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MODERNIZING MILITARY ETHICS: AN INTEGRATED DECISION-MAKING MODEL FOR THE CANADIAN ARMED FORCES

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PREFACE

The genesis of this paper was a discussion with a General Officer in the Canadian Armed Forces (CAF). After a series of dubious but not catastrophic incidents across a particular Level 1 organization (i.e., the Commands and Services that report directly to the Chief of Defence Staff), we were having a discussion that could be summarized as, "where there is smoke, there is fire." He asked me, "In your opinion, why do these incidents keep happening?" Having already considered the problem before this discussion, I immediately replied, "it is an issue of ethical decision-making." I went on to elaborate that some circumstances were bad people doing bad things, while others were otherwise competent leaders making bad decisions; these latter ones were trying to do something good (i.e., noble "ends") but going about it all wrong (i.e., flawed "means"). And while many of the incidents were outwardly legal and disciplinary issues, the root cause in my opinion was one of ethical decision-making.

It was at that moment that I realized that I had been developing certain models for myself to identify and assess ethical situations, and that this was the topic that I needed to pursue for my Master of Defence Studies dissertation. The following paper will explore the nature of ethical decision-making and aim to provide a method by which the CAF can enhance its leaders moral aptitudes.

CHAPTER 1: INTRODUCTION

Ethical issues are all around us. Whether people realize it or not, many of the incidents that are reported in the media are ethical in nature. Concerns over government spending and poor policies, fractured international relations and threats, outrage over certain businesses practices: these all have an element of morality, and often it is entirely an ethical issue. For example, high-profile business cases like Enron[1] and Volkswagen involved deliberate, manipulative practices that misled investors and consumers. Legal transgressions aside, they violated trust and the focus appropriately turned to executives and managers who either made the decisions or ought to have been aware. Basically, there is an expectation that leaders will make "good" decisions, which includes competence (i.e., profit, in the case of business) and morality.[2] In the case of militaries, which are institutions that exist to protect the nation, democratic societies expect an impeccable moral standard.[3] Given the hierarchical structures, and its overt manifestation through the use of formal ranks, militaries are recognized for leadership being at its core. Effectiveness on operations requires command presence in the midst of ambiguity and chaos, and subordinates are inculcated to obey orders amidst physical threats.[4] In basic training, members of the Canadian Armed Forces (CAF) are acculturated into military values, and leaders subsequently train to command in difficult operational environments. While the skills and knowledge that they learn for command on operations form a crucial

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[1] Robert Prentice, "Enron: A brief behavioral autopsy," *American Business Law Journal* 40 (2003): 417-444.
[2] Albert Bandura, Gian-Vittorio Caprara and Laszlo Zsolnai, "Corporate transgressions through moral disengagement." *Journal of Human Values* 6 (2000): 58.
[3] Richard Gabriel, *The Warrior's Way: A Treatise on Military Ethics* (Winnipeg: Canadian Defence Academy Press, 2007), 26.
[4] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 5.

element of their abilities, effective leadership does not begin and end in battle.[5] There is a significant breadth of leadership aptitudes that will be discussed in this paper, with focus being ethics.

Ethics is increasingly a crucial element of military leadership.[6] For example, the CAF is presently facing a cultural challenge after Madame Marie Deschamp released her External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces, which identified an unacceptable misogynistic culture. This led to the Chief of Defence Staff's initiative to make substantive change: Operation HONOUR.[7] A subsequent analysis done by Deanna Messervey and Karen Davis concluded that it is more than simply a cultural challenge; this is an issue of morality that requires reasoned and meaningful engagement by leaders throughout the CAF.[8] But ethics is not just about high-profile cases. Many members of the CAF could recount isolated instances of observing or being exposed to unethical members and leaders. Inappropriate relationships, coercion, theft, abuse of power, dishonesty/lying, self-interest/careerism, scapegoating: these are not just legal issues, but also moral ones that are most disturbing when seen in leaders.

The CAF has a robust ethics program and has stated its institutional values. The *Statement of Defence Ethics* clearly outlines institutional values,[9] the CAF ethos is

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[5] Ministry of Defence. *Developing Leaders: A British Army Guide, Edition 1* (Camberley: Director General Leadership, 2014), 10.
[6] Richard Gabriel, *The Warrior's Way: A Treatise on Military Ethics* (Winnipeg: Canadian Defence Academy Press, 2007), 5.
[7] Department of National Defence. *Chief of Defence Staff Operation Order – Operation HONOUR*. Last accessed 19 August 2017. http://www.forces.gc.ca/en/caf-community-support-services/cds-operation-order-op-honour.page.
[8] Deanna Messervey and Karen Davis, *Mitigating the Ethical Risk of Sexual Misconduct in Organizations* (Ottawa: Defence Research and Development Canada, 2016), 285.
[9] Department of National Defence, *Statement of Defence Ethics*. Last accessed 30 Aug 2017. http://www.forces.gc.ca/en/about-policies-standards-defence-admin-orders-directives-7000/7023-1a.page.

described in *Duty with Honour*,[10] and ethical leadership is described at-length in *Leadership in the CF: Conceptual Foundations*.[11] In an organization that has a moral code and well-documented guidance, why do moral issues ranging from minor to tragic continue to occur? What is preventing the CAF from realizing its stated moral goals? If the answer were "a few bad apples," then minor and major problems would conceivably be easily resolved by removing the perpetrators. If the perpetrators cannot be identified, or it is more widespread, then there is a wider problem that the CAF must address. In the case of sexual misconduct, Deanna Messervey and Karen Davis concluded that the problem is more complex and widespread. Amongst other factors, they identify that ethical decision-making is an issue that the CAF must take more seriously. They recommend that the psychosocial aspects of decision-making be better understood and suggest that a "train as you fight" approach be adopted, inferring that CAF ethics training must be experiential learning.[12] They did not outline a means by which to accomplish this, probably because it would have been a major undertaking that was beyond the scope of their paper. There is, however, potentially a means by which to pursue the intent of their "train as you fight" recommendation without major investments of money, personnel and dedicated time. The answer could be found by adopting a new approach to teaching and developing ethical decision-making, which in turn would enhance the moral development of CAF leaders.

As such, this paper will examine the psychosocial dimension of ethical

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[10] Department of National Defence, A-PA-005-000/AP-002, *Duty with Honour* (Ottawa: DND Canada, 2003).
[11] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005).
[12] Deanna Messervey and Karen Davis, *Mitigating the Ethical Risk of Sexual Misconduct in Organizations* (Ottawa: Defence Research and Development Canada, 2016), 286.

leadership, with a particular focus on ethical decision-making. Chapter 2 will consider the difference between personal conduct and ethical leadership, which will enable further discussions to focus on the leadership aspects of morality. Chapter 3 will examine the psychology of ethical decision-making, as well as a brief overview of intuitive decision-making. In Chapter 4, moral development and ethical expertise will be described, which will lead to a discussion of the CAF's requirements for ethical decision-making and moral development in Chapter 5. Having defined the CAF's needs, Chapter 6 will outline how a decision-making model could efficiently and effectively address these requirements.

CHAPTER 2: THE DIFFERENCE BETWEEN ETHICAL CONDUCT AND ETHICAL LEADERSHIP

Central to this paper is the fact that there are aptitudes required for ethical leadership that are different from those associated with ones personal conduct in the workplace. While the ethical conduct of each member of the CAF is an important manifestation of our ethos, and therefore forms a critical part of the institution's ethics program, it is a significant flaw and a simplification of applied ethics to assume that personal conduct is the only dimension. As such, this chapter will examine the nature of ethical leadership, to include what it is, why it is important to the profession of arms, and importance of moral development for CAF leaders.

I will begin by contrasting ethical leadership decision-making with decisions regarding ones personal conduct. In her book on business ethics, Linda Fisher Thornton outlines a model for leaders to consider multiple factors. She describes these factors as "lenses," which refers to the perspective from which to look at a problem.[13] Her description indicates that business leaders must consider a decision by looking through seven lenses: profit, law, character, people, communities, planet, and greater good. She links these factors to output, which is the maintenance of a viable business model (i.e., remain profitable). Her concept is transferable to a military paradigm. The factors would be the comparable, except for the first one: a military does not seek to make *profit*, but it does have an expected output; an appropriate analogue to profit could be *operational effectiveness* or *mission success*. Consideration of ethical issues from different perspectives—i.e., lenses—can be illustrated with a generic personnel issue: it will often

[13] Linda Fisher Thornton, *7 Lenses: Learning the Principles and Practices of Ethical Leadership* (Richmond, VA: Leading in Context LLC, 2013), chap. 3.

require medical, legal, administrative/policy and supervisor input, as well as representation from the affected person. The military leader needs to consider all of these inputs/recommendations in formulating the best solution. In an operational context, the lenses are also aligned (at least at the theatre/operational and strategic levels of command): laws, personnel (requirements, risks), organizational and national values, environment, and mission success (i.e., an analogue to "profit") must all be taken into account.[14] The suggestion here is not that military ethics is the same as business ethics; it simply demonstrates that ethical decision-making by leaders must consider several factors, and is therefore more complex than decisions regarding one's personal conduct. Fortunately, analysis of multiple factors to arrive at an ideal solution is an approach that is already well established in the CAF in the form of the Operational Planning Process (OPP)[15] and the estimate.[16] Basic leadership courses, such as the Primary Leadership Qualification (PLQ) for non-commissioned members and the Basic Military Officer Qualification (BMOQ)—officers' "boot camp"—require candidates to do basic tactical planning based on a rationalist approach; i.e., the estimate. Many intermediate courses refine analytical skills using the estimate, and the OPP is subsequently introduced on some of these courses and on the Joint Command and Staff Program (JCSP).

In contrast, personal conduct decisions are often relatively simple. Richard Gabriel describes this succinctly in his book *The Warrior's Way* when he states, "An obligation to be prompt, for example, is not regarded as possessing the same ethical

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[14] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), Chap 2, 3, and 4.
[15] Department of National Defence, B-GJ-005-500/FP-000*, Canadian Forces Joint Publication 5.0, The Canadian Forces Operational Planning Process* (Ottawa: DND Canada, 2008), Chap. 4.
[16] Department of National Defence, B-GL-300-003/FP-000*, Land Force Command* (Ottawa: DND Canada, 1996), 123.

gravity as insuring that one's troops are not squandered in combat."[17] The aim here is not to diminish the importance of personal conduct, as it is core to CAF ethos and leaders need to set examples and standards of behaviour. Additionally, at a personal level, one can be faced with dilemmas or tough decisions as often as leaders, but the number of factors, obligations and affected people or groups is generally less.

Having established that ethics associated with personal conduct and leadership are different, I will now discuss why ethical decision-making is so important by examining the conditions and impacts of leadership decisions. Ethics is a recurring theme in *Leadership in the CF: Conceptual Foundations*, which is the CAF's leadership doctrine. In the introduction, it states, "Military leadership has never been an easy undertaking, but in today's strategic, military, social, and domestic environments, it has become an especially complex and demanding activity."[18] Further to this, in the chapter dedicated to ethical leadership, it acknowledges that there are increased demands on today's leaders: "In fact, the complexity of many contemporary military operations frequently produces ambiguous and novel challenges that require individuals to act independently and creatively."[19]

So the changing operational realities were acknowledged in 2005 when the manual was published, as was the need to properly prepare CAF leaders to succeed in these environments. Since then, ambiguity in operations has not decreased; arguably it

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[17] Richard Gabriel, *The Warrior's Way: A Treatise on Military Ethics* (Winnipeg: Canadian Defence Academy Press, 2007), 19.
[18] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), xiii.
[19] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 17.

has increased, and estimates of the future security environment do not see it subsiding.[20] Even according to CAF analyses, it is expected that future missions will see non-state actors influencing the operating environment[21] and a likelihood of warfare amongst the populace.[22] These types of operating environments inherently introduce morally complex situations,[23] and there can be dire tactical and operational impacts from military leaders making the wrong decisions. For example, in an age of asymmetric warfare, collateral damage in both the physical and moral dimensions can turn a tactical victory into an operational loss. Therefore, professional competence now requires a lot of judgement and not just adherence to battle drills or Standard Operating Procedures (SOPs).[24] Additionally, with today's ever-increasing speed of communication and accessibility to information, news of bad decisions at the tactical level can quickly reach the public and the government. This can result in erosion of institutional trust, which in turn can lead to the CAF not having sufficient latitude to appropriately conduct its operations. This consideration is specifically articulated in *Conceptual Foundations*:

> Taken together, essential [CAF] outcomes and conduct values are representative of the functional imperative to ensure the territorial and political security of Canada and the societal imperative to maintain legitimacy in the eyes of Canadians and the international community. [25]

So, the CAF cannot be truly effective if the government, Canadian citizens and international partners do not trust it, and operational effectiveness is incredibly

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[20] Jim Thomas and Chris Dougherty, *Beyond the Ramparts: The Future of U.S. Special Operations Forces* (Washington, DC: Centre for Strategic and Budgetary Assessments, 2013), 52.
[21] Department of National Defence, A-FD-005-001/AF-003, *The Future Security Environment, 2013-2040* (Ottawa: DND Canada, 2014), 101.
[22] Department of National Defence, A-FD-005-001/AF-003, *The Future Security Environment, 2013-2040* (Ottawa: DND Canada, 2014), 110.
[23] Department of National Defence, A-FD-005-001/AF-003, *The Future Security Environment, 2013-2040* (Ottawa: DND Canada, 2014), 76, 92, 103, 108-109, 135.
[24] David H. Petraeus, James F. Amos, and John A. Nagl, *Counterinsurgency Field Manual* (Chicago: The University of Chicago Press, 2007), Chap 7.
[25] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 18.

important—it is the raison d'etre. As ethics tends to resonate more when it is related to operations, and the future sees operational ethics becoming increasingly important, it was vitally important to address it in this paper. That said, ethics in operations is key but not the only focus; ethics regarding stewardship of the institution presents some of the greatest challenges that the CAF faces today, so this aspect will be the next topic.

The need for strong ethical stewardship is acknowledged and well described in *Conceptual Foundations*:

> Experience has shown, however, that when other aspects of organizational functioning are given insufficient attention, such as members' health care, conditions of service, internal regulatory systems, or adapting to strategic and social change, the effectiveness of the CF suffers and, as a rule, its image and reputation as well. [26]

Harmful and Inappropriate Sexual Behaviour (HISB), Post-Traumatic Stress Disorder (PTSD) and Operational Stress Injury (OSI), diversity in the Forces, and release of ill and injured members are serious issues that the CAF faces today, and they all have an ethical underpinning.[27] None of these complex problems can be appropriately addressed without looking at numerous factors and defining options that are based on what is "right" to do, which is the approach being taken by senior CAF leadership.[28] But according to Deanna Messervey and Karen Davis's analysis of sexual misconduct in organizations, implementing these solutions often requires a change in attitudes and

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[26] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 19.

[27] The most notable of these issues is HISB; an issue that was identified in the *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* (available at: http://www.forces.gc.ca/assets/FORCES_Internet/docs/en/caf-community-support-services-harassment/era-final-report-(april-20-2015)-eng.pdf). The illegal and immoral conduct of CAF members initiated Operation HONOUR, which aims to eliminate this conduct and appropriately align CAF culture with institutional values (the Chief of Defence Staff operation order is available at: http://www.forces.gc.ca/en/caf-community-support-services/cds-operation-order-op-honour.page).

[28] Department of National Defence, *Chief of Defence Staff Operation Order – Operation HONOUR*. Last accessed 19 August 2017. http://www.forces.gc.ca/en/caf-community-support-services/cds-operation-order-op-honour.page.

opinions throughout the ranks.[29] To truly accomplish this, moral awareness and expertise cannot be the sole purview of the senior leadership; there must be ethical competence throughout all levels of leadership, as rote enforcement of rules or reciting "the corporate line" is unlikely to reliably achieve the desired results.

While these immense problems serve as poignant examples of ethical issues regarding stewardship of the institution, the need for moral expertise in military leaders goes well beyond high profile and operational issues. An excerpt on moral courage from *Developing Leaders: A British Army Guide* describes it well:

> Moral courage is the currency of respect and is most often displayed in everyday situations. It is as much the preserve of life in barracks and on the staff as it is on operations. The more it is practised the more natural and instinctive it becomes. By exercising it in peacetime a leader is setting the precedent for operational challenges; establishing standards and making their reputation.
> Moral courage may be particularly tested when deployed in dispersed and isolated locations, at distance from the chain of command, when it is easy for standards to slip and operational effectiveness to suffer. Knowing that their leader has moral courage will oblige soldiers to act ethically, legally and appropriately and can contribute significantly to generating physical courage.[30]

To have moral courage, a leader must first have moral awareness and then develop moral expertise. In other words, a leader must be able to recognize ethical situations, be able to assess them effectively, and then be able to make an appropriate decision and have the confidence to see it through. When leaders make consistent ethical decisions, their organization truly benefits from their expertise and courage, as was described above. However, moral development is a lengthy process and there can be resistance to the notion that it can or needs to occur in adulthood, which I will now address.

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[29] Deanna Messervey and Karen Davis, *Mitigating the Ethical Risk of Sexual Misconduct in Organizations* (Ottawa: Defence Research and Development Canada, 2016), 280.
[30] Ministry of Defence. *Developing Leaders: A British Army Guide, Edition 1* (Camberley: Director General Leadership, 2014), 15.

Moral development is a multidisciplinary area of research that examines the emergence and progression of moral understanding from childhood throughout adulthood. This paper will primarily consider the psychosocial dimension of moral development, which has been studied by several prominent psychologists. Sigmund Freud proposed an interaction between ones environment and their psychological development, which Jean Piaget built upon by examining the socialization of schoolchildren. Piaget determined that there are stages to ones moral development, which has since been corroborated by other prominent psychologists, such as Robert Kegan and Lawrence Kohlberg. To explain the extensive literature on this topic, a brief explanation of Lawrence Kohlberg's theory on the stages of moral development will be provided here.[31] Kohlberg's research indicates that people go through a progression of developmental stages and eventually plateau within a stage. What is learned during childhood is an understanding of proximate social networks and adherence to rules. As one matures, there is an understanding of a wider social network, and that there are different types of rules (e.g., parental rules, social norms, school policy, religion and laws). As the world around a person becomes more complex, they begin to realize that there are sometimes conflicting rules, and must understand that there is a hierarchy to them. At higher levels of social cognition, a person understands the origins and purposes of various rules, allowing them to make decisions on highly complex issues and shape the world around them, rather than being bound to rote application. This differentiation regarding rules at the higher levels of moral development has important implications for leadership in the CAF. Although rules form an essential part of society, and indeed the

[31] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 53-59.

military, leaders of today are now faced with complex environments at the intersection of domestic, foreign and international laws, cultural norms, and societal expectations and values. This simplified explanation of Kohlberg's theory only describes a part of the broader concepts, but it serves to outline that moral development is not just studying ethics; it includes the requirement for a broader understanding of the social world and how it functions. So, according to Kohlberg, moral development continues past adolescence, and should endure not just into adulthood but also throughout a lifetime; stagnation in moral development is immensely detrimental to military leadership, and systemic approaches that stifle moral growth are inherently flawed. James MacGregor Burns succinctly captures this concept in his book *Leadership*, and it is quoted in *Conceptual Foundations* as follows:

> At the highest stage of moral development persons are guided by near-universal ethical principles of justice such as equality of human rights and respect for individual dignity. This stage sets the stage for rare and creative leadership…. The leader's fundamental act is to induce people to be aware or conscious of what they feel – to feel their true needs so strongly, to define their values so meaningfully, that they can be moved to purposeful action… Transformational leadership is more concerned with end-values … Transforming leaders 'raise' their followers up through levels of morality….[32]

So although the main focus of this paper is on ethical decision-making by leaders, it cannot be ignored that a leader's personal values and conduct are an example to others, which as James MacGregor Burns explained, reinforces moral development within an organization.

The purpose of this chapter was to identify that personal conduct is different from ethical leadership. The difference is essentially this: personal conduct has to do with the ability to make decisions about ones own affairs (which includes adherence to

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[32] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 68.

institutional values and obligations), while ethical leadership concerns itself with making decisions about others. This is a substantial difference that fundamentally changes the skills and knowledge required of our leaders and how they should look at their roles and responsibilities. The diversity and implications of making decisions that affects others necessitates strong analytical and decision-making skills in today's leaders, especially as the operational environment increases in complexity and the CAF attempts to resolve institutional challenges. Additionally, moral development can and should occur throughout adulthood. As such, the next chapter will examine how people make ethical decisions, after which Chapter 4 will consider the psychological aspects of developing moral expertise. The final chapters will discuss why the CAF needs to change and present an ethical decision-making model.

CHAPTER 3: HOW PEOPLE MAKE ETHICAL DECISIONS

The last chapter established that there is a difference between personal conduct and ethical leadership, which will now lead to a focus on the latter throughout this paper. As such, this chapter will examine leadership decision-making, specifically considering ethical decisions. The need to have leaders who are competent planners and decision-makers is certainly recognized, as the core of CAF professional development is based around it: estimates, the operational planning process[33] and critical thinking form essential parts of career courses and CAF professional military education.[34] Processes are taught to objectively analyze operational problems, so we would tend to think that this would translate to other problems. An examination of how people analyze ethical issues and make decisions will be the focus of the first of two sections in this chapter. The second section will present concepts regarding intuitive decision-making, as it is an approach that requires greater awareness, particularly in relation to ethics and a way forward for the CAF.

Theories in Ethical Decision-Making

Numerous researchers of psychology have established that people have a predisposition to use a "gut-feel" approach to morality. In general terms, Albert Bandura asserts that individual morality itself is based on self-regulation.[35] In an iterative learning

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[33] The estimate and the operational planning process are military decision-making frameworks that provide a means by which to analyze tactical and strategic problems.

[34] Planning processes are taught and assessed on CAF leadership courses; junior officers begin in "boot camp" and non-commissioned members begin on the Primary Leadership Qualification, usually at the rank of corporal.

[35] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 102.

process, people "do things that give them satisfaction and a sense of self-worth"[36] and "refrain from behaving in ways that violate their moral standards because such conduct will bring self-condemnation."[37] Bandura's Social Cognitive Theory captures a far more expansive relationship between anticipation, rationalization, emotional reactions, the social environment, and self worth (i.e., self-efficacy);[38] however, the relevant point here is that one's internalization of outcomes—how they *feel*—forms a large part of what shapes their moral development and actions.

More specific to ethical leadership, Scott Sonenshein posits that although many individuals explain their moral reactions in rationalist terms, they actually "first use intuitions and then use post-hoc (moral) reasoning."[39] Shelley Taylor and Jonathan Brown also describe this phenomenon, explaining that early theorists believed that people gathered information in an unbiased manner and built their opinions as more data or facts were amassed.[40] However, they then go on to explain that subsequent research indicates that this assertion is false, citing a particularly relevant conclusion from the studies done by Susan Fiske and Shelley Taylor: "Instead of a naive scientist entering the environment in search of the truth, we find the rather unflattering picture of a charlatan trying to make the data come out in a manner most advantageous to his or her already-held theories."[41] In fact, several studies indicate that individuals automatically evaluate stimuli as "good"

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[36] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 102.
[37] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 102.
[38] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 21-41.
[39] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1027.
[40] Shelley Taylor and Jonathan Brown, "Illusion and well-being: A social psychological perspective on mental health," *Psychological Bulletin* 103 (1988): 194.
[41] Susan T. Fiske and Shelley E. Taylor, *Social Cognition* (Reading, MA: Addison-Wesley, 1984), 88.

or "bad"; John Bargh and Melissa Ferguson determined that this occurred within only a fraction of a second, regardless of whether or not they intend to do further analysis.[42]

Scott Sonenshein provides in-depth analysis of how the decision-making process works, which he calls the Sensemaking-Intuition Model (the SIM).[43] The SIM has three phases: (1) issue construction; (2) intuitive judgement; and (3) explanation and justification.

Sensemaking-Intuition Model: Phase One, Issue Construction

In the first phase (*issue construction*), there are individual level inputs called *expectations* and *motivational drives*. Individuals attempt to make sense of the problem because moral issues are almost always subject to equivocality and uncertainty. This does not mean that they are using a rationalist approach; quite the contrary, as they are attempting to fit it to a pattern or "story" that they are familiar with, which is the essence of intuitive decision-making: generalized familiarity that is sufficient to make a decision based on prior positive outcomes.[44] When there is no comparable situation that meets their *expectations*, they often apply principles and experiences from unrelated domains rather than employing a rational analysis. An example used by Sonenshein is research done with economics students, who think in terms of utility maximization models, and were therefore prone to self-interested behaviour. By reframing an ethical factor as a business issue, or having significant bias towards ones personal or organizational interest (i.e., *motivational drives*), people can completely overlook moral obligations and begin

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[42] John A. Bargh and Melissa J. Ferguson, "Beyond Behaviorism: On the Automaticity of Higher Mental Processes," *Psychological Bulletin* Vol. 126, no. 6 (2000): 931.
[43] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1028.
[44] Gary Klein, *The Power of Intuition* (New York, NY: Random House, Inc, 2003), 21.

setting the conditions for justifying immoral behaviour (I will return to this point in Chapter 4 when I address moral disengagement).[45] In Sonenshein's presentation of the SIM, he states that there are also collective level inputs for issue construction, which are *social anchors* and *representation*. These are inputs from others to give greater context and perspective to a problem. Generally, the more that issues as socialized (i.e., input is obtained from multiple reliable advisors), and the greater awareness that a decision-maker has of the broader institution and networks, the better they will construct an issue; the exception is that influences and inputs from immoral individuals and culture will obviously reinforce immoral behaviour, such as the infamous scandal that occurred with Enron.[46] By not having education and experience in moral awareness, individuals are subject to overlooking, misinterpreting, and redefining ethical factors and implications.[47] This will be explored in greater detail in chapter 4, but is identified here, as it illustrates how individuals struggle to contextualize a moral problem when there is significant ambiguity.

Sensemaking-Intuition Model: Phase Two, Intuitive Judgment

Once an individual reaches a plausible understanding of the situation (at least to their satisfaction), they enter the second phase of the SIM, which Sonenshein describes as intuitive judgment. He indicates there are two factors that predispose decision-makers to use intuition. The first is dual process theory, which has high-effort and low-effort

[45] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1029.
[46] Robert Prentice, "Enron: A brief behavioral autopsy," *American Business Law Journal* 40 (2003): 417–444.
[47] Don A. Moore and George Loewenstein, "Self-interest, automaticity, and the psychology of conflict of interest," *Social Justice Research* 17 (2004): 189–202.

systems of cognition.[48] High-effort cognition is used for focused thought, but managers deal with many issues and rely on an ability to make decisions efficiently. This leads to development of low-effort cognition, which is immensely beneficial for many issues. The ability to make effortless decisions can become ingrained in a leader, resulting in him/her not even realizing that they are only engaging low-effort cognition in situations that require more analytical rigor. The second issue that predisposes a decision-maker to intuition is *affect*.[49] Leaders often know the person(s) implicated in an ethical situation, as well as having personal preferences for certain outcomes. The decision-maker is therefore predisposes to act on *feelings* of right and wrong, not objective analysis.

Sonenshein also indicates that there are two inputs that influence the decision-maker in the intuitive judgment phase: *experience* at the individual level and *social pressures* at the collective level. At the individual level, a decision-maker could have experience in dealing with ethical issues and be able to quickly identify a pattern for intuitive deductions. It is important to note that the ability to identify patterns demonstrates experience but not necessarily ethical expertise. If a leader has been faced with similar problems in the past and made bad decisions for which there were no repercussions or feedback,[50] he/she would repeat these mistakes when using their intuition. This will be discussed in far greater detail in the next chapter, but the significance of repercussions and feedback is basically this: if a leader makes a bad decision and there are no consequences to the organization or people around him/her, and

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[48] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1032.
[49] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1032.
[50] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review*
5, no. 1 (2015): 87.

a supervisor or peer does counsel him/her, then he/she has no reason to deduce that the decision was errant; therefore, they might have detected an ethical situation and made a decision on it, but they have not achieved ethical expertise.[51] Conversely, some decision-makers would lack experience and tend to revert to rules-based deductions. Although this could appear as a rationalist approach, it is more akin to Kohlberg's early and intermediate stages of moral development (as was introduced in Chapter 2 and will be described in more detail in the next chapter).[52] The implication for the novice is that despite the fact that they might be inclined to attempt to use rationale to analyze a problem, they are prone to make immoral decisions by applying inappropriate rules to the situation and not considering wider implications.[53]

The social pressures at the collective level include all of the external influences, and organizational behaviour is a major influencer. Newcomers are acculturated into the norms of an organization, and the moral standards are generally adopted.[54] This can obviously result in either good or bad outcomes, depending on the standards and regulatory mechanisms within the organization. For the CAF, I will cite two examples. The first one is that there is a strong intent for the CAF to be an ethical and professional organization. Having a code of ethics as an organizational goal, methods of self-regulation, such as the code of service discipline, and basic training to introduce new members to CAF values and expectations have a positive impact on conduct. The second

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[51] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 26.
[52] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 55
[53] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1033.
[54] John Van Maanen and Edgar H. Schein, "Toward a theory of organizational socialization," *Research in Organizational Behavior* 1 (1979): 210.

example is less flattering: the current problems associated with a misogynistic culture.[55] A full examination of this issue is beyond the scope of this paper, but Rhea MacLean's analysis indicated that this is a case of cultural norms within the CAF not being regulated appropriately. By adopting policies that aimed to achieve gender assimilation rather than integration, alienation of an entire cohort of CAF members was culturally acceptable.[56] With new members being formally acculturated to the CAF (as was discussed above), and informal indoctrination occurring through conformity to normative behaviour (i.e., learning from the examples of existing CAF members, particularly leaders),[57] unfair treatment has been perpetuated.[58] Deanna Messervey and Karen Davis also looked at this issue and strongly linked the problem to ethical leadership.[59] They identify that leaders should be regulating the ethical standards, but leaders have also been acculturated to the organizational norms. Thus, by not understanding how they are making ethical decisions (i.e., Sonenshein's SIM) and without a robust institutional program of moral development (to be covered in more detail in the next chapter), leaders throughout the CAF have not been prepared to effectively influence institutional cultural change. The examples set by leaders, or their implicit consent because of inaction, are emulated by subordinates, thereby reinforcing the cycle of an immoral culture; their inappropriate actions or inaction become the social pressures on their subordinates.

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[55] Marie Deschamps, *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* (Ottawa, ON: DND Canada, 27 March 2017). http://www.forces.gc.ca/en/caf-community-support-services/external-review-sexual-mh-2015/summary.page

[56] Rhea C. Maclean, "Equal but Unfair: The failure of gender integration in the Canadian Armed Forces" (Master of Defence Studies Dissertation, Canadian Forces College, 2017), 17.

[57] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1034

[58] Marie Deschamps, *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* (Ottawa, ON: DND Canada, 27 March 2017), iii.

[59] Deanna Messervey and Karen Davis, *Mitigating the Ethical Risk of Sexual Misconduct in Organizations* (Ottawa: Defence Research and Development Canada, 2016), 285

Although not specifically described by Sonenshein, there are two other psychological concepts that are relevant to social pressures, which are called *priming* and *framing*. John Bargh and Melissa Ferguson did an extensive review of research on priming, which is the effect that a themed series of words has on an individual's subsequent thoughts and actions.[60] For example, a study by Guido Hertel and Norbert Kerr provided one group a list of words associated with *loyalty* and a second group with *equality of treatment*. This was followed by a group activity, in which the "loyalty group" showed greater in-group favouritism than the "equality group." Additionally, self-esteem increased in members of the former as favouritism occurred, and it decreased in the latter when there was in-group favouritism.[61] Amos Tversky and Daniel Kahneman analyzed framing, which is how a problem is presented to a decision-maker.[62] A simple example is the messaging regarding a credit card fee: when considering having consumers absorb the cost of credit card fees, the credit card industry requested that the price difference be called a "cash discount" rather than a "credit card surcharge." This certainly changes how consumers (i.e., decision-makers at the till) perceive their options; they could feel as though they are saving money or a surcharge could make it appear as though they are incurring expense, but it is fundamentally the same thing.[63] Leaders need to understand that words and social conditions can affect their perception of situations and even their mood, which in turn can influence their *sensemaking* and *judgment*.

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[60] John A. Bargh and Melissa J. Ferguson, "Beyond Behaviorism: On the Automaticity of Higher Mental Processes," *Psychological Bulletin* Vol. 126, no. 6 (2000): 929.
[61] Guido Hertel and Norbert L. Kerr, "Priming In-Group Favoritism: The Impact of Normative Scripts in the Minimal Group Paradigm," *Journal of Experimental Social Psychology* **37** (2001): 321.
[62] Amos Tversky and Daniel Kahneman, "The Framing of Decisions and the Psychology of Choice," *Science* 211, no. 4481 (1981): 453.
[63] Amos Tversky and Daniel Kahneman, "The Framing of Decisions and the Psychology of Choice," *Science* 211, no. 4481 (1981): 456.

Ultimately, *low-effort cognition* and *affect* drive leaders towards a natural tendency to use intuition for ethical decision-making. A leader's *experience* with ethical situations, the organizational norm (i.e., *social pressures*) and potential effects of *priming* and *framing* will influence his/her judgment. Collectively, these factors can have a positive or negative ethical impact, but they often tend to reinforce the inclination to use intuition rather than rational analysis.

Sensemaking-Intuition Model: Phase Three, Explanation and Justification

In the third phase of the SIM, a decision-maker uses post-hoc analysis to explain and justify their decision. This is done because they reason that they must have used logic to arrive at the decision, and because there is a societal and/or organizational expectation that they would use a rationalist approach.[64] This reasoning is used to justify the decision to not just others (e.g., stakeholders, superiors), but initially to oneself. This misrepresentation to oneself is quite dangerous for leaders making moral decisions. In so doing, leaders fail to see the biases previously described in this section that could have influenced their decisions. One is application of inappropriate principles and seeing what they want to see (*expectations*) during the sensemaking phase of the SIM. A second is use of low-effort cognition, whereby they rush to a decision based on intuition rather than appropriately deliberating on a complex issue. Third is *affect*, which is reliance on what feels right, based on their preference for certain outcomes or their connection to individuals involved. A fourth is their level of *experience*, which can reinforce a tendency to use low-effort cognition in experienced decision-makers, or further cause an

[64] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1034.

inexperienced individual to use inappropriate modelling. Finally, a lack of objectivity throughout the process with rationale only being applied after a decision has been made can result in perpetuation of immoral organizational behaviour (*social pressures*).[65]

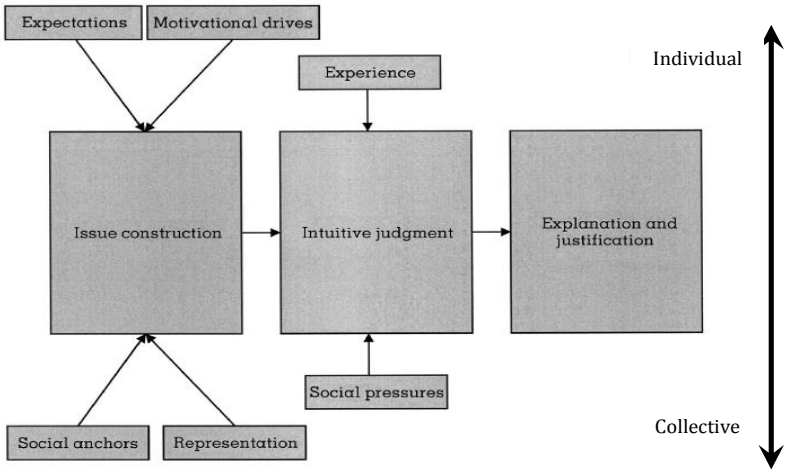

Figure 1 – Graphical representation of the Sensemaking-Intuition Model (SIM).[66]

So the process that decision-makers instinctively use for moral issues is fraught with problems. It is far from being as objective as most of us would typically believe, and there are tremendous biases that are entered into the decision-making process to the detriment of the organization and the people affected by the outcomes. However, circumstances do not always permit a laborious, deliberate approach, so it could be argued that intuition is a better approach. This is indeed a desirable goal for the CAF, and although it is a relatively new area of psychological research, there is a sufficient body of knowledge to indicate that there are viable ways to integrate it into an ethical decision-making model. As such, intuition will be the topic of the next section.

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[65] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1032.
[66] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1028.

Intuitive Decision-Making

I will draw on the work by cognitive psychologist Gary Klein to describe how intuition is seen to work. He defines intuition as, "the way we translate our experience into action."[67] The key part of this definition is *experience*; it is not "gut feel" or an innate ability possessed by only certain individuals, such as a mythical extrasensory perception (ESP). Intuitive decision-making comes from cues and patterns that we detect based on similar experiences that we have had in the past.[68] In psychological terms, these are called cognitive schemas. Schemas are used in a convergent process to achieve predictable results.[69] In other words, when we have seen certain cues enough times, and have learned how to react to them through education, mentorship or personal experience, the decision-action cycle is significantly accelerated because we see a pattern and automatically know how to react. But development of intuition does not occur quickly, which is apparent when one considers the differences between those who have extensive experience in a particular field and their novice counterparts. Klein uses an example of two nurses on shift in a neonatal intensive care unit (NICU), which I will summarize here.[70] At the end of a night shift an experienced nurse, Darlene, walked past a premature baby in her isolette who was under the care of Linda, a less experience nurse. Linda had been doing all of the checks that she was supposed to, but something caught Darlene's eye. In her words, the baby "just looked funny." It was nothing particularly noticeable: a blood sample site that had not stopped bleeding immediately, almost imperceptible

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[67] Gary Klein, *The Power of Intuition* (New York, NY: Random House, Inc, 2003), 4.
[68] Gary Klein, *The Power of Intuition* (New York, NY: Random House, Inc, 2003), 20.
[69] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review*
5, no. 1 (2015): 78.
[70] Gary Klein, *The Power of Intuition* (New York, NY: Random House, Inc, 2003), 13.

abdominal distension and slightly off-colour (noticing this distinct complexion even though it wasn't her patient). She immediately knew that the baby was suffering from sepsis and was in crisis, even though there was nothing on the charts or monitors that would indicate anything this serious. Her immediate recognition of the problem resulted in timely treatment that would have been administered too late if protocols and instruments had solely been used to detect the illness. In terms of intuition, Darlene had built a schema from years of practice that Linda did not have, which immediately narrowed possibilities to the dire situation that was at hand. This illustrates the power of intuition, but it also illustrates that it takes a significant amount of experience and learning to develop diverse and highly complex schemas. Therefore, schemas are not something delivered as academic teaching points; they are an iterative process in which an individual is an active participant in the observations, experiences and subsequent internalization and reflection on what occurred.[71]

In moral decision-making, positive and consistent outcomes must first be achieved, which is realized through exposure to ethical situations in which an individual must recognize a problem, assess it, and be active in understanding the outcomes of their decision.[72] By building this foundation, intuition can become a reliable tool in the midst of crises, but without that base it can result in horrific outcomes, sometimes perpetuated by people who intend to do good. Despite what many leaders may think, their ethical decisions tend to be made intuitively, with deliberate analysis occurring afterwards to justify the decision. The next chapter will describe how moral development occurs, which

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[71] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 82.

[72] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 25.

will give further insight to appropriately employing decision-making tools. In the final chapters I will look at why it is so important for the CAF to make changes and describe an ethical decision-making model that would enable moral growth in CAF leaders.

CHAPTER 4: BUILDING ETHICAL EXPERTISE

Ethical leadership requires an array of aptitudes. Recognizing that ethical leadership is different from personal conduct, as was covered in Chapter 2, is just the starting point, and the previous chapter indicated that individuals tend to lack objectivity when making decisions on moral issues. The ideals expressed in *Conceptual Foundations* suggest that the CAF aims to have leaders who are able to identify ethical situations, think through them reliably, and act on their decisions consistently and demonstrably.[73] I will refer to this package of aptitudes as *ethical expertise*, and will outline how it is developed throughout this chapter. In the first section, I will describe how *moral development* fits into ethical decision-making that was described in the last chapter. I will then present theories of moral development in the second section, before moving on to an examination of ethical experience and expertise in the third section. In the final section, I will examine the application of ethical expertise, which will bring together the concepts from the prior sections.

Ethical Decision-Making and Moral Development

One of the premises of Scott Sonenshein's analysis of ethical decision-making that was previously discussed is that there is inherent equivocality and uncertainty in most, if not all, moral situations.[74] In this environment of ambiguity, ethical leaders must maintain moral consistency, which is a rather daunting task. Moral consistency is the

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[73] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 18.
[74] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1022.

need for our ethical standards, values and action to not be contradictory.[75] With such diversity in ethical situations, and each one being unique given the human dynamic involved, the obvious question is, "how do I pick an ethical approach (i.e., school of thought[76]) and tie everything into it?" Admittedly, this is a very difficult thing to do, and the solution resides as much in the psychological realm as it does in the philosophical; how we perceive and process issues must be as consistent as any values that are applied. Research by Karen Bartsch and Jennifer Wright found that psychological processing of moral problems is not as simple as application of algorithms that aim to achieve consistent outcomes. They determined that the use of heuristics is a flawed approach to ethical thought.[77] For example, some individuals look to create a pattern of '*action x*' = '*reward/punishment y*'. This approach, even if tied to an ethical school of thought, does not examine the specifics of a problem and can, therefore, result in logical contradictions that are very apparent to those affected by the decision. Additionally, use of heuristics does not assist in building the schema required for decision-making that was discussed in the last chapter.[78] Therefore, analysis is required, and even experts who have highly complex schemas must initially examine the issue to understand the situation: they must identify the moral factors, understand the facts of the situation, and determine what is going to influence the decision (i.e., constraints and restraints). Although this can occur

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[75] Markkula Center for Applied Ethics. *Consistency and Ethics*. https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/consistency-and-ethics/. Last accessed 30 Aug 2017.

[76] A "school of thought" refers to a collection of common characteristics or opinions, and the term is used across many disciplines. In the case of ethics, the schools of thought are the philosophical concepts or theories, of which there are many (e.g., utilitarianism, consequentialism, virtue ethics, deontological ethics, hedonism, to name just a few).

[77] Karen Bartsch and Jennifer Wright, "Towards an intuitionist account of moral development," *Behavioral and Brain Sciences* 28 (2005): 546–547.

[78] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 81.

quickly for some people, and in some circumstances it must, the sensemaking that Sonenshein described in his SIM must occur;[79] however, the quality of this analysis is tied to ones level of moral development, as even familiarity with organizational policies and values will not ensure that someone will reliably detect ethical issues and factors.[80] Therefore, I will now examine moral development by returning to Kohlberg's theory and expand upon the basic description that was provided in Chapter 2.

Moral Development

In Lawrence Kohlberg's model, there are three levels of maturation, and within each there are two moral stages for a total of six. The first level is the Preconventional, in which a child is aware of rules and labels of right and wrong; however, their understanding is based on hedonistic consequences of punishment and rewards from those who have power over them. Stage 1 is *punishment-and-obedience orientation*, and is based on avoidance of punishment and unquestioning deference to authority. Stage 2 is *instrumental-relativism orientation*, which is highly transactional in the interest of satisfying ones own needs, and is based on reciprocity rather than loyalty, gratitude or justice; self-interest is prominent in this stage. At the second level, the Conventional, there is an increased understanding of the wider social network, including family, group and even nation, and their place in it. Stage 3 is *interpersonal concordance orientation*, during which individuals seek to be judged by their niceness and assess the morality of others based on intention—i.e., "he meant well." Stage 4, *"law and order" orientation*,

[79] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1029.
[80] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 79.

sees increased understanding of moral order, but the individual is deferent to authority, fixed rules, and maintenance of a social order. The difference between stages 1 and 4 regarding authority is that the former is based on self-interests (i.e., avoidance of punishments), while this stage is where a sense of loyalty and obligation to duties emerges. The Postconventional level can be described as "autonomous" or "principled" because the individual's self-identification goes beyond the group and they have developed moral values that are applied outside authority. In Stage 5, the *social-contract, legalistic orientation*, individuals seek a greater good and recognize rights as those that are agreed upon by society. While there is still an emphasis on law and order, it is not blind adherence; where societal changes are required, there is an emphasis on changing laws. The final stage, *universal-ethical-principle orientation*, is associated with a logical, comprehensive and consistent concept of rights. The individual has self-chosen ethical values that are abstract and transcend situations. Essentially, they have developed their own unifying theory, with an emphasis on individual person's rights, respect, equality and justice.[81]

Another significant theory relevant to moral development is Albert Bandura's research in Social Cognitive Theory. Bandura emphasizes the active role of the individual in his/her environment; their behaviour, personal qualities and the environment have a reciprocal relationship in which each one impacts the other.[82] Although somewhat of a competing theory, I assert that it meshes well with what is occurring in Kohlberg's stages. Individuals are interacting with their environment throughout the stages and

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[81] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 54-55.
[82] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 23.

learning through experiences. Also of note is Bandura's finding that there is a cognitive aspect to social learning that can result in novel performance. Basically, individuals do not just learn by doing, but also by seeing what others do and the outcomes of those actions.[83]

So what we see occurring during the maturation process is an increased understanding of the environment and ones role in it, during which the individual is building schemas for assessment and behaviour. The level of sophistication of these schemas will determine how well someone can detect the presence and content of ethical issues (i.e., moral awareness), and it will equally impact their moral judgments.[84] Application of a simple schema is unlikely to detect a moral issue and will provide little information for judgment, which as we already know occurs almost instantaneously, so there is a high probability of inaccurate or incomplete judgment. And again, heuristics are a poor alternative. Jonathan Baron provides some good examples of the follies associated with heuristics, with a particularly interesting one, albeit not an ethical issue, as follows: when graduating Harvard students were asked why it gets hotter in the summer, several stated that it is because the earth is closer to the sun in the summer; a reasonable deduction based on what it feels like to move closer to a fire, but of course completely false.[85] A comparable transfer of basic logic can completely mislead someone in an ethical problem, so we must look at other ways to build expertise.

Conversely, highly developed schemas are sensitive to moral issues, and

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[83] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 25.
[84] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 80-81.
[85] Jonathan Baron, "A Psychological View of Moral Intuition." *The Harvard Review of Philosophy* (Spring 1995): 37.

judgment can result in options rather than definition of only an immediate solution.[86] Considering this in reference to Kohlberg's theory, a leader at the Conventional level of development would tend to make judgments on proximate factors and have rigid solutions. True problem solving and striving to challenge organizational conventions (i.e., policies, norms, mores, traditions) for a greater good is beyond their aptitudes. A predisposition to be loyal and dutiful is admirable in a grander context, such as well-reasoned loyalty to the nation or humankind; however, blind loyalty and rote application of policy regardless of the circumstances, which would be typical of the Conventional level, can preclude consistent ethical treatment of subordinates, and it is not what the CAF is seeking in its leaders.[87] In contrast to this, a leader functioning in Stage 5 (*social-contract, legalistic orientation*) is able to make sense of a situation and challenge the rationale of conflicting influences, assuming that they have developed the range of aptitudes associated with ethical expertise. I submit that the CAF is striving to function in Stage 5, as the theme of *Duty with Honour* is members regarding themselves as professionals and the CAF conducting itself in the same manner as professional institutions; values, self-regulation and accountability are the essence of its message.[88] *Conceptual Foundations* reinforces this in a leadership context by emphasizing the need for highly competent, adaptive and moral leaders.[89] Further to this, the expected behaviours in the *Statement of Defence Ethics* indicate standards of a Postconventional

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[86] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 81.

[87] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 16.

[88] Department of National Defence, A-PA-005-000/AP-002, *Duty with Honour* (Ottawa: DND Canada, 2003), 9

[89] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), xi

level, such as, "Acting at all times with integrity, and in a manner that will bear the closest public scrutiny; an obligation that may not be fully satisfied by simply acting within the law," and "Making the right choice amongst difficult alternatives."[90] However, the CAF still approaches problems by reverting to implementation of rules (i.e., Stage 4). An example of this is the CAF response to the Deschamps report on sexual misconduct and sexual harassment. It has been largely focused on reiteration of policies and reformulating language from the Statement of Defence Ethics, as seen in the operation order for Operation HONOUR,[91] and implementation of well-intentioned mitigation measures, such as specific education modules.[92] The message to leaders is to follow-through on delivery of the education, report, and set a climate in accordance with the Defence Ethics Program. The analysis done by Deanna Messervey and Karen Davis reinforces the assertion that the CAF's response is somewhat errant, identifying that there are several psychological factors that leaders need to recognize to be able to truly affect ethical and cultural change.[93] Paul Bartone et al. had similar finding in their research with officer cadets at the United States Military Academy (a.k.a., West Point). They assessed that psychosocial maturity contributes to effective leadership, and elaborated on this point by stating, "leader development programs that focus on developing skills and abilities, while ignoring basic psychosocial development levels and processes, are likely to be

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[90] Department of National Defence, *Statement of Defence Ethics*. Last accessed 30 Aug 2017. http://www.forces.gc.ca/en/about-policies-standards-defence-admin-orders-directives-7000/7023-1a.page.
[91] Department of National Defence, *Chief of Defence Staff Operation Order – Operation HONOUR*. Last accessed 19 August 2017. http://www.forces.gc.ca/en/caf-community-support-services/cds-operation-order-op-honour.page.
[92] Department of National Defence, *Chief of Defence Staff FragO 001 to Operation Order – Operation HONOUR*. Last accessed 19 August 2017. http://www.forces.gc.ca/en/caf-community-support-services/frag-o-001-to-cds.page
[93] Deanna Messervey and Karen Davis, *Mitigating the Ethical Risk of Sexual Misconduct in Organizations* (Ottawa: Defence Research and Development Canada, 2016), 285.

ineffective in achieving the desired results."[94] The directive approach to resolve a complex cultural issue like inappropriate sexual behaviour is indicative of Stage 4 cognition, whereby obedience, conformity and rules-based decision-making are still a preferred course of action. This approach negates opportunities for the CAF to truly develop its leaders, and can result in leaders espousing noble objectives in line with CAF values, but often struggling to implement the values accurately and consistently. I will return to the issue of developmental gaps in the next chapter.

Ultimately, development of ones social cognitive abilities leads to an increased potential to effectively deal with ethical situations. However, social cognition in itself does not automatically result in ethical expertise. Specific experience in managing ethical is required, and this will be the next topic.

Ethical Experience and Expertise

What has been presented earlier in this chapter is that interaction between a person and their environment is key to moral and social cognitive development,[95] and that the individual has an active role in their learning; they must internalize events to truly benefit.[96] Erik Dane and Scott Sonenshein found that these concepts apply to the development of ethical expertise, determining that it is refined through feedback to the individual and subsequent reflection by that person.[97] Albert Bandura has also researched

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[94] Paul Bartone, et al., "Psychosocial development and leader performance of military officer cadets," *The Leadership Quarterly* 18 (2007): 501.
[95] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 54-55.
[96] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 24.
[97] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review*
5, no. 1 (2015): 82.

experiential learning extensively, finding that the learner must be personally exposed to ethical situations, either as a participant/decision-maker or as an attentive observer; *active* participation is key, and Bandura has confirmed that engaged observation is a viable means of experiential learning. His research also indicates that feedback can come from environmental cues, such as immediate verbal and non-verbal responses to their actions/decisions, or from a mentor throughout the process and afterwards.[98] Both forms of feedback are important factors to ones moral development, so learners need to be attentive and receptive to these stimuli and then actively reflect on what occurred. So, given that there are many psychological factors involved in an individual's moral learning, I have divided the factors into two groups for ease of presentation: (1) internal factors (i.e., the learner's engagement); and (2) external factors (i.e., social/environment). Each requires further explanation to have an appreciation of the dynamics involved, which I will do now.

Internal Factors. As previously stated, Bandura found that learners must be active in the process, and the degree to which a learner is active during and reflecting upon ethical situations determines the quality and rate of acquisition of ethical expertise.[99] The learner cannot, however, be compelled or coerced into participation, as the true development is cognitive; they must internalize the experiences, and therefore must want to be involved. The degree to which an individual will be intrinsically motivated towards ethical learning depends on how much they define themselves by moral identity. This is called *moral identity centrality*. Research done by Karl Aquino and Americus Reed found

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[98] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 26.
[99] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 26.

that those who view morality as central to their self-concept will be highly engaged in assessing moral issues, reflecting on their role and what occurred, and receptive to feedback and other social cues.[100] In so doing, they are able to progress through the stages of moral development described by Kohlberg. Those who do not closely align their identity with morality will obviously progress slower, with some reaching a plateau at early stages. Most people see themselves as a moral actor to some extent,[101] but their self-perception is not always accurate, which I will discuss next.

Shelley Taylor and Jonathan Brown researched psychological wellbeing and its relation to perceptions of reality. They found that there is an interesting phenomenon with the healthy mental state, in which individuals tend to overrate their own abilities. Mental wellbeing is typically associated with maintenance of close contact with reality; i.e., what a healthy mind perceives is congruent with what is actually there.[102] An illusion that exists in healthy individuals is that they assess their strengths reasonably accurately, but are unaware of or marginalize their faults and weaknesses.[103] However, this illusion does not exist in people who suffer from low self-esteem, moderate depression, or both; they accurately self-assess both strengths and weaknesses, indicating a stronger connection with reality than the self-assured, healthy cohort.[104] By extension, the relation of this to moral development is that "healthy" individuals potentially overrate the centrality of their moral identity, thereby inadvertently precluding effective engagement in their

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[100] Karl Aquino and Americus Reed, "The self-importance of moral identity," *Journal of Personality and Social Psychology* 83 (2002): 1423–1440.
[101] Karl Aquino and Americus Reed, "The self-importance of moral identity," *Journal of Personality and Social Psychology* 83 (2002): 1423–1440.
[102] Shelley Taylor and Jonathan Brown, "Illusion and well-being: A social psychological perspective on mental health," *Psychological Bulletin* 103 (1988): 193.
[103] Shelley Taylor and Jonathan Brown, "Illusion and well-being: A social psychological perspective on mental health," *Psychological Bulletin* 103 (1988): 195.
[104] Shelley Taylor and Jonathan Brown, "Illusion and well-being: A social psychological perspective on mental health," *Psychological Bulletin* 103 (1988): 196.

development, particularly in the area of reflection. This specific linkage between unrealistic positive self-perception and moral identity centrality has not been proven through research, but it is nonetheless something that should be kept in mind for organizational ethics programs. For the CAF, it is important that its members are mentally healthy so that they are resilient and able to perceive the world accurately. They must be able to endure extreme fatigue, hunger, thirst, fear, and overwhelming environmental inputs (e.g., physical threats and noise whilst receiving and issuing orders), and still be able to reliably do their job and remain mentally strong in the moment and long-term. Therefore, the CAF needs mentally fit and resilient personnel, so this illusion and its potential impact on ones internalization of moral issues means that there is increased importance on feedback and mentorship, which is the next topic.

External Factors. Erik Dane and Scott Sonenshein determined that social cues are a primary source of feedback, but an individual must be attuned to others and their environment to benefit from these cues, which is contingent on their degree of moral identity centrality that was just discussed. More germane to institutional ethics is the role of mentors. For the best results, feedback needs to be provided quickly, accurately and from an ethically reliable source. While feedback needs to come from someone with expertise, it is better that it comes from an authority figure or trusted peer rather than someone appointed to or hired for an ethics role.[105] This transfers well to the military context: ethical mentorship should be a command responsibility, not the unit ethics officer. According to *Conceptual Foundations*, the CAF already seeks to approach this as a command and leadership issue by stating, "As an influence process, leadership is a

[105] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 87.

primary mechanism for reinforcing and embedding [CAF] values."[106] However, caution is required regarding it solely being a chain of command function, as the primary requirement is that the mentor has ethical expertise.[107] If this is not the case at a particular level of command, there can be a cascade effect throughout the levels below. In their analysis of mitigation of sexual misconduct in organizations, Deanna Messervey and Karen Davis look at the ethical leadership dimension of this problem and make an interesting recommendation that is highly relevant here. The question that they ask is, "Rather than focusing largely on problematic areas in an organization, organizations may benefit from an examination of the reverse question, 'Are there areas in the organization where behaviour can be emulated?'"[108] In line with what Dane and Sonenshein found, it is wise for the CAF to expect commanders to be the moral guide and not use appointed ethics officers in such a capacity, but identification of leaders who have ethical expertise can assist commanders and other leaders throughout an organization in an advisory role. What all of this speaks to is a need for consistency in moral mentorship within the CAF. Although *Duty with Honour* provides a common ethos, and *Conceptual Foundations* has a strong theme of ethical leadership, these ideals and concepts do not specifically ensure reliable ethical assessment and feedback. As a key issue in this paper, I will return to reliable feedback and mentorship in more detail in the next chapter. For now, it is important to understand that feedback is a crucial part of developing ethical expertise, and leaders throughout an organization must be capable of providing it routinely and

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[106] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 23.
[107] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 87.
[108] Deanna Messervey and Karen Davis, *Mitigating the Ethical Risk of Sexual Misconduct in Organizations* (Ottawa: Defence Research and Development Canada, 2016), 286.

accurately. The more that leaders are invested in their own moral identity, the more receptive others will be to their feedback.[109]

Application of Ethical Expertise

Ultimately, what should emerge from ethical expertise are sharpened moral awareness, reasoned judgment and action across diverse moral issues, not simply an understanding of the institution's values and the ability to recite them. Erik Dane and Scott Sonenshein determined that the most proficient practitioners must have well-developed convergent and divergent cognitive processes.[110] The convergent processes allow individuals to identify moral issues and assess them against institutional values. That is, they not only know what the values are, but also appropriately apply them to real workplace issues using principled reasoning and logic. However, some issues are not solved easily, with some even falling into the category of an ethical dilemma; having to pick the best option from all bad outcomes. Divergent cognition is required in these cases, where many options must be considered, some in conflict with certain values (e.g., personal, institutional and societal values, and potentially even laws). In convergent thought, experts can draw upon their diverse and complex schemas to find a suitable solution. In extremely complicated situations, particularly with dilemmas, the schemas do not apply. An expert in divergent thinking is able to deconstruct, rearrange and integrate their schemas, or think in original ways to produce novel options.[111] Both types of

[109] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 83.
[110] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 78.
[111] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An

cognition are required for military leaders, with convergent processes being essential for routine but complex issues, and divergent processes generally applying to complicated or "wicked" institutional problems and operational environments.

Up to this point in this chapter, I have focused on the factors associated with developing moral awareness and moral judgment. Without strong aptitudes in these areas, leaders cannot effectively understand and analyze the ethical issues they face; however, ethical expertise also requires action. Strong cognitive processes are irrelevant if a leader is not prepared to act on them, so I will now examine moral courage and moral action.

In order to take moral action, an individual must have confidence that they are doing what is right and can manage the situation effectively. According to Albert Bandura, "The functional belief system in difficult pursuits combines realism about the tough odds, but optimism that one can beat those odds through self-development and perseverant effort."[112] This is the essence of his concept of self-efficacy, and when combined with ones cognitive moral abilities, moral standards and self-sanctions it compels people to take moral action.[113] More precisely, taking moral action is better described as exercising *moral agency*, as there are two forms of it. The inhibitive form is actually not action at all; it is refraining from behaving inhumanely. Conversely, the proactive form is the power to act humanely.[114] Both forms are crucial for leaders. Inhibitive moral agency sets a strong example for others, particularly subordinates, that they have truly internalized and ideally exceeded institutional values. Proactive moral

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ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 82.

[112] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 31.

[113] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 32.

[114] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 33.

agency is about making decisions and acting against what is unjust or inhumane. This kind of action requires strong convictions and can incur personal risk. Taking a stand against inappropriate cultural norms, reporting of war crimes, or consciously breaking a law in the interest of humanity all incur personal risk, and all of these events have occurred in relatively recent CAF history.[115] Conversely, an individual might seek to rationalize immoral behaviour, giving them a way out of doing what is right. This is called *moral disengagement*, and Albert Bandura has researched it extensively.[116] There are several mechanisms by which an individual can disengage from a moral issue, so a complete analysis is beyond the scope of this paper. However, to explain how it occurs, I will identify a few of the common methods. Through *moral justification*, one can misconstrue values to be interpreted in favour of the outcome they desire, such as misrepresenting parts of the Statement of Defence Ethics in a manner that sounds rational but is actually manipulative. *Euphemistic labelling* is also a misrepresentation, which in this case is the use of words to convey a more acceptable outcome; for example, while militaries use specific terms for a reason, leaders should not lose sight of the fact that something like "collateral damage" includes significant human issues like civilian deaths. Through *displacement of responsibility* someone justifies that social pressures or authorities are the ones truly at fault rather than oneself, and through *diffusion of responsibility* the blame can be transferred to a group rather than an individual being their own moral agent. As previously stated, these are only some of the mechanisms used, but they illustrate how moral disengagement can occur. To do what is right—or not do what

[115] An in-depth analysis of each of these issues is beyond the scope of this paper, but specific examples are sexual harassment (i.e., Operation HONOUR), the killing of Shidane Arone in Somalia, and the Captain Semrau case in Afghanistan.

[116] Albert Bandura, Gian-Vittorio Caprara and Laszlo Zsolnai, "Corporate transgressions through moral disengagement." *Journal of Human Values* 6 (2000): 58.

is wrong—a leader must not fall trap to application of misplaced logic. By analyzing ethical issues during the first two steps of Sonenshein's SIM (sensemaking and moral judgment), rather than justification of an innate response, decision-makers can reduce the likelihood of moral disengagement occurring.[117]

While some issues appear to be simple decisions to the onlooker (e.g., reporting of war crimes), it is well recognized through research that what people say they would do and what they actually do can be quite different.[118] Consistency in moral reasoning and moral agency is crucial for ethical leadership, and it often requires moral courage. This applies to all aspects military leadership, and the concept of moral courage is captured well in the following quote from *Developing Leaders - A British Army Guide*: "Over the years many officers have said, and some have shown, that they are prepared to give their lives for their men. However, there appear to be very few who have been willing to sacrifice their career."[119] When a leader can identify an ethical issue (moral awareness) and has the ability to objectively assess it (moral judgment), he/she must have the moral courage to act on it (moral agency), regardless of the personal risks.

In this chapter, moral development and cognitive processes associated with enacting ethical decisions have been described. In summary, individuals must mature into moral beings, and they have an interactive role with their environment in doing so. An ethical leaders' self-concept is centered on moral identity, and they are invested in mentoring others, making moral decisions, and taking personal risk in exercising moral

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[117] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1034.
[118] Stanley Milgram, "Behavioral study of obedience," *Journal of Abnormal and Social Psychology* 67 (1963): 371-378. The revolutionary Milgram experiment resulted in subjects deferring to an authority figure to a far greater extent than what was predicted prior to commencement, and it uniquely put people in a moral situation and observing their actions rather than asking them what they would do.
[119] Ministry of Defence. *Developing Leaders: A British Army Guide, Edition 1* (Camberley: Director General Leadership, 2014), 15.

agency. The next chapter will examine why it is essential for the CAF to take steps to better prepare its leaders for ethical challenges, before moving on to the final chapter that will describe how such an approach could be implemented.

CHAPTER 5: WHY THE CAF'S APPROACH TO ETHICS NEEDS TO CHANGE

Having examined the psychology of ethical decision-making and moral development in previous chapters, this chapter will consider the implications of these findings on the CAF's approach to ethics. It will begin with a brief review of the most relevant deductions from the previous chapters, which will identify to the reader key considerations for the subsequent section that reviews the Defence Ethics Program. The final sections will look at what is missing in the CAF's ethics program, the implications of the gaps, and what can be done to address it.

Summary of Previous Relevant Findings

Regarding ethical decision-making, a key finding of Scott Sonenshein's Sensemaking-Intuition Model (SIM) was that individuals have an innate response to ethical issues, immediately assessing them as "right" or "wrong," and then they tend to use intuition to make their decision.[120] The inclination to use intuition is often reinforced in organizations that expect leaders to handle large volumes of issues and be decisive; *low-effort cognition* is used extensively and can become ingrained as a default such that it is used in situations that require analytical rigor (*high-effort cognition*), such as ethical problems.[121] An issue that can also influence decision-makers is *affect*, which is an individual's preference for certain outcomes and their degree of connection to the situation, particularly the person(s) involved.[122] A further and very significant component

[120] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1031.
[121] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1032.
[122] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1032.

of the SIM is that it is only after having made a decision that individuals apply rationale, doing so in an attempt to justify their decision to themselves and explain it to others. This leads to the general impression that a rationalist approach is used to make ethical decisions, when in reality there is little, if any, analysis prior to the decision being made.[123]

Key to moral development is that it is experiential learning. Albert Bandura identified that individuals need to be exposed to ethical situations to develop their awareness of moral issues and aptitudes to deal with them.[124] Lawrence Kohlberg similarly found that experience was crucial, and that discussions of real-world issues at the developmental stage of the learner will enhance moral development; telling learners what the institutional values are and that they need to follow them inhibits moral growth, while exploration of issues that they are experiencing allows them to internalize the desired values.[125] Lastly, Kohlberg's levels of moral development should be kept in mind (Preconventional, Conventional and Postconventional),[126] particularly the point from the previous chapter that the CAF expresses a desire to operate at a Postconventional level but often attempts to address moral problems with Conventional level approaches.

A Review of the Defence Ethics Program

The Defence Ethics Program is responsible to "provide the focus, framework and processes necessary to guide, assess and continuously improve the ethical conduct of

[123] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1034.
[124] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 25.
[125] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 57.
[126] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 53-59.

[CAF] personnel and of DND employees." The Program is outlined on the Internet,[127] and the policies are described in Defence Administrative Orders and Directives (DAODs) 7032-0 and 7023-1.[128] The DAOD also includes the Statement of Defence Ethics as Annex A,[129] which is a pivotal document that is drawn from the *DND and CF Code of Ethics and Values*.[130] Other capstone documents, such as *Duty with Honour: The Profession of Arms in Canada*, which describes the CAF's ethos, and *Leadership in the CF: Conceptual Foundations*, are based on and contextualize the ethical principles and values from the Statement of Defence Ethics; therefore, it is important to review the Statement here.

The Statement of Defence Ethics is comprised of two parts: (1) ethical principles; and (2) specific values. These two parts outline the obligations and tenets that define the moral standards of the institution. The ethical principles, in priority, are: (1) *respect the dignity of all persons*; (2) *serve Canada before self*; and (3) *obey and support lawful authority*. An important aspect is that the list is prioritized; conflicts between obligations can be resolved by following the one that is higher, and by acting on the higher obligation an individual is following and reinforcing the institution's morality. The second part of the Statement of Defence Ethics describes the five specific values, which are: *integrity*; *loyalty*; *courage*; *stewardship*; and *excellence*. The values are *not* prioritized; they are goals that personnel should be striving for at all times. In circumstances where the values

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[127] Department of National Defence, Defence Ethics Program website: http://www.forces.gc.ca/en/about/defence-ethics.page. Last accessed: 30 Aug 2017.
[128] Department of National Defence, Defence Administrative Orders and Directives (DAOD) 7023 – Defence Ethics: http://www.forces.gc.ca/en/about-policies-standards-defence-admin-orders-directives-7000/toc-7023.page. Last accessed: 15 Aug 2017.
[129] Department of National Defence, Statement of Defence Ethics: http://www.forces.gc.ca/en/about-policies-standards-defence-admin-orders-directives-7000/7023-1a.page. Last accessed: 15 Aug 2017.
[130] Department of National Defence, AJS005DEPFP001, *Department of National Defence and Canadian Forces Code of Ethics and Values* (Ottawa, DND Canada, 2012): 8-11.

conflict, the prioritized ethical principles are used to resolve the variance.[131] For example, a situation could arise in which a leader is ordering something to be done that is immoral (but perhaps not illegal). In this situation, integrity and loyalty are possibly in conflict for the subordinate; however, when referring back to the ethical principles, *respecting the dignity of all persons* and *service to Canada* are higher obligations than *obedience to a lawful authority*. This can and should allow decision-makers to act in accordance with the CAF's code of ethics, so it is a functional document. That said, putting this into practice is not always as straightforward as the example just provided, and I will return to this point in the next section of this chapter. At this stage, the point is that the Statement provides a focus for the application of moral standards. As an independent document, or ideally when integrated with the Program and the CAF ethos, the Statement provides consistent messaging both internally and externally.

Internal Use of the Statement of Defence Ethics. The CAF's ethical principles and values serve to unify organizational purpose and goals.[132] As a central, guiding ideal, it does not differentiate between leadership and personal conduct expectations, nor should it; it is the institution's values writ-large. The differentiation needs to occur in the application of the Statement, and the leadership aspect is particularly important. According to *Conceptual Foundations*, "A key proposition of values-based leadership is that the guidance provided by core [CAF] values is the ultimate recourse and compass when explicit direction from superiors is lacking, when dealing with ambiguous

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[131] Department of National Defence, AJS005DEPFP001, *Department of National Defence and Canadian Forces Code of Ethics and Values* (Ottawa, DND Canada, 2012): 10.
[132] Stephen P. Robbins and Nancy Langton, *Organizational Behaviour: Concepts, Controversies, Applications* (Toronto, ON: Prentice Hall, 2003), 82.

situations, or when operating under competing demands and pressures."[133] This infers that there is an expectation that leaders will refer back to the Statement of Defence Ethics, evaluate problems based on the moral code, and therefore make ethical decisions. Conceptually, this should lead to consistency in ethical conduct and leadership; however, the underlying assumption is that CAF leaders use a rationalist approach to ethical decision-making, but according to Scott Sonenshein the reality is that most people use an intuitive process.[134] To examine this dichotomy, I will now review the approach used by the CAF to apply the concepts and ideals described in capstone documents. The practical application in the CAF is to: (1) integrate ethics into core training (i.e., career courses across the CAF occupations, particularly on common leadership courses);[135] (2) provide cyclical briefings and training sessions; [136] and (3) assess it on an continuous basis with reporting in an annual Performance Evaluation Report (PER).[137] The first approach—integration into foundational training—was researched by Zehra Baykara et al. with nursing students, and was shown to have positive results on moral awareness and reflection.[138] As such, it will be a component of a recommended plan for the CAF to be presented in chapter 6. The second approach—briefings and training session—is

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[133] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 16.
[134] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1031.
[135] Most leadership courses now have modules on ethics. In particular, within the CAF Junior Officer Development (CAFJOD) program there is a required module on leadership and ethics, and Joint Command and Staff Program (JCSP) has a post-graduate level course dedicated to ethics. Information on the CAF course curricula are available on the Defence Wide Area Network (DWAN) intranet.
[136] The Defence Ethics Plan would describe the specific requirements; interestingly, it is only available in printed copies, so viability of its implementation is questionable due to the limited accessibility. Reference to the Plan is available in DOAD 7023-0: http://www.forces.gc.ca/en/about-policies-standards-defence-admin-orders-directives-7000/7023-0.page.
[137] The Canadian Forces Personnel Appraisal System (CFPAS) describes the annual performance evaluation process. One of the Assessment Factors is "Ethics and Values." Details regarding CFPAS and annual assessments are available on the Defence Wide Area Network (DWAN).
[138] Zehra G. Baykara, et al., "The effect of ethics training on students recognizing ethical violations and developing moral sensitivity," *Nursing Ethics* 22 (2014): 10.

commonly used in the CAF, as it is mandated in most ethics plans issued at the level of environmental chiefs (i.e., Commanders of the Army, Navy and Air Force)[139] and is a typical topic for annual briefs at the unit level. Regarding training sessions, there is an online course called "Introduction to Defence Ethics," which takes about four to six hours to complete, and there are online tools available to guide ethics training. According to Dane and Sonenshein, this approach is rather ineffective in that it tends to trivialize the complexities and challenges associated with ethical decision-making; use of feedback throughout ethical issues is a much more enduring approach that enhances moral development in an organization through experiential learning.[140] Interestingly, use of feedback would be the goal of the third approach—continuous assessment and PER grading—but as was described in Chapter 4, Erik Dane and Scott Sonenshein determined that feedback must come from someone with ethical expertise (i.e., experienced and has developed schemas through objective analyses).[141] The need to provide timely and objective feedback brings us back to the original problem described above: there is an underlying assumption that CAF leaders use a rationalist approach. This indicates that there is flaw in the Defence Ethics Program in that there is an expectation or understanding that leaders will approach ethics rationally and objectively, rather than the innate intuitive response that actually occurs. The resultant gap that exists and its implications will be described later in this chapter.

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[139] The commanders of the Level 1 organizations in the CAF issue guidance that outlines how ethics will be addressed to meet the cultural and operational demands of their services. These directive and policies are available on the Defence Wide Area Network (DWAN) intranet.

[140] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 87.

[141] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 87.

External Purpose of the Statement of Defence Ethics. The external audiences are the citizens of Canada, the Government of Canada and other governmental departments, and foreign allies. Demonstrating to all of these entities that the CAF is an ethical organization is instrumental to the CAF's ability to conduct its missions effectively, and the relationship with Canadian society is specifically acknowledged in *Duty with Honour*, as follows: "The [CAF] must continue to meet Canadian society's expectations by remaining operationally effective, in line with Canadian values, and true to its core military values of duty, loyalty, integrity and courage."[142] The Statement of Defence Ethics articulates the CAF's moral standards to external entities, which sets the conditions for the institution to be both accountable and answerable for its stewardship. However, aspiring to the moral ideals does not mean that they are consistently achieved, and accountability to Canadians is witnessed by the outrage that exists over issues like the misogynistic culture in the CAF.[143] Consistent moral results are required, and this cannot be achieved with just ideals and concepts. There is a gap in the CAF's ethics program, and that will be discussed next.

The Gaps in the Defence Ethics Program

The CAF indicates that morality is central to its ethos, and there are several positive indications that this is the case, such as ethics being a topic on several courses, the existence of coherent guidance and policy (e.g., the Statement, *Duty with Honour*, and *Conceptual Foundations*), and high levels of trust from Canadians (according to a 2014

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[142] Department of National Defence, A-PA-005-000/AP-002, *Duty with Honour* (Ottawa: DND Canada, 2003), 20.
[143] Marie Deschamps, *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* (Ottawa, ON: DND Canada, 27 March 2017), 1.

Forum Poll).[144] However, to truly make ethics a central issue, the CAF needs to operationalize its ethics program by not just integrating ethical ideals and concepts into core training, but through a comprehensive approach that differentiates ethical leadership from personal conduct; full integration into planning processes and decision-making is required. The fact that Chapter 2 of the DND and CF Code of Ethics, which is supposed to cover operational ethics, has remained unpublished since 2012 is indicative of this shortcoming.[145] Even *Conceptual Foundations*, which provides exceptional theory in an entire chapter on ethical leadership, only indicates that risk analysis is an approach that can be used for ethical analysis.[146] A "how to" approach that provides an analytical framework is missing, as ethical leadership and decision making is much more than identifying and assessing risks.[147] The need for a comprehensive approach, in which values are central, was outlined eloquently by Simon Sinek in a recent TED Talk, and will be included in a book that he is preparing for release.[148] In his presentation, he describes that policy decisions can be made based on values or interests. Whereas national values are generally consistent and enduring, interests in certain regions and on various issues can be quite different. He contends that when we act on our values, there is consistency in national policy, but acting on interests creates tremendous misalignments. The example he uses for values-based decisions is providing medical treatment to injured

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[144] Forum Research, 2014, Canadian military most trusted institution. Last Accessed 15 Aug 2017: http://poll.forumresearch.com/post/36/canadian_military_most_trusted_institution_052614/.
[145] Department of National Defence, AJS005DEPFP001, *Department of National Defence and Canadian Forces Code of Ethics and Values* (Ottawa, DND Canada, 2012): chap 2 (only a placeholder for future publication).
[146] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 25.
[147] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 31.
[148] Simon Sinek, (Speech, "What game theory teaches us about war," TED Talk available on YouTube) Last accessed 25 Aug 2017: https://www.youtube.com/watch?v=0bFs6ZiynSU

enemy combatants: it is not in our interest, but it is consistent with our values (and, of course, international conventions). For interest-based decisions, he describes how the decision by the United States to use torture included a policy of doing it outside of the country: it was done in their interest, but it went against their values, so there was an attempt to mitigate a bad policy. In order to have a cogent approach to international affairs and challenges, which results in stronger alliances and better strategies, all issues must first be assessed against values, which will determine appropriate actions that sometime go against specific interests. The present approach of ethics being its own stream of analysis does not give morality the prominence that it requires. This results in a gap whereby there are ideals to live up to, but no specific mechanism by which to assess ethical factors, gauge results and objectively mentor subordinates. The remainder of this section will examine this gap by considering what the CAF is looking for in its leaders and what constitutes an ethical leader.

A study to define the competencies required of CAF leaders was completed in 2015. Known as the CAF Competency Dictionary (CAF CD), this detailed analysis defined several aptitudes that leaders required.[149] Two that are discernably linked to this paper are *ethical reasoning* and *commitment to military ethos*, and a recurring theme within these two competencies is *integrity*. As such, I will focus on integrity as the key trait of what is required in an ethical leader, which is consistent with institutional views expressed in *Conceptual Foundations*.[150] *Duty with Honour* explains integrity as follows: "Integrity: Members of Canada's profession of arms are expected to exhibit steadfast commitment to moral principles and obligations and to be accountable for their actions.

[149] Rankin, Karen, et al., CAF Competency Dictionary, (Ottawa, ON: DND Canada, 2015): 12.
[150] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 24.

This calls for honesty, truthfulness, uprightness, the avoidance of deception and adherence to high ethical standards at all times."[151] The inextricable link to morality and ethical leadership is obvious in this explanation, but a more personal and functional description was provided by one of Canada's greatest war heroes and ethical leaders. During one of his final speeches in 1997, Air Commodore Leonard Birchall, OBE, DFC, CD, O.Ont, also known as the Savior of Ceylon, explained integrity this way:

> Integrity is one of those words which many people keep in the desk drawer labeled, 'too hard.' It is not a topic at the dinner table or cocktail parties. You can't buy or sell it. When supported with education, a person's integrity can give them something to rely on. When their perception seems to blur, when rules and principles seem to waiver, when they are faced with the hard choices of right or wrong, it is something to keep them afloat when they are drowning. If for only practical reasons, it is an attribute that should be kept at the very top of a young person's consciousness. Without personal integrity, intellectual skills are worthless.[152]

Another practical explanation of leadership integrity, and perhaps the most succinct way of stating it, was provided by Senator Vern White at the Symposium on Special Operations Forces Leadership in 2016: "When you know what the right thing is, you are out of options."[153] These definitions highlight two crucial characteristics that were discussed in previous chapters: *objectivity* and *moral identity centrality*.

Although the term "objectivity" was not specifically examined in previous chapters, it was a consistent theme and was contextualized in the previous section of this chapter. Developing schemas, moral awareness and ethical expertise all indicate a requirement for objectivity in the processes associated with ethical decision-making. Leaders must be able to recognize the realities that are presented to them, cutting through the "equivocality and uncertainty" that Sonenshein describes as being inherent to ethical

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[151] Department of National Defence, A-PA-005-000/AP-002, *Duty with Honour* (Ottawa: DND Canada, 2003), 17.
[152] Leonard Birchall, (Speech, Conference on Ethics in Canadian Defence, Ottawa, ON, 30 October 1997). Last accessed 30 Aug 2017. https://www.youtube.com/watch?v=Bo0V8aQko9Y&t=1862s.
[153] Emily Spencer, *Pursuit of Excellence: SOF Leadership in the Contemporary Operating Environment* (Winnipeg, MB: 17 Wing Publishing Office, 2017), p.9.

situations.[154] They must also understand that there are biases that could impact their decisions, such as inappropriate modeling, expectations and affect, which were discussed in Chapter 3.[155] With objectivity, leaders can make clear, unassailable assessments. This is not to suggest that leaders should think so rigidly that their analyses are devoid of compassion; it is quite the contrary. Consideration of human factors must occur, and empathy and compassion are an important part of it; however, a leader should attempt to avoid emotions in his/her decision-making, as this can also influence their decisions through the effects of priming and framing.[156] If leaders have not been taught how to examine ethical problems using a rationalist approach, they will not be able to develop appropriate schemas, give and receive objective feedback, and effectively assess subordinates' ethics. Intuition can become a powerful tool once mature schemas have been developed, but the gap in the Defence Ethics Program cannot be addressed without moral rationale and objectivity being inculcated in CAF leaders.

The other aspect that is essential to integrity is *moral identity centrality*. As was discussed in Chapter 4, the degree to which someone views morality as central to their self-identity will influence their engagement in the moral development process.[157] According to Erik Dane and Scott Sonenshein, "individuals with high moral identity centrality are especially concerned with making ethical decisions."[158] This is seen in

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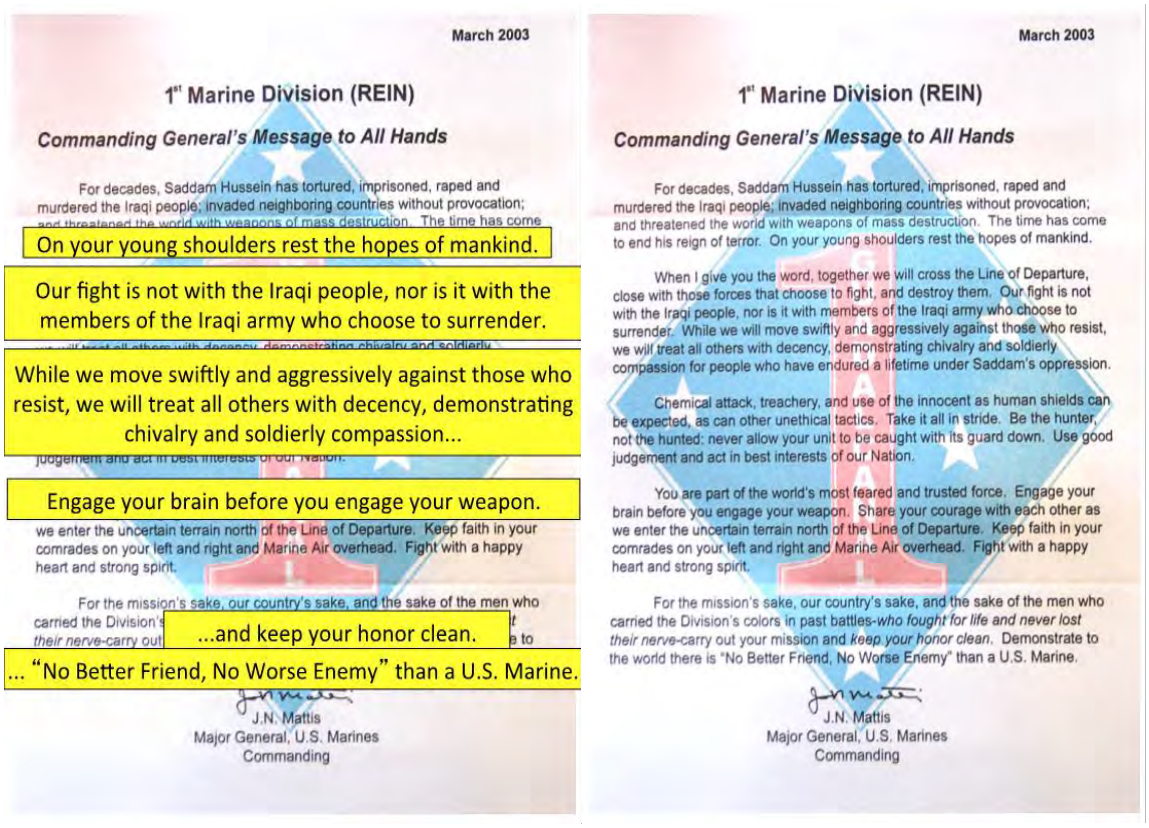
[154] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1022.
[155] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1030.
[156] Amos Tversky and Daniel Kahneman, "The Framing of Decisions and the Psychology of Choice," *Science* 211, no. 4481 (1981): 457.
[157] Karl Aquino and Americus Reed, "The self-importance of moral identity," *Journal of Personality and Social Psychology* 83 (2002): 1423–1440.
[158] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review*
5, no. 1 (2015): 84.

leaders who are well versed in applied ethics. For example, Gen (retired) James Mattis, a former US Marine and current Secretary of Defence, masterfully inserted ethical messages in his guidance. Illustrating this is his one-page open letter to his division when they were going into Iraq. In this very short correspondence, which is provided below, he contextualized the operation in ethical terms and inserted at least six ethical messages to his Marines. It is concise, operationally focused, and maintains a strong theme of ethical conduct in the interest of mission success and organizational expectations.



March 2003

1st Marine Division (REIN)

Commanding General's Message to All Hands

For decades, Saddam Hussein has tortured, imprisoned, raped and murdered the Iraqi people; invaded neighboring countries without provocation; and threatened the world with weapons of mass destruction. The time has come

On your young shoulders rest the hopes of mankind.

Our fight is not with the Iraqi people, nor is it with the members of the Iraqi army who choose to surrender.

While we move swiftly and aggressively against those who resist, we will treat all others with decency, demonstrating chivalry and soldierly compassion...

judgement and act in best interests of our Nation.

Engage your brain before you engage your weapon.

we enter the uncertain terrain north of the Line of Departure. Keep faith in your comrades on your left and right and Marine Air overhead. Fight with a happy heart and strong spirit.

For the mission's sake, our country's sake, and the sake of the men who carried the Division's

...and keep your honor clean.

their nerve-carry out

e to

... "No Better Friend, No Worse Enemy" than a U.S. Marine.

J.N. Mattis
Major General, U.S. Marines
Commanding

March 2003

1st Marine Division (REIN)

Commanding General's Message to All Hands

For decades, Saddam Hussein has tortured, imprisoned, raped and murdered the Iraqi people; invaded neighboring countries without provocation; and threatened the world with weapons of mass destruction. The time has come to end his reign of terror. On your young shoulders rest the hopes of mankind.

When I give you the word, together we will cross the Line of Departure, close with those forces that choose to fight, and destroy them. Our fight is not with the Iraqi people, nor is it with members of the Iraqi army who choose to surrender. While we will move swiftly and aggressively against those who resist, we will treat all others with decency, demonstrating chivalry and soldierly compassion for people who have endured a lifetime under Saddam's oppression.

Chemical attack, treachery, and use of the innocent as human shields can be expected, as can other unethical tactics. Take it all in stride. Be the hunter, not the hunted: never allow your unit to be caught with its guard down. Use good judgement and act in best interests of our Nation.

You are part of the world's most feared and trusted force. Engage your brain before you engage your weapon. Share your courage with each other as we enter the uncertain terrain north of the Line of Departure. Keep faith in your comrades on your left and right and Marine Air overhead. Fight with a happy heart and strong spirit.

For the mission's sake, our country's sake, and the sake of the men who carried the Division's colors in past battles-*who fought for life and never lost their nerve*-carry out your mission and *keep your honor clean*. Demonstrate to the world there is "No Better Friend, No Worse Enemy" than a U.S. Marine.

J.N. Mattis
Major General, U.S. Marines
Commanding

Figure 2 - Major-General Mattis's open letter to his division. The version on the left highlights the ethical messages, while the version on the right provides the full, original text.

Another example is Air Commodore Birchall's experience as the senior officer in Japanese prisoner of war camps. In abhorrent conditions, in which the Allied soldiers had disdain for officers because many had taken whatever small privileges were available upon arrival at various camps, Birchall had to lead his fellow prisoners without the

assistance of any true positional authority. Through persistence and courage, such as intervening whenever a Japanese guard was beating one of the men (which often resulted in him receiving the beating instead), he built trust and personal credibility that allowed him to lead. He was objective, compassionate and exemplified integrity, which led to incomparable survival rates of his subordinates as compared to those in other Japanese prisoner of war camps.[159]

Military leaders like Mattis and Birchall clearly had strong moral identity centrality, and they were able to objectively assess moral issues and integrate them into operational requirements. The gap that exists in the Defence Ethics Program is that it does not provide a framework for analysis of ethical situations that is recognizable to military leaders and adaptable to operational planning. Such a tool is essential for moral development, in that it would allow for optimized experiential learning, objective assessment of ethical leadership, timely and accurate feedback, and individual reflection on moral situations; all of which are topics that were discussed in Chapter 4 as fundamental elements of moral development. The implications of the CAF not adjusting its approach will be discussed in the next section.

Implications of the Gap

Without a framework for ethical decision-making, the CAF will continue to incur unnecessary risk on operations and struggle to make significant institutional changes. It must provide its leaders with tools to rationally solve ethical problems when appropriate, but more importantly build ethical expertise. Without the proper tools, good leaders will

[159] Leonard Birchall, (Speech, Conference on Ethics in Canadian Defence, Ottawa, ON, 30 October 1997). Last accessed 30 Aug 2017. https://www.youtube.com/watch?v=Bo0V8aQko9Y&t=1862s.

be vulnerable to making bad decisions, and bad leaders will continue to do immense damage to the institution and its people because they are susceptible to moral disengagement, which was previously discussed in Chapter 4. Even with rational thought processes, the deductions can be immoral through several mechanisms,[160] such as deference to an authority (*displacement of responsibility*), collective actions (*diffusion of responsibility*), or inappropriate application of experience and schemas (*moral justification*). These can be mistakes made by good people, or they can be deliberate manipulations by evil individuals.[161] And there are mechanisms of moral disengagement that can result in flagrant immoral acts, such as suggesting that ones adversaries brought immoral acts upon themselves (*attribution of blame*), *dehumanization*, and *disregard or distortion of consequences*. Regardless of the mechanism, an individual's self-regulation can be affected such that inhibitive and proactive moral agency does not exist.[162] Whether it is sinister or accidental, superiors must be able to identify that poor moral analysis is being applied and take action. Retaining and even allowing some immoral or morally flawed leaders to advance to more senior ranks and positions has broad and dire outcomes that can be manifested in many ways:

- Moving ethically incapable leaders into more crucial roles can cause mission failure or loss of institutional credibility through immoral acts.
- It can create toxic environments within their team, which clearly has proximate impacts on morale, but also has wider impacts when immoral

[160] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 103.
[161] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 102.
[162] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 33.

individuals advance. Gresham's Law, originally an economic principle, serves as an appropriate analogy. It states that, "bad money drives out good," and the same applies to bad leaders. When good people see immoral and ineffectual peers and superiors advancing, it can have an impact on retention and recruiting.

- There is an emerging realization that immoral decisions can inflict psychological damage. Good people who make bad decisions, or those implicated in bad decisions by bad leaders, can incur what is called moral injuries.[163] A full explanation of moral injuries is beyond the scope of this paper, but it basically manifests as an operational stress injury, except the cause has less to do with a traumatic event than with a significant loss of trust in "the system" or in themselves due to something immoral that they did or were subject to. According to Shira Maguen and Brett Litz, "Betrayal on either a personal or an organizational level can also act as a precipitant."[164] Bad leaders are not just causing frustration; some are actually inflicting injuries on their own people.

Ultimately, good people need to be given the resources, opportunities and feedback to effectively and efficiently develop into reliably ethical leaders. As Scott Sonenshein stated, based on research on illusions done by Taylor and Brown, "When individuals make guesses about [ethical issue] outcomes, they may have a positive

[163] Shira Maguen and Brett Litz, "Moral Injury in Veterans of War," *PTSD Research Quarterly* 23, no. 1 (2012): 1.
[164] Shira Maguen and Brett Litz, "Moral Injury in Veterans of War," *PTSD Research Quarterly* 23, no. 1 (2012): 1.

illusion that prevents them from recognizing that their decision will even harm others."[165] A developmental process is required to ensure that good people are not having to "make guesses" about the outcomes of their decisions. Conversely, immoral leaders must be identified and rooted out expeditiously, but this process must be objective, defensible and of course moral. The CAF owes its members a means by which to morally develop leaders and remove toxic, immoral ones. A means by which to fill the need for enhanced moral development will now be discussed in the final section of this chapter.

What is Required to Fill the Gap

Previous chapters identified that moral development is achieved through experiential learning, which requires exposure to ethical situations, feedback, and reflection; or as Carroll and Bandura describe it, "monitored enactment builds expertise."[166] It has also been established that people do not use a rationalist approach for ethical decision-making, resulting in instinctive and often errant judgments rather than well-reasoned deliberate or highly honed intuitive decisions.[167]

Lawrence Kohlberg and Richard Hersh analyzed moral development in the US school system,[168] from which many parallels can be drawn to the required changes in the CAF. In their critique, they identified that moral learning was either ignored (i.e., regarded as the jurisdiction of parents or religion) or traditional teaching methods were being used. They asserted that when formally taught, there was no opportunity for

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[165] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1024.
[166] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 26.
[167] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1022–40.
[168] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 53-59.

students to gain experience, nor did teachers have the opportunity to hear about real-life moral issues that the students were dealing with. Combined with an environment in which ethical behaviour is based on adherence to rules, it results in a combination of stages 1 and 4 of Kohlberg's moral development theory, completely missing the fact that school children are absorbed with resolving their stage 2 and 3 moral issues. With adults more preoccupied with telling children what to think rather than hearing about what they are thinking, the school system misses the opportunity to truly facilitate moral learning.[169] This was also found by Paul Bartone et al. in their research with West Point officer cadets, who stated the following implication for the US Army: "leader development programs must in some way take into account the actual psychosocial developmental levels at which students and trainees are currently functioning, and then seek to foster growth or development appropriate to that level, as opposed to just teaching new skills or knowledge."[170] The CAF approaches moral development similarly to what was observed in both these studies. Ethics is taught in a structured, traditional manner on career courses and mandated military education. Most courses, such as basic occupational courses, intermediate and senior staff courses (e.g., Army Operations Course and Joint Command and Staff Program) have ethics classes or modules in the curriculums. Although it is a positive step to have time programed for ethics education (it demonstrates that ethics is an important leadership issue), it does not address the real-world issues that leaders are facing, as was seen by Kohlberg and Hersh with schoolchildren.[171] In these structured

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[169] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 57.
[170] Paul Bartone, et al., "Psychosocial development and leader performance of military officer cadets," *The Leadership Quarterly* 18 (2007): 501.
[171] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 57.

settings, theory is covered and discussion is based around case studies that result in a rush to a solution followed by explanation about why it is the right one (which exemplifies the third step of Sonenshein's Sensemaking Intuition Model).[172]

To break the pattern of instinctive, irrational, intuitive decision-making and work towards true moral development, a common approach to ethical decision-making is essential. Although this might sound counter-intuitive—first arguing that a structured teaching approach is ineffectual and then recommending structure—the purpose is to allow for common understanding, thereby facilitating productive and objective dialogue. The concept is akin to military decision-making processes, such as the estimate, which is not prescriptive to an outcome, nor is it essential that it be formally completed prior to any decision and action.[173] What the estimate accomplishes is that it ingrains an understanding of factors that should be considered, avoiding a rushed decision doomed in failure; i.e., it assists in building schemas that get refined with experience and feedback. A comparable approach with ethical decision-making is recommended for four reasons: (1) the aim is to assist novice decision-makers in assessing factors and building schemas; (2) it enables objective discussion between subordinates and superiors (i.e., feedback); (3) a comparable approach makes it more recognizable, facilitating implementation and usage; and (4) by identifying ethical factors it can be integrated into operational analyses (e.g., estimate and the operational planning process), thereby bringing ethics into the center of decision-making, rather than a parallel or supporting consideration.

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[172] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1034.
[173] The estimate is an approach to operational analysis and decision-making used by the CAF, which will be described in greater detail in the next chapter.

Previous chapters covered the difference between personal conduct and ethical leadership, how people make ethical decisions, and moral development. This chapter has reviewed the Defence Ethics Program, identified that there is a gap that precludes practical implementation, and described how and why that gap needs to be filled. The essence of the existing gap is that there appears to be an underlying assumption that leaders are using a rationalist approach to ethical decision-making, and can therefore reliably integrate institutional values into their decisions. While there are leaders who are highly ethical in their decision-making, the tools that they have developed would be more attributable to a strong sense of moral identity centrality than an institutionalized program of moral development. A means by which to make values a core issue of decision-making is required, which will be the topic of the next chapter.

CHAPTER 6: A PROPOSED MODEL

The aim of this paper is to examine ethical leadership in the CAF, focusing specifically on a key aspect of leadership, which is decision-making. To do so, Chapter 2 outlined that: there is a difference between the decisions associated with personal conduct and making ethical decisions as a leader; the current operational environment presents increasingly ambiguous situations to commanders; some of the greatest institutional challenges that the CAF is facing are linked by an underlying issue of ethics; and moral development continues throughout adulthood, which the CAF can and should enable. Chapter 3 examined the psychological aspects of ethical decision-making, with the conclusion that people have an innate response to ethical issues, immediately assessing them as "good" or "bad" without having considered the full scope of the problem. An individual then attempts to make sense of the issue and uses an intuitive approach to make their decision, followed by application of logic to justify their decision; i.e., contrary to what many of would believe, a rationalist, logical approach is *not* used to arrive at the decision.[174] The nature of intuition was also described, as it is a powerful tool that would benefit military leaders in crisis situations. A key consideration of intuition is that an individual needs to build schemas for it to be effective, and that is achieved through experience in dealing with ethical situations.[175] Moral development and ethical expertise were explored in Chapter 4. Noteworthy issues in this chapter were the

[174] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1031.
[175] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 79.

fact that moral development occurs throughout adulthood,[176] and that ethical expertise requires the ability to detect moral issues (moral awareness), consider them objectively (moral judgment),[177] and take the appropriate action (moral agency).[178] Chapter 5 began bringing the prior concepts together in an assessment of the Defence Ethics Program, identifying that there is an errant assumption that leaders are using a rationalist approach to ethical decision-making. This results in delivery of ethics programs that do not adequately address moral development and precludes leaders from having the necessary level of ethical expertise to make appropriate and consistent ethical decisions. This chapter will build on the findings of all of the previous analyses, looking specifically at means by which to fill the gap in the Defence Ethics Program that was identified in Chapter 5. The first section will review the key findings from the previous chapter in relation to construction of an ethical decision-making model, and the guiding concepts for the model will be described. The subsequent section will review the CAF's doctrinal planning processes, which will be followed by a description of an ethical decision-making model in the third section. The final section will describe how such a model would be implemented in the CAF.

Fundamentals of the Model

This section will draw upon the concepts outlined in previous chapters to describe the theoretical basis for an ethical decision-making model. These fundamentals will lead

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[176] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 55.
[177] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 79.
[178] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 32.

to guiding principles for the model, and will be used throughout the remainder of the chapter to explain the design and concept for implementation.

First, understanding how leaders make ethical decisions and how they develop ethical expertise are crucial factors. Leaders must recognize that they are predisposed to making innate judgments on ethical issues, as was described in Scott Sonenshein's Sensemaking-Intuition Model (SIM).[179] Recognition of this by leaders can allow them to counter rushed decisions by engaging cognitive processes, thereby avoiding (or at least reducing the likelihood of) flawed outcomes.[180] The process of logically working through an ethical issue allows novice decision-makers to build schemas, which will enable them to process information quicker when faced with similar ethical situations in the future.[181] As more schema are built, and each is refined to higher levels of complexity, decision-makers can reach a point where intuition is an accurate and reliable tool,[182] allowing for relatively quick decisions in circumstances that require convergent cognition (i.e., outcomes that are within normal parameters of organizational and societal rules, laws and expectations).[183] Expert decision-makers can deconstruct their highly refined schemas to consider novel situations and devise unique solutions, some of which might involve divergent cognition (i.e., establishing new norms and expectations, and revising rules and

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[179] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007):1022–40.
[180] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review*
5, no. 1 (2015): 87.
[181] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review*
5, no. 1 (2015): 87.
[182] Gary Klein, *The Power of Intuition* (New York, NY: Random House, Inc, 2003), chap 4.
[183] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review*
5, no. 1 (2015): 80.

laws to enact the best option).[184] To build expertise in ethical decision-making, repeated exposure to ethical situations is necessary, and the decision-maker must receive credible and timely feedback.[185] In addition to competent decision-making, moral development is required to produce ethical leaders. According to Lawrence Kohlberg, moral development occurs through ones understanding of their social environment—institutions, society, nations—which is enabled through active exposure to increasingly complex situations.[186] In an examination of his theory in real-life circumstances, Kohlberg established that the typical teaching methods used in schools do not achieve moral development, as principles and concepts cannot be prescribed; they must be experienced.[187] Albert Bandura likewise determined that active exposure (i.e., experience) is required for moral learning, but he also determined that observation of ethical situations increases understanding and expertise, as long as the individual is cognitively engaged.[188]

These key findings indicate that the decision-making process must be repeatable in order to build schemas, there must be a common understanding and widespread use if reliable feedback is to be achieved, and moral development is achieved through experiential learning. The requirements of repeatability and common understanding indicate that a structure is required, but such a structure cannot dictate outcomes; ethical

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[184] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 82.
[185] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 26.
[186] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 55.
[187] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 57.
[188] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 25.

problem solving and moral development cannot be prescriptive.[189] Therefore, rather than a checklist, a *framework* is required, and that is the first fundamental. Holistically, the three deductions above (i.e., repeatable, common understanding and widespread use) indicate that the decision-making process needs to be ingrained across the institution, so the second fundamental is that it must be *ubiquitous*.

Next, it was established that ethical issues are pervasive and multifactorial.[190] Equivocality and uncertainty are at the core of ethical situations,[191] and they exist in day-to-day activities, in institutional problems and on operations.[192] Furthermore, ambiguity in operational environments is an accepted reality in current and future missions.[193] Therefore, today's military leaders need to deal with tremendous complexity and diversity in the types of ethical issues that they face. As such, an ethical decision-making process must encompass all dimensions of ethical considerations, meaning that it must be *comprehensive*. Additionally, to be useful it must be applicable across the diverse challenges, so it must be *adaptable*.

Finally, an ethical decision-making process cannot be overly onerous, or it just will not get used; leaders will revert to the natural process of sensemaking-intuition that was described by Scott Sonenshein,[194] defeating the fundamental described earlier, which was that it needs to be ubiquitous. Therefore, it needs to be easily understood and user-

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[189] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 24.
[190] Linda Fisher Thornton, *7 Lenses: Learning the Principles and Practices of Ethical Leadership* (Richmond, VA: Leading in Context LLC, 2013), chap. 1.
[191] S Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1022.
[192] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), chap. 2.
[193] Department of National Defence, A-PA-005-000/AP-002, *Duty with Honour* (Ottawa: DND Canada, 2003), 20.
[194] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1027.

friendly, meaning that *simplicity* is required. In the interest of achieving simplicity, the doctrinal planning and decision-making models used by the CAF will be examined in the next section, with a view to basing ethical decision-making on a format that is already familiar to leaders. As a recap of the deductions from this section, the fundamentals guiding the design of an ethical decision-making model were determined to be: *framework*, *ubiquitous*, *comprehensive*, *adaptable* and *simplicity*.

Review of CAF Planning Processes

The CAF uses several planning formats, but they all follow a similar, logical pattern, with the variances being in the complexities. In its most basic form, there are four steps to planning: aim, factors, courses open, and plan. In the first step—the aim—a decision-maker needs to clearly determine what the problem is that he/she is trying to solve. With an understanding of *what* they are trying to accomplish, a planner then moves to the second step, examining the facts and factors that influence the particular problem and making deductions that influence how the problem could be solved. For example, estimating how long it would take to do the required work, what resources would be required, when it should be done, etc. In the third step—courses open—the planner considers the options for how the work could get done, compares them and selects the best one. In the final step, with an option having been selected, they would develop the details of how they would execute their plan and issue orders.

Building on the basic planning process, an *estimate of the situation*—commonly known as "the estimate"—is more detailed, breaking out each step into specific categories to ensure that guidance from higher and all factors are considered. The Canadian Army manual that covers this, *Land Force Command*, defines the estimate as,

"the orderly analysis of a problem leading to a reasoned solution."[195] The steps of the estimate are: mission analysis, evaluation of factors, consideration of courses of action (COA), and commander's decision; development and review of the plan would follow for final approval by the commander. The most advanced planning format is the Operational Planning Process (OPP), which Land Force Command explains is a team approach to completing the estimate: "Once the process involves the commander and a collective staff effort, the term 'Operation Planning Process' is used to describe and manage the procedure."[196] The steps for the OPP are: initiation, orientation, COA development, plan development, and plan review.[197] Figure 1 depicts the progression of these planning processes, showing the linkages of each step as complexity increases. Admittedly, this is a simplification of the processes, but deliberately so to demonstrate that the concept, or logical flow, does not change.

[195] Department of National Defence, B-GL-300-003/FP-000*, Land Force Command* (Ottawa: DND Canada, 1996), 123.
[196] Department of National Defence, B-GL-300-003/FP-000*, Land Force Command* (Ottawa: DND Canada, 1996), 124.
[197] Department of National Defence, B-GJ-005-500/FP-000*, Canadian Forces Joint Publication 5.0, The Canadian Forces Operational Planning Process* (Ottawa: DND Canada, 2008), Chapter 4.

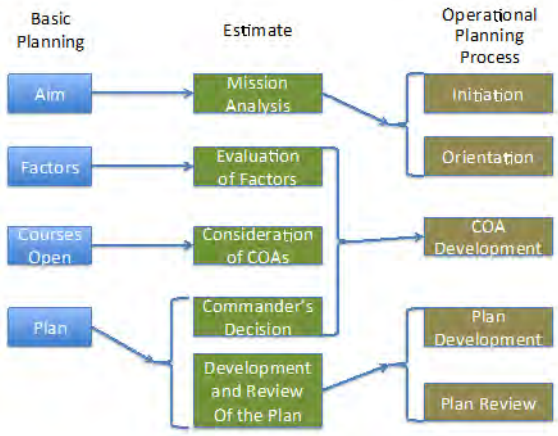

Figure 3 - A comparison of planning processes

Ultimately, the goal of these planning formats is to logically consider a problem and make a decision, which is precisely what must occur for objective ethical decision-making. Considering the guiding principle of *simplicity*, the existing planning processes assist in achieving it by using something that CAF leaders are already familiar with. It also remains a *framework*, as that is the stated intent of the estimate in Land Forces Command: "There is, of course, concern regarding the value of trying to impose an 'orderly' process in the midst of a chaotic situation. The estimate is a flexible tool that can vary in format from a commander's mental process, to a few notes jotted on paper, to a complete study of possible branches and sequels resulting in a contingency plan."[198] Finally, use of this logical process would assist with making the ethical decision-making process *adaptable*, in that it could be used in isolation for a specific ethical problem, or could easily be integrated into operational planning. What makes an ethical estimate

[198] Department of National Defence, B-GL-300-003/FP-000*, Land Force Command* (Ottawa: DND Canada, 1996), 123.

different is the factors to be considered, which is the real essence of this proposal and will be covered in the next section.

Ethical Decision-Making Model

The idea of using an analytical approach comparable to the estimate for ethical decision-making probably does not come as a surprise, but it has not been a typical approach since factors for evaluation are not particularly apparent. Whereas an operational estimate has objects that can be analyzed, such as terrain, an enemy, friendly force capabilities, time and space, and resources, the factors in an ethical estimate are far less tangible. Identifying obligations, prioritizing them, understanding human impacts, and ultimately projecting what will be a "good" outcome and a moral means of achieving it are comparatively imprecise. Regardless, factors do exist and objective evaluation can be done. The methodology for factors that is being proposed was first mentioned in Chapter 2; it is based on use of "lenses" that was devised by Linda Fisher Thornton,[199] as this is an extremely *comprehensive* method of considering ethical issues. Adapted to military requirements and adhering to the guiding principle of *simplicity*, there are six general factors, which are listed below. The descriptions of each provide a general outline of ethical considerations and do not fully explore the philosophical aspects, such as schools of ethical thought, as this is beyond the scope of this paper.

[199] Linda Fisher Thornton, *7 Lenses: Learning the Principles and Practices of Ethical Leadership* (Richmond, VA: Leading in Context LLC, 2013), chap. 3.

Six Ethical Factors

I. **Mission Success**. The government and the people of Canada expect the CAF to succeed in its missions—there is an obligation to do so.[200] However, the just war (*jus ad bellum*) must be conducted through just means (*jus in bello*).[201] How success is achieved absolutely matters, so the obligation to win must be balanced with the impacts on other factors, particularly stakeholders (i.e., people who would be affected). During evaluation of this factor is when military leaders should look for indicators of moral disengagement; the strong desire to fulfill this particular obligation has the capacity to allow leaders to mislead themselves and justify otherwise immoral actions.[202]

II. **Laws**. Although ethics goes well beyond rules, treaties and laws, they must be considered. It must be taken into account that most laws have some moral genesis,[203] so breaking a law, rule or treaty is often a moral violation in itself. Also, laws exist to govern human behaviour and maintain a civil environment,[204] so arbitrary contravention would be immoral. That said, laws do not dictate morality, so independent thought in complex situations is required to determine what is "right." When considered in conjunction with other factors, the lesser evil

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[200] Department of National Defence, A-PA-005-000/AP-002, *Duty with Honour* (Ottawa: DND Canada, 2003), 11.
[201] International Committee of the Red Cross, "What are jus ad bellum and jus in bello?" Last accessed 15 August 2017. https://www.icrc.org/en/document/what-are-jus-ad-bellum-and-jus-bello-0
[202] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 101-119.
[203] Richard Gabriel, *The Warrior's Way: A Treatise on Military Ethics* (Winnipeg: Canadian Defence Academy Press, 2007), 17.
[204] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), 36.

could be a legal violation, particularly if laws, rules or treaties are contradictory. An assessment of the most just means or the best outcome must be considered.

III. **People**. The essence of ethics is how humans treat each other, so this factor is essential but potentially all-encompassing. To make it clearly its own factor, it is about identifying who specifically will be impacted by an outcome. For example, if this is a situation regarding someone's career or dealing with a transgression, the impact on that particular person will obviously be considered; however, others in an organization can also be affected, either directly through extra work that they might have to do if a person were absent, or indirectly through affects on the organizational culture. In an operational environment, all people in the battlespace must be considered, and not just regarding kinetic effects (i.e., collateral damage); in today's operations there are war-winning (or losing) dynamics that need careful assessment, such as cultural and gender issues.[205]

IV. **Values**. Institutional, societal, and personal values must be evaluated. As was described in Chapter 5 and outlined in *Duty with Honour*, Canadian military values are a combination of military values and societal values.[206] The CAF fights to defend Canadian values, and in so doing cannot violate them. Personal values must also be considered in some circumstances, as leaders with a strong sense of moral identity centrality who are at Kohlberg's Postconventional level will potentially understand situations in a unique way, and they will apply their higher conception of values to certain problems.

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[205] Department of National Defence, *Chief of Defence Staff Directive for Integrating UNSCR 1325 and Related Resolutions into CAF Planning and Operations*. Last accessed 1 Sep 2017. http://www.forces.gc.ca/en/operations-how/cds-directive.page.

[206] Department of National Defence, A-PA-005-000/AP-002, *Duty with Honour* (Ottawa: DND Canada, 2003), 20.

V. **Accountability**. This factor would encompass integrity and answerability. In common parlance, CAF leaders often refer to the "Globe and Mail test." What is basically being asked is, "can I morally answer for my decision and/or actions?" or "have I been objective and shown moral courage, demonstrating the integrity expected of an ethical person and a professional?" One must keep in mind that they must be answerable to others for their action, but also accountable to themselves. Failure to acknowledge ones own morality can lead to doubt regarding their decisions and result in operational stress and moral injuries.[207]

VI. **Greater Good**. There are occasions when obligations to humankind are more important than all other factors. These can be incredibly difficult issues that include how people are treated, consideration that aborting a battle is more important for the long-term success of a campaign, and damage to the environment that could have long-lasting impact. This is articulated masterfully by Richard Gabriel in *The Warrior's Way*: "[The profession of arms] requires the deliberate taking of the lives of other human beings, and sometimes results in the deaths of completely innocent others, in the conduct of legitimate military operations. These activities involve grave questions of right and wrong that the soldier cannot legitimately escape merely by following orders."[208] When considering the greater good, violations of other ethical factors are probably inevitable, but these hard questions need to be asked and the factors need to be evaluated.

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[207] Shira Maguen and Brett Litz, "Moral Injury in Veterans of War," *PTSD Research Quarterly* 23, no. 1 (2012): 1-6.

[208] Richard Gabriel, *The Warrior's Way: A Treatise on Military Ethics* (Winnipeg: Canadian Defence Academy Press, 2007), 1.

Having described the groups of ethical factors, I will now outline how they would be applied to a decision-making process. Two applications will be examined: a purely ethical/personnel one to demonstrate how it would be used as a standalone model, and a very generalized description of how the factors would be integrated into operational planning. The estimate, which is the most basic planning format in CAF doctrine, will be used.

Simple Analysis of an Ethical Situation

For the first description—an isolated ethical situation—it must be kept in mind that *any* situation in which the outcome of a decision affects someone else has an ethical component, and is often an ethical problem in itself. Therefore, some examples cited throughout might appear to be rudimentary, but they are in fact ethical issues and are used here to illustrate use of the decision-making process.

For clarity, a checkmark bullet ( ) indicates a key outcome. Additionally, the model is summarized graphically in Figure 4 at the end of this section.

Step 1 – Mission Analysis (i.e., the aim). This would be considered the "sensemaking" stage of Scott Sonenshein's SIM.[209]

- Situation
    - It is important that leaders quell any emotional responses they might have had. Their personal emotional responses, or impassioned explanations when the situation is presented to them, can influence their sensemaking

[209] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1029.

and judgment through *framing* [210] and *priming* effects,[211] as was discussed in Chapter 3. This can occlude their objectivity and that of others involved in the decision-making, and potentially lead to moral disengagement.[212]

- Identify/establish what generated the situation:
  - A request – compassionate situation, release, occupational transfer.
  - An infraction – criminal, disciplinary, harassment.
  - Superior's guidance/orders – e.g., Operation HONOUR.
  - Assessment by the leader – detection of health issue in subordinate (e.g., mental health signs), cultural dynamic (good or bad) within the organization.

✓ Must clearly define *if* there is an issue, and what it is. This could be obvious in some cases, but not always.

- Limitations
  - **Laws**
    - Could be a constraint (must do) or more likely a restraint (must not do).
    - Which rules, regulations, policies and laws apply?
    - Which one(s) have primacy?
    - Do they align with the plan? If not, should further guidance or clarification be sought, or should further analysis occur during

[210] Amos Tversky and Daniel Kahneman, "The Framing of Decisions and the Psychology of Choice," *Science* 211, no. 4481 (1981): 453-458.
[211] John A. Bargh and Melissa J. Ferguson, "Beyond Behaviorism: On the Automaticity of Higher Mental Processes," *Psychological Bulletin* Vol. 126, no. 6 (2000): 931.
[212] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 102-111.

evaluation of factors to determine if amendment of the legislation or a waiver request would be appropriate?

- Consultation would probably be required at this stage. Tasks for further analysis will be discussed below, but advisors at this point would likely be: Legal Advisor, Adjutant/Admin O, senior enlisted (e.g., sergeant-major), and/or an applicable technical authority.

- **Mission Success**. Identify any considerations regarding moral (or immoral) means of accomplishing this, as they would obviously shape how the aim can or cannot be accomplished. In addition to shaping factors analysis and options, this would also highlight potential areas in which moral disengagement could occur.[213]

- Tasks. Obtaining advice from various sources of expertise allows a decision-maker/commander to get a holistic appreciation. Different circumstances require different perspectives, so one should determine who needs to be involved in the decision-making process and task them. Potential scenarios:
  - Conduct: Legal advisor, Admin O/Adjutant, senior enlisted, supervisor(s), Padre, Medical.
  - Career: senior enlisted, career manager, Admin O/Adjutant, supervisor(s).
  - Compassionate: supervisor(s), Admin O/Adjutant, Padre and/or medical officer, senior enlisted.

✓ Aim (i.e., analogous to mission statement). With an understanding of the situation and the laws, rules and policies associated with it, articulate the initial assessment.

[213] Albert Bandura, "Selective moral disengagement in the exercise of moral agency," *Journal of Moral Education* 31, no. 2 (2002): 102-111.

Remember that an innate judgment has probably already occurred, so use it as a hypothesis to be proven or disproven through factors analysis; by doing this, there is transparency in the decision-making process and a certain amount of bias can be acknowledged and dealt with objectively. However, the decision-maker must be careful to not prejudice his/her advisors and create groupthink by stating their initial assessment. Some examples of how this could be stated are:

  - "I'm inclined to support this request."
  - "This appears to be inappropriate and I'm concerned about [the conduct / impact on others / restrictive policy / etc]."
  - "This would set a precedence that could be [unsustainable / contrary to our culture / poorly perceived], but let's examine it to see what is feasible."

Step 2 – Evaluation of Factors. Begin by reviewing the facts of the situation and the commander/decision-makers initial assessment (i.e., "aim") so that there is a common understanding. Even if it is being considered independently, the decision-maker should remind himself or herself that their innate assessment might not be accurate, so they must assess the factors. Like in an operational estimate, key deduction must be noted, which in this case are the ethical issues that are being met or violated.

- **People** – Identify who would be affected by the outcome: individuals directly involved, groups that could be affected, people outside the unit/institution (e.g., family). This factor is absolutely crucial, as options (COAs) are often defined from considering the specific and general impacts of a decision.
- **Values** – Consider the various values:

  - What are the institutional values? For the CAF, these would primarily be from the Statement of Defence Ethics, but the Services/Commands each have their own cultures and ethics programs that should be considered.
  - What personal values are being considered/presented by the decision-maker or from the advisors? Are any of them significant enough to outweigh institutional/societal values?

- **Accountability** – A commander must own their decisions and be answerable for the outcomes. Therefore, they must identify and analyze the internal and external factors that could influence their decision-making.
  - What biases could be influencing the decision?
  - Are there any expectations affecting the decision? For example, a supervisor could approach these issues differently, and he/she could have an expectation for the outcome, thereby influencing the decision (this should be acknowledged, but should not influence the decision; sound reasoning and integrity should lead to doing what's right based on the facts, and moral courage is required to explain it higher).
- **Greater Good** – Are there any broader considerations that would justify exceptional action? This is where divergent and Postconventional thought are required. For example, diversity or PTSD/OSI issues, moral treatment of all people (and even ethical treatment of animals), and potentially environmental issues need to be considered.
- **Mission Success and Law** – Although these were already considered in Step 1, they should be revisited here to assist in defining options. A review of the

applicable laws, rules and policies will assist in defining feasibility or significant challenges when COAs are considered. Additionally, issues regarding *how* the problem could be approached should be considered (i.e., identification of the key deductions and "coordinating instructions"/methods of mitigation), as moral actions matter in getting to a solution. Signs of moral disengagement during prior factors analysis should also be considered.

- ✓ Evaluation of these factors should confirm or deny the original, innate moral judgment, much in the way that a scientist proves or disproves a hypothesis. With the desired outcome confirmed, a comprehensive understanding of the situation having been developed and key deductions noted, options can be developed.

Step 3 – Consideration of COAs. Options will sometimes provide an obvious winning solution; i.e., all factors/conditions are met. Quite often, however, there will need to be compromise in one or more factors. COA comparison should be based on any moral violations identified in Step 2, and risks with mitigation strategies should be defined.

- ✓ Options defined and objectively compared; must ensure mitigation of risk(s) is not done via moral disengagement.

Step 4 – Decision. In addition to simply making a decision, the thought process should be explained to those who assisted in the analysis and subsequently to any individuals or groups who are affected. There are two reasons that this should be done: (1) transparency of decisions (acknowledging that there are some very sensitive issues, so confidentiality might be more important than widespread communication); and (2) to enhance moral

development and ethical expertise, as it was determined that observation of moral issues can be beneficial if an individual is cognitively involved.[214]

- ✓ Decision made and the thought process of the problem has been used to enhance the ethical expertise of others involved.

Step 5 – Development and Review of the Plan. As with an operational estimate, final details would be refined in this step, with risk mitigation strategies clearly articulated and sequenced, and tasks would be assigned. Where required, the plan would be documented and/or approvals formally granted.

- ✓ Tasks assigned and approvals granted for execution of the plan; persons affected by the problem could be briefed at this step rather than the previous, particularly for complex and formal analyses.

This step-by-step description could give the impression that it is a rather pedantic process. It is acknowledged that it is not suitable for crisis situations, much in the way that a combat estimate or intuition would be used in the midst of battle rather than a formal estimate;[215] however, many situations allow for deliberate analysis, and comfort with using these steps leads to quicker use, moral development of others through exposure/experience and feedback,[216] and building of schemas.[217]

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[214] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 25.
[215] Department of National Defence, B-GL-300-003/FP-000*, Land Force Command* (Ottawa: DND Canada, 1996), 147.
[216] Erik Dane and Scott Sonenshein, "On the role of experience in ethical decision making at work: An ethical expertise perspective," *Organizational Psychology Review* 5, no. 1 (2015): 87.
[217] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1036.

Integration of Ethics into Operational Planning

The previous description of using an estimate format for an ethical decision should make it apparent to the reader that such a foundation makes the process amenable to integration into larger issues, such as operational planning. A brief outline of how this could occur follows.

Step 1 – Mission Analysis (i.e., the aim).

- Superior and Higher Commander's Intent. Aside from what is being directed, consideration should be given to any potential moral issues that are immediately apparent. This is not to suggest that the higher commanders could be assigning an immoral mission (although that should be considered), but that today's complex operational environments present grey areas, such as combatant status, child soldiers[218] and civilians in the battlespace.[219]
- Limitations. As presented in the first example, laws, rules and policies need to be considered in terms of constraints or restraints, which could now include treaties, conventions, host nation laws, theatre policies and national caveats. Identifying these and understanding which ones take precedence (e.g., national caveats over theatre policies), how they are managed (i.e., who needs to be consulted), and the operational effect of each one, are essential for development of an effective, morally consistent plan. For example, Rules of Engagement (ROE) could provide a lot of latitude to troops on the ground, but full use of those permissions might run counter to goals of a particular mission; accomplishment of the mission might

[218] Department of National Defence. *Canadian Forces Joint Doctrine Note 2017-01 – Child Soldiers* (Ottawa: DND Canada, 2017).
[219] Department of National Defence. *CDS Directive for Integrating UNSCR 1325 and Related Resolutions into CAF Planning and Operations* (Ottawa: DND Canada, 2017).

require significant controls on use of force, but this needs to be balanced with force protection (i.e., self-defence in a kinetic sense) and obligations to the welfare of ones own troops (e.g., authority to use more aggressive actions within the ROE to prevent human atrocities—"right to protect"—which could result in mental health injuries).

- Tasks. An implied task is certainly to act ethically, but that of itself is of little value to planning as a task or deduction. Specific ethical deductions should be made from the assigned tasks, and thought should be given to implied tasks from the initial consideration of the mission being assigned. For example, are there gender issues, are authorities required to treat civilian casualties, and what are the implications of psychological and cyber operations?
- Mission Statement. Although an ethical phrase is unlikely to form a part of the mission statement, as there is a specific structure, consideration should be given to the tone, particularly the "unifying purpose" portion for strategic and operational-level mission statements. This is also a stage at which the ethical messages for the commander's intent statement could begin to be considered.

Step 2 – Evaluation of Factors. There are designated categories of factors in a formal, operational estimate, so ethical factors should be integrated into those groupings.

- Environment. Typically includes meteorology, terrain, and "human terrain."
    - **People** – Identify who could be impacted in the battlespace. This is actually a factor that has already been well defined and ingrained in operational analysis during recent counter-insurgency operations (i.e., "human terrain").

  - **Greater Good** – Obligations to humanity and effects on the planet/ecosystems.
  - **Values** – Local values, particularly as they differ from own personal and institutional values.

- Enemy
  - **Values** – How the adversary's values differ from ours, and whether or not this constitutes immorality or simply a different perspective/priorities.
  - **Accountability** – Potential adversary moral transgressions (not to be confused with cultural differences).
  - **Laws** – What laws, treaties, accords, conventions and agreements are they / are they not observing.
- Friendly. Today's operations are typically conducted in a coalition, often operating alongside or mentoring host nation partner forces. Increasingly, they are also conducted in joint and interagency teams. This requires CAF elements to understand the values of each of the partner organizations to achieve the greatest effects.
  - **Laws** – Identify the national caveats for employment; what are the authorities that partners have beyond ours, and are there potential issues by working with them (e.g., enhanced interrogation techniques, biometrics).
  - **Values** – Understanding the values of partners and any differences from our own allows for better combined operations and mentoring.

    - **Accountabilities** – Being associated with a force that conducts immoral acts or whose values clash affects CAF credibility and can jeopardize an operation. CAF members cannot ignore these issues when partnering and mentoring, so it should form part of an operational analysis to determine what is acceptable, what is not, and what can be done to ameliorate such issues.

- Time and Space. Not a factor in which moral issues typically arise, but it should not be overlooked. For example, there could be a strong desire or need to get to an event in the case of crisis response operation; **Laws** and **Accountability** would be considered: police escort could legally and morally mitigate it.
- Assessment of Tasks. When operational and tactical tasks are deduced, commanders and staff should assess if their forces have been resourced adequately to achieve their tasks. This goes beyond the typical sense of resourcing materiel: ROE/appropriate use of force, resilience strategies, and forethought into "troops to task" for all kinetic and non-kinetic battlespace effects must be considered, and deductions would also form the content of ethical messaging from commanders.

Step 3 – Consideration of COAs. Morality needs to be assessed in each of the options being considered. It is recommended that "ethics" be used as a COA comparison criterion, under which each of the six ethical factors would be assessed. In doing so, any ethical issues that could not be mitigated would result in a COA being justifiably unfeasible, and cases where mitigation would be effective, the staff and commander would be able to objectively assess if such effort would outweigh the operational benefit.

The COAs assessed to have ethical issues that need to be mitigated should not be regarded as unethical options; to the contrary, they are options in which comprehensive analysis has occurred and the actions to be taken are defensible, meaning leaders would be accountable and answerable. Therefore, even if the best COA were not morally perfect, it is much better to identify issues and balance them appropriately than to ignore it entirely and not have put foresight into it.

Step 4 – Commander's Decision. With "ethics" being only one of several COA comparison criteria, the commander must weigh all the considerations. Assessing the ethical issues, and determining mitigation measures where required, allows a commander to make an informed and ethical decision.

Step 5 – Development and Review of the Plan. The mitigation measures, which could involve branch or sequel plans, must be captured in the detailed plan and orders. Also, commanders at all levels need to consider inserting ethical messages in all of their orders and guidance. The "Commander's Intent" paragraph of an operations order is an optimal location to capture ethical guidance. Gen Mattis's open letter that was presented in Chapter 5 is an example of masterful ethical messaging that military leaders should strive to achieve.

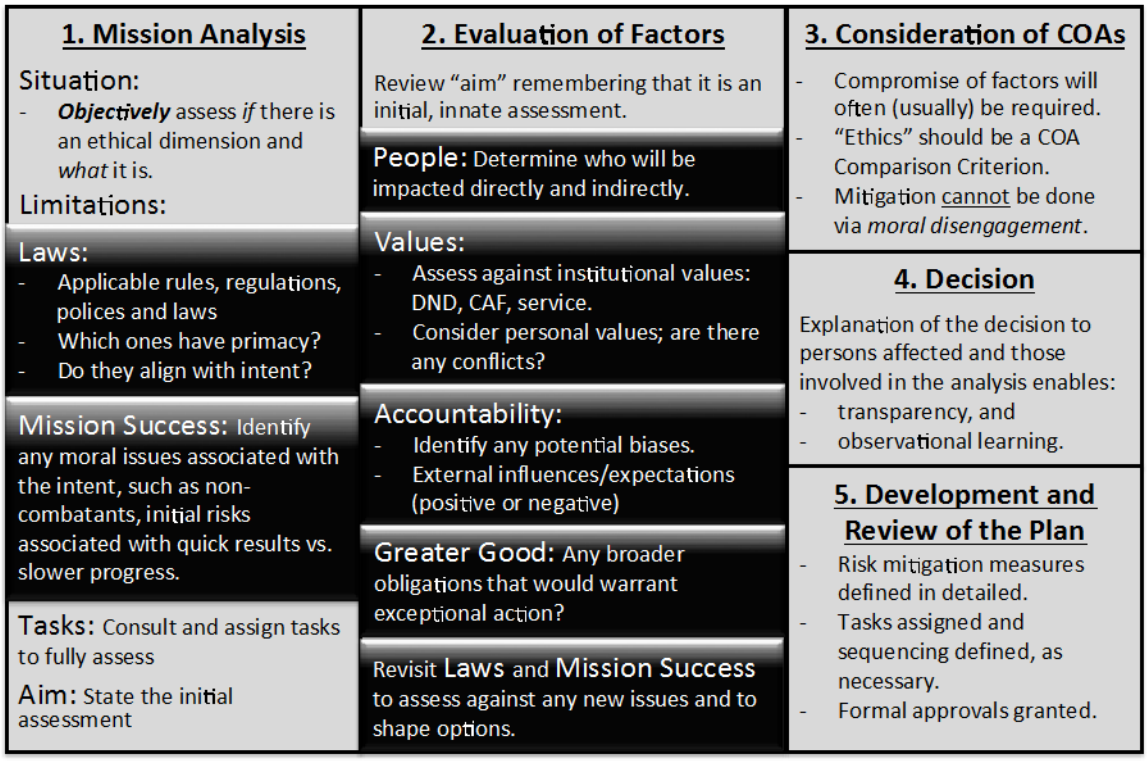

Figure 4 – Summary of the proposed ethical decision-making model, which is based on the CAF estimate process. The five steps of the estimate are depicted in grey, and the ethical factors are represented by the black background.

Summary of the Ethical Decision-Making Model

By applying ethical factors to existing planning processes, objectivity can be achieved in ethical decision-making, and the guiding principles of the model are met:

- *Framework* – The process is not prescriptive and allows for unique solutions and building of schemas.
- *Ubiquitous* – It can be understood and applied by anyone who has learned the estimate process.
- *Comprehensive* – The six ethical factors allow for a holistic examination of ethical issues.

- *Adaptable* – It can be used for issues that are specifically moral in nature, resolution of more general problems with ethical dimensions, and consideration of ethics in operational planning. The approach described for an operational estimate could comparably be applied to the collective estimate; if applied to OPP, it is recommended that it remain a core analysis issue (i.e., an operational planning staff function: J5 or J35) rather than being assigned to an ethics advisor; key issues are central to operational objectives, but someone considered to have ethical expertise could be used as an integral member of the planning group. Ultimately, all members of the planning staff should be considering these issues.
- *Simplicity* – By following an existing format that is familiar to CAF leaders, it is made as easy to learn and apply as possible, and it can be integrated into operational planning relatively simply.

Concept of Implementation

Implementation could be achieved relatively easily through augmentation of courseware rather than introduction of new training programs and courses. Some training and education that is already provided would not need to change, such as introduction of CAF Statement of Ethics and CAF ethos on basic, entry-level courses; this should remain the foundation. Through existing educational programs, such as basic leadership courses and CAFJODs, leaders should be introduced to the theories of how people make ethical decisions (Sonenshein), moral development (Kohlberg or Kegan) and moral disengagement (Bandura). The ethical decision-making model should be similarly introduced on basic leadership courses (e.g., PLQ and BMOQ) in conjunction with the estimate. This would allow one process to be taught, with ethics being introduced as

additional factors. Ethical discussions should still occur on leadership courses to highlight use of the model in a standalone manner, and to engage in topics that candidates believe to be the most relevant and current ethical issues; a less formal approach—facilitated vice instructed—is recommended. These discussions should similarly occur on intermediate and advanced level leadership courses and professional development. Candidates should have to analyze ethical factors as part of their operational plans, and they should learn about the mental health/moral injury aspects of poor decision-making. Further to this, leaders should look for opportunities to discuss real-life ethical issues, formally and informally on an ongoing basis. A complete analysis of implementation is beyond the scope of this paper, so it is recommended that this be a topic for future research or a planning group that involves CAF individual training and education experts.

CHAPTER 7: CONCLUSION

This paper has examined the nature of ethical decision-making, which is a core aptitude of ethical leadership. The CAF has examined ethical leadership for several decades and gone to great lengths to describe *what* it wants its members and leaders to be. The *Statement of Defence Ethics*, *Duty with Honour* and *Conceptual Foundations* have been excellent assets in this regard, and they form an essential component of the Defence Ethics Program; arguably, the *Statement of Defence Ethics* is *the* essential component, as institutional morality and ethos cannot exist without common values.[220]

Despite the existence of these central institutional ideals, along with extensive rules and policies to guide behaviour, the CAF continues to wrestle with *applied* ethics; diverse cases of harassment and day-to-day frustrations, sexual misconduct[221] and the increased complexity of demands in modern operations[222] indicate a need for a comprehensive approach to the application of values-based leadership.[223] As was discussed in Chapter 4, the ideals expressed by the CAF in the guiding documents indicate a desire for the institution to operate at the Postconventional level of Kohlberg's theory of moral development; however, the method of implementation is based on rules and telling members *what* to think,[224] which leads to a Conventional level mindset. What appears to be missing is a method for leaders to apply the ideals described in the

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[220] Richard Gabriel, *The Warrior's Way: A Treatise on Military Ethics* (Winnipeg: Canadian Defence Academy Press, 2007), chap. 1.
[221] Marie Deschamps, *External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces* (Ottawa, ON: DND Canada, 27 March 2017).
[222] Department of National Defence, A-FD-005-001/AF-003, *The Future Security Environment, 2013-2040* (Ottawa: DND Canada, 2014), 28.
[223] Department of National Defence, A-PA-005-000/AP-004, *Leadership in the CF: Conceptual Foundations*. (Ottawa: DND Canada, 2005), Chap 2.
[224] Deanna Messervey and Karen Davis, *Mitigating the Ethical Risk of Sexual Misconduct in Organizations* (Ottawa: Defence Research and Development Canada, 2016), 285.

Statement of Defence Ethics and the theoretical goals of *Conceptual Foundations*. In other words, if leaders are not able to make appropriate moral decisions, then rules and policies are developed to guide them; this amounts to an acceptance that our leaders are operating at the Conventional level rather than an impetus to find a way to bring leaders' ethical expertise to a higher level.

The essence of the gap in the Defence Ethics Program is that there appears to be an assumption that leaders are using a rationalist approach to ethical decision-making; however, Scott Sonenshein's sensemaking-intuition model demonstrates that it is quite the contrary: individuals have an innate intuitive response to ethical problems. This paper contends that this shortcoming can be addressed through a new approach, which would see the implementation of an ethical decision-making model based on the existing operational decision-making methods: the estimate and the operational planning process. Adopting this approach would:

- Provide a means of training leaders in objective ethical thought that takes advantage of current decision-making processes, thereby facilitating acceptance, learning and widespread usage (as described in Chapter 6).
- Allow for a common understanding of ethical analysis, which would facilitate discussions and feedback. This would ultimately enhance moral development, as it would provide opportunities for experiential learning[225] and substantive ethical discussions on courses (i.e., discussions would be at the moral development level of the learners, replacing traditional classroom instruction; the former enhances development while the latter actually stifles moral

[225] Albert Bandura, "Social Cognitive Theory: an agentic perspective," *Asian Journal of Social Psychology* 2 (1999): 25.

development).[226] Early, meaningful ethical engagement would assist in producing well-rounded leaders,[227] making good leaders better (i.e., not have to figure it out through trial-and-error[228]) and providing opportunities for leaders with low moral identity centrality a means by which to improve.

- Provide objectivity to personnel appraisal. By having a common framework and understanding of ethical decision-making, the validity of discussions regarding career potential would be greatly enhanced and there would be objective substantiation regarding moral suitability for progression. This would lead to the CAF's goal of promoting strong ethical leaders and removing unethical ones. Not only would it develop leaders to embrace moral identity centrality, but it would increase the proportion of ethical leaders by removing the ones who do not closely align their identity with morality.
- Allow for integration into operational planning, making values central to CAF planning in all circumstances. This is the ultimate goal, as morality needs to be at the core of decision-making in today's complex operational environment. This would further align the CAF as an institution with the concept of moral identity centrality, thereby enabling consistent ethical outcomes on operations and enhancing its reputation with Canadians.

Understanding that I am proposing the implementation of rationalist model for ethical decision-making, I must therefore make it clear that I am not espousing

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[226] Lawrence Kohlberg and Richard Hersh, "Moral Development: A Review of the theory," *Theory into Practice* Vol 16, No. 2 (1977): 55.
[227] Paul Bartone, et al., "Psychosocial development and leader performance of military officer cadets," *The Leadership Quarterly* 18 (2007): 501.
[228] Scott Sonenshein, "The Role of Construction, Intuition, and Justification in Responding to Ethical Issues at Work: The Sensemaking-Intuition Model," *Academy of Management Review* 32, no. 4 (2007): 1024.

abandonment of intuition. To the contrary, I am recommending an approach that would assist in development of schemas that would enable effective use of intuition. As Albert Einstein stated, "The intuitive mind is a sacred gift and the rational mind is a faithful servant. We have created a society that honors the servant and has forgotten the gift."[229] Intuition is an indispensible tool in many situations, particularly in the midst of military operations, but it is only effective if it has been appropriately developed. A rationalist decision-making model and routine exposure to moral situations with effective feedback enables development of schemas, thereby facilitating reliable intuition.

Admittedly, the results of such a change would not be apparent for a number of years after implementation. Although it would be relatively simple to weave the ethical factors into existing programs and courses (i.e., complete specification rewrites would not be required), routine and widespread application of the model would not be realized until a majority of leaders have been exposed to it. Conversely, not changing the approach would see the CAF continuing to chase each issue with policies and rules in a reactionary manner—the proverbial "whack-a-mole" concept. Despite the fact that it would take time to tangibly see the results of such a change, it must be kept in mind that it takes substantial time to address any significant cultural issues, as is being seen with Operation HONOUR; the difference with this approach is that it would be enduring, making moral identity centrality a key issue for CAF leaders, and values the central tenet of decision-making.

Further research is recommended regarding the feasibility of implementation across the areas that would be affected. In particular, analysis would need to occur with the CAF's Military Personnel Command (MILPERSCOM) regarding changes to the

[229] Gary Klein, *The Power of Intuition* (New York, NY: Random House, Inc, 2003), 3.

Defence Ethics Program, as well as implications for the Canadian Forces Personnel Appraisal System (CFPAS) regarding formal assessment of ethics and values. Additionally, training authorities and institution would need to be consulted to amend ethics components of the various curricula.

Ethical leaders have well-developed aptitudes in moral awareness, judgment and agency, and they live morality every day. While there are many "good" people leading in the CAF, it only takes a few self-centered, careerist and/or immoral leaders to create a toxic environment. The CAF must enhance the moral development of the good leaders that it has and diligently work to improve or root out the immoral ones. Enhanced understanding of the psychology of ethical decision-making and a framework for assessing ethical situations and making decisions would allow the CAF to achieve the level of institutional morality it seeks.

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