

# What's Right, and How Do You Decide?

## The ethical imperative

by 2ndLt John T. Bayko

**T**he Marine Corps is a unique branch of Service for a multitude of reasons. The Corps has the longest and most rigorous basic training: every Marine—regardless of MOS—is trained as a rifleman, its history is venerated to near-religious proportions by its members, and a great number of other characteristics make it one of the most revered and deadly fighting forces on Earth. The Marine Corps is not legendary simply for its ferocity on the battlefield but also for its keenness of mind and the exceptionally proficient leaders it produces from both the enlisted and officer ranks. Every Marine, from private to general, is taught to be a leader; every Marine has a sphere of influence that they can positively (or negatively) affect with their actions. In a profession of arms, where the currency expended in battle is human lives, the importance of ethics to a leader has never been so prevalent. As exceptionally skilled warriors, we are often called upon to handle extremely difficult tasks at a moment's notice. When crisis strikes, it is far too late to sharpen our minds to make tough ethical decisions: we must prepare now.

Gen James N. Mattis illustrated the crucial importance of sharpening ethical decision making during a lecture at the Naval Academy in 2006. At the lecture, he discussed being investigated for a controversial bombing of a wedding party. When asked by the investigator how long it took him to make the decision to drop the bomb, he replied, "Thirty years. I spent thirty years preparing for that decision that took thirty seconds."<sup>1</sup> He went on to state in the lecture that he accepted full

responsibility for the bombing and slept peacefully at night during the entire investigation because he knew that he had done the right thing. Gen Mattis's lecture illustrates two points: one, that there is not time to prepare for a crisis when it is already upon you, and two, that as leaders, there is special trust and confidence placed on our abilities to make ethical decisions.

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In his lecture, Gen Mattis was also questioned about the Abu Ghraib scandal, which will forever illustrate what becomes of difficult situations when ethically bankrupt leaders are left in place. The Abu Ghraib prison in Iraq housed some 7,000 detainees. In 2003, it came to light that the prison was the site of egregious human rights violations committed by the U.S. forces guarding the prison, including physical and mental torture, sexual abuse, rape, sodomy, and murder. The incident irreversibly tarnished the image of the United States on the international stage and drastically reduced popular support for co-

alition forces in Iraq.<sup>2</sup> An entire book could be written on the breakdowns in ethical leadership that took place in Abu Ghraib prison, but Charles A. Graner, an NCO at the prison, is a prime example of what poor ethical leadership can do. Thirteen individuals were interviewed, and all 13 identified Graner as a ringleader in the abuse scandal. Graner's subordinates, who were involved in the scandal, deferred blame to him, stating that they were simply following orders.<sup>3</sup> While everyone has a level of personal responsibility for their actions, it cannot be stressed enough that special trust or confidence rests with leaders because they exercise a tremendous amount of influence on those for whom they are responsible. When individuals who have not calibrated their moral compasses are put in positions of power, individuals such as Charles Graner and atrocities like Abu Ghraib are the result. As Marines, we are all leaders, and those we lead deserve better; they deserve leaders that are capable of making sound ethical decisions and making them quickly.

Studying cases such as Abu Ghraib are of critical importance to our development as leaders. Sometimes it is necessary to examine fictional cases as well to further our understanding of ethical decision making. A popular ethical dilemma that is used to sharpen decision-making skills is the "trolley dilemma." The trolley dilemma has

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five individuals tied down to a set of tracks with a trolley speeding toward them. There is another set of tracks with a single individual tied to them. The individual making the ethical (or unethical) decision stands in a control room with the ability to divert the trolley. If he does nothing, the trolley will kill the five individuals; if he diverts the tracks, it will kill one individual. What do you do? Most people will respond that they would divert the tracks and have the trolley kill the one individual. This dilemma is normally followed up with a second, similar situation: there is only one set of tracks with five individuals tied to it. The decision maker stands on a bridge over the tracks next to an obese man, who, if pushed off the bridge, would stop the trolley. What do you do? Do nothing and let the five tied to the tracks die, or push the obese man off the bridge?

Most people are far more reluctant to push the obese man off the bridge in order to save the five than they are to divert the tracks. Are these two situations different? Most would argue yes. In the first situation, the one man dies as a *consequence* of saving the five, but in the second, the man dies as a *means* to save the five. Someone who aligns with the utilitarian approach to ethics (the greatest good for the greatest number of people) would both divert the track and push the man off the bridge. Someone who follows a virtue-based ethical code of conduct would divert the tracks (the one individual would die as a consequence of saving the five) but not push the man off the bridge, as to do so would be murder (the individual would die as a means to save the five). Let us introduce a third dilemma: a surgeon is brought five individuals critically injured in a car accident. If he does nothing, the patients will die, but if he sacrificed a coma patient for the body parts necessary to operate on the accident patients, they will live. Is this situation similar to the first or second trolley dilemma?

For a sobering example of how the trolley dilemma plays out in real life, let us examine the dropping of the atomic bombs on Japan during World War II, over 190,000 killed, mostly civilians.

Did the United States make the correct decision in dropping the bombs? Did it not treat 190,000 Japanese people as means to end the war? Did the United States push the fat man off the bridge? Did they sacrifice the coma patient? Were they wrong to do so? Do we want to operate based on virtue or utilitarian ethical principles? These are the type of questions we must ask ourselves now in order to prepare for what is to come.

We are not without guidance as we ask ourselves these difficult ethical questions. Marines are given specific ethical guidelines through a number of sources; our core values, the Uniform Code of Military Justice, the Geneva Convention, the United States Code of Conduct, and the Constitution are just a few of the sources available to Marines to aid in making ethically-sound decisions. Understanding these documents and how they should (and should not) influence our decision-making process is key to making ethical decisions as fighter-leaders. Looking at ethical decision making through the lens of these documents changes how we make those decisions and adds a layer of complexity that is infinitely dense. For example, what if the obese man on the bridge was a convicted felon? What if the man in the coma used to save the car accident patients beat his wife? Does it matter that the Japanese had committed war crimes against the United States? We rarely have the luxury of making decisions in black and white situations as leaders; they are almost always gray. *MCDP1, Warfighting*, defines this gray area as a point of friction, "A force that makes simple difficult and the difficult impossible."<sup>4</sup> It is through constant study, experience, and an ethical compass guided by sources such as the Code of Conduct that we ultimately succeed as leaders and bring honor to ourselves, to our country, and to each other despite the friction these situations create.

So the question is, when do we as leaders begin preparing for these ethical decisions? The answer is now. Col Brian McCoy quotes then-MajGen P.K. Van Riper in his book *Passion of Command*, saying, "With 5,000 years of recorded military history there is no excuse for the lack of constant study."<sup>5</sup>

For evidence that MajGen Van Riper's statement is true, one should reference the ancient document written by the Chinese commander Sun Tzu, *The Art of War*. In his work, Sun Tzu states that, "If you know the enemy and know yourself, you need not fear the result of a hundred battles."<sup>6</sup> There are few aspects of your character that you must know more thoroughly than your own code of ethics, especially if you are in the profession of arms. *MCDP 1* offers its readers a warning regarding taking preparation for their duties seriously: "Leaders must have a strong sense of the great responsibility of their office; the resources they will expend in war are human lives."<sup>7</sup> This is why anytime but now is too late to prepare for ethical decisions. When your finger is on the trigger, or that handset, or that button, it's already too late; you will not be prepared, and you will make the wrong decision, or the worst decision, which as every leader knows is no decision at all.

#### Notes

1. Gen James N. Mattis, "Lecture on Ethics," lecture, (Annapolis, MD: U.S. Naval Academy, 2006).
2. "U.S. Abuse of Iraqi Detainees at Abu Ghraib Prison," *The American Journal of International Law*, (Washington, DC: The American Society of International Law, 2004), 591–596.
3. J. Mayer, *The Dark Side: The Inside Story of How the War on Terror Turned into a War on American Ideals*, (New York NY: Penguin Random House, 2008), 286.
4. Headquarters Marine Corps, *MCDP 1, Warfighting*, (Washington, DC: 1997), 5.
5. Col B.P. McCoy, *The Passion of Command*, (Quantico, VA: Marine Corps Association, 2006), 59.
6. Sun Tzu, *The Art of War*, (Pax Librorum Printing House, 2009), 13.
7. *MCDP 1*, 57.

