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Lt.Col. North and the Problem of Means and Ends

During his testimony before the joint Congressional Committee investigating the Iran-Contra Affair, Lt. Col. Oliver North apparently promulgated a moral position which I will refer to hereafter as the North Doctrine. Briefly stated, the North Doctrine is, "When telling the truth will result in placing lives at risk, do not tell the truth." In what follows, I shall address the issue of whether the North Doctrine is one which a military professional should espouse. I shall also address a deeper concern -- the moral theory which seems to undergird the North Doctrine and problems that could arise if military professionals were to adopt that theory without qualification.

At first blush, the North Doctrine seems to be morally justified. Saving lives does seem, intuitively, to count as a good reason for overriding the generally accepted requirement to tell the truth. It is, after all, the basis of the most common criticism of Immanuel Kant's moral absolutism. However, if we narrow the range of application of the North Doctrine to only military service, serious problems arise.

Imagine an Infantry platoon leader given the mission to employ his platoon to capture a hill on which the enemy has effectively emplaced several automatic weapons. The platoon leader reasons, with good grounds, that some of the members of his platoon will be killed in the assault. He is an advocate of the North Doctrine. Hence, he elects not to carry out his assigned mission; instead, he waits with his

platoon in the assembly area. When asked by the Company Commander about the platoon's positions, the platoon leader reports, falsely, that the platoon is on the objective.

In and of itself, there is still not anything necessarily objectionable about the platoon leader's action. However, he is not acting in a vacuum. The lives of the remainder of the men in the company may depend upon this platoon successfully attaining the objective set for it. The company may be the linch-pin in the battalion task force's plan, and so on. The position which seemed justified to the platoon leader may be, when viewed from a wider context, one which results in a much greater loss of life. The platoon leader has now, apparently without good justification, committed two moral wrongs -- lied and caused the unnecessary death of many soldiers. (In a professional context, the number of wrongs is three; he has also willfully violated a lawful order.)

In another example, a commander may choose to lie about his readiness status because he does not want to have his unit deployed to a combat area. He, also, reasons using the North Doctrine: such an action is justified because it will save the lives of the soldiers under his command. But, as in the other example, when viewed from a broader perspective, this course of action may in fact result in many more lives lost. (The reasons for this increase are too diverse to list here, and they are not really germane to the argument.)

Saving soldiers' lives is not the appropriate issue for the officers in these two examples to focus on. Perhaps, everything else being equal, saving soldiers' lives is important. But, everything else is not equal. In general, not risking the lives of soldiers is not one of the options available to military leaders. The nature of their business is such that soldiers will, in all probability, be killed. As a minimum, lives will be put at risk during almost all military operations, even training missions. Thus, the end espoused by the North Doctrine must be rejected as an end which is not normally within the reach of the military professional. Since the end is not attainable, the means to that end, not telling the truth, is also not justified. It would only be justified if the end were, in fact, attained.

This last position, however, is also questionable. It is not at all clear that the end always justifies the means. Nonetheless, this Utilitarian stance seems to underlie the North Doctrine. That is, it seems that Utilitarian thinking on Lt. Col. North's part is what produced the doctrine which has been the subject of much public controversy.

When a person asserts the claim that the end justifies the means, there are at least six different things which that person may be claiming:

(1) Whatever is sufficient for producing something bad ought not to be done;

(2) Whatever is sufficient for producing something good ought to be done;

(3) Whatever is necessary for producing something good ought to be done;

(4) Whatever is necessary for avoiding something bad ought to be done;

(5) Whatever is necessary for producing something bad ought not to be done; or

(6) Whatever is sufficient for avoiding something bad ought to be done.[1]

('Good' and 'bad' are used in a moral sense. 'Sufficient' means that the action is one, perhaps among many, which will produce the specified outcome. 'Necessary' means that without this action, the specified outcome will not come to pass.)

Interpretations (1), (3), and (4) are generally accepted as true. However, (2), (5), and (6) are subject to question. For example, an instantiation of (2) might be "Intentionally punishing innocents is sufficient for producing less crime." This is one of the classic criticisms of Utilitarianism. Many feel that punishing innocent persons (intentionally) ought never to be done. Instantiating (5) might yield, "Aborting a fetus is necessary to save the life of its pregnant mother." Again, there is wide disagreement as to whether such an abortion (or, for that matter, any abortion) ought to be done. Finally, (6) could be instantiated as "Punishing innocents intentionally is sufficient for avoiding increased crime,"

something which is normally considered bad -- lie. We can be absolved of moral blameworthiness for that lie only if the desired outcome is produced by that lie. To date, it is not clear that the withholding of truth on Lt. Col. North's part has been responsible for the saving of any lives of those associated with the Iran arms deal. Thus, the jury is still out on the justifiability of North's action. (Of course, in a sense it will always be out because to take an alternative choice to the one actually taken by North et. al. is no longer possible.) Given that we cannot always guarantee that our actions will produce the desired outcomes, it seems that when we are faced with a choice between doing something moral and doing something generally agreed to be immoral (but possibly excusable), we ought to go with the sure thing. That is, perhaps a moral "bird in the hand" is to be preferred to a presently-immoral or amoral "two in the bush." Since Utilitarianism can sometimes espouse the latter, it seems that an unqualified adoption of the Utilitarian theory may be problematic.

NOTES

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[1] I owe this part of the analysis to Arthur Skidmore; he discusses these "normative warrants" in section 3.4 of his book *Introduction to Logic* (Ginn, 1987).