

Strategy Research Project International Fellow

Ethics and Leadership: Integration or Disharmony

by

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United States Army War College
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Abstract

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The relationship between leadership and ethics is not a simple one. There are many ethical theories that have been developed to explain it. However, debates about the subject continue to raise more questions. Since the dawn of history, leaders have been responsible for their decisions. Actually, such decisions do not come out of the blue, but rather, are products of the leader's background, their convictions, and how they have been trained. These are all key factors in the ethical decision-making process. In war particularly, professional military ethics, the laws of war, and personal beliefs all interact within that decision-making process. Consequently and further complicated by continuing human social and technological developments, the types of ethical issues commanders encounter are always increasing in their complexity. Hence, they require careful thought and study. This essay discusses of the necessity of ethics in leadership and the influence of ethical theories on leadership decisions. This paper also examines the role of international law in influencing behavior, paying special attention to the laws of war and how law and ethics interact.

Ethics and Leadership: Integration or Disharmony

A thorough analysis of ethics and leadership is a comprehensive and wide-ranging effort that requires delving into too much detail to consider all sides of such a multi-faceted issue within the limits of a limited strategic research project. Therefore, this paper exclusively addresses military leadership and its interaction with ethics and the laws of war. The major research question addressed by this paper is whether military leadership and ethics are fundamentally compatible with each other, or whether they are, for specific reasons or under certain circumstances, opposed to each other.

This paper organizes its analysis into four sections. The first section, ethics and leadership, provides the conceptual definitions of the terms and clarifies the ethical dimension of leadership. Section two, ethical theories and ethics in war, provides a summary of the three important ethical theories (utilitarianism, rule-based ethical systems, and virtue ethics) to demonstrate the role of ethical theories in the decision-making process. This section also analyzes the ethical dimension in war and the challenges to the ethics of war, using the essence of just war theory to show how leaders can develop a consistent and comprehensive ethically based approach. The third section, ethics and law, focuses on the intersection of moral philosophy and legality in war and the leader's responsibility to balance laws of war, military regulations, and ethical norms when making decisions. This part will also include a brief discussion of ethical issues in current conflicts with an exemplary consideration on the moral aspects of using drones. The final section presents a conclusion and recommendations for further research.

Ethics and Leadership

There have been a huge number of studies that have provided varying approaches concerning the role of ethics in leadership. Nevertheless, theoretical and scholarly controversies remain. This section will illustrate the concepts of ethics and leadership. Then it will clarify the relationship between them by discussing of the ethical dimension of leadership.

A Concept of leadership

William Slim summed up the concept of leadership by saying “Whether you are a senior or a junior officer when things are bad... there will come a sudden pause when your men stop and look at you. No one will speak; they will just look at you and ask for leadership. You will never have felt more alone in your life.”¹ In fact, to lead a group of people successfully, whether military or civilian, and to achieve a desirable objective, is one of the greatest challenges that a person can face. Undoubtedly, not everyone can do this. What is leadership? And who is a leader?

Xenophon, a Greek general in 400 BC and a pupil of Socrates, was the first to record a definition of leadership in the western world. For Xenophon, good leadership existed when people obeyed someone without coercion and were prepared to remain with him during times of danger.²

In contrast, some of the earliest writers approached leadership in terms of the traits of “The Great Man.” The Great Man theory was one of the first theories explaining leadership in terms of personality and character. Others later defined leadership as achieving results through others. In fact, these early approaches were not enough to fully define leadership. Contemporary leadership is defined as an influence relationship, a process by which a leader influences a group to produce an outcome. The desired

outcome will vary from one situation to another, as will the type of influence applied.³

From another angle, James G. Hunt in his book 'Leadership as New Synthesis' defines leadership as interpersonal influence, when a person obeys or responds because of something another person does.⁴

Indeed, there is no clear-cut definition of leadership. Rejai and Phillips suggest two reasons why this might be: firstly, scholars always approach the subject from their own perspective and discipline, political science, philosophy, management, or the military, to name but a few. And secondly, the nature of the dynamic between leader and follower has been largely overlooked.⁵ Despite that, we can find common characteristics among the many definitions of leadership, in that; there is an interaction between leader, follower, and their shared environment. The influence of the leader in this interaction process will change the followers' attitudes and behavior, for the intention of achieving certain goals.

Until this point, this study has been considering leadership in general. Now let us consider leadership in a military sense. The U.S. Department of the Army defines military leadership as "influencing people by providing purpose, direction, and motivation, while operating to accomplish the mission and improve the organization."⁶ In a parallel context, Slim provides a compound definition of military leadership as "the projection of personality. It is that combination of persuasion, compulsion and example that makes other people do what you want them to do."⁷ Indeed, there is no simple recipe for effective leadership. In general, the successful military leader is the one who uses both direct and indirect influence to lead. The effective leader should understand

himself, the organization, the environment in which he operates and the people that he is privileged to lead.

A Concept of Ethics

Immanuel Kant stated "In law, a man is guilty when he violates the rights of another. In ethics he is guilty if he only thinks of doing so."⁸ This statement is fundamentally true, but more importantly, what does the term ethics mean? Actually, there are many varied definitions of ethics. Some views are narrow, while others are more holistic. To some, ethics merely means living within the law. To others, it involves all of life's decisions and comprehensively striving to do what is right.⁹ Ethics concerns the decision making thoughts and actions of free human beings. When faced with alternative courses of action or alternative goals to pursue, ethics helps people to make the correct decision.¹⁰

The most common definition of ethics is a set of norms for conduct that distinguish between acceptable and unacceptable behavior.¹¹ This implies that there is a set of incontrovertible universal standards that can be applied either in civilian or military situations.

In this paper, the term, ethics, is used to mean the study of human actions in respect to their being right or wrong. Whether we like it or not, ethical reflection takes place in a cultural context and has seldom been carried out in isolation from theology. Ethical values generally reflect our views of human life "as it is embodied in the teachings of the prevailing religion, because all human conduct, essentially, takes place in relation to other human beings."¹²

In the modern world, equality and non-discrimination are the most widely recognized human rights, recognizing the inherent worth and dignity of every human

being. Therefore, right and wrong within the military profession should be considered within this ethical framework.

The Ethical Dimension of Leadership

Ethics has a prominent impact on leadership. Ethical leaders have a set of values and beliefs they apply to ensure compliance with their norms. The personality and training of leaders thus has a significant impact on their behavior, as well as their insights and attitudes. Therefore, their actions will reflect the convictions they hold.¹³ This ethical framework is exactly consistent with Harry S. Truman's statement, "Skilful leaders seize the opportunity to change things for the better."¹⁴

Professor Paul R. Lawrence in his book, *Driven To Lead*, clarifies the importance of ethical leadership. "Humans will probably always need the help of specially gifted moral leaders in order to extend the bonds of caring and trust beyond the easy range of the family and the face-to-face community. Such bonds have become essential to the future of humanity."¹⁵ Thus, ethical leadership is situation-ally not selective; ethical norms are applicable in all circumstances.

Ethics in the military profession is considered as the written or unwritten standards of conduct by which that profession disciplines itself. Professional ethics are designed to ensure high standards of competence in a given field. Dr. James H. Toner takes an interesting approach to explain the basic professional dimensions of military ethics. He places military ethics in a communal context. Military ethics is about our learning what is good and true and then having the courage to do and be what and who we ought to. "For military ethics is not about his or her successes or failures; it is not about their virtues or vices. Military ethics is about our heritage and history, and it is about our responsibility to be men and women of character."¹⁶ This is in

agreement with General J. Lawton Collin's statement, "The American people rightly look to their military leaders not only to be skilled in the technical aspects of the profession of arms, but to be men of integrity."¹⁷

On the ground, there is not only one accepted ethical approach to leadership nor an all-inclusive code of ethics for the military profession. Instead, there is a constant debate about the interrelationship between leadership means and ends. However, according to Paul Robinson "most armed forces have produced lists of the virtues they claim to value. These vary from country to country and service to service but have considerable overlap. These virtues are almost similar which mean there is a common core of military virtues on which a universal moral code might be constructed."¹⁸

Consequently, leaders need to consider what is proper for them in terms of situational requirements. However, it should be a clear rule among military leaders that ends do not justify the means, nor that means justify the ends, rather both must be consistent with proper values. As Clay Buckingham states, "It is unacceptable to him who has ethics, that honorable means justify dishonorable or unethical ends."¹⁹

Indeed, the conflicts of the 21st century have demonstrated a critical need to develop and reinforce high moral standards in military leaders, including the building of an environment in which leaders are encouraged and enabled to live up to the highest standards of ethical professionalism. However, in critical situations, rules are only guidelines, and leaders at all levels will be held responsible for their actions to resolve complex moral dilemmas. Ultimately, as a result of their decisions, some leaders may be branded as heroes, while others may be considered war criminals.

One of the toughest issues in the professional military environment is communicating ethical guidelines. If leaders want to ensure common action, they need to provide common information, and avoid having varied sets of rules for different individuals. Consistency is an important leadership trait. Leaders must establish ethical guidelines that are a well understood standard, and then become role models for others within the organization.²⁰

Ethical Theories and Ethics in War

Ethics and war are a part of human history, and both have shaped the modern world. Though contemporary ethical problems present new problems for military leaders, understanding traditional ethical theories are still essential for professional military leaders in their decision making process. Leaders during military operations are often obligated to choose between two or more conflicting courses of action that are governed by conflicting standards. This section clarifies the interrelationship between ethical theories and ethics in war, and concludes with a discussion of the core essentials of Just War Theory.

Ethical Theories

Standard ethical theories are still useful in helping to regulate human behavior. They can be useful in resolving conflicting values. These theories are well-defined and provide a coherent framework which leaders may use to judge any act they intend to commit or have their subordinates commit.²¹ Three well established theories have practical merit: utilitarianism, rule- based ethical systems, and virtue ethics.

Utilitarian Ethics

Utilitarian acts are defined as morally right actions that maximize some moral good such as pleasure or happiness and minimize some moral evil such as pain or

misery.²² Right decisions are those resulting in consequences that are ultimately valued. Wrong decisions are those having consequences that are ultimately not valued. Thus, utilitarian ethics certainly can be applied to justify some restrictions on the conduct of warfare.²³

According to this theory, the solution to an ethical problem comes from four steps. First, leaders should identify the issue being considered, and secondly, specify all those who might be affected by their decision. Then they must consider the consequent benefits and costs for those affected. Based on the outcome of these steps, the choice is selected where the benefits most outweigh the costs.²⁴ It is clear that this theory focuses on the ends over means. Moreover, leaders might be violating the law to maximize the benefits. Pure utilitarianism could encourage soldiers to disregard the rules of war.

Moral problems emerging from the conduct of warfare often spring from the contradiction between means and ends. Utilitarianism can lead to a conclusion that military necessity can justify any action, reasoning that all means that directly contribute to mission success will be morally justifiable. If this is always applicable, what is the need for laws of war? To consider the military necessity as the sole moral criteria for evaluating ethics renders the law of war as meaningless.

Why should leaders consider the law and morality of war as more important than military necessity? Pfaff in his article, "Virtue Ethics and Military Leadership", suggests a number of reasons. First, by signing international treaties such as the Geneva and Hague Conventions, governments, as well as the soldiers who act on their behalf, have a prima facie obligation to uphold those tenets. Second, treaty making is a kind of

promise making. Finally, sometimes it may be permissible to break promises, but in this case there have to be compelling moral reasons for doing so.²⁵

For utilitarian's, there are no such things as actions that are inherently bad, and they have little or nothing to say about any difference between intended and unintended consequences. For them an action is good or bad completely according to what balance of consequences ensue.²⁶ The utilitarian theory cannot adequately account for justice in war. More specifically the utilitarian approach has a crucial disadvantage because it is primarily focused on the results of an action. It is impossible for leaders to know all future consequences of any particular act.²⁷ Therefore, utilitarianism should be a last resort as a guide for leaders, as it can only truly judge behaviors after the fact, not beforehand.

Rule- or Duty-Based Ethics

There is another approach to ethical behavior, in which rules and regulations represent a system of obligations as the criterion for judging right or wrong in a given situation. Consequently, this theory gives priority to the law as an absolute factor in determining what should or should not be done. The spirit of this approach is dutiful compliance with rules.

However, there are many rules, which sometimes confuse leaders. Whatever the case, leaders should use their judgment to determine which rule takes precedence over others. But the question remains regarding how to determine that precedence: which rule does one follow the laws of war or what moral imperatives he learned from his profession? Laws of war demand that the leader should implement his mandates rigorously. In contrast, military leadership training dictates that the leader takes care of his soldiers while always focusing on accomplishing his mission.

Rule-based systems provide boundaries and a framework within which to perform the function of leadership. However, sometimes these boundaries overlap and rules conflict. The result is ethical dilemmas that cannot be resolved without appealing to something outside that rule system. Pfaff suggests that rules are inadequate to provide ethical guidance for two reasons. First, they cannot cover everything that lies within the realm of ethics. Second, systems of rules tend to be either too specific or too general to provide adequate ethical guidance.²⁸ Consequently, rule-based systems may be good at guiding and motivating leaders not to do wrong, but are not good at guiding and motivating leaders to do right.

Virtue Ethics

Historically, virtue theory is one of the oldest ethical frameworks. This theory, first explored by Aristotle in the fourth century BC, concentrates on what sort of people we should be rather than on the things we should do.²⁹ It is mainly focused on ingrained personal behaviors and their characteristics, not merely evaluating an action that has already been carried out. For Aristotle, "Virtue makes us aim at the right target, and practical wisdom makes us use the right means."³⁰ Consequently this theory is concerned with good character in leaders and how they can be motivated to do the right things at the right time and in the right way.

The basic premise of virtue ethics is that goodness is the fundamental consideration, rather than rights, duties or obligations. Furthermore, virtue ethicists reject the idea that ethical conduct can be codified in particular rules.³¹

According to this theory, the good leader is the one who practices the sorts of behaviors which are necessary to develop character, so right actions become an

inherent and normal habit. In applying virtue ethics, leaders can do the right things even in the changing environment of military operations.

Pfaff claims that as an ethical theory, virtue ethics is a better guide for leadership than either utilitarianism or rule-based systems.³² Virtue ethics offer a way of developing leaders and their subordinates in a manner that gives them all a wide variety of resources to draw on to make the best ethical decision possible.

This section has provided a brief summary of common ethical theories. It seems that most ethical theories overlap somewhat, which makes sense because they are all trying to codify ethical behavior through different approaches. However, regardless of which theory is used as a guide, professional military leaders must demonstrate consistent honesty, integrity, and fairness in applying any ethical theory to handle the difficult ethical issues that arise in war.

Ethics in War

Donald Wells summarized the relationship between war and ethics by saying "War is an ethical problem because it obligates us to do abroad what would be illegal and immoral at home."³³ This statement applies to all wars at all times.

War itself, as a phenomenon that has occurred throughout history and will remain with us, is not the ethical issue per se. Instead, the most complex issues are how mankind deals with the hard ethical questions raised by wars, particularly the considerations involved in the decision to go to war, the conduct of war, and the aftermath of war. Hence, the main role of ethical theories is to place special emphasis on the relationship between duties to the state and the morality of human actions.

Ethical dimensions of warfare are multifaceted because they vary according to the diversity of conflict itself. There are regional wars between states, as well as civil

wars and other internal conflicts. The wars on terror and sectarian violence have attracted much attention in recent times. Ethical principles are supposed to apply uniformly to all types of conflict, but in reality they do not apply neatly across all forms of warfare. Therefore, the legal values and moral norms of war are always under extraordinary strains.

These strains come from developments in numerous spheres which greatly affect the nature of conflict. However, the most common stresses are from the repercussions of accelerating changes within the international environment. These include the expansion of terrorism and guerrilla warfare, the use of new weapons, new forms of political associations, and new moral and political priorities.

All of the manifestations mentioned above have spawned complicated issues related to the nature of responsibility and morality, the status and foundation of human and community rights, and the relationship between individuals and the state. They have created fundamental moral and legal dilemmas for political and military leaders alike, and raised issues about basic sources for ethical conduct.

It cannot be ignored that all religions advocate tolerance and moral obligation in war. Religious philosophy holds that "morality is always a restrictive or prohibitive principle which opposes the animal instincts in human nature."³⁴ In this purely religious context, "ethics would only apply to religious ethical systems, such as Judaism, Christianity, and Islam."³⁵

In contrast, however, the prevailing view holds that ethics in war stems from the system of common morality—a generally accepted set of moral rules that extends beyond purely religious precept and which is more widely historically and culturally

based. This set of norms is considered as a kind of common language used to facilitate communication across cultural impediments and beyond religious barriers. From a military standpoint "military ethics are intended to guide members of the armed forces to act in a manner consistent with the requirements of combat and military organization."³⁶ Therefore, according to Pfaff the rules of war for the military "entail balancing three competing imperatives: accomplishing the mission; protecting the force; and minimizing harm. Determining that balance entails determining where one should accept risk."³⁷

Military leaders must consider the balance between morality, law, and mission and how this balance affects national security. For this purpose, professional armies have attempted to address the need to instill ethical thinking at all levels of leadership.

Certain war theorists have challenged the concept of ethics in war, considering it as an arbitrary set of restrictions that impede military action. On the one hand, for instance, Clausewitz begins his famous book, *On War*, by stating that war "is an act of force and there is no logical limit to the application of that force."³⁸ But on the other hand, current policies generally reflect that when it comes to the use of force, military and law enforcement organizations instruct their forces to always use the least force necessary. However, these entities have very different conceptions regarding what that entails. Furthermore, Pfaff argues that "just as Clausewitz limits war to military force, the Western ethics of war requires soldiers to discriminate between targets associated with the enemy's military capability and those that are not."³⁹

One of the great challenges in establishing moral norms in warfare is overcoming culturally different ways of thinking. The problem is that each side sees the ethics of war from its own perspective. All civilized armies have their own ethical rules governing the

behavior of their soldiers. Less organized groups often operate with organizationally specific different norms, which they also see as morally correct.

Another serious issue is not just the presence of norms, but rather the compliance with these norms when circumstances require. Indeed, humanity always needs a commitment to ethical conduct in war to overcome the ethical challenges inherent in conflict. War ethics in this context means military actions that are consistent with human values, going beyond laws to ascertain exactly what must be done in specific cases.

To face the continuous ethical challenges of contemporary warfare requires instilling ethical virtues in leadership. To reach such an end, Aristotle stated, "Excellence is an art won by training and habituation. We do not act rightly because we have virtue or excellence, but we rather have those because we have acted rightly. We are what we repeatedly do. Excellence, then, is not an act but a habit."⁴⁰ There is no need to look for innovative ethical rules to control modern conflicts. Traditional moral virtues still apply. An example of a timeless framework regarding moral virtue in war is Just War Theory.

Just War Theory

Just War is one of the earliest and most famous theories that have dealt directly with ethical conduct in wartime. It has both Roman philosophical and Catholic roots.⁴¹ Most authors agree that St. Augustine (A.D. 354-430) was the originator of the Just War Theory as it is currently conceived. Later, St. Thomas Aquinas (1225-1274) codified Augustine's reflections into the distinct criteria that remain the basis of Just War Theory as it is used today.⁴²

The main idea of the Just War tradition was described by Andrew Gordon in his book, *The Just War Myth*, is that "war can be used, within limits, to defend and promote the common good." He further affirmed that "this idea is a good one in theory, if we take our values seriously, then they are worth fighting, killing, and dying for."⁴³

Theoretically, Just War theory divides the moral reality of war into two main criteria. The first is *jus ad bellum* which interprets the concept of justice of war, determining whether a war is just or unjust to begin. The second is *jus in bello*, which addresses justice in war to determine the proper requirements to conduct war once it starts.⁴⁴ These two sets of rules are different; the first one specifying when a state may rightly go to war, and giving the war a legal framework. The latter specifies what the state rightly does in war, which gives the war a moral framework.

Thus, Just War theory has established a clear distinction between *jus ad bellum* and *jus in bello*. The existence of one does not guarantee the existence of the other, and vice versa. *Jus in bello* requires us to make judgments about aggression and self- defense, while *jus ad bellum* is about the observance or violation of customary and positive rules of engagement.⁴⁵

War can therefore be justified morally, by using morally legitimate means to meet morally legitimate ends. Just War Theory advocates neither creation of an immoral justification to wage a proper war, nor the conduct of an unjust war in a proper way.

Ethics and Law

The debate about law and ethics is a thorny one. Logically, laws supposedly implement ethics. In reality, war sometimes emphasizes conflicts between the two. What concerns us most when talking about law and ethics is the legal arguments regarding what is acceptable in warfare, particularly, the strategic considerations

regulating the use of force by states and the choice of means and ways for conducting conflict, both *jus ad bellum* and *jus in bello*. The purpose of this section is to illustrate the potential conflict between legal and ethical issues in war, ending with a discussion of ethical issues in current conflicts. Understanding such cases is vitally important to assess the full domain of leadership responsibilities.

Actually, neither international law nor the law of war covers all aspects of conducting conflict. Neither do moral reasons always guide state behavior. International relations are based on mutual benefits. According to Eric Posner, "States create international law for the sake of reciprocal gains and they comply with international law so that those gains are not lost."⁴⁶ Therefore, the conclusion is "One cannot say with confidence that the laws of war constrain the behavior of states, but one can say that states see an advantage in entering treaties and conventions regarding the laws of war."⁴⁷ Based on these facts, the result is the emergence of defects in these laws, and a lack of motivation to follow them if there appears to be no advantage for the state. Moreover, Timothy Demy, Associate Professor of Military Ethics, at the U.S. Naval War College, confirms that, "There is an extensive and strong body of international law governing armed conflict wherein there are prohibitions and restrictions on specific weapons, but, as with many aspects of the law, existing standards are inadequate for contemporary technologies and circumstances."⁴⁸

Therefore, Charles Dunlap reminds us, the starting point to confront such contradictions emerges from realizing that "it must never be forgotten that the law of war, wherever it begins at all, began mainly as a matter of religion and ethics."⁴⁹ And these are higher values than those expressed in law. More specifically "laws can

reaffirm the warrior ethos; they cannot replace it."⁵⁰ This is in line with the common statement that "ethics begin where the law ends."

Actually, ethics and law, through history, have had a great impact upon human conflict. Even Clausewitz, who was not interested in the ethical dimension of war, stated that absolute war would not occur, but real war would prevail and with it, the need for curbs and boundaries. Ethics and law define these boundaries.⁵¹

The Just War tradition confirmed that the main goal of war is peace. Later, Clausewitz stated the same; the purpose of war is to bring peace. However, Clausewitz does not make an argument for moderation based on a common morality or justice; he does make one based on a prudent safeguarding of the state's interests.⁵² Clausewitz's theory of war and the Just War tradition are still functionally compatible, both insist on the primacy of individual judgment.⁵³ In this case, such primacy raises important questions about the sources of that judgment and the standards that pertain in applying it in war.

The Law Of war

International law tries to set some of those standards. According to the American Institute of Law, international law constitutes "the law which consists of rules and principles of general application dealing with the conduct of states and of international organizations and with their relations inter se, as well as with some of their relations with persons, whether natural or juridical."⁵⁴ It consists of treaties, customs, and general principles that cover many areas such as the position of state succession, state responsibility, peace and security, the law of war, the law of treaties and other areas.⁵⁵ Most of these legal sources focus on the ethical dimension and link between peace and justice.

Despite a long history of human conflict, only in the last 150 years have states made international rules to limit the effects of armed conflict for humanitarian reasons. The Geneva Conventions and the Hague Conventions are the main examples. Commonly they are known as the law of war or the law of armed conflict.⁵⁶

The law of war determines that the parties of conflict do not have an unlimited right to choose the ways and means of warfare. This law imposes some types of restrictions to determine each party's choices. The first type of restriction is that of general principles. The most important of these general principles is that of “unnecessary suffering”. It prohibits the use of ways or means of warfare that may be expected to cause unnecessary suffering or superfluous injury. This principle prohibits the infliction of injuries or suffering which serve no useful military purpose. The second general principle is the “discrimination” principle that prohibits the use of ways or means of warfare which strike civilians and military objectives without distinction. The third general principle called the “treachery” principle prohibits certain treacherous methods of warfare that endanger protected persons, such as use of United Nations or International Committee of the Red Cross facilities to shield military operations. In addition, the law of war contains a number of treaty provisions expressly banning certain weapons, such as the Petersburg Declaration of 1868, The Hague Gas Declarations of 1899, the Hague Rules of Land Warfare of 1907, Washington Treaty of February 1922 and Geneva Gas Protocol of 1925.⁵⁷

As a consequence of these treaty provisions military leaders operate on behalf of their countries. They are required to understand international law, live by the law and avoid violating it. The Law of War compels military leaders to use a particular means of

warfare from among the wide range of choices which do not cause unnecessary suffering.

Ethical Issues in Current Conflicts

The law and ethics of war are now facing new challenges in 21st century conflict. New technology always brings new ethical controversies and issues to human society, particularly relating to war. The Stockdale Center for Ethical Leadership at the U.S. Naval Academy in research published in 2010 found that, "Ethical considerations seldom keep pace with the operational deployment of advanced technology systems."⁵⁸ Indeed, new weapons change the nature of modern war, and thus provoke a tempest of reactions about the legitimacy and morality of using them.

The nature of war is always changing. This is exactly what Clausewitz means when he described the war: "as a true chameleon, forever changing and adapting its appearance to the varying socio-political conditions under which it is waged."⁵⁹ However, what concerns military professionals is not this timeless fact. Instead, we must focus on the ethical issues that need to be considered and developed to govern this natural change.

There are some who believe that modern precision-strike technology supports the Just War tradition by making the jus in bello criteria of discrimination and proportionality more feasible.⁶⁰ In contrast, there are those who believe the contrary such as professor of political science from Vanguard University, Eric Patterson, who believes that "Debates using Just War theory to evaluate the morality of military action, (often forget) that Just War doctrines were formulated in a very different political and strategic milieu than the 21st century."⁶¹ Personally, I believe, the attempts to impose Just War theory too broadly are distorting its utility. The reason, is a direct result of the

confusion between a "just cause", with a "just war". What I mean here is not the efforts for further developing of *jus ad bellum* and *jus in bello*, but rather, I mean the attempts to justify almost any actions according to this theory. In fact, I believe that the criteria of Just War Theory are very specific and cannot be easily harnessed to justify any aspect of contemporary conflicts.

Weapons technology offers different options, some moral and some immoral, and immoral options are often easier and more tempting. Hence, law and ethics are used to prevent and deter any illegal activity or wrongdoing. A primary consideration of the Law of War and associated ethics is always the casualties among innocent civilians; the principle of non-combatant immunity is central to the *jus in bello* aspect of Just War. Therefore, according to Just War theory "the right of non-combatant immunity forbids inflicting harm on non-combatants as either an end in itself or as a means to an end."⁶²

Among the most important ethical issues in contemporary warfare is that the use of drones by the United States. Their proponents consider them as limiting the cost of war, limiting collateral damage, assuring the success of their mission, and avoiding the presence of U.S. ground troops, thus also reducing U.S casualties. In reality, the justification for these strikes is primarily because they are easy and cheap.⁶³

Opponents of drones believe that this use is a challenge to the ethics of war and to Just War theory itself. These opponents claim that all the above advantages are not sufficient to justify drones' use as a default strategy to be used anywhere as their use continues to spread.

Indeed, there are several ethical dilemmas produced by current drone policies; first, the rapid proliferation of drones makes killings and violence so much easier and

cheaper. Warfare resembles a video game, with no concern about actual damage and the value of human lives. Second, there is still a margin of error in drone strikes, as evidenced by a study at Stanford and New York University that claimed only 2 percent of drone strike casualties in Pakistan are top militants.⁶⁴ Third, many people in the targeted countries have moved to violent extremism and become fierce enemies in reaction to the drones' strikes, consequently, we can also take into account the long-term benefits and costs resulting from the use of drones, along with their other ethical drawbacks.

There are many advantages from using such weapons compared to traditional technologies. However, ethical norms for military action must go beyond mere utilitarian criteria for profit and loss. In my personal view, the real problem does not lie in the legitimacy of using drones or any such types of modern weapons, but rather it lies in seeking to establish broad moral justifications for their use. Certainly this expanded moral justification will give many countries the incentive for drone strikes against any target, considering the U.S. use of such weapons as a model. As a result the spread of such weapons may become out of control.

There are even more lethal and heinous modern weapons which are still being developed or are in the experimental phase, particularly those emanating from Nanotechnology. Indeed, the Nanotech itself isn't moral or immoral, but the use of it can be either.

The dangerous side of Nanotechnology is its ability to provide new effective weapons that are likely to attract the attention of imprudent military or terrorist groups. Small Nanotech weapons will be very easy to smuggle across international borders.

Therefore terrorists with powerful compact devices could do serious damage to society.⁶⁵ Consequently, we will fall into the trap described by General Omar Bradley "If we continue to develop our technology without wisdom or prudence, our servant may prove to be our executioner".⁶⁶

Indeed, the moral problem in the use of nanotechnology is its ability to facilitate mass killings by cheaper and easier means. Many recent studies confirm that chemical, biological and several varieties of remote weapons could also become much more deadly and easier to conceal.⁶⁷ If it is easy to find moral justification for unlimited use of drones, the modern world, by using the same cost-benefit standards, will justify the use of any other weapon regardless of humanitarian law.

In general, current conflicts are usually asymmetrical as a function of inequalities in the balance of power. However, at the same time, both sides want to win. Each considers its cause as right, and can justify the use of all means to achieve its goals. The tendency is to consider that any weapon usage which increases the opposing forces' casualties while decreasing ours is a good thing. If that becomes the rule, human values will be the main victim.

Generally, in the past, wars have been taking place between countries, on a defined battle field. However, war moved from being between states to become more and more between states and individuals, or non state actors. This shift has created many contemporary ethical dilemmas.

In short, Just War theory makes a clear distinction between "justice of war" and "Justice in war," allowing the judging of the ethics of acts within a war to be disassociated from the cause of the war.⁶⁸ Thus, the United States can justify use of

drone technology if it adheres to consistent, strict standards regarding its use, as it has done with its nuclear arsenal for over seven decades.

Recommendations for such standards include simple policy changes. First, drones should be used to deter aggression, not as a weapon of first resort. Second, drones should be used only as a last resort, in the absence of any other means which are capable of achieving the intended task. Third, drone strikes should be reserved for high-level terrorist targets. Fourth, the U.S. should work to limit the spread of drone technology worldwide. Fifth, U.S. policies should be based on virtuous conduct, not ease of use or low cost.

Conclusion: Ethics Is Leadership

The relationship between leadership, ethics and war is rooted in history. The evolution of conflict has created the need for restrictions controlling violence to protect human dignity and rights. The interaction between leadership, ethics and war has always been a focus of civilized societies since it represents a fundamental aspect of their culture.

Currently, we have several ethical theories and legal rules dealing with leadership and war as well as several controversial issues relating to their application. The central focus of this paper is to address the interaction of the ethical dimension of leadership and the role of laws in influencing behavior.

Neither the laws of war nor a code of ethical norms cover every situation in war. Consequently, the changing nature of conflict and the resulting ethical dilemmas require continuous evaluation of ethical leadership training, which should be more focused on instilling values of virtue in leaders to become part of their routine behavior.

Ethical theories provide different approaches to codify ethical intuitions. However, the virtue ethics theory is the best to guide ideal leadership capable of handling ethical dilemmas arising from modern war.

The nature of war and conflict is ever-changing, bringing new challenges for the noble values and ideals of humanity. If not properly addressed, these trends could lead to ethical catastrophe.

In sum, what has been discussed in this paper clearly demonstrates that the broad and temporary ethical justification for tools of modern conflict set dangerous precedents. A better approach is a return to applying the values of virtue, which provide a stable framework for the ethical professionalism powerful enough to control current and future conflicts.

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