CHALLENGING THE (MORAL) ORDER:
MILITARY SERVICE MEMBERS AS PUBLIC WITNESSES TO WAR

DISSERTATION

CHAPTER ONE: INTRODUCTION

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Contemporary Western society, as MacIntyre (1984) notes, is in the midst of a "moral mélange," a situation in which individuals utilize a language of morality that has been divorced from the context out of which it was derived. As a result, "we possess…simulacra of morality" (MacIntyre 1984: 2) and lack the conceptual commensurability that would allow us to weigh and compare moral claims. As every moral philosophy assumes a sociological perspective, for each "offers explicitly or implicitly at least a partial conceptual analysis of the relationship of an agent to his or her reasons, motives, intentions and actions" (MacIntyre 1984: 23), the way out of the current morass necessitates a sociology of morality. MacIntyre's own attempt at a sociology of morality results in little more than a history of ideas, and thereby misses the essence of the sociological approach, which he recognizes when he notes that it focuses on the way in which moral "concepts are embodied… in the *real* social world" (MacIntyre 1984: 23 emphasis added). Despite the inadequacy of MacIntyre's attempt at a sociology of morality, he astutely identifies a problem that not only afflicts moral philosophy but the field of the sociology of morality itself, which continues to utilize a language of morality largely derived from the work of Durkheim (1974, 1979, 1984, 1995) yet now dissociated from its original conceptual framework. Indeed, the sociology of morality is in a need of a new conceptual framework, one that is not dependent on the dialectic of objectivity and subjectivity, is dynamic enough to capture the complexity of social action, and recognizes that our "moral mélange" is present not just in moral philosophy but in the interactions of everyday life.

A reconceptualization of the sociology of morality is also imperative in order to counter the dominant conceptualizations of morality as conservative, traditional, and religious. While moral valuations may reinforce established practices, they can also challenge those practices, as we see in the case of actions such as civil disobedience. However, in order to move beyond the conservative view of morality, we need also to move beyond the conventional normative theory of social action, which defines morality as externally derived social norms that determine how an individual defines the intended end of an action. Instead, when we utilize a theory of the creativity of action (Joas 1996), we are able to recognize how norms are not constitutive of action but are *constituted through* action as iterative practices. The fact that individuals engage in action with the knowledge of previous experiences but in continuously shifting spatial and temporal contexts means that actions, including acts of moral valuation, are essentially creative.

The greater the heterogeneity of the environment in which ones acts, the more acute are the spatial and temporal shifts, and thereby the necessity of greater creativity. It is for this reason that even though the need for creativity in action is not unique to the contemporary world, it has become profoundly evident. It also means that the lack of common standards for evaluating moral claims, of which MacIntyre refers, is not a problem to be solved, but a basic condition of social differentiation.

The following dissertation is designed to inform our understanding of the manifestation of moral valuations in a "postmetaphysical" context, or one in which differentiation and skepticism serve as constant challenges to transcendent legitimation of moral valuations. The primary research question for the project asks: *how, in these circumstances, are moral valuations constituted through practice and discursive articulation?* Given that moral valuations rely on a transcendent (even if "immanently transcendent) principle, one would assume that morality would lose significance in a postmetaphysical environment. Yet, moral valuations continue to serve as a potent means of providing order and meaning to our experiences of the world. From universal human rights to environmentalism to New Age spiritualism, moral valuations continue to shape our understanding of the world and our role within it in dynamic ways. They also continue to serve as essential and powerful means of constructing boundaries, legitimizing social criticism and instigating social action. Through empirical study, I illustrate how moral valuations are constituted through action; how the abstraction of norms and values is a coercive means of imposing a particular moral valuation; and how this abstraction obscures the contingent, contradictory and incoherent experience of moral valuation.

The social phenomenon that I explore through empirical study is the contemporary case of US military service members, who have served in the wars in Iraq and Afghanistan, and subsequently engage in public moral criticism of the military and war. This case allows for consideration of moral variability over time, since these US service members enlisted in the military on a voluntary basis, yet undergo experiences that transform their understanding of the military and war to such an extent that they reject, in part or in total, the practices of the military. At the same time, by focusing on those service members who engage in *public* criticism, I have the opportunity to examine how attempts to legitimize moral claims are constituted in a postmetaphysical context. The project is not designed to explain why particular service members do or do not engage in this public criticism, but to examine how experiences and practices are

central to how individuals engage in moral valuations of their actions and beliefs. The study of US service members who engage in public moral criticism of the military and war involves attention to both macro-level circumstances, including the development of international laws for war and human rights, and micro-level circumstances, including personal experiences and social networks. At the conjunction of the micro and the macro, I locate the manifestation of a social practice that emerged following World War II, which I refer to as public atrocity witnessing. I examine how this practice has come to serve as a compelling means for constituting morality in a postmetaphysical context and how US service members utilize the practice in legitimizing their criticisms of the military and war.

In the remainder of this chapter, I outline my approach and identify the object of study, or "moral valuation." Before delving into the empirical project, it is important to locate the research project and my conceptualization of morality within the discipline of sociology. In Chapter Two, I outline the methods used for the research and analysis of the empirical material. Social, political, and historical context is presented in Chapter Three, which examines the development of the practice of public atrocity witnessing and how the ideas that underlie practice, such as international war crimes law and moral individualism, have affected our understanding of the military and its own practices. The third chapter further considers how these changes have become manifest in the narratives that enlisted service members tell. In Chapter Four, I analyze the performative constitution of morality as US service members engage in the practice of public atrocity witnessing, while in Chapter Five, I take a diachronic look at the interplay of experience and practices in the constitution of morality over time for a sample of US service members. In the concluding chapter, Chapter Six, I consider our understanding of morality is enriched when studied through the perspective of performativity and how such an approach might be utilized to examine other cases of social critique.

Sociological Conceptualizations of Morality

Concern with the way in which moral valuation provides order and meaning in social life was central to the foundation of the discipline of sociology. Not only was Durkheim's work essentially organized around the aim to develop a "science of moral life," such concerns were also important for Weber, Simmel and Pareto. The centrality of morality to the field is manifest in the fact that the study of morality among social groups is ubiquitous despite the absence of an organized subfield devoted to the issue. Nevertheless (and perhaps because of the absence of a

subfield), several scholars (Abend 2008; Bauman 1989; Joas 2000; Lukes 1973; Smart 2001) have noted the lack of rigorous interrogation of the meaning of moral concepts since the critical examinations of classical sociologists. In contemporary studies of morality, there is a tendency either to assume the Durkheimian conception of morality as a system of shared norms and values that provides social cohesion and can be studied as social facts (Baumgartner 1988; Cohen 1980; Coleman 1990; Hechter 1993; Zelizer 1979, 1994), or to assert that morality is a relative concept, the construction of socially situated individuals as a means of defining their identity and locating themselves within the social world (Bellah et al 1985; Lamont 1992, 2000; Wuthnow 1996). With a few exceptions (Baumann 1989; Hitlin 2008; Joas 200; Lukes 2008), these sociological works generally fail to interrogate critically the assumptions that underlie these conceptualizations.

The two conventional approaches, what I will refer loosely to as Durkheimian and constructivist, reflect a fundamental difficulty in conceptualizing morality, in that it exists only as a form of valuation (for example, an action is not inherently moral but must be valued as such), *yet* morality is not simply the product of an individual mind. Not only do moral valuations assume a reality through their constitution in social interactions, but individuals also understand moral valuation to have a validity that exceeds their own personal preference. This difficulty is particularly acute for the sociological study of morality, which, following the tradition of Durkheim, brackets the question of a metaphysical truth for morality in order to understand it as an immanent product of social relations. The influence of the work of Durkheim on the sociological approach to morality is, in fact, profound enough to deserve further explication.

Durkheim's Science of Moral Life

Durkheim (1974, 1982, 1984) attempts to move from the ontological approach of moral philosophy to a scientifically based epistemological one, which he asserts can resolve the intractable debate between utilitarian and idealist moral philosophies. In defining morality, Durkheim relies heavily on the idealist tradition, particularly that of Kant, who, according to Durkheim, accurately captured the experience of morality as an obligation that transcends one's individual will and compels one to assume responsibility for others. However, Durkheim contends that Kant misidentifies the source of morality in a transcendental Will, and it is here

that Durkheim's epistemological approach leads to four key distinctions from Kant's moral philosophy. First, the source of morality is not transcendent but immanent, arising out of society and bound to its structures. Second, since morality is dependent upon social structures, it is not immutable, but is bound to change as social structures change. Third, one does not acquire moral rules through rational thought but internalizes rules through a direct process of socialization. Fourth, in contrast to Kant's claim that interest is opposed to reason, and thereby morality, Durkheim contends that moral rules are defined by a degree of desirability.

Despite the epistemological approach, Durkheim's conception of morality remains, essentially, idealist. The notion of "social facts," a concept intended to capture the quality of *nonmaterial* social "things" that exist independent of subjective impression or individual will, are the manifestations of the ideals that a society holds of itself. Durkheim develops the idea of social ideals through a reformulation of the Kantian notion of *noumena*, or things-in-themselves, from a purely intellectual object of the reasoning mind to a socially constituted ideal. Social ideals, however, are not directly accessible to the social scientist; they can be objectively and empirically analyzed through the social structures that give rise to them. In the case of morality, the ideals that give rise to moral facts are based on a society's view of itself and the "culminating point in its development" (Durkheim 1974: 93). Moral facts are manifest as rules and codes of conduct that are distinct from other types of rules in the heterogeneity between an act that violates the rule and the consequence of that violation. Moral rules "force the individual to act in accordance with ends that are not for his own, to make concessions, to agree to compromises, to take into account interests superior to his own" (Durkheim 1984: 172-173). It is for this reason that morality is obligatory in character, appears to individuals as impersonal and constant, and serves the function of providing the solidarity necessary for individuals to exist together as social collectives.

It is particularly in his later work, as he turns his attention to religious life (1974, 1979, 1995), that Durkheim asserts that morality is defined not just by obligation but also by a feeling of desirability. "For us to become agents of an act it must interest our sensibility to a certain extent and appear to us as, in some way, *desirable*" (1974: 36). In this way, Durkheim recognizes the element of valuation in morality, for the individual must perceive moral rules as good. However, even as Durkheim recognizes that an individual is never completely consonant with the morality of the society in which she lives, the judgment of particular moral rules as "good" is

not the product of individual valuation but results from the "social conscience" and the positive social attribution of honor and praise, which occur when an individual conforms to moral rules. That is to say, even though desirability is an individual feeling, its source is ultimately external to the individual. Moral value judgments are distinct from judgments of reality (expressions of fact) and judgments of preference (simple judgments of reality that report an individual's relation with certain objects); they may have as their object the worth of a thing in relation to persons, yet they are ultimately the expression of "the relation of a thing to an ideal" (Durkheim 1974: 95). Thus, the worth of the thing has an objective basis and is independent of the individual's personal feelings. Not only is subjective morality the personal expression of a collective morality that is infinite in its manifestations, individual representations of morality persist only through the collective conscious (Durkheim 1974: 18). "The diversity of individual moral consciences shows how impossible it is to make use of them in order to arrive at an understanding of morality itself" (Durkheim 1974: 40). Therefore, sociologists ought to focus on an objective morality and collective social structures.

Beyond Durkheim

Durkheim's science of moral life has been foundational to the sociological study of morality, particularly in its recognition that morality, "despite the respect with which it is vested…is alive, constantly changing evolving" (Durkheim 1979: 81). Because morality is bound to the structures of societies, it will change through time and across societies as the social structures change. The science of moral life has also been central to the tendency to define morality as norms and values that exist external to the individual, provide social solidarity and group identity, and are internalized through a process of socialization. However, the utilization of this conceptualization of morality tends to occur without critical assessment of two assumptions made by Durkheim. First, because Durkheim sought to establish sociology as a science, distinct yet on par with the natural sciences, he insisted that there is a factual and objective reality to morality that can be empirically studied. As a result, he had to rely on the examination of social rules in his study of morality. A focus on "objective" social rules, however, limits our capacity to recognize that a law is "real" only in the extent to which it is *enacted by* individuals.[1] Even

[1] A focus on rules can also obscure the complexity of moral valuation, which may, in fact, value the *transgression* of laws, as in the case of civil disobedience.

though a law may exist regardless of a single individual's recognition of it, it still requires the enforcement by other individuals for it to have an effect on the individual. The dynamism and contingency of morality is therefore lost when it is abstracted from that element of enactment.

Second, despite the complex relationship between Society and individuals, Durkheim maintained that there is a "whole" that can be identified as Society that exists independent of individuals.[2] Even though Society "can neither wish, feel, nor act except through individual minds," Durkheim fetishizes and homogenizes Society into a bounded entity that can act (Durkheim 1974: 26). We find in Durkheim's work the characterization of society as an active entity: "*It* [Society] resists attempts to disturb *it*" (Durkheim 1974: 84 emphasis added). At the same time, there is an erasure of social difference through the establishment of objective morality as "a system of objective values, recognized by all men, or at least by all the men of the same civilization" (Durkheim 1974: 82). Thus, even in highly differentiated Western society, Durkheim asserts that individuals are unified by a system of values that he refers to as "moral individualism." The abstraction of morality into norms and values, however, produces broad generalizations that fail to take account of the variation, ambiguity and contingency of the ways in which individuals understand such moral valuations. Furthermore, these assumptions conceal the acts of individuals who utilize force or power to coerce and constrain the actions and circumstances of others.[3]

The discipline of sociology continues to utilize the fundamental conceptualization of morality inherited from Durkheim at the same time that it is largely rejected the strict dichotomy of subjectivity/dichotomy and the fetishization of Society. Thus, the sociological understanding of morality tends to suffer the same inadequacies as that of moral philosophy, which MacIntyre has elucidated: it relies on "the fragments of a conceptual scheme, parts which now lack those

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[2] The influence of Rousseau's philosophy is acutely evident in Durkheim's understanding of Society as existing independent of yet dependent on individuals and as the source of morality; according to Rousseau, morality is defined by the general will, which is distinct from the will of all and based on common interest. The will of all "takes private interest into account and is no more than a sum of particular wills: but take away from these same wills the pluses and minuses that cancel one another, and the general will remains as the sum of the differences" (Rousseau 2005: 14).

[3] I use the concepts of power and violence here in the Arendtian sense, where power is achieved through the human capacity to act in concert and violence is the use of instruments to overcome a population (Arendt 1970).

contexts from which their significance derived" (MacIntyre 1984: 2). The fragmentation of the Durkheimian theory of morality can be most readily seen in the work of Parsons (1937) who, through a convergence thesis, develops a normative oriented theory of action through a synthesis of the classical works of Durkheim, Weber, Simmel and Pareto. According to this theory of actions, norms are external practices that are internalized by the socialized individual and orient that individual's action. Parsons' project is the study of the organization of society, whereby social order is maintained via common values and action is shaped by these normative orientations that constitute goals and the selection of means. His interest is in promoting the discipline of sociology is the science that "attempts to develop an analytical theory of social action systems in so far as these systems can be understood in terms of the property of common value integration" (Parsons 1937: 768). Parsons and Shils (1951) present a conceptual scheme for the nature of action that assumes that actions are oriented toward the attainment of ends, are normatively regulated, and involve effort and motivation. Morality, in this scheme, is characterized as those values that affectively orient an individual's action with regard to the consequences of the action for the collective. In this way, Parsons maintains the Durkheimian notion of morals as external normative values while situationalizing it in individual action and thus removing it from the context in which Durkheim understood to be the origin of those normative values.

The idea that morality is composed of normative values that shape and constrain otherwise rational practical action and are oriented toward collective solidarity has come to dominate the sociological conceptualization of morality. A number of studies (Baumgartner 1988; Cohen 1980; Coleman 1990; Hechter 1993; Zelizer 1979, 1994) have assumed that morality is a system of values that maintains social order and is manifest as external social norms and collective values. For example, taking an objective approach to the study of norms and values, Coleman (1990) assumes that values provide for normative regulation in otherwise rational individual action. Zelizer (1979, 1994) examines how the rational calculation of economic behavior is modified by social norms, while Cohen (1980) and Baumgartner (1988) assume that morality serves the purpose of maintaining social order, particularly in reaction to conflict and dissent. Bourdieu (1990) attempts to overcome the dichotomy of objectivity and subjectivity by offering a generative framework with the concepts of *habitus* and *field*, whereby social norms are not simply constraints but also provide possibilities for action; nevertheless, he

maintains the notion that norms are external to the individual and gives emphasis to the "conditioning of action" whereby the rational calculation of individuals is pre-determined by existing norms and structures of society. In this tradition, sociologists analyze social relations as a technical challenge, where action is a purposeful activity limited to oppositions of effective and ineffective, rational and irrational.

With the constructivist turn, several scholars (Bellah et al 1985; Boltanski and Thévenot 2006; Lamont 1992, 2000; Wolfe 2001; Wuthnow 1996) have utilized a variation to the norm-based approach by examining how individuals define and legitimize their moral value systems in relation to their social position. Such an approach recognizes the heterogeneity found within social groups, although this heterogeneity assumes stratifications based on prominent social divisions, such as economics, education, gender and race. These studies give emphasis to "boundary work," whereby individuals assume values that provide a sense of identity and difference from others. The emphasis tends to be on the constitution of identity, such that morality is a means by which individuals construct identities that provide "stable 'pockets' of meaning within a contemporary society increasingly marked by fragmentation and change" (Caruana 2007:297). For example, Lamont (1992, 2000) has examined how upper middle class men and working class men in France and the United States utilize moral values that define them in relation to their economic status and nationality. Similarly, a number of scholars (Behtel and Marini 1995; Davis 1992; Harding 1987; Litosseliti 2002) have explored the relation between gender and morality following the 1982 publication of Gilligan's *In a Different Voice* in order to illustrate how gendered constructs and social roles produce different expectations for the morality of women and men, which, in turn, influence how women and men internalize symbolically gendered moral beliefs.

The constructivist approach tends toward a more subjective and context-specific perspective on morality. However, while giving recognition to the situatedness and the subjective element of moral valuation, it produces a problematic degree of intentionality and coherence to individuals' moral frameworks while conceptualizing morality as values that are "held" by individuals. In part, the sense of intentionality and coherence is the product of the dominant type of empirical research used by these scholars – the semi-structured interview. While the interview format may allow for the contextualization of morality, as interviewees might relate moral valuations to particular circumstances, it also involves an abstraction of the process of moral

valuation through discoursive articulation. That is to say, the interviewee will construct a coherent explanation for the interviewer that obscures the far more contingent, ambiguous, and referential process of moral valuation in everyday life. This is not to deny, as Wuthnow (1996) maintains, that it is important to understand how individual articulate their moral ideas, and it is certainly the case that events in which individual articulate moral ideas will influence future moral valuations. However, the construction of moral system of values is part of the process of attempting to impose a consistency in meaning that is derived from diverse experiences. "As the individual reflects about the successive moments of his experience, he tries to fit their meaning into a consistent biographical framework" (Berger and Luckmann 1966: 64). Thus, the study of morality must pay attention to the relation of abstract thought to the experience of reality, and the extent to which the abstractions serve as a means of ordering that experience.

The articulation of a moral perspective in an interview must itself be understood as a situated case of moral valuation. It does not represent an individuals "moral framework" but a particular and situated action that is part of an ongoing reiterative process in the constitution of morality. Even in the case where the speaker contextualizes an explanation, she selectively produces examples that present a particular picture and, in order to appear competent, will tend to emphasize coherence and omit contradiction. It is in this context that it is possible to locate the apparent contradiction in the way in which individuals use the language of values, such that "[i]t obscures personal reality, social reality, and particularly the moral reality that links person and society" (Bellah et al 1996: 80). Therefore, in order to understand the constitution of morality, it is necessary both to interrogate the circumstances under which an individual articulates a moral explanation and give attention to its diachronicity.

Reformulating the Sociological Approach to Morality

My intention is to develop a conceptual framework for a sociological approach to morality that recognizes the contingency, referentiality and relationality in the constitution of morality as a means of giving order and meaning to experience. Part of this project is to understand the social phenomenon of the construction of abstracted "values" as things that we can have and be that has become so naturalized in our language of morality, both as a practice undertaken in particular circumstances and as one acts in a series of actions that is informed by previous experience and informs future action. Thus, the point is not frame what we say and what we do as two distinct processes but as interdependent and continuous processes. The

interplay between articulation and experience is central to understanding the constitution of morality because at the same time that the experience may exceed language, one must always already accepted something as good in order to perceive it as good and this acceptance must be available to discursive articulation (Bernstein 2000). In addition, this approach gives particular emphasis to the notion that the constitution of morality occurs "anew;" to the contrary, we enter into situations with (quasi-formed) habits, assumptions, expectations and resources that are determined by our previous experiences and social location, and our interactions are equally determined by the habits, assumptions, expectations, and resources of others. For these reasons, the aim here is not to reject the Durkheimian or constructivist conceptualizations of morality but to reformulate them into a new conceptual scheme that draws on pragmatism and theories of performativity.

Pragmatism and the Creativity of Action

As Bernstein (2010) has demonstrated, the influence of American pragmatism can be seen in a breadth of philosophical and sociological work, despite the relative dismissal of the approach for much of the 20th century. However, it is the recent work of Joas (1996, 2000) that has been instrumental in delineating how the pragmatist tradition can help in the resolving the limitations of the sociological normative theory of action, and subsequently, the approach to morality. In developing a theory of the creativity of action, Joas does not reject normative oriented action but attempts to reformulate the approach to action to recognize that norms do not constitute action but are *constituted through* action. The theory of normative oriented action, which assumes the pre-existence of ends, motives and plans to action, is a limiting view of social action because it fails to recognize the way in which ends, motives and plans are constituted through action and based on the circumstances in which an action occurs. The theory of the creativity of action recognizes that "the goals of action are usually relatively undefined, and only become more specific as a consequence of the decision to use particular means" (Joas 1996: 154). It is not simply that human action is *contingent on* the situation; the situation is *constitutive of* action. The expressive character of action is linguistic and embodied, as an actor grapples with rules in relation to experience and the constitution of the social world is situated "in the tension between unreflected habitual action and acts of creativity" (Joas 1996: 129). Thus, creativity here

should not be understood as "an unconstrained production of something new without any constitutive background in unreflected habits" (Joas 1996: 129). The theory of the creativity of action is not an intentionalist account of action, nor does it assume a position of methodological individualism; however, it does maintain that our conception of norms must be situated within social action.

In *The Genesis of Values* (2000), Joas applies the theory of the creativity of action to distinguish between the experience of values and their discursive legitimation. While the justification of morals may involve the rationalization of values in a cohesive system, the experience of moral values in action is contingent, chaotic and far more ambiguous. "Though we may believe that we should be able to justify our value orientations…this does not mean that we actually obtained our values through processes of justification and discussion" (Joas 2000: 10). As a neo-pragmatist, Joas turns to the likes of John Dewey and William James to develop the theory based on the "intersubjective understanding of self-formation with a consideration of the role of imagination and creativity in the genesis of values, thus aiming at the idealization of contingent possibilities and at the imaginary relations to an holistic self" (Joas 2000: 163). The actor who makes judgments of value does so under contingent conditions, and she is typically not concerned with the justification of the value but the relation of the value to the given action situation.

The contingency of these experiences means that, despite our efforts to act in such a way as to promote values of good or right, there is no "certainty that we will actually meet with success in doing this with all the actions that we decide upon and all the direct and indirect consequences which we thus bring about" (Joas 2000: 171). Thus, Joas presents a productive theoretical framework for capturing the process of moral valuation and the constitution of normative practices. However, his work is limited to theoretical abstraction, leaving open the question of how to integrate a methodological framework that would allow us to apply the theory to empirical study. Furthermore, in his attempt to give emphasis to the experience of morality, Joas draws too sharp of a distinction between experience and discursive legitimation. In looking to the idea of *performativity*, we find the means to provide a methodological framework for the creativity of action, while recognizing the interdependence of experience and discoursivity.

The Performative Constitution of Morality

In the development of a dramaturgical approach to action, Goffman's (1959, 1974) treatment of morality is not exceedingly detailed. In a cursory treatment, which relies heavily on Durkheim's theory, Goffman defines morality as a set of social norms that obligate individuals to act in a certain way. Moral values are the "common official values of the society" that, when highlighted in a performance, produce "an expressive rejuvenation and reaffirmation" (Goffman 1959: 35). Indeed, this definition of morality aligns with Goffman's predominately functional model of role behavior (Denzin 2002: 107). However, Goffman's primary concern with morality is not with the "moral matters" of social interactions, but with the moral dimension of the presentation of self, or the "distinctive moral character" that emerges when one attempts to establish a definition of the situation and presentation of the self (Goffman 1959: 13). That is to say, social interactions are based on the expectations that when an individual presents herself as possessing certain characteristics, she is who she claims to be and will be treated by others in accordance with type of person she presents.

Goffman also draws a distinction between face-to-face interaction, which requires the obligation of visual respect, and performance, which is an "arrangement which transforms an individual into a stage performer… an object that can be looked at in the round and at length without offense… by persons in an 'audience' role" (Goffman 1974: 124). It is as performers that "individuals are concerned not with the moral issue of realizing [the standards by which they are judged], but with the amoral issue of engineering a convincing impression that these standards are being realized" (Goffman 1959: 251). This strategic interaction, or the practice of revealing and concealing, is a means of maintaining the impression that one presents to others. It is in this sense of "selling" the impression to the observers that Goffman concludes that, as performers, we are "merchants of morality" (Goffman 1959: 251).

Goffman's delineation of the moral dimension of interaction offers a means for examining the process by which moral valuation is situationally realized. However, there are four limitations to Goffman's work that inhibit our ability to move from the negotiation of the moral self to the constitution of morality. First, Goffman makes a problematic distinction between performance, which is an "arrangement which transforms an individual into a stage performer… an object that can be looked at in the round and at length without offense… by persons in an 'audience' role" (Goffman 1974: 124), and face-to-face interaction, which requires the obligations of visual respect. This distinction denies the element of performativity and

intersubjective recognition present in all interaction. Instead, the study of interactions should give attention to the degree of distance among individuals that it constituted through interactions. Second, Goffman brackets the moral dimension of the presentation of self from the "moral matters" that might be the subject matter of interactions. As a result, he omits an examination of how moral matters are also actively constituted through performance. Third, Goffman focuses on the bounded entity of the "performance," as opposed to the processuality of performativity, which would recognize that the delineation of a performance is the external imposition of boundaries in an otherwise continuous process of interaction, where expectations of behavior are constituted reiteratively and relationally. Fourth, Goffman assumes that individuals enter a situation with a set of predetermined roles and standards and act intentionally and strategically to maintain an impression through revealing and concealing in order to engineer "a convincing impression that these standards are being realized" (Goffman 1959: 251).

By addressing these limitations, we may continue to utilize Goffman's development of an approach designed to understand "the organization of experience [as opposed to] the organization of society" (Goffman 1974: 13). When we remove the distinction between the realization of moral standards and the maintenance of the performer's impression, as well as replace a functionalist approach with one based on the creativity of social action, the moral performance of the self becomes a means for locating the ways in which moral valuation is constituted through interactions and how the context of the interactions affects the meaning given to moral valuation. Performers are amoral in the sense that they constitute morality through interaction – they cannot be moral *a priori* to the action. The "self is not only irretrievably 'outside,' constituted in social discourse, but…the ascription of interiority [as in the identity of the moral self] is itself a publically regulated and sanctioned form of essence fabrication" (Butler 1988: 528). In addition, the constitution of morality is not a purely intentional process since the actor's performance is determined by unreflected habits and the definition of morality is generated *through* the iterative process of performance.

In the processual study of the organization of experience, the focus is on *performativity*, as opposed to the dramaturgical focus on the delimited performance. Through performativity, we examine the ways in which rules are constituted through interactions and how the context of the interactions affects the meaning given to morality. This is a turn similar to Butler's theory of gender constitution, which moves beyond the phenomenological position that the social agent is

the subject of constitutive acts to posit that the social agent is constituted as a gendered identity that is "instituted through a *stylized repetition of acts*" (Butler 1988: 519). Thus, while the focus might be on particular "events" or "interactions," these events and interactions are not self-contained; to the contrary, performativity occurs as a reiterative and referential practice (Butler 1993: 2). Whereas Butler is concerned with how performativity constitutes our notion of the gendered body, here we are interested in how performativity constitutes moral meaning and the experience of bodies (self and others) as moral beings. The perception of the "self" is central to understanding performativity and the meaning of morality. For example, in situations in which morality is defined through autonomy, consistency between what one believes and how one acts is essential, while in those in which morality is defined according to an external measure, such as divine command, the individual must demonstrate obedience and deference to that measure. Likewise, the rise of a hermeneutics of suspicion and skepticism toward the exploitation by institutional structures has led to the growing dominance of authenticity over sincerity (Trilling 1972); in such situations, there is an assumed dissonance between the individual and social roles, and, as a result, the individual demonstrates moral competence through "self-realization."

Delimiting the Object of Study

In reformulating the approach to morality, the aim is not to claim that there are not patterns of behavior or expectations for certain types of behavior (what we typically refer to as social norms and values, respectively). It is to assert that these patterns and expectations are never fixed entities but continuously constituted through experience. The further abstracted they are as "norms" and "values," the less meaning they hold. When cast as nouns, the processes by which patterns of social behavior comes to be expected by a group is obscured. If we are too improve our understanding of morality, therefore, the object of study must be opened up so that it is not predetermined by abstract norms or values, but is defined through the examination of the process by which actions, ideas, behaviors, beliefs are given a moral valuation. In contrast to attempting to ascertain moral principles that guide social action and judge the actions of others, this approach situates morality in social and historical relationalism and reveals the ways in which the continuous constitution of morality produces, not an internally coherent moral system, but contingent, fragmentary and often unreflective enactments of valuation. Even though explanations and justifications of moral actions and principles tend to assert a degree of coherence and consistency, a closer investigation reveals that this imposition of order is a mask

for far more ambiguous experiences. Those who seek to reduce this tension may attempt to construct a more controlled environment, thus reducing the possibility for ambiguity.

In order to study this process of action and articulation effectively, it is necessary to establish a field of study. To this point, I have utilized the term morality without explaining what I mean, but relying on the concept's the paradoxical quality of being exceedingly evasive yet readily evident, in order to loosen the concept from conventional understandings. However, my aim here is not to assume a purely relativist position and rely on individuals' definitions of morality. Although a comparative examination of the ways in which individuals define morality is valuable, such an approach would hinder our ability to examine active constitution of morality over time. Morality can be used to characterize an action, an individual, a principle or a belief, as well as to judge, legitimize, explain, or choose. It can be defined as virtue, obligation, utility, transcendental will, the good or the right, and its source has been diversely located in reason, intuition, emotion, biological processes, divine law and social norms. Therefore, for the purposes of this project, I establish four parameters that delineate the object study that I will call "morality."[4]

In sum, when I employ the term morality, I refer to the specific social phenomenon in which an individual or group of individuals valuates a practice, belief, action, idea, person etc. as a means of orienting human existence and where the valuation is based on the supposition of the existence of impersonal criteria, such that the force behind the valuative expression is understood as independent of the preferences of the individuals involved and the context in which the expression is uttered or enacted.[5] This definition contains three essential elements. First, morality is defined as the act of valuation, where what is being valued, whether an action, object or idea, is contextually important but not central to setting the parameters. I would also note that I do not confine valuations to "good" or "right," although this is the predominate way in which we characterize moral valuation.

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[4] By setting these parameters, I recognize that my understanding of what constitutes moral valuations may not coincide with the ways in which others, including those in this study, define morality.

[5] It should be noted that the term "expression" should not be interpreted solely as "verbal expression," but may include linguistics and/or nonlinguistic elements. For example, nonlinguistic expressions might include physical actions such as a head nod, a slap, tears, laughter or other actions intended to communicate a message to another person.

Second, moral valuation supposes the existence of impersonal criteria. This distinguishes moral valuation from values based on personal preference in that the individual who engages in the valuation assumes that the validity of the valuation exceeds one's experience and belief in the valuation. For example, there is a difference between one who values the practice of veganism because she finds it improves her physical health (personal preference) and one who values the practice because she believes that humans are inherently herbivores and therefore to eat meat or animal products is a violation of our nature (moral valuation). In both cases, the individual might recognize that everyone does not share her belief and might further contend that not everyone need share that belief. However, there is a difference between tolerating other valuations and accepting those valuations as valid. In the latter case, one may tolerate others who disagree, yet cannot hold those other valuations as valid if she is to maintain her own belief. It is in this sense that moral valuation, as *a priori* to experience, is transcendental in character, although this transcendence may be metaphysical or "immanently transcendent."[6]

Third, and perhaps the most amorphous since it refers to the substance of morality, moral valuation is distinct from other forms of valuation that involve impersonal criteria, such as economic and aesthetic valuations, in that it orients human action, belief, practice, etc to the impersonal criteria that is presupposes. That is to say, the valuations are intended to tell us how we ought to live *qua* humans.[7]

Having defined the object of the study, the aim is to examine the circumstances and substance of the manifestations of this type of valuation. In assuming a perspective of performativity, we are able to recognize how these acts of valuation are contingent, referential and relational: contingent in that the valuation occurs within temporally and spatially particular

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[6] The apparently paradoxical condition of immanent transcendence can be seen, for example, in Habermas' (1996) search for a "nontranscendent transcendental principle" in a postmetaphysical moral theory or Durkheim's (1974, 1995) assertion that morality is constituted *a priori* by "Society."

[7] The orientation of moral valuation toward human relations does not preclude the possibility for moral valuation to promote self-interest, which is distinct from personal preference. While the influence of idealist philosophy has led to the presumption that self-interest is opposed to morality, the object of study as defined here does not exclude valuations such as those found in moral utilitarianism or even less formalized beliefs in the importance of self-realization. It should also be noted that in refraining from imposing positive associations with morality (e.g. the right or the good), moral valuations are inclusive of valuations of what we ought not do, believe, be etc. *qua* humans; thus, to assert that something is immoral is still a moral valuation.

circumstances; referential in that the occurrences of valuation are reliant on previous valuations; and relational in that the occurrences of valuation situate a particular practice, action, belief, or idea in relation to others. In addition, the empirical study of moral valuation necessitates a diachronic perspective, in essence pushing Durkheim's theory of the variability of morality to a greater extreme by recognizing that changes in "social norms" do not occur as a result of macro-societal shifts but in a continuous process of enactment in temporally and spatially shifting contexts. Within these contexts, the reiteration of practices and valuations will assume an unlimited number of variations; however, it is also possible to discern patterns of practices and valuations in relation to the referentiality of valuations.

The abstraction of a pattern as a norm or a value can serve as a conceptual tool for understanding social action within particular circumstances, which may, in turn, influence future action (as when play is formalized as a game). The claim to the validity of such an abstraction involves the imposition of a particular set of impersonal criteria. The construction of abstracted values and norms is certainly a fundamental topic for sociological study, particularly in relation to coercive practices and the constitution of authority. Nevertheless, in bracketing the question of the validity of particular impersonal criteria, the sociology of morality frames these values as discursive constructions, and not empirical realities. The discursive construction of values, as with the understanding of morality in everyday life, is then studied within the particular circumstances in which it occurs and what the abstraction of values is intended to obscure.

To study the complex relationship between the abstraction of moral valuations in acts of discursive legitimation and the experience of the everyday constitution of morality requires research methods and analytic practices that allow the researcher both to observe the constitution of morality through linguistic and nonlinguistic means and to understand the perspectives of the individual participants in order to properly interpret actions. While documenting the constitution of morality requires attention to both linguistic and nonlinguistic acts, the researcher is simultaneously hampered by the necessity for valuation to be articulated. That is to say, since an action is not inherently moral, but must be valuated as such, the researcher must have access to an individual's process of valuation. While this access is most readily available in those cases where individual's engage in explicit discursive legitimation, a study of the constitution of everyday morality must be sensitive to situations of ambiguity and the ways in which the continuous constitution of morality produces, not an internally coherent moral system, but

contingent, fragmentary and often unreflective enactments of valuation. Therefore, the study of moral valuation is best conducted with ethnographic methods, in the tradition of the ethnography of communication (Grice 1989) or ethnomethodology (Button 1991; Garfinkel 1967; Sudnow 1972). This methodological approach allows for attention to given to multiple forms of expression, the active constitution of morality through expression, and the situatedness of moral meaning within established practices. Further elaboration of the research and analytic methods used for the research presented in this dissertation are provided in Chapter Two.

The Research Project

With the object of study defined, I return to the central question for the dissertation: how does one express moral valuations in a "postmetaphysical" context as a means of social critique? This question, while not specific to the contemporary period, is particularly relevant to Western societies, where secularism may not be triumphant but yet guides practices of public deliberation and where heterogeneous societies must find ways to allow for different metaphysical perspectives without relying on any one to establish the legitimacy of moral claims. Instead, under these circumstances, individuals must legitimize moral claims through immanently transcendent criteria. That is to say, the criteria must be "of this world," where the individual can "know" the criteria through personal experience yet that experience is not particular to the individual. The question is intended to explore, in part, the intersubjective constitution of morality when individuals do not rely on references to religious doctrine or supranatural phenomena. Furthermore, taking MacIntyre's (1984) claim that we exist in the midst of a moral mélange, this project is intended to understand how we might come to a shared moral understanding in an intersubjective context. In this project, I consider how a particular moral valuations might achieve intersubjective legitimacy while giving attention to the contingency, referentiality and relationality that is part of the situated constitution of these moral valuations.

In the dissertation, I examine this question in the context of US military service members who have served in the wars in Iraq and Afghanistan and have since engaged in criticisms of the military and war. In understanding how they engage in this critique, it is important to recognize the historical debate over just war and the necessary use of force, which remain highly contentious topics. As well, dissent and resistance among military troops during periods of war is obviously not only a contemporary concern, although in the United States today the culture of the military is shaped by its status as an all-volunteer force. The way that morality is constituted

in this contemporary context, or how meaning and order is ascribed to experience, further depends on the particular circumstances of the place and time. Thus, for example, the establishment of international laws on war following World War II profoundly influences the contemporary constitution of morality within the context of war. These laws, and the war crimes trials that utilized them, introduced the notion of criminality to the conception of war, in relation to both its justification and conduct. This has led not only to the moral valuation of actions during war but served as a means for legitimizing moral claims for the necessity of war. For example, the Bush Administration, in the period prior to the invasion of Iraq in 2003 made two different claims in the attempt to justify the invasion. On the one hand, they offered a more conventional war-based justification that the nation of Iraq posed a security threat to the United States and its allies. On the other, they asserted a crime-based justification that Saddam Hussein and his government were guilty of crimes against humanity within their own nation, thus delegitimizing their right to govern. The introduction of international law and criminality to our understanding of war has altered the constitution of the enemy from a "nation-state" to those responsible for violations of the law. Thus, in the case of Iraq, the enemy is understood not as the nation of Iraq and its citizens in total but as those individuals who are guilty of criminal behavior, either having violated the international law or posed a threat to the United States and its allies.

The formation of international law for war and human rights has also been instrumental in the emergence of a practice that I refer to as public atrocity witnessing. The practice provides a public forum for individuals who have suffered as a result of systemic discrimination and violence to present personal accounts of that suffering. The first appearance of the practice is typically identified with the inclusion of Holocaust survivors' testimony in the 1961 trial of Nazi SS Lieutenant Colonel Adolf Eichmann (Jelin 2003; Wieviorka 2006). During the trial, the survivors' testimonies were not presented for the purpose of providing direct testimony of Eichmann's guilt, but in order to allow for public recognition and legitimation of the suffering that resulted from the system in which Eichmann participated. Since the Eichmann trial, the practice has gained popularity as a means of delegitimizing discriminatory and authoritarian systems, particularly in post conflict societies. The practice has become a regular feature of official truth commissions since the internationally recognized hearings on human rights

violations during the South African Truth and Reconciliation Commission (SATRC) between 1995 and 1998 (Hayner 1994, 2006).

While the specific manifestations of events of public atrocity witnessing are dependent upon the particular social, historical and political circumstances in which they occur, we find consistency in the primary aims and processes of the practice, which involves the providing of a forum for those have suffered and been silenced to present their testimony and be publicly recognized for their suffering. The practice invokes the powerful moral dichotomy of victim and perpetrator for ordering social reality, and understood as a means of conveying experiential moral truth, has come to be seen as an effective means of invoking moral legitimacy. While the testifiers in cases of public atrocity witnesses tend to be civilian victims of military and police violence, we have also seen a recent emergence of some military service members who have utilized the practice as part of a repertoire of activities intended to legitimize their own claims regarding the military and war. In Chapter Three, I explore this practice in greater detail and look at it in relation to the broader transitions in legal and military conceptions of war, as well in its adoption by enlisted military service members and its role in the constitution of moral understanding.

Providing social, historical and political context is essential to an examination of the constitution of morality since moral valuation is contingent, referential and relational. However, such macro-level factors provide only a part of the picture. In order to more fully understand the constitution of morality, it is necessary to consider the micro-level actions of individuals that produce moral valuations. Thus, the project is designed to look at how the specific experiences of a group of US veterans of the wars in Iraq and Afghanistan influence the constitution of morality, both as a part of a diachronic and contingent process and in the utilization of those experiences in the practice of public atrocity witnessing. This project is not designed to explain *why* some veterans engage in particular moral valuations while others do not. Instead, it is intended to examine how the veterans constitute morality in a contingent and reiterative process of performativity. For this reason, I analyze a particular performance in order to look in depth at a particular moment in the constitution of morality and look at the processual constitution of morality for a sample of the veterans in order to draw out the diachronic elements.

In order to examine an instance of moral performance, I focus on a series of events known as Winter Soldier Iraq and Afghanistan (WSIA), during which over a hundred veterans of

the wars in Iraq and Afghanistan spoke publicly about their experiences in the military and in combat. I look at how WSIA functions as a event of public atrocity witnessing, sharing many of the same aims and format as other evens of public atrocity witnessing, particularly those that occur as an element of post conflict truth commissions. Through this research, I demonstrate how public atrocity witnessing, as a practice, supplies a compelling contemporary moral discourse and also is seen as an effective means of "experiencing" morality through accounts of suffering. That is to say, public atrocity witnessing is understood as a practice that can be a means of achieving moral consensus without having to rely on rational deliberation. Connected to the growing prominence of the characterization of morality as intuitive or emotion-based (Haidt 2001; Hitlin 2008), this perspective holds that we can intuitively know what joins us together as humans through the experience of certain emotions, such as love and suffering. Through this experience of the sublime, we thereby have the understanding necessary to engage in moral social action.

By selecting WSIA for the study, I am able both to observe an active and intersubjective constitution of moral valuation and to analyze a contemporary moral performance that is intended to attain legitimacy in a postmetaphysical context. It is an example of how the constitution of morality involves not just the process of articulating moral positions, but is also derived from lived experience. In Chapter Four, I examine in detail the largest of the WSIA events, which occurred in March of 2008, in order to explore how, as a moral performance, the event involved individuals in an intersubjective act of moral valuation. At the same time, this close examination will reveal the contingency and incoherence that is part of the process of imposing moral order and meaning on experience. In this way, we can see how the imposition of unconditional or abstract "values," which is connected to the idea of the self as an autonomous moral being (Bellah et al 1985; Wuthnow 1996), obscures the far more ambiguous everyday experience of moral valuation yet is central to the utilization of moral valuation in social critique. By looking at the event through the lens of performativity, we move beyond a basic analysis of moral argumentation to capture the dynamic process the produces moral valuation and how the circumstances in which the articulation occurs affect our understanding and the "translatability" of moral articulations in subsequent acts. Finally, through a study of the event, I explore how it might function in the reiterative process of constituting the participants as a "moral public."

A study of the event of WSIA as a performance, while intended to give attention to the variety of experiences and perspectives within the interaction, still has the propensity to subsume the variations within a broader macrostructure that organizes the multitude of details in the event into a meaningful frame that allows us to manage and remember those details (van Dijk 2001). The delineation of the "event" that I identify as WSIA also has the effect of imposing arbitrary limits and a sense of coherence as a moment that does not allow for fuller attention to its place within a continuous process of interaction. Therefore, I devote Chapter Five to the diachronic study of a sample of those who participated in WSIA to place their participation as one act of moral valuation in a process of stylized repetition that constitutes them as moral beings. In the case of veterans, this involves a complex relation between those actions that identify them as members (or former members) of the military and those of the antiwar protester. Of particular salience in this regard is the tension between veterans' positive associations with the military's moral valuation of the "hero" and aversion toward public atrocity witnessing's moral valuation of the "victim." The particular experiences of the veterans is important to understanding how they relate to these valuations across contexts and over time in an iterative process of action and reflection.

Following the analysis of the empirical research on US military service members who engage in a form of public atrocity witnessing in a social critique of the military and war, I devote the final chapter, Chapter Six, to drawing out what we might learn about morality and its performativity. Despite the fact that the concept of morality has come to hold conservative, religious, or traditional connotation, I contend that it is essential to recognize that moral valuations are far more dynamic and varied. Not only can moral valuation suppose impersonal criteria that are secular (or immanently transcendent), the valuation of a practice, idea, belief, or action etc. can serve as a compelling inclination for social critique and transformation if that valuation is seen as contrary to established practices, even when that valuation is inconsistent with an individual's previous acts of valuation. Recognizing the contingency, referentiality, relationality and potential for incoherence in moral valuations is necessary if we are to fully appreciate the complexity and centrality of moral valuation to everyday life.

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