

LEADING OUR LEADERS

When he heard that Marcellus had been killed, [Hannibal] hurried to the spot and stood for a long time by the dead body, admiring its strength and beauty. He uttered not a boastful word, nor did he show any sign of exultation, such as might be expected of a man who has just rid himself of a bitter and formidable enemy. After he had expressed his wonder at the unexpectedness of Marcellus's death, he removed his signet ring, but gave orders that his body should be treated with honor, wrapped in a fine robe, adorned, and burned. After this he collected the ashes in a silver urn, crowned it with a gilded wreath, and sent it to Marcellus's son.

—Plutarch (66 to c. 120 CE), *Life of Marcellus*

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*Views expressed are
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LITHOGRAPH: Hannibal Barca.



WE HEAR LOTS OF TALK about leaders “setting the conditions” for success. And we have lots of leaders taking credit for doing just that. But are we applying a reciprocal level of accountability when leaders set the conditions for failure? There was a long military tradition known as *respondeat superior*, meaning “let the master answer.” Our legal experts will say that our military does not have such a system. And while that is true, legally, our notions of leaders being responsible, at least morally, for everything their people do or fail to do derives from this tradition. The Nuremberg Tribunals, as it is well known, explicitly established that this tradition did not include an escape clause if our actions violated the law, allowing us to claim we were just following orders. Accountability resided at the level of perpetration. And that is a good thing. But as it turns out, it is a much more straightforward practice to hold those who committed the acts accountable than to hold accountable those who set the conditions that enabled, encouraged, motivated, and created the *sine qua non* (not without which) potential for those actions.

By the time those in our junior enlisted ranks were crossing over legal and moral lines during the last decade, the conditions had long been set by their leaders for moral failure, from junior grade leaders all the way up through the White House. As military leaders we have an explicit mandate to protect and defend the Constitution. But how were we supposed to do that several years ago when we had policies altered from the White House on down—following the Alberto Gonzales and John Yoo “school of law”—policies that systematically set aside the spirit and letter of legal principles and statutes that had constitutional force? These policies helped to set the conditions that enabled and empowered a global network of interrogation and rendition practices that ultimately resulted in widespread torture and in many cases even murder.

These abuses may be the tip of an iceberg that marks more treacherous depths, dangerous waters that threaten the route bounded by our professional, legal, and moral compass. The cost of carrying out these wayward policies has been incalculably high, not only in terms of people's lives and money, but also in the intangible currencies of legitimate global trust and respect.



Japanese POWs, 1945. Worshipping the emperor as a god in a Buddhist/Shinto context led to a brutal fanaticism in the Imperial Japanese Army.

If we look toward the Army's leadership doctrine for guidance to answer this question, we are told that there is much ado about character and values. Yet the *Schlesinger Report* concluded that major programs such as the Army's core values program did very little in preparing service members to know what they should and shouldn't be doing in detention operations.

As an example, the current leadership manual is substantively the same as the 1999 version, especially the section on character and values and ethics. The original drafts of the 1999 leadership manual included one very important feature of the value of "respect," the idea that we were to respect our enemies. The idea was drawn from Michael Walzer's work, in *Just and Unjust Wars*, about the moral equality of the enemy, as well as Paul Christopher's work in *The Ethics of War and Peace*, about treating the enemy with respect as a comrade

in arms, albeit on an opposing side. The idea did not survive the staffing and approval process of doctrine development, and it was removed. The Chaplain Corps was incensed that our enemies would have moral equality, and they led the charge in ensuring that the concept of respect did not include any idea of respecting the enemy. So, to this day, the value of respect reads as one that applies only to those on our side. Sadly, this is one value that may have made some difference had its original conception been preserved.

I remember attending a chaplain conference in Orlando, Florida, to argue against a religious foundation in the leadership manual for the Army's conception of professional ethics. With few exceptions, the Chaplain Corps believed that Field Manual (FM) 22-100 should have such a religious foundation. This is the conference that rejected the notion of the moral equality of the enemy, largely on religious grounds. The conference influenced another change in the doctrine at that time, which still stands in the current manual. There was language in the original drafts to remind leaders to keep a professional perspective when it comes to religion, to prevent religious leaders from applying any undue influence in matters of faith. There may have been a time when it was hard being a Christian in the Army, but the tables have been reversed. It is now hard *not* to be a Christian in the Army. Instead of language in the manual that establishes proper boundaries between church and state, it contains language that opens the door and enables religious beliefs to be foundational in our institutional professional conception of ethics. The FM's draft at one time even cited the Constitution about there being no religious tests for public office or service; that too disappeared.

The practices of torture, murder, slavery, and the general disrespect of persons have historically been perfectly consistent with the religions of the world (one need look no further than Al-Qaeda). It is now more important than ever for leaders to keep religion and its potentially coercive influence out of a public, governmental profession. It may be time to ask why we even have a Chaplain Corps, particularly one engaged in the formulation of doctrine. The Supreme Court in *Katko v. Marsh* ruled that the Army could retain a Chaplain Corps out of tradition but required that its only function should be providing services

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to service members who wouldn't have access to worship, especially when deployed.* But why are military chaplains involved in the ethics business? Or the counseling business? Or the policy business? Some militaries today do not even have a chaplains' corps, such as Japan's military, which takes religious separation seriously because of its bad experience in World War II.

Now that we are all too aware of the high cost of wayward policies, what can we do as an institution given that we can no longer afford such failure? What can leaders do, given the force of gravity, the fact that everything rolls downhill? Well, we should

push some of these rocks back uphill. Leaders at all levels are responsible for ensuring that whatever they are doing makes sense and is justifiable. If not, we should push back wherever and whenever we need to. We should foster a leadership climate in which leaders are accountable not only to their seniors, but also to their peers and juniors. For those who may disagree or find such a suggestion shocking, they should remember that the notion is already implicit within a sound command climate. This will not change from the top; it has to start, like most things, not at the bottom either, but in the middle. If we're doing the right thing in the right way for the right reason, then we should have nothing to worry about. We just have to say it out loud; we have to start leading our leaders. **MR**

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*The author wishes to note that the Katkoff case ruling was a lower-court decision carrying Constitutional content and ruling. The article was published in 2009 before correcting this error.

“... the death of chivalry is not the end of moral judgment. We still hold soldiers to certain standards . . . Armed, he is an enemy; but he isn't 'my' enemy in any specific sense; the war itself isn't a relation between persons but between political entities and their human instruments. These human instruments are not comrades in arms in the old style, members of the fellowship of warriors; they are 'poor sods, just like me,' trapped in a war they didn't make. I find in them my moral equals. That is not to say simply that I acknowledge their humanity, for it is not the recognition of fellow men that explains the rules of war; criminals are men too. It is precisely the recognition of men who are not criminals . . . These judgments are clear enough, I think, and they suggest that war is still, somehow, a rule-governed activity, a world of permissions and prohibitions—a moral world, therefore, in the midst of hell.”

—Michael Walzer, *Just and Unjust Wars*