Empathy, in contrast, seems to be the kind of trait that defies this sort of logic. It is hard to see how someone with real empathy, truly *feeling* from the perspective of the other, could use it for perverse ends—except a sociopath.[336] If this is right, then fostering empathy in officers could serve as one internal constraint on our ethical commitments. That is, it would help us aim our loyalty, duty, and the like (as well as our creative powers) toward good ends as we consider others in our ethical calculus.

To be sure, I do not think there is a *necessary* connection between ethics and creativity, though I am more inclined to suggest one between the

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[336] Much more could be said here to distinguish empathy from, say, loyalty. One can be fiercely loyal to a bad cause. I do not think empathy allows for this in a similar way.

exercise of virtue (with practical wisdom) and the *exercise* of creativity. Nevertheless, I think there can be a quite helpful relationship. In the context of a character development program, such as we find at the United States Military Academy, it seems to me that teaching creativity both alongside of and as part of chapter development efforts would yield, on balance, cadets (and, in the future, officers) better ethical decision making for two primary reasons: the first has to do with creative problem solving as discussed above, and the second regards developing empathy as a critical component of character development. I think there is a creative problem solving method that can address both of these aims—human centered design.

Human centered design, or design thinking, is one approach to creative problem solving that has several relevant upsides for my purposes.[337] First, as a human-centered approach, empathy is key. For design thinking, empathy is a front-end skill that is necessary for the conduct of ethnographic research—often the first step of a design process. Second, as a method of divergent problem solving, the power of design thinking is, to some extent, a function of the imaginative capacity of those exercising the process. Werhane writes that imagination, particularly *moral imagination*, "enables us to become aware of the moral demands of particular events and the conceptual schemes or mental models operating in specific contexts." Beyond that, it "accounts for our ability to reframe our experiences in different terms

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[337] For a brief introduction to the academic history of design thinking, see Liedtka, Jeanne. "What It Is and Why It Works," Design at Darden Working Paper Series (Charlottesville: 2013).

[…and…] helps in developing fresh interpretations of particular scenarios and creating new perspectives."[338]

Design thinking is only one of many creative problem solving methods. And there are dozens of individual techniques one might learn in an effort to enhance one's own creativity.[339] But design thinking is one method that seems to meet simultaneously a number of aims with respect to character development and creativity in future Army Officers. Furthermore, as a divergent approach to problem solving, design thinking has much in common with the Army Design Methodology. In this regard, we already have some institutional inertia around design thinking. Why not capitalize on a resource already in our doctrine that can help us develop officers who are exceptionally creative *and* ethical?

Much more could be pursued here, and I hope to do so in future work. I would like to explore the theme of moral imagination more. I would like to press the critical role that empathy might play in an organization such as the U.S. Army which, despite its real and commendable diversity, is a relatively homogenous organization—but one whose members regularly find themselves making life and death decisions that deeply affect those *the other*. I would like to explore the idea that the way one develops creativity roughly parallels the way one might develop virtue—as an intelligent skill (or, more properly, a

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[338] Werhane, Patricia. *Moral Imagination and Management Decision Making*. Oxford University Press. (New York: 1999), p. 107. This is a condensed version of a longer passage where she discusses various aspects of moral imagination.
[339] See Sawyer, Keith R. *Zig Zag: The Surprising Path to Greater Creativity*. Jossey-Bass, (San Francisco: 2013).

set of skills)—and how this might enhance our character development efforts.

In light of the heavy emphasis in the Army on obedience to authority, I would

like to explore the implications of the Annas quote in the opening of this

chapter, suggesting that good moral education *does not* "encourage a habit of

doing what you are told." I would like to look at other fields, such as

improvisational jazz, for other relevant analogies that might help us better

understand what a virtuous and creative officer might look like. Additionally,

I think there is some interesting and character-relevant ground to explore

with respect to creativity and mastering one's emotions.[340] For now, I hope I

have contributed something useful to the Army that will move the character

development conversation further down the road, if not in a new direction

altogether.

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[340] Annas discusses the concept of "flow" in the context of developing enjoyment of the performance of activities (Annas, 71). The concept of flow was popularized by psychologist Mihaly Csikszentmihalyi. See Csikszentmihalyi, Mihaly. *Flow*. Harper Perennial, (New York: 1991).

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