

**BLIND SPOTS: WHY WE FAIL TO DO WHAT'S RIGHT AND  
WHAT TO DO ABOUT IT<sup>1</sup>**

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*Traditional approaches to ethics, and the traditional training methods that have accompanied such approaches, lack an understanding of the unintentional yet predictable cognitive patterns that result in unethical behavior. By contrast, our research on bounded ethicality focuses on the psychological processes that lead even good people to engage in ethically questionable behavior that contradicts their own preferred ethics.<sup>2</sup>*

### I. Introduction

*Blind Spots: Why We Fail to Do What's Right and What to Do About It* is a well-reasoned and logically argued proposal for the application of scientific research from the field of behavioral ethics to the process of ethical decision-making. The book argues that behavioral ethics—the study of the way that people behave when faced with ethical dilemmas—is the most appropriate lens through which to appreciate and influence the psychological tendencies of otherwise well-intentioned people. To make this case, the authors, Bazerman and Tenbrunsel, successfully contrast scientific research with examples of readily identifiable ethical missteps to highlight the biases that often lead to unethical behavior.

Much to the benefit of the reader, this book is not an ethics primer and it does not advocate a particular set of ethical standards. Instead, this book provides useful analytical tools and practical advice regarding the ethical decision-making process. Military leaders and judge advocates seeking to improve the quality of their advice to military commanders are well served by both the aim and the import of the authors' efforts.

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<sup>1</sup> MAX H. BAZERMAN & ANN E. TENBRUNSEL, *BLIND SPOTS: WHY WE FAIL TO DO WHAT'S RIGHT AND WHAT TO DO ABOUT IT* (2011).

<sup>2</sup> *Id.* at 5.

## II. Why Behavioral Ethics?

*Blind Spots* is premised on a very simple observation: well-intentioned people unintentionally make bad ethical decisions. In other words, people who believe they know what the ethical choice is, and believe they will make that choice if faced with an ethical dilemma, often act counter to their beliefs.<sup>3</sup> The authors argue that traditional models for ethical decision-making do not account for this phenomenon because under such models, it is presumed that people respond to ethical dilemmas knowingly and intentionally.<sup>4</sup> Alternatively, the authors argue that research in the field of behavioral ethics—and specifically the theory of *bounded ethicality*<sup>5</sup>—acknowledges that people do not always recognize an ethical dilemma when faced with one and often respond to ethical dilemmas in ways that are inconsistent with their actual beliefs.

Armed with this premise, the authors work to highlight the cognitive patterns and biases that result in the “gaps” or “blind spots” in a person’s ethical decision-making process. Having exposed and analyzed these biases, the authors conclude that anticipating and addressing these biases will result in an ethical decision-making process that favors results most closely aligned with a person’s ethical intentions.<sup>6</sup> The authors are refreshingly clear about their purpose, and do not veil their effort to convince the reader that the application of behavioral ethics principles are key to any successful ethical decision-making process.<sup>7</sup> The reader appreciates the sophistication of this approach when the authors successfully apply their findings not only to individuals, but also to organizations and society at large. It is this ready application of their theory to the gamut of human relations that underpins the book’s overarching success.

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<sup>3</sup> *Id.* at 4.

<sup>4</sup> *Id.* at 29; *see also* MARK D. WHITE, KANTIAN ETHICS AND ECONOMICS: AUTONOMY, DIGNITY, AND CHARACTER 19 (2011) (Kantian ethics dictate that personal autonomy allows people to make choices “without undue influence from either external pressures or internal desires.”).

<sup>5</sup> BAZERMAN & TENBRUNSEL, *supra* note 1, at 7 (emphasis added).

<sup>6</sup> *Id.* at 170.

<sup>7</sup> *Id.* at 22.

### III. The Centrality of Bounded Ethicality

Of central importance to the book is the authors' proposition that people's ethical decision-making processes are bounded by many factors because "our ethical judgments are based on factors outside our awareness."<sup>8</sup> They refer to this theory as *bounded ethicality* and present their research with the aim of corroborating this thesis.<sup>9</sup> The authors demonstrate through relevant research studies and historical examples that our ethical decisions are influenced by unrecognized factors. These factors limit our ethical decision-making process by providing incomplete information. Thus, the avoidance of unintended ethical behavior requires the incorporation of additional principles and precautions. The authors explore the effects of ordinary prejudice, egocentrism, and the tendency to overly discount the future in our ethical decision-making processes.<sup>10</sup> They conclude that, typically, people who have an inflated sense of their own ethicality<sup>11</sup> decide differently based upon whether there is time to reflect on their decision before acting;<sup>12</sup> are unwittingly influenced by self-interested motives at the expense of others;<sup>13</sup> and often fail to conceive of a particular decision as evoking ethical considerations.<sup>14</sup>

It is difficult to glean from any specific example in the book precisely which of the multitude of psychological phenomena make up the theory of bounded ethicality. There are an abundance of individual theories and examples presented. Exactly which of these individual principles make up the authors' thesis is thereby difficult to ascertain. Nowhere in the book do the authors provide a conclusive overview of the elements of their theory. That is not to say that bounded ethicality is simply used as a catch-phrase to encapsulate numerous findings of behavioral ethics researchers. Rather, it is clear that the authors are attempting to articulate an overarching behavioral phenomenon but the lack of an explicit definition takes away little from the overall significance of the book.

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<sup>8</sup> *Id.* at 5.

<sup>9</sup> *Id.* at 7 (emphasis added).

<sup>10</sup> *Id.* at 43 (ordinary prejudice), 49 (egocentrism), 56 (discounting the future).

<sup>11</sup> *Id.* at 7.

<sup>12</sup> *Id.* at 66.

<sup>13</sup> *Id.* at 52.

<sup>14</sup> *Id.* at 16.

#### IV. Ethics Without Arguing About What Is Ethical

The authors write with the presumption that the reader has an interest in behaving ethically. While this may seem trivial (and perhaps obvious) at first, this presumption—along with the writing style and research examples that follow from it—is one of the strongest qualities of the book. Instead of spending time arguing for ethical behavior, the authors simply assert that ethical decisions are better than non-ethical decisions and move on quickly from there. *Blind Spots* successfully avoids the pitfall of trying to debate the philosophy of “what is right” and focuses very narrowly on the process of ethical decision-making rather than rallying for any particular outcome in any given case. This technique adds significantly to the clarity, purpose and focus of the book. It assists the critical reader in accepting the ideas freely, as opposed to feeling as though they are being led to ethical water and then forced to drink. The book is example-driven without being so narrowly focused on its examples as to preclude the application of the reader’s imagination or personal experiences to the theories presented.

That said, it is extremely difficult to examine ethical behavior without some basis for illustrating right and wrong. The authors generally succeed in avoiding this potential quagmire by choosing examples that are commonly accepted as ethical failures. They reference the implosion of Arthur Anderson and Enron; Bernie Madoff’s Ponzi Scheme; Big Tobacco’s use of false advertisement; the Ford Pinto gas tank scandal; and other universally recognized ethical debacles. *Blind Spots* manages to highlight and explain ethical missteps resulting in environmental pollution, world hunger, steroid use in professional baseball, and congressional corruption without needing to be overly concerned with any potential reader disagreement. These safe and calculated subject matter choices help the authors focus on the science of behavioral ethics and avoid the book becoming bogged down in questions better suited for philosophers.

#### V. Some Lessons from *Blind Spots* for the Military Leader

Considering the ethical standards expected of military leaders, Chapter Four, *Why You Aren’t as Ethical as You Think You Are*,<sup>15</sup> includes an excellent example of the type of novel insight this book

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<sup>15</sup> *Id.* at 61.

provides. In discussing different stages in the decision-making process, the authors highlight the striking interplay between three behavioral phenomena: ethical prediction errors; the effect of hurried versus contemplative decision-making that leads to *ethical fading*;<sup>16</sup> and recollection bias. The authors explain the problem as follows:

Prior to being faced with an ethical dilemma, people predict that they will make an ethical choice. When actually faced with an ethical dilemma, they make an unethical choice. Yet when reflecting back on that decision, they believe they are still ethical people. Together, this culminating set of biases leads to erroneously positive perceptions of our own ethicality. Worse yet, it prevents us from seeing the need to improve our ethicality, and so the pattern repeats itself.<sup>17</sup>

Presuming the reader desires to improve his own ethicality, awareness of these individual behavioral tendencies and their effect on the ethical decision-making process is highly practical. By eliminating any one of them—perhaps by ensuring time is set aside for contemplation prior to making important decisions—a military leader can avoid this dangerous cycle.

In Chapter Five, *When We Ignore Unethical Behavior*, the authors explore theories of motivation in disclosing the unethical behavior of others. Of particular interest to military leaders is the theory of motivated blindness.<sup>18</sup> Motivated blindness predicts that when a person is motivated out of self-preservation to turn a blind eye to someone's unethical behavior, they will fail to recognize the behavior as unethical. That is not to say they will notice the behavior and simply ignore it; the research shows they will actually not notice the behavior. Considering that the military relies heavily on its members to place internal checks on unethical behavior, this theory has broad implications for military organizations. According to this theory, those who feel as though they will face reprisal, formally or informally, will fail to notice the unethical behavior of their peers. For the commander who depends upon his

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<sup>16</sup> *Id.* at 71–72 (emphasis added); see also Ann E. Tenbrunsel & David M. Messick, *Ethical Fading: The Role of Self-Deception in Unethical Behavior*, 17 SOC. JUST. RES. 223–36 (2004).

<sup>17</sup> BAZERMAN & TENBRUNSEL, *supra* note 1, at 62.

<sup>18</sup> *Id.* at 79–86.

executive officer or judge advocate to provide ethical guideposts, this phenomenon has significant real-world implications.

## VI. The Influence of the Authors

Both Bazerman and Tenbrunsel are distinguished social scientists and academics with significant experience in the field of business ethics and business culture.<sup>19</sup> As such, it is difficult to challenge the credibility of the science they proscribe, and they give the reader no particularly glaring reason to do so. Scientific claims tend to follow from plausible real-life examples; when a particular conclusion is formed, they cite the relevant study in the endnotes. Consistent with this practice, the authors have a website where the reader can view the references and watch a number of videos that show experiments from cited studies.<sup>20</sup>

Although the book focuses on ethical failures in business culture and most examples are from the corporate sphere, it is not solely intended for a business-centric audience. This focus, however, does not detract from the applicability of the authors' theories to military culture. Primarily, behavioral ethics and the theory of *bounded ethicality* rely upon the psychology of individuals. The effect of that psychology is played out when individuals engage in organizational and societal behavior. That these individuals may be business leaders or corporate employees is irrelevant to the conclusions that can be drawn and lessons to be learned by those in the military. In fact, because so much of the military is closely akin to a corporation, the lessons are generally applicable. The authors certainly appreciate the broader applicability of their conclusions and explain them accordingly. In fact, they plainly conclude that application of these theories may "contribute to creating a more ethical world."<sup>21</sup>

As expected, the authors write about what they know best and do not divorce their personal experiences from their conclusions. Unfortunately, this results in an entire chapter on the failure of corporate institutions—it feels awkwardly self-serving.<sup>22</sup> This is not surprising,

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<sup>19</sup> *The Authors*, BLIND SPOTS: WHY WE FAIL TO DO THE RIGHT THING AND WHAT TO DO ABOUT IT, <http://www.blindspot-ethics.com> (last visited Sept. 11, 2013).

<sup>20</sup> *Id.* at *Book Links*.

<sup>21</sup> BAZERMAN & TENBRUNSEL, *supra* note 1, at 170.

<sup>22</sup> *Id.* at 128–151 (Chapter 7).

considering the authors did propose changes to Securities and Exchange Commission regulations regarding auditor independence in 2000 that were never adopted.<sup>23</sup> These changes, the authors argue, would have prevented the auditing company Arthur Anderson from providing both consulting and auditing services to Enron and could have precluded the ensuing financial meltdowns and accounting scandals that pervaded that decade. It does appear that the authors were accurate in their historical predictions and they appear to have had the scientific research to back up their claims at that time. Despite this, the authors were ultimately ignored by those to whom they pleaded for intervention. The resentment over this snub is obvious to the reader and it leads Chapter Seven to feel intellectually synthetic when compared to the rest of the book. Chapter Seven presents its argument entirely from hindsight. This is awkwardly inconsistent with the otherwise intuitive approach found in the rest of the book.

## VII. The Attack on Organizational Compliance Initiatives

One particular issue the authors explore is the apparent disconnect between the existence of overt and well-publicized ethical compliance initiatives in organizations that have been the source of major ethical scandals.<sup>24</sup> The authors take issue with traditional systems of rewards and sanctions, arguing that ethical behavior in one arena can be used as justification for unethical behavior elsewhere, and posit that informal cultures dominate ethical norms.<sup>25</sup> The result is that the authors have very little confidence in the ability of traditional compliance systems to effect ethical behavior. This conclusion should give pause to military leaders. Military culture is steeped in credos, mottos, slogans, and virtually unending internal “campaigns” designed to promote ethical behavior.<sup>26</sup> According to the authors, these efforts have little effect—if not the opposite effect—on improving the ethical behavior of

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<sup>23</sup> *The Challenge of Auditor Independence*, U.S. Securities and Exchange Commission: Hearing on Auditor Independence, July 26, 2000, <http://www.sec.gov/rules/proposed/s71300/testimony/bazerm1.htm> (last visited Sept. 11, 2013)

<sup>24</sup> BAZERMAN & TENBRUNSEL, *supra* note 1, at 101.

<sup>25</sup> *Id.* at 127.

<sup>26</sup> *See, e.g., Center for the Army Profession and Ethic*, <http://cape.army.mil/index.html> (last visited Sept. 11, 2013). A review of these training materials and videos indicates that there are significant compliance initiatives underway in the Army. It is unclear whether these efforts incorporate the appropriate behavioral ethics theories or whether the authors would take issue with them.

organizations. Thankfully, the authors also use their findings to provide recommendations in each instance on how these initiatives can be better tailored to result in preferable outcomes.<sup>27</sup>

#### VIII. Conclusion

Headlines, history, and our own experiences reaffirm the authors' fundamental observation that well-intentioned people sometimes act unethically. As leaders and members of a diverse and complex organization, broadening our understanding of the science of human behavior cannot but help in our attempts to make our military culture as ethically sophisticated as possible. Overall, the book is concise, insightful, and very readable despite its scientific basis. It shies away from philosophical questions about right and wrong and focuses narrowly on presenting the findings and conclusion of two respected scientists in a way that is accessible, interesting, and surprisingly appropriate for military readers.

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<sup>27</sup> BAZERMAN & TENBRUNSEL, *supra* note 1, at 126.