There is nothing about West Point that creates a stronger sense of nostalgia than the Honor Code. I can think of no better analogy that that suggested by Ed Ruggero in *Duty First*, where, on the subject of discretion and retention for found cadets, he wrote:

> "A lot of old grads are unhappy with the change. They believe [General] Christman has somehow sold out a Camelot they remember for an academy that allows cheaters to graduate."[1]

I know exactly what I am up against in trying to construct an argument that the Honor Code and the Honor System are healthier today than they have been in living memory. After all, in Camelot, "July and August cannot be too hot….That's how conditions are…The rain may never fall till after sundown. By eight, the morning fog must disappear. In short, there's simply not… a more congenial spot… for happily-ever-aftering … than … Camelot."[2] When I graduated in 1983, I still had a vision of the Honor Code that was as idealistic as Lerner and Loewe's vision of Camelot. I was a reasonably successful cadet, but humbled enough by my four years on the Hudson to know that I had many classmates who were better than I was. I had learned to admire peers, to accept that I could learn from the example of someone who wasn't older, wiser, or more experienced than I was, but just better at what we had both chosen as our future. It was that sense of humility that made my election as honor representative for company I-1, without a doubt, the most satisfying moment of my cadet days. As a first classman, I had the honor to sit on the Superintendent's Honor Review Committee, which was then chaired by Colonel James Abrahamson, the first graduate in the class of 1959 and a professor in the Department of History.

My first exposure to the honor code, other than the purely theoretical acquaintance of Beast Barracks lectures came in October of 1979, my plebe year, when I was selected at random to sit on an honor board for an accused classmate. I remember that day as clearly as any during that long year. As an honor representative, I know I sat on a number of boards during my last two years, I also investigated a fair number of cadets accused of violating the Code. But that day, the sheer weight of the edifice first impressed itself on me. My classmate was not found, despite my being in the majority of a seven-to-five guilty vote. I

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[1] Ed Ruggero, *Duty First*, Harper Collins, 2001. p. 253.
[2] Frederick Loewe, John Cullum, Alan Jay Lerner, *Camelot*, original lyrics. Found here: http://www.stlyrics.com/lyrics/camelot/camelot.htm

don't know if the experience changed him, but the responsibility of living with the code changed me on that day. As a second and first class cadet, I investigated many cadets for a variety of offenses. Some were found, some weren't. I'm pretty sure my own recommendations were overruled as often as they were accepted. As an instructor and professor, I have brought cases forward for investigation. More often than not, the investigation was dropped or it proceeded and the cadet wasn't found. By recalling my own long association with the Honor Code and system, I am trying to assert that the system has never been perfect. The Camelot remembered by some old grads never existed. Simply because cadets conduct the investigations, make the decisions and cast the votes at honor hearings, I can assure you that guilty cadets have been graduating from West Point as long as there has been a code. I have personally known and remembered some of their names—known and forgotten others. So, my first point is that no system will prevent every liar, cheater, and thief from wearing a West Point ring for the rest of his or her life. A system with this as its objective is bound to fail and an honor system that fails because its objectives are unrealistic and unreasonable is bound to breed cynicism—both among the cadets and among those of us who share the code with them.

So, we have a code that we know will be violated by a small percentage of cadets. The question, then, is what we will learn from those cadets, and what will they, and their peers, learn from us. Let us return to Camelot once again, when giants trod the plain, there were bandbox reviews in the snow, and (most importantly of all) the cadets owned the code. In that golden age there was only one punishment for violating the code: dismissal. The non-toleration clause, whatever support it engendered among the corps, at least enjoyed the consistency of being part of an equally intolerant system. But what power did the cadets really have? The answer, if we are willing to admit it, is none. A finding of guilty handed down by the cadet honor committee had no legal weight, and no compulsive force, whatsoever. Cadets relied on the classmate who had been found guilty to resign because that cadet could only be legally dismissed from the academy after he had been found guilty by a board of officers acting in accordance with Army regulations. And the cadet who exercised his legal rights and prevailed at that board could be silenced. So the power that belonged to the Corps of Cadets to deal with violators of the honor code was based on an officially sanctioned threat of ostracism. The irony is remarkable: the ostracism at the heart of the silence was sanctioned by the same administration that had found the cadet not guilty of the underlying misconduct. I can think of no environment more conducive to cynicism and contempt for authority. I am thankful that it was washed away in the aftermath of the Pelosi case.

These many years removed, I no longer care that the case was so badly misrepresented by the media, because I am sure that it had a positive effect on the institution. So, my second point is this: cadet ownership and control over the honor code and system is stronger today than it has ever been. Their actions as investigators, executives, and hearing members carry the full authority of the Academy's leadership. They are charged with the responsibility to police themselves and those of us wearing green understand that the risk of a dishonorable cadet graduating is no greater than it ever was. Because of this simple fact, the system is stronger and healthier than it has ever been. It is also equally imperfect. I believe this last statement to be true and I know that by implication it means that Camelot was imperfect—it was not as portrayed in the Lerner and Leowe lyrics.

If you have not had the opportunity to read Bill McWilliams' book *"A Return to Glory"*, I highly recommend it. McWilliams graduated in 1955 and so witnessed as a plebe the discovery and aftermath of the cribbing scandal. His research is incredibly thorough. The whole book is a great read, but if you are interested in the history of the Honor Code and System, the first third of the text is essential. In particular, McWilliams meticulously documents the actions of the administration in investigating and adjudicating the honor cases that arose from the cribbing scandal. Of particular note is that fact that eleven men were returned to the Corps of Cadets following the Collins Board's initial recommendation that they be discharged for tolerating the cheating. In fact, every single cadet who admitted knowledge of the cheating ring, but testified that they had not personally cheated, was returned to duty. Nine of the eleven graduated.[3]

I want to borrow some more content from Bill McWilliams' book and tell you about a very important aftereffect of the scandal. On August 13, 1951, a board of three officers, one chosen by the Dean, one by the Commandant, and one by the Superintendent, under the presidency of Colonel Boyd Bartlett, was convened to investigate the "causes of the incident, both proximate and underlying, . . . [to] suggest changes in existing practices and procedures which might prevent a recurrenc . . . and, consider means of continuing or periodic check that would show up an incipient repetition of a similar incident in its early stages." I have to tell you about Boyd Wheeler Bartlett, if only because of his strong association with my own Department of Physics. Like many graduates from the class of 1919, Lieutenant Bartlett resigned his commission in 1922. He went on to pursue an academic life, culminating in an appointment as a professor at Bowdoin College in Maine. Early in World

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War II, he answered the call to return to active duty and to West Point. The Department of Physics was created, provisionally, in 1931 with Gerald Counts as its head, a position he retained in the provisional department and in the official Department of Physics and Chemistry (created in 1946) until August of 1957, with the notable exception of the war years. Colonel Counts went initially to North Africa to serve on Eisenhower's staff and remained abroad for the duration of the conflict in Europe. Boyd Bartlett was recalled to active duty and became acting head of the Department, as a full Colonel, during the war years. (He published an article about physics instruction at West Point in the American Journal of Physics in 1944 that I still use to educate cadets and instructors about what the Thayer method really was.[4]) In February 1943, in a reorganization of the Academic Board, the Department of Chemistry, Mineralogy, and Geology became the Department of Chemistry and Electricity. When Colonel Counts returned from overseas, Bartlett became deputy head and, in short order, head of this new department. After the war, the Chemistry faculty merged with the provisional Department of Physics, which became the Department of Physics and Chemistry. What remained was the Department of Electricity (predecessor of the Department of Electrical Engineering and today's Department of Electrical Engineering and Computer Science), with Bartlett as head, a position he retained until his retirement and advancement to Brigadier General in 1958. So General Bartlett served the army as a second lieutenant and full Colonel for a total of 20 years, culminating 39 years after his graduation.[5] Not bad. Hopefully, my recitation of his substantial accomplishments will soften the blow of the next quotation from McWilliams:

> "The Board concluded that fundamental causes for the scandal lay elsewhere, [specifically in an over-emphasis on winning football] leaving the review of Academic policies and procedure and the honor system to other committees and boards composed of members of the departments responsible for those systems, thus setting the stage for a less intense internal self-examination of what went wrong and why. "[6]

An opportunity to address the underlying causes of the scandal had been lost. Fast forward 23 years to 1974. The Superintendent is Lieutenant General Sydney Berry. There have been a number of upheavals in the honor system in the intervening years, including a mini-scandal in 1965

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[4] Boyd Wheeler Bartlett,

[5] Most of what I know about the evolution of the Academic Board and the structure of West Point's academic departments is the result of research by Bruce Oldaker, which has been shared in private communication with the author.

[6] McWilliams, p.

and, according to Lucian Truscott IV, the iconoclastic author of Dress Gray and other novels about the Academy, at least two massive cheating rings that operated in the 1960's without getting caught.[7] The Air Force Academy has experienced its own scandals in 1965, 1967, and 1972.[8] A contemporary account from Time magazine tells us that, "Well aware that the honor code and its system of justice were causing problems, … Berry set up a special committee in 1974 to see how the two "could be strengthened and improved." Composed of 14 officers and 16 cadets, the committee produced a two-volume report ten months before the [1976] scandal broke…. In its most significant recommendation, the committee urged that the system be modified so that dismissal would no longer be automatic for any cadet found guilty of an honor violation. The committee urged that cadets be punished according to the seriousness of their offenses; if mitigating circumstances were strong enough, a cadet could be let off with no punishment at all. To be put into effect, the reform authorizing discretionary punishment needed to be approved by two-thirds of the cadets; only 54% voted in favor in the Spring of 1975." Barely a year later the Electrical Engineering 304 scandal broke open. One of the most useful contemporary sources about the incident was an article published in 1977 by Harry Jorgensen, USMA 67 in the American Bar Association Journal. First, what actually happened:

> "The tip of the iceberg was uncovered by a professor …in the Department of Electrical Engineering. A series of take-home problems had been assigned to the more than eight hundred cadets enrolled in the class. Only one problem was clearly marked with the admonition that all work on the problem must be done individually. One cadet marked on his paper that he received help. The instructor then examined other papers to see whether the cadet who had helped the confessing cadet had marked on his paper similarly. He found instead that there was a striking similarity between a substantial number of the papers. After further examination, the Department of Electrical Engineering forwarded the names of 117 cadets to the honor committee, one of whose functions is to investigate allegations of honor violations and then vote on whether the accused violated the honor code.

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[7] Truscott wrote a series of essays as a fellow of the Alicia Patterson Foundation. The assertion cited here is made in the second of these essays, which may be found online here: www.aliciapatterson.org/APF001976/Truscott/Truscott02/Truscott02.html.

[8] For a good history of the Air Force Academy Honor Code and system, see www.usafa.org/cgi-any/newspages.dll/pages?bid=&nfid=&record=71&htmlfile=newspages3_News.htm. Worth noting, aside from the details of the scandals mentioned here, is that discretion has been a formal part of the system since 1961.

> The honor committee examined 101 of these cases, the others apparently resulting in resignation by the accused cadets prior to committee action. Of these 101 cadets, 52 were found guilty. Of the 52, four resigned, and the rest were referred to the Department of Law at West Point to learn their alternatives…..
> Lt. Gen. Sidney Berry, [Superintendent], appointed an "internal review panel" on May 23,1976, to "investigate and examine evidence of violations of the Cadet Honor Code and other regulations for U.S.M.A. and recommend for referral to boards of officers, all cases for which this panel determines there is probable cause of a violation." Since graduation was a few weeks away and most of the honor committee would be graduating, since summer training was a few weeks away and most of the juniors (second classmen) would have duties as new first classmen (seniors), and since almost all the accused cheaters were second classmen, Superintendent Berry was faced with the necessity of expediting the investigation. The panel was also given a charge to investigate or at least act as a check on possible corruption within the honor committee itself. It therefore reexamined all cases regardless of the previous outcome.
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> As of August 11, 1976, the internal review panel had looked into 235 cases arising from the take-home examination, including the original 117. By December 6, 134 cadets had resigned or had been separated in another manner from the academy for cheating on the problem. …..[9]

Later in the article Jorgensen writes that:

> There also has been discussion of the single sanction of separation. Some believe it is too harsh, while others argue that sure punishment will deter. ….The present chairman of the honor committee recently pointed out that 20 per cent of the usual honor violations--those other than the ones involved in the current scandal--that reach the full hearing stage result in a finding of guilty. Secretary [of the Army] Hoffman, just before the change in administrations, directed that the regulation requiring separation be changed to read

[9] John Henry Jorgensen, *Duty, Honor, Country and too many Lawyers*, Originally printed in "The Lawyer's Washington" column in the **American Bar Association Journal** for April 1977 (63 ABAJ 564-S67). Copyright 1977 by the American Bar Association. [reprinted by permission here: http://www.west-point.org/publications/aba_article.html]

> "shall normally be separated", thereby vesting discretion in the honor committee and the superintendent.

Another fascinating contemporary source about the 1976 events is an article published in Military Review in 1985 by Navy Lieutenant Richard Hansen. Hansen had been among the first group of midshipmen to serve a semester in the Academy Exchange program. I participated in the program myself in 1981 at the Air Force Academy. He wrote his article in 1977 but was unable to publish it for many years. After detailing the events from his own very interesting perspective, Hansen concludes that

> There is a need for an Honor Code and System at West Point. But it has to have the proper purpose and base of support to be truly effective. It must be, in fact and theory, designed, instituted, and operated by the cadets to stipulate, and if necessary, enforce, a way of life that the cadets themselves agree on. It must build on the basic character of the individual cadet and further educate him to accept the fact that honor should be a part of his everyday life. I the military , and especially in a combat situation, it is critical to have the trust *of* your superiors and *in* your subordinates. This need is constant and must be remembered in light of the EE304 scandal. West Point must educate officers in an effective manner to meet this need with cadets that come from every corner of our society. This is significant, as the officers West Point graduated in 1977 and the future may be the leaders who defend our country in armed aggression. If West Point fails to meet this need, it is thee that it will become painfully noticed.[10]

Eight years later, when Hansen finally found an outlet for his article, he added this thought:

> West Point survived the cheating incident of 1976 and was able to evolve and grow because of it. The Honor Code is still intact and still has validity and meaning. If any lesson is to be learned from this episode in the history of the U.S. Military Academy, it is that no institution or system, regardless of its timelessness or sacredness, should be immune from careful examination and well thought-out constructive change.

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[10] Richard P. Hansen **,** *The Crisis of the West Point Honor Code***,** Military Affairs, Vol. 49, No. 2 (Apr., 1985), pp. 57-62

In my twenty five years of studying the Honor Code and participating in the Honor System I have reached a few important conclusions. First, there never was a Camelot—an era in which the system ran perfectly, the guilty were always found and the ring on a graduate's hand was all the evidence of integrity one would ever need. Second, the prerequisites for failure are always with us. Absent vigorous engagement with the Corps of Cadets on the foundational issues of integrity, we run the risk that they will find their own norms and substitute other values for those the institution champions. We can never solve a problem once at West Point. We can learn how, but we have to keep working because we bring the same problems in the door every year. I once read some work by a respected national polling organization that indicated that 20% of college freshmen would never cheat, 20% would cheat regardless of the proscriptions and potential consequences, and 60% were simply waiting to be told what was expected of them. We must never forget that this is our raw material. They are admittedly among the very best America has to offer, but they are still adolescents, more susceptible than they will ever admit to the developmental process we are working to create. Third, I have learned that systems evolve over time, experiencing slow change as the people who operate them respond to immediate threats and problems. If change isn't planned and managed carefully, the crucial balance can be lost in this process of evolution. A colleague reminded me recently that evolution run amok is why God provided us with large meteors. In the history of West Point, there have been more than a few of these meteors. Among these can be numbered the crises of confidence before Thayer's arrival as Superintendent, the division of the corps and the long grey line during the civil war, the hazing scandal of the early twentieth century, and the two cheating scandals I have talked about today. In keeping with the theory that what does not kill us makes us stronger, these events have shaken the leadership into designing the Academy we want rather than simply presiding over its evolution. Third, I have learned that there are many synonyms for discretion. Among those listed in a standard thesaurus are carefulness, circumspection, consideration, deliberation, discernment, discrimination, good sense, judiciousness, maturity, prudence, responsibility, shrewdness, solicitude, tact, and wisdom.[11] My favorite is judgment. If that isn't what we pay the Superintendent for, I don't know why we have one. The now three decade's old practice of retaining some cadets found guilty of honor violations hasn't destroyed the institution. And the mentorship programs in place to remediate those who are retained are widely recognized as the best designed developmental experiences at West Point. I think we are getting it mostly right. The Cadets who are allowed to make the crucial

[11] http://thesaurus.reference.com/browse/discretion

decisions sometimes get it wrong, but that is the cost of letting amateurs run the system—and the benefits are worth it. What I do know is that the current state of the honor system, along with the entire Cadet Leader Development System, is a product of design. West Point is working very hard, and the new Superintendent is leading the way, to create a system that nods to tradition while doing what works best to develop the leaders our soldiers deserve. When I talk to people about what makes West Point worth the investment of our national treasure, both human and monetary, I tell them it may be the premier leader development institution in the world, but what I am sure of is that it is the premier leader development *laboratory* in the world. No one is working harder to get this business right. ROTC and OCS are critical to meeting our needs for commissioned officers, but a Professor of Military Science is there to execute a program of instruction. West Point exists to create one.