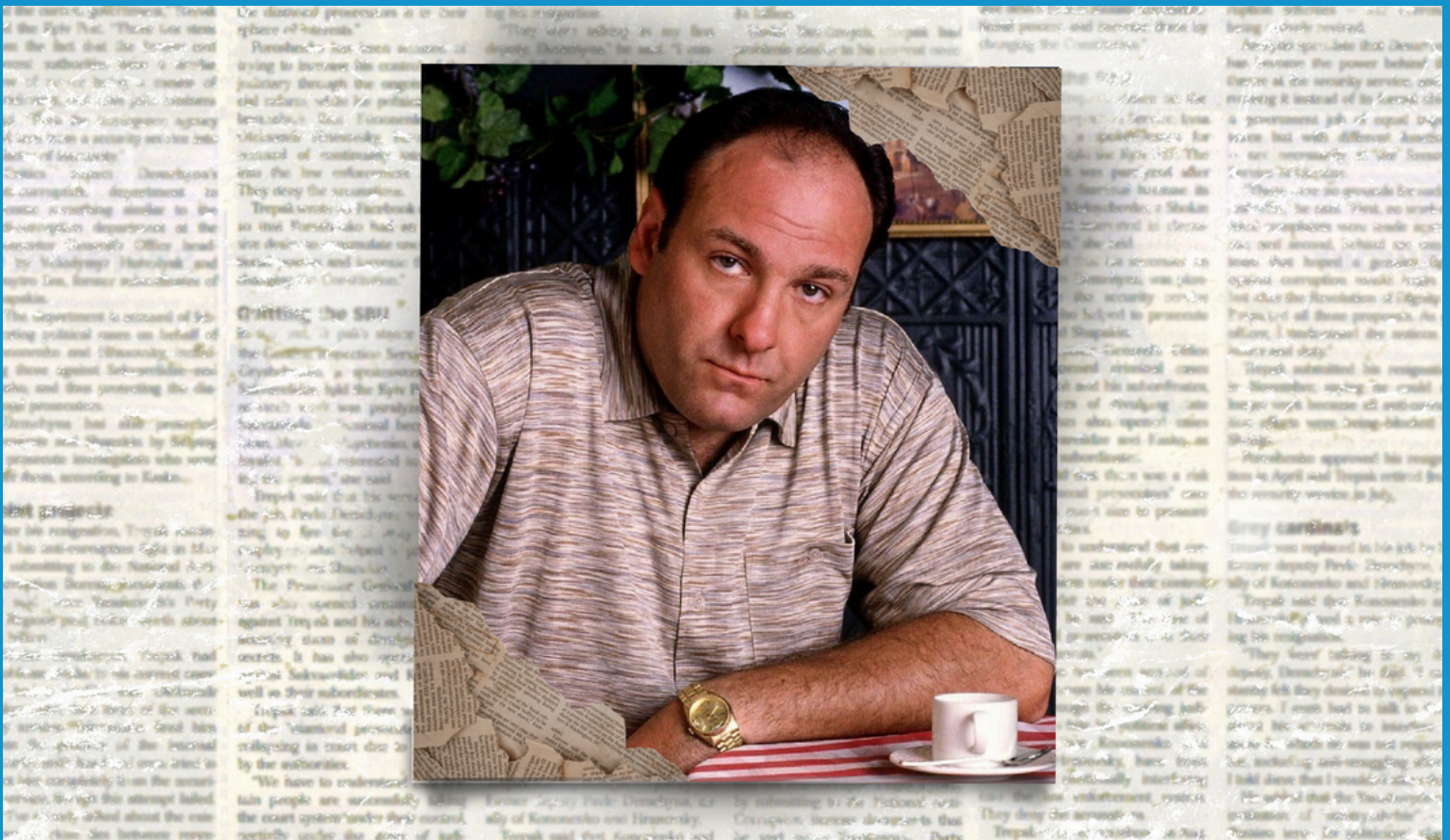


NEWSLETTER

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THE PARADOX OF CHARACTER: WHY BAD MEN SURVIVE AND GOOD MEN FALL





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The Paradox of Character: Why Bad Men Survive and Good Men Fall

Innocent men will talk; guilty men will hire a lawyer. This is a heuristic – a mental shortcut to help us make sense of an information saturated world. Is it a useful heuristic? As in, does it help us understand the world accurately, or does it distort it in dangerous ways? Let's think about it from two perspectives: the person(s) under scrutiny (the subject) and the person(s) scrutinizing (the boss).

Perspective One: The Subject of an Investigation – Potential Logic Chains

Four Archetypes

1. An innocent man whose behavior is generally good.
 - a. I know I am innocent.
 - b. Others know me to be a man of good character.
 - c. If others know my character, they will trust me when I assert innocence.
 - d. The system is run by others.
 - e. The system has rewarded me in the past for my good character.
 - f. Therefore, the system will likewise recognize and reward my innocence now.
 - g. Because of this, I can safely waive my rights and make a statement without consulting with a lawyer.

Conclusion: This logic chain is powerful (and flawed). Buried within is the psychological truth that many innocent people conflate character with outcome and assume prior trust will protect them from a finding of guilt. The system is not a rational actor that consistently rewards virtue. By waiving rights, the innocent man walks into a trap because he assumes good character is a shield.



2. An innocent man whose behavior is generally bad.

- a. I know I am innocent.
- b. Others know me to be a man of poor character.
- c. I have done many bad things before, but never been forced to account for them.
- d. Because of my past behavior, others will not believe me when I assert innocence.
- e. The system is run by others.
- f. Therefore, I will not trust the system, and I will not waive my rights or make a statement before consulting a lawyer.

Conclusion: This logic chain contains strong psychological realism, meaning that this man's bad character ironically gives him a kind of survival instinct – he knows how the system looks at him. Herein we see our first paradox: innocence + good behavior leads to naïve trust, while innocence + bad behavior leads to strategic caution.

3. A guilty man whose behavior is generally good.

- a. I know I am guilty.
- b. I know I made a mistake.
- c. I do not normally do bad things.
- d. Others know me to be of good character.
- e. Admitting my wrongdoing risks damaging that reputation.
- f. But admitting it could also enhance my reputation as an honest man who owns mistakes.
- g. The system has rewarded me in the past for good character.
- h. Confessing is itself an act of good character.
- i. Therefore, the system will recognize and reward me now.
- j. Because of this, I can safely waive my rights and make a statement without consulting with a lawyer.

Conclusion: Men who are generally good but make a mistake believe they can lean on their long record of integrity to escape guilt and/or receive a light punishment. They believe that by being transparent, the system will see the wrongdoing as an isolated lapse rather than a defining trait. The deadly flaw in logic is that the system is not bound to make such fine distinctions and, in fact, in some cases, is prohibited from



making these distinctions. Depending on the interests of the “bosses”, integrity cements rather than erases the admission.

4. A guilty man whose behavior is generally bad.

- a. I know I am guilty.
- b. Others know me to be a man of bad character.
- c. I have done many bad things before, but never been forced to account for them.
- d. Because of my past behavior, others will likely assume my guilt.
- e. The system is run by others.
- f. Those who overlooked my past misconduct may now wish to punish me – either to cover their complicity or to distract from it.
- g. Therefore, I will not trust the system, and I will not waive my rights or make a statement before consulting a lawyer.

Conclusion: A man with a long record of bad behavior assumes he has limited credibility left. He expects the system to treat him harshly regardless of the details. Unlike the “good character” men who lean on trust or reputation, he leans on distrust, another example of strategic caution that protects him.

Perspective One (The Subject) Conclusions

Is it possible that our heuristic of “innocent men will talk; guilty men will hire a lawyer” is concerned about the wrong thing? Let’s make some heuristics for our archetypes.

1. **Innocent + Good Character** → Waives rights (trusts system, self-destructs).
2. **Innocent + Bad Character** → Protects rights (distrusts system, survives).
3. **Guilty + Good Character** → Waives rights (trusts system to weigh honesty, self-destructs).
4. **Guilty + Bad Character** → Protects rights (distrusts system, survives).

The pattern is hard to miss: it isn’t innocence or guilt that decides survival, but character. Men of good character trust the system and undo themselves. Men of bad character distrust the system and live to fight another day.



That leaves us with a grim question: is this the world we want – one where survival favors those of bad character?

Character is the sum of decisions made over a lifetime. Innocence or guilt is just the result of a discrete act. No one is entirely innocent or entirely guilty, and we all know this when confronted with our own failings. Yet we've built a heuristic that risks confusing a momentary decision with an entire moral record.

Heuristics help us make sense of a complicated world. But when they're wrong, they aren't just misleading — they're dangerous. Dangerous for men of good character who put their trust in the system, and dangerous for the nation if the only leaders left standing are those who survive scrutiny by virtue of their bad character.

Next Week: **Perspective Two: The Boss – Potential Logic Chains**

**Note: I use the term “men/man” to describe men/man and women/woman.

***Note: I am writing from the perspective that the subject has not previously been the focus of an investigation.

****Note: The potential logic chains above are particularly dangerous in the DoD and Coast Guard's administrative systems of (in)justice that are so easily abused by unscrupulous men in leadership positions. (See page 8 of [this brief](#) for a quick contrasting of rights afforded to criminals in the civilian system (6th Amendment, e.g.) and rights not afforded to honorably-serving service members undergoing an administrative investigation (whether as a complainant or a subject.)



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