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Mitigating the Ethical Risk of Sexual Misconduct in Organizations

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Introduction

The Canadian Forces (CF) instituted its first sexual harassment policy in 1988. Throughout the 1990s, however, harassment and assault in the CF made national news in Canada. In 1992, a *Montreal Gazette* headline read, "Complaints of Harassment Heard from Every Base across Canada."[1] A 1993 *Globe and Mail* front page headline read "Sex and the Military: Battling Harassment."[2] A front page headline in the *Toronto Sunday Star* in May 1994 announced, "Gulf War Hero Officer Guilty of Harassment." The officer in question had faced accusations of sexual assault against a female officer while he had served as the senior CF officer in the Persian Gulf in 1991.[3] In 1992, the Chief of the Defence Staff (CDS) issued a CF-wide message making it clear that harassment would not be tolerated in the CF:

> Sexual harassment in particular is an insidious behaviour that victimizes people and attacks their dignity and self-respect. It erodes mutual trust and confidence, adversely

affects morale and unit cohesion, and can reduce operational effectiveness. Armed Forces council endorse quote zero tolerance unquote of sexual harassment. This means that sexual harassment will not be tolerated in the CF, that our goal is zero incidents of sexual harassment, and that if incidents occur, they will be resolved quickly, effectively, and fairly.[4]

Yet public outrage persisted. In May and June 1998, *Maclean's,* a popular Canadian weekly newsmagazine, published two consecutive front-cover issues that featured charges of rape and harassment in the CF.[5] The stories described numerous cases of sexual harassment, assault, and rape against military women, spanning the 1980s and 1990s.

In 1998, the Minister of National Defence (MND) and the CDS took a public stand. In an edition of the widely distributed internal CF newspaper, *The Maple Leaf,* the MND emphasized his commitment to Canadians and the Canadian Forces to make the CF a safe place for women as well as men.[6] The CDS expressed both his professional and personal disappointment:

What upsets me most in light of these articles is that many women – and some men – have been harassed or assaulted, and have emerged from this unfortunate experience traumatized and too frightened to talk about it with their superiors, at all levels, and to report that they had been hurt, that they had been harmed, that their lives had been ruined, that their careers had been ruined…[7]

His disappointment was evident as were his expectations that such behaviour had to be addressed by the chain of command. Clearly, there were members of the Canadian military who had failed to live up to the stated values of the organization and had failed to do the right thing.

This chapter examines the relationship between individual motivation, situational factors, organizational context, ethical decision making, and sexual misconduct in a military context. We begin by arguing that sexual harassment and sexual assault behaviours are moral issues which create particularly difficult dilemmas for leaders in the organization. We then present an overview of the individual motivations, situational factors, and organizational contexts that contribute to inappropriate sexual behaviour, followed by evidence suggesting that situational factors and organizational context influence ethical decision making, including that which results in inappropriate sexual conduct. As such, we propose that ethical decision-making models can both inform and be informed by the decisions and processes that surround these behaviours within a military context. We close the chapter with recommendations for further research, concluding that such knowledge has the potential to strengthen policy and leadership strategy in ways that will help organizations, including the military, mitigate sexually inappropriate behaviours.

Approaching sexual harassment as a moral and ethical problem

According to T. M. Jones, moral issues are defined as the freely performed actions of persons that "may harm or benefit others,"[8] and unethical decisions are decisions that are "either illegal or morally unacceptable to the larger community."[9] Sexual harassment and sexual assault have been shown to cause psychological and physical harm, including negative impacts on job satisfaction and work productivity,[10] attitudes toward the organization, and the victim's relationships with his or her family.[11] The severity and the source of harassment have also been

linked to employee decisions to leave an organization.[12] Several studies of military veterans have

also found an association between sexual harassment and mental health outcomes.[13] Research

has consistently found that military women are more likely than military men to report sexual

harassment[14] and sexual trauma.[15] However, some research also suggests that incidents of a

sexual nature may be a stronger predictor of mental stress among men than women.[16] Regardless

of the role of gender, a significant number of studies have concluded that sexual harassment and

sexual assault harm the individuals who experience them and have a negative impact on

organizations.

Moreover, sexual assault is a crime in Canada and other Western nations with which Canada is

allied, including Australia, New Zealand, the United Kingdom, and the United States. In the

Canadian context, sexual assault constitutes an offence under the *Criminal Code of Canada* and

the *Code of Service Discipline*,[17] and it is dealt with at a military court martial overseen by a

military judge. Sexual harassment is not a *Criminal Code* offence in Canada[18]; nonetheless, it is

morally unacceptable in the larger community[19] and victims of sexual harassment have been

provided with legal recourse under provincial human rights tribunals.

Since the Canadian military instituted harassment policy, reported rates of harassment have

declined. In an anonymous 1992 survey of CF members, 26.2 percent of female respondents

indicated that they had experienced sexual harassment in the previous 12 months. In similar

surveys administered in 1998 and 2012, the reported rate of sexual harassment among female

respondents had dropped to 14 percent,[20] and 7.6 percent, respectively.[21] However, even as rates

of harassment drop, there is a persistent expectation within the broader community that

organizations, and in particular the military, will substantially reduce, if not completely eliminate

incidents of harassment. In spite of a substantial reduction in the rate of anonymously reported rates of sexual harassment in recent years, by May 2014, the Canadian media was once again claiming that sexual violence was plaguing Canadian soldiers.[22]

Clearly, both sexual harassment and sexual assault cause harm and are morally unacceptable, thus meeting Jones' definition of a moral issue and underscoring the responsibility of the military to implement policies and strategies to prevent sexual violence, ensure appropriate recourse for individuals and minimize harm. And although there are important distinctions between behaviours that are considered to be sexual harassment and those that are considered to be sexual assault, for the purpose of this analysis, we do not make a distinction between them. Harassment, including sexual harassment, is typically addressed through processes such as alternative dispute resolution, administrative investigations, or a military summary trial before a Commanding Officer. Regardless, the implicated behaviours and their outcomes are not mutually exclusive. It is not unusual in a military context, for example, for a sexual assault charge to result in a finding of the lesser transgression of sexual harassment. Notwithstanding the potential for further research in this area, we suggest that the theories and models used to understand ethical decision-making in organizations can be applied to sexual harassment and sexual assault, and inform organizational policy and strategy to create conditions that discourage such behaviours.

Ethical decision making

Psychologists' understanding of ethical decision making has long been dominated by Lawrence Kohlberg's theory of moral development.[23] Kohlberg was interested in "the transformations that

occur in a person's form or structure of thought," or, in other words, how an individual's moral thinking develops over time.[24] Kohlberg studied moral development by presenting people with hypothetical moral dilemmas, and then analyzing how they reasoned about the dilemmas. He found that moral reasoning could be characterized by six sequential and hierarchical moral stages that range from precoventional moral reasoning, where the rightness of an action is dependent of the direct consequences of the act, to post-conventional moral reasoning, where moral reasoning is based on abstract reasoning and universal principles. Most adults reason at the conventional level, in which people deem the morality of an action based on society's rules and expectations. James Rest further refined Kohlberg's theory into a four component model,[25] which underscores the role of rational thought and deliberative thinking. According to Rest, people recognize and become aware of a moral issue (Component 1), make an ethical judgment (Component 2), are motivated to act (Component 3), and then may carry out the act (Component 4).

But recent research has called into question Kohlberg and his follower's account of the role of rational thinking. Although deliberative thinking may be the dominant type of decision making when thinking about hypothetical moral dilemmas, it is not the dominant type of decision making used in real world situations.[26] A large body of research now suggests that people engage in automatic processing that is below their level of awareness.[27] Deliberative thinking is generally slow and effortful, involves awareness, and it requires controlled attention, which is linked to a working memory resource.[28] In contrast, automatic processing is generally fast and effortless, below the level of awareness, and it does not require controlled attention.[29] Automatic processing is a core aspect of several influential ethical decision-making models, including Haidt's social intuition model,[30] Reynold's neurocognitive model of ethical decision making,[31] and Sonenshein's sensemaking-intuition model.[32]

Haidt uses the metaphor of a rider on an elephant to illustrate how the mind is divided by conscious reasoning and automatic processing. The rider represents deliberative reasoning, which requires controlled attention, while the elephant represents mental processes that take place beyond our awareness (e.g., emotion, intuition). The elephant is portrayed as bigger than the rider because, in Haidt's model, "the rider's job is to serve the elephant."[33] One way the rider serves the elephant is by developing post hoc justifications for the elephant's actions and by finding reasons to justify what the elephant wishes to do next. According to Haidt's social intuition model,[34] therefore, moral judgments are made rapidly, and often without conscious awareness of engaging in a search or that one has weighed evidence and come to a conclusion. Once an intuitive and rapid moral judgment has been made, people *then* engage in moral reasoning. Haidt argues that "reason is the servant of the intuitions," [35] whereby people seek reasons to justify their moral intuitions.

One implication of Haidt's model is that the primary purpose of post hoc moral reasoning is to influence others. It is plausible, for example, that post hoc reasoning was used to justify the moral intuitions of an American Lieutenant General in a high profile case involving Lieutenant Colonel James Wilkerson of the United States Air Force. On November 2, 2012, Wilkerson was found guilty of aggravated sexual assault by a jury. He was sentenced to serve a year in prison and dismissed from the U.S. military. [36] Lieutenant General Craig Franklin, the General Court-Martial Convening Authority in Wilkerson's case, overturned Wilkerson's guilty verdict, even though he did not attend the trial. Franklin's actions sparked outrage among members of Congress and in the American public. In response Franklin wrote a letter to the Pentagon, dated March 12, 2013,[37] to explain his decision. The following justification was included in that letter:

Lt Col Wilkerson was a selectee for promotion to full colonel, a wing inspector general, a career officer, and described as a doting father and husband. However, according to the version of events presented by the prosecution, Lt Col Wilkerson, in the middle of the night, decided to leave his wife sleeping in bed, walk downstairs past the room of his only son, and also near another room with two other sleeping guest-children, and then he decided to commit the egregious crime of sexually assaulting a sleeping woman who he and his wife had only met earlier that night. Based on all the letters submitted in clemency, in strong support of him, by people who know him, such behavior appeared highly incongruent. Accordingly, this also contributed, in some small degree, to my reasonable doubt.

According to a member of the House Armed Services Committee, "Franklin clearly substituted his own independent judgment for that of the convened fact-finding panel….He took some information that was outside the proceeding and not deemed credible and used his own judgment of what to accept."[38] Although it is impossible to know exactly how Franklin reached his judgment, it is possible that his decision to overturn the guilty verdict was shaped by his emotions and intuitive judgments.

Several studies have demonstrated that situational factors also influence ethical decision making.[39] Situational factors are external influences that shape people's behaviour,[40] and they can interact with individual differences (e.g., moral development) to influence ethical decision making.[41] For example, reminding people of their ethical standards before completing a task where there is an opportunity to cheat, being ordered by a person in a position of authority to harm somebody else, and seeing a peer being sanctioned for harassing someone else are all examples of situational factors that can influence ethical behaviour. Organizational culture and

one's immediate work environment are also situational factors.[42] When situational factors are especially powerful, individual factors are less likely to influence ethical decision making.[43]

Situational factors can lead people to experience emotions and visceral factors (e.g., thinking that is influenced by the "heat of the moment"). Loewenstein uses the term *visceral factors* for negative emotions (e.g., fear, anger), feeling states (e.g., pain), and drive states (e.g., hunger, sexual arousal) that can influence behaviour.[44] Negative emotions are the "complex pattern of changes, including physiological arousal, feelings, cognitive processes, and behavioural reactions, made in response to a situation perceived to be personally significant" [45] that impact how people respond to situations. Drive states are internal bodily states that affect behaviour. Anger, for example, is a visceral factor that can increase people's preference for aggressive behaviour.[46] Researchers have found that U.S. soldiers who reported experiencing high levels of anger were more likely than those who reported low levels of anger to mistreat non-combatants and damage civilian property unnecessarily.[47] Of course, anger is not the only visceral factor that can influence ethical behaviour.

Research on sexually inappropriate behaviour conducted on a sample of male university students suggests that sexual arousal is a visceral factor that can influence a person's willingness to engage in date-rape-like behaviours. Ariely and Loewenstein examined the impact of sexual arousal on moral judgment under conditions of low and high sexual arousal.[48] As part of the study, they asked students to indicate their willingness to engage in morally questionable behaviours, such as whether they would urge their date to increase her drinking so she would be more likely to have sex with them, whether they would persist in trying to obtain sex after their date said "no," and whether they would give a female a drug to increase the possibility of her having sex with them. Male students who were highly sexually aroused were significantly more

likely than male students who had lower sexual arousal levels to indicate that they would engage in date-rape-like behaviours. These findings are consistent with another study that examined sexual arousal and willingness to engage in morally questionable behaviour. Men in the study who viewed pornography were more likely than men who did not to indicate that they would coax a date into removing her clothes, even though she had indicated that she was not interested in having sex.[49] These findings suggest that sexual arousal is a visceral factor where people get caught up in "the heat of the moment," which can influence subsequent ethical judgments and behaviour.

Sexual arousal may also affect men's perception of a woman's willingness to engage in sexual activity. In one study, researchers found that self-reported level of sexual arousal was related to a misperception of a partner's willingness to engage in sexual activity.[50] In this study, reported high levels of sexual arousal among male participants correlated with participants' perceptions of sexual interest by a woman presented to them in a hypothetical situation. Moreover, an overperception of sexual interest was related to coercive behaviour; that is, the more men in the laboratory study overperceived sexual interest, the more they indicated they would try to get a woman intoxicated. Other researchers have also identified the link between a misperception of sexual interest and coercive behaviours,[51] especially among men who hold sex-role stereotypes.[52] Extrapolating from these research findings, it is logical to suggest that increasing people's awareness of how perceptions can be flawed when they are sexually aroused is a potential strategy to reduce sexually inappropriate behaviour. Clearly, more research is needed to examine whether such strategies would reduce this type of behaviour in real-world situations.

Sexual arousal as a visceral factor is not only salient in laboratory settings, but also appears to be important for ethical conduct in real-world settings.[53] Rampant sexual violence by members of

the rebel forces and members of the Congo Armed Forces has been well documented.[54] When M. E. Baaz and M. Stern asked members of the Congo Armed Forces in the Democratic Republic of the Congo (DRC) why sexually violent acts against women occurred, they found that soldiers distinguished between two types of rape: (a) rape that is the result of lust and the desire for sexual gratification and (b) rapes that are driven by "a wish to humiliate the dignity of people."[55] The first type of rape, called lust rape, is consistent with the notion that sexual arousal is a visceral factor that has the potential to influence ethical behaviour. The second type of rape, called evil rape, derives from "a sense of moral disengagement that accompanies the climate of warring and violence in which they [members of the Congo Armed Forces] have been living; previously unthinkable behavior becomes conceivable and even dedramatized through the process of dehumanizing."[56] Albert Bandura examined moral disengagement and how it affected ethical behaviour. He theorized that people feel good about themselves when they act in accordance with their internalized moral standards and feel badly when they do not. However, Bandura identified several psychological processes that people use to deactivate or disengage their moral standards so they can act unethical without feeling badly for doing so. For example, people morally disengaged by using euphemistic labelling (e.g., calling women by derogatory labels instead of by their rank and name), advantageous comparison (e.g., "I only call her names; other guys grab her"), attributing blame to the victim (e.g., "What does she think will happen if she dresses that way?"), minimizing the consequences of one's behaviour (e.g., "She is just trying to get out of work, she is not that hurt"), and dehumanizing victims of moral transgressions (e.g., "She is a witch").[57]

Understanding the different factors underlying sexual assault (and other unethical behaviour) is critical for eliminating the behaviour. If sexually inappropriate behaviour is motivated by the

desire to humiliate others (i.e., evil rape), then an understanding of the psychological processes perpetrators use to morally disengage (e.g., euphemistic labelling, advantageous comparison) may be crucial for developing effective interventions. For example, future research could examine whether leaders who discipline personnel harshly for using derogatory labels to describe women actually influence attitudes and behaviour regarding sexually inappropriate behaviour when compared with leaders who do not. Likewise, more research is needed to understand the effectiveness of training interventions that focus on "humanizing" women.

Alternatively, if sexually inappropriate behaviour is caused by being caught up in the heat of the moment (i.e., lust rape), then efforts to enhance self-control may be an important way to reduce the behaviour. This approach is consistent with research conducted by C. M. Barnes and colleagues,[58] who found that lack of sleep (a visceral factor) increases the likelihood that people will engage in unethical behaviour. More importantly, they argue that depletion of willpower (i.e., self-control resources) is the reason lack of sleep increases the likelihood that people will engage in unethical behaviour.

Self-control—i.e., the effort exerted when people try to alter the manner in which they think or behave—is a limited resource.[59] Any time a person's words or actions require self-regulation, they are depleting their self-control resources.[60] When people are presented with two tasks that require self-control, for example, the ability to exert self-control on the second task is impaired.[61] Self-control involves controlled attention,[62] like other examples of deliberative thinking. When self-control strength is depleted, people are less likely to recognize moral issues and to act ethically.[63] Self-control has been found to be related to sexual restraint.[64] For example, M. T. Gailliot and R. F. Baumeister found that people who had just completed a task that required a

great deal of controlled attention were more likely than those who did not deplete their self-control resources to report that they would engage in sexual infidelity.[65]

Fortunately, there are ways that people can improve and restore their self-control. Because "a single act of self-control" can cause glucose levels to drop, which can impede an individual's ability to exert self-control on a subsequent task, consuming high-glucose beverages (e.g., Kool-Aid) can replenish people's ability to exert self-control.[66] Rest and relaxation can also restore an individual's self-control resource.[67] In addition, the act of changing a habitual behaviour, such as using one's non-dominant hand for routine activities or avoiding the use of slang in one's speech, requires exerting self-control, which has been found to increase willpower in general.[68] For example, Megan Oaten and Ken Cheng developed an exercise program that required self-control training and found that fitness levels improved. They also found that self-control training led to a variety of positive outcomes, including less alcohol and caffeine consumption, less smoking, less impulse spending, and a lower frequency of lost tempers.[69] They found similar results in an academic study intervention program that involved self-control training.[70]

Organizations that seek to promote ethical behaviours, including preventing sexually inappropriate behaviour, need to understand the motivation behind such behaviours. If morally questionable behaviour is driven by visceral factors that lead to heat of the moment thinking, then strategies need to focus on self-control techniques. If inappropriate sexual behaviour is driven by a desire to humiliate others, then efforts to address the ways people morally disengage may be effective. Once the factors are identified, organizations can target preventative measures.

In understanding situational impacts on decision making within organizational cultures it is important to understand the role of leadership. In an organization such as the military, in which

there is a clear structure of reporting and control and accountability over explicit tasks and responsibilities, leadership plays a key role in creating and shaping both climate and culture. According to Daniel Denison,

> Climate refers to a situation and its link to thoughts, feelings, and behaviours of organizational members. Thus it is temporal, subjective, and often subject to direct manipulation by people with power and influence. Culture, in contrast, refers to an evolved context (within which a situation may be embedded). Thus it is rooted in history, collectively held and sufficiently complex to resist many attempts at direct manipulation.[71]

The climate of a work environment is those factors or characteristics that can be directly influenced in the short term; the culture is the more permanent context that has evolved over time, as the organization has adapted to its external environment.

Drawing from the leadership and organization research of Edgar Schein, Canadian Armed Forces doctrine states, "Culture and leadership are two sides of the same coin in that leaders first create cultures when they create groups and organizations."[72] J. M. Schaubroeck and colleagues showed how leaders in the U.S. Army "embed shared understandings through their influence on the ethical culture of units at various levels, which in turn influence followers' ethical cognitions and behaviour."[73] Given this symbiotic relationship between leadership and organizational culture, leaders in the military have a particular responsibility to not only respond appropriately to sexual harassment or sexual assault in their units, but they can also be instrumental in setting the conditions for appropriate behaviours. When such events do occur in an organization that places significant emphasis on team cohesion and operational success, leaders may face ethical

decision-making challenges as they strive to ensure that their responses do not allow alleged transgressions to damage the reputation and primary operational goals of the unit.

Despite the strong influence of organizational cultures and the leadership within those cultures on decision making and associated behaviours, harassment has frequently been addressed within organizations as the isolated behaviours of a few individuals or a personal issue between aggressors and victims. However, Catharine Mackinnon's ground breaking 1979 analysis in *Sexual Harassment of Working Women: A Case of Sex Discrimination*[74] moved sexual harassment from a personal and isolated experience within organizations into the public, legal, economic, social, and political realms. MacKinnon's analysis was instrumental in establishing a relationship between sexual inequality and the social conditions set by employer–employee relations. In spite of developments in subsequent decades to frame harassment within the context of leadership and organizational climate and culture, within some cultures there is continued risk that such transgressions will be attributed solely to individuals, explained as isolated incidents or handled in a manner that ensures that outsiders do not become aware of the behaviours. According to military sociologists Joseph Soeters, Donna Winslow, and Alise Weibull, subcultural patterns related to a range of behaviours, including sex and violence, can develop with rules and codes which are not considered acceptable within the larger organization or society.[75] Furthermore, they claim that unit members might be forbidden by influential peers or leadership to discuss these behaviours. As a result, the behaviours are informally sanctioned until a critical insider or informed outsiders, such as the news media, expose the inappropriate behaviour.

Some organizations have implemented bystander intervention programs to increase the likelihood that sexually inappropriate behaviours will be acknowledged and addressed.[76]

Bystander intervention programs are based on Bibb Latané and John Darley's early bystander research which identified barriers that prevented helping behaviour and sought ways to overcome bystander inaction in emergency situations.[77]   Drawing on lessons learned from Latané and Darley's research, bystander intervention programs have been further developed with a focus on preventing sexual aggression by addressing barriers to inaction and encouraging bystanders to intervene. For example, intervention programs teach bystanders to take action when others may be at risk, such as walking a friend home who has had too much to drink.[78]   Furthermore, a recent meta-analysis of bystander intervention programs provides support for their effectiveness in increasing bystander helping behaviours.[79]   Of particular note to military organizations, one bystander intervention program targeted toward an American military sample found that soldiers exposed to the program were more likely to demonstrate a sense of responsibility and awareness regarding their role in preventing sexual assault than soldiers who were not exposed to the program.[80]   While approaches vary, in this particular case a poster campaign was a key part of the program strategy and in other cases on-line training has served an important, yet cost effective, element of bystander intervention programs.[81]   This research demonstrates that bystander intervention programs may help promote an organizational culture that challenges sexual misconduct.[82]

Given the difficulty of dealing with sexual misconduct and the associated risk that it presents to individuals, organizations, and to operational effectiveness, our discussion thus far suggests that there are specific strategies that may mitigate these behaviours. However, these strategies must be considered within the broader cultural context within which they will be applied. Specific strategies directed at the tendencies of a relatively small number of potential transgressors would have minimal impact if the climate and culture of the organization is not effectively positioned to

address the behaviours in an appropriate way when they do occur; that is, effective values-based processes are an important part of prevention. In the following section, we discuss Kaptein's model of ethics auditing, which places particular emphasis on the organizational context.

Identifying the risk of unethical and sexually inappropriate behaviour

Kaptein conducted an "ethics audit" in 1998,[83] in which he used qualitative research methods to ascertain which "moral aspects can be revealed in order to improve the moral functioning of the organization."[84] Based on this research, Kaptein identified numerous virtues or factors that increase the likelihood that people will engage in ethical behaviour in organizational settings:[85]

Clarity: the degree to which organizations communicate expected moral standards that are well-defined, comprehensive, and concrete.

Role modelling: the extent to which the moral behaviour of senior leaders in an organization are seen as being consistent with organizational expectations.

Achievability (aka feasibility): the degree to which an organization creates the conditions (e.g., sufficient time, authority) that enables employees to act ethically.

Supportability: the extent to which employees identify with organizational expectations and the extent to which organizations create a supportive work environment.

Transparency (aka visibility): the extent to which the conduct of employees can be observed by others and acted upon by those in a position to do so.

Discussability: the degree to which employees feel they can raise and talk about issues.

Sanctionability: the extent to which organizations tolerate or punish unethical behaviour

Kaptein's research on corporate ethical virtues can be used to shed light on the factors that influence inappropriate sexual behaviour in other organizations and to gauge whether an organization is promoting sexually appropriate behaviour. Each of Kaptein's virtues, as they apply to the context of inappropriate sexual behaviours, is discussed below:

Clarity: Are the rules clear regarding what is appropriate and inappropriate behaviour regarding others in the organization, regardless of differences such as gender and rank/status?

Role modelling: Do senior leaders model exemplary behaviour toward women?

Achievability (aka feasibility): Do informal norms send mixed messages that endorse sexually inappropriate behaviour?

Supportability: Do personnel take the formal rules regarding sexual conduct seriously? Do they treat each other with respect?

Discussability: Are there ample opportunities to discuss sexually appropriate conduct? Are reports of misconduct taken seriously?

Sanctionability: Are people who commit sexually inappropriate acts held accountable for their behaviour, or are they rewarded (e.g., higher social status) in spite of their inappropriate behaviour?

Recommendations and directions for future research

For change to occur, leaders need to understand the tug of war between rational thought (e.g., the rider) and intuitive decision making (e.g., the elephant) and the powerful role of situational factors in decision making.[86] Moral judgments and behaviour are often not guided by deliberative thinking in many real-world situations,[87] which means that attempts to deal with sexual harassment and assault using methods rooted in deliberative approaches will likely fail. As we saw in the sexual arousal study conducted by Ariely and Loewenstein, sexual arousal has a dramatic impact on self-reported willingness to engage in unethical behaviour (e.g., giving a woman a drug without her knowledge to increase one's likelihood of having sex). According to the authors:

> the failure to appreciate sexual arousal by those who are not themselves aroused can also help explain the enactment of misguided and ineffective policies such as "just say no"….At a practical level, our results suggest that efforts to promote safe, ethical sex should concentrate on preparing people to deal with the "heat of the moment" or to avoid it when it is likely to lead to self-destructive behavior.[88]

By understanding how decision making is influenced by situational factors, such as sexual arousal, individual factors, such as depleted self-control resources, and informal cultural practices, leaders and policy makers can develop more effective training programs and policies to promote ethical conduct and sexually appropriate behaviour and discourage inappropriate behaviours. Below are some recommendations to help organizations foster ethical behaviour.

Effective training: We argue that realistic training that incorporates real-world situational and contextual factors is imperative for helping personnel overcome situations where they would be at risk of acting unethically. This approach is consistent with other research that suggests that ethics training be carried out in a way that is consistent with the "train as you intend to fight" approach.[89] Future research could examine whether personnel who are taught to follow specific behavioural steps when caught up in the heat of the moment and confronted with the temptation to act unethically will behave more ethically than those who have not learned such strategies. Likewise, future research could investigate whether self-control training (i.e., enhancing controlled attention) is an effective way to prevent sexually inappropriate behaviour. Furthermore, as suggested earlier, bystander intervention training has the potential to change behaviours; however more research is needed to identify bystander intervention training strategies that will be most effective in a military setting.

Role models: It is possible that some areas of an organization may have higher rates of inappropriate sexual behaviour than others. For example, the 2012 documentary *The Invisible War* [90] suggests that some military units have higher rates of sexually inappropriate behaviour than others. 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?"[91] By identifying areas in an organization that provide models for dealing with sexual harassment and assault, important lessons and strategies may be learned that can benefit the entire organization.

Self-control: The capacity to exert self-control is limited. Leaders might therefore consider minimizing other demands when dealing with especially challenging situations that require a great deal of willpower. Likewise, it may be worth training people to use their willpower to stay

away from situations where temptations to act inappropriately may be high.[92] More research is needed to understand how self-control research can be applied in the military context.

Conduct an audit of ethical behaviour: Assess ethical risk within one's organization. Although Kaptein developed a measure of ethical culture that did not directly address sexually inappropriate behaviour, the virtues he identifies can be used to better understand the moral functioning of an organization.[93] Other factors have also been shown to predict unethical behaviour.[94] Organizations could consider administering a survey that measures factors that predict ethical and unethical behaviour, such as the Defence Ethics Survey used by the Department of National Defence.[95]

In sum, this discussion suggests that the prevention of inappropriate sexual behaviours requires not only good policy and effective leadership in response to such behaviour when it does occur, but that there are strategies which can be applied to mitigate the occurrence of sexual misconduct. Notwithstanding the important role of training and leadership, further research is required to better understand the relationship between individual motivation, situational factors, leadership, and cultural practices within organizations, including the military, in preventing inappropriate sexual behaviours.

Notes

[1] Sarah Scott, "Complaints Taught Women Lesson About Military Life," and "Harassment Heard from Every Base Across Canada," *Montreal Gazette* (28 November 1992): A1 and A16.

[2] Anne Fuller, "Sex and the Military: Battling Harassment," and "Female Soldiers Entering Battlefield of Sexual Harassment," *The Globe and Mail* (7 August 1993): A1 and A6.

[3] Darcy Henton, "Gulf War Hero Officer Guilty of Harassment," *The Sunday Star* (15 May 1994): A1.

[4] Department of National Defence, National Defence Headquarters, Chief of the Defence Staff, "CF Harassment Policy," CANFORGEN 64/92 271920Z (November 1992).

[5] Jane O'Hara, "Rape in the Military," *Maclean's* (25 May 1998) and "More Rape in the Military," *Maclean's* (1 June 1998).

[6] Minister of National Defence, "Minister's Message," Special Report to *The Maple Leaf* 1, no. 6 (1998).

[7] Chief of the Defence Staff, "Exclusive Interview with the CDS," Special Report to *The Maple Leaf* 1, no. 6 (1998): 12.

[8] T. M. Jones, "Ethical Decision Making by Individuals in Organizations. An Issue-Contingent Model," *Academy of Management Review* 16, no. 2 (1991): 366–95. See also Tom L. Beauchamp, Norman E. Bowie, and G. Arnold Denis, *Ethical Theory and Business* (Michigan: Pearson/Prentice Hall, 2009); *The Cambridge Dictionary of Philosophy*, edited by Robert Audi (New York: Cambridge University Press, 1999).

[9] Jones, "Ethical Decision Making by Individuals in Organizations," 366–395.

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Ethics Programme will be administered in the fall of 2014. The survey focuses on ethical risk

and ethical climate. Inquiries should be directed to Deanna Messervey@forces.gc.ca.