

The Importance of a Code of Conduct

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Last month, we examined the argument in a lecture by Admiral James Stockdale titled “Education for Leadership and Survival: The Role of the Pressure Cooker.” For him, the most challenging pressure cooker of his life was nearly eight years as a prisoner of war in the Hanoi Hilton. Part of the reason Admiral Stockdale and his fellow prisoners prevailed under the pressures of captivity was a code of conduct that the Admiral, at that time a captain, developed for himself and his men. Discussing this with a group of listeners after his release from prison, Admiral Stockdale said: “To lead under duress, one must be a moralist.... This requires a clear perception of right and wrong and the integrity to stand behind one’s assessment. The surest way for a leader to wind up in the ash can of history is to have a reputation for indirectness or deceit. A disciplined life will encourage a commitment to a personal code of conduct.” One of the

interesting, perhaps challenging, consequences of this statement is that a code of conduct for a group of people in a common enterprise, if it is to be a reliable guide to conduct under pressure, must be made a personal code by each one who is party to it. This requires that one understand the code, the reasons behind each element of it, the goals it seeks to achieve, and that one self-consciously commit himself to it, for then, a person will have greater determination to follow the code than he would, for example, if following a list of “values” in an employee handbook.

In an interview about his time as a prisoner of war, Admiral Stockdale said: “We had a war to fight and were committed to fighting it from lonely concrete boxes. Our very fiber and sinew were the only weapons at our disposal. Each man’s values from his own private sources provided the strength enabling him to maintain his sense of purpose and dedication. They placed unity above self. Self-indulgence was a luxury that could not be afforded.” Stockdale was the senior officer in the prison, and so, consistent with the code of conduct for fighting men promulgated by President Eisenhower in 1955, he took command. Admiral Stockdale prepared a code of conduct for the men under his command for the purposes of giving them a goal and a sense of unity. He used an acronym, of sorts, BACK US, standing for the following rules: don’t Bow in public; stay off the Air; admit no Crimes; never Kiss them goodbye; Unity above Self.

Among the rules in President Eisenhower’s code of conduct for American fighting men are these:

“If I am captured I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy.

“If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information or take part in any action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.

“When questioned, should I become a prisoner of war, I am bound to give only name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

“I will never forget that I am an American fighting man, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and in the United States of America.”

Admiral Stockdale’s code of conduct may be thought of as enabling legislation intended to guide the men in the Hanoi Hilton according to President Eisenhower’s instructions, but in a way that is specific to their circumstances. Another way to think about this is that rules typically are not self-interpreting, but have to be interpreted and applied by individuals within the circumstances of the moment. Ancient thinkers would express this by observing that one cannot accurately measure the circumference of a fluted column with a straight edge, but rather a flexible rule is required. It is important to recognize what may be thought of as a gap between a rule and its application within the concrete circumstances of the moment. Filling that gap consistently requires thinking about it, paying attention, and it requires experience. Admiral Stockdale is addressing this point in the quote above in which he says that in order to lead under duress, one must have a clear perception of right and wrong and the integrity to stand by one’s judgments. This is made clear when Admiral Stockdale warns against being indirect, or less than clear and decisive, and to be deceitful, we may assuredly conclude, is disgraceful. If one is leading under difficult conditions, communicating indirectly can be damaging because it risks misunderstanding and confusion; one must be clear and decisive. Decisiveness in action does not rule out discussion or consultation, but recognizes that a moment comes when a decision must be taken; a decision that stands within the framework of the shared code of conduct.

When someone is seeking a clear perception of right and wrong, an important first question to ask is whether there are any actions that are always wrong no matter the circumstances, and actions that are always required of us, no matter the circumstances. Are there any moral rules that bind us absolutely in the sense that there are no morally legitimate exceptions? In moral philosophy, there are many “thought experiments” that seek to clarify what is meant by an absolutely binding moral rule and what, if any, they might be. Yet, whenever one discusses any of these experiments with others, especially with students, what are really in many people’s minds are the kinds of circumstances under which virtually any act could be morally justified by “necessity.” In other words, many people casually accept the idea that there is little-to-no discernible moral truth that can ground rules that bind us in all cases whatsoever. After all, people disagree on moral questions, and the fact of disagreement is taken to demonstrate that there are no right answers to such questions. Among English-speaking people, the moral theory that has been most influential for more than two hundred years is called Utilitarianism. The central tenet of this theory, the Principle of Utility, holds, simply, that an act is right if it produces more pleasure than pain. Of course, this principle raises numerous important questions. What is pleasure? Who decides? Are some pleasures better than others? Who decides? Can there be a duty to promote pleasure? The many unanswerable questions that attend Utilitarian moral theory attest to the fact that the theory is mistaken, as Admiral Stockdale states clearly, if in different words.

An important consequence of Utilitarianism for human conduct is the assumption that we have no moral duties beyond acting to produce the most pleasant, or the least painful, outcomes for the people involved in our decisions. Here we find an important defect in Utilitarian theory. If an act is determined to be right or wrong depending on its consequences, then we cannot know if an act is right or wrong until we act and find out what happens. In short, the Principle of Utility is not a reliable guide to morally just behavior. Moreover, it is perhaps the most damaging criticism of Utilitarianism that it cannot recognize justice, which is understood at its core as the “constant and perpetual will” to give to each person what is due to him. If we begin thinking about moral conduct from the idea of justice, we step into the worldview from which Admiral Stockdale thought. We each come into the world in possession of a life and the liberty that

naturally belongs to it (since one's life is not the possession of any other human being), and the right to acquire and to hold property in order to secure one's life and the lives of one's family. These, the rights to life, liberty, and property, are what are due to each human being. This understanding of justice is made explicit, for example, in the Virginia Declaration of Rights embedded in the Virginia Constitution of 1776, promulgated when the Commonwealth declared its independence from Great Britain. Justice, then, is the act of respecting the rights of others to their lives, their liberty, and their property, and, the argument goes, we each owe this debt to every other human being simply because we are human. This duty binds us independently of any particular circumstances. This is recognized in our Declaration of Independence, and it forms the basic purpose of government: "...That to Secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed,..."

We can see then, that while many English-speaking people may be natural, if unreflective, Utilitarians, Admiral Stockdale was not among them. Rather, he agreed with President Eisenhower that as an American fighting man, he is responsible for his conduct and dedicated to the principles that made our country free. We have duties that are ours by virtue of our humanity. The tenor of those duties can be influenced by the various roles we may occupy, like American fighting man, but they are not vacated by the circumstances in which we must perform them. Rather, circumstances affect the details of our behavior in performing our duties. In that effort, a clear and publicly recognized code of conduct is most important.