

Review - The Warrior, Military Ethics and Contemporary Warfare

Written by Christopher Finlay

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CHRISTOPHER FINLAY, MAY 15 2015

The Warrior, Military Ethics and Contemporary Warfare: Achilles Goes Asymmetrical

By: Pauline M. Kaurin

Farnham: Ashgate, 2014.

The question of how military ethics and just war theory ought to address the problems of asymmetric war has received growing attention in recent years, as witness work by David Rodin (2006), Michael Gross (2010; 2015), Yitzhak Benbaji (2012), and Cécile Fabre (2012). Debate is motivated chiefly by two related assumptions. The first is that, on the one hand, states that engage with insurgents have a hard time doing so effectively while observing the constraints of the standard *jus in bello*. Non-state belligerents commonly use an array of irregular tactics that make it hard for their regular opponents to locate, distinguish and target enemy combatants. Insurgents commonly thrive where civilian support (which might be spontaneous but could also be coerced) is widespread and the form that such support takes tends to vitiate any attempt to draw a clear line distinguishing combatant from non-combatant: participation, Gross has argued, will more often be the criterion that is applied but this raises further difficulties, as he recognizes. Where guerrillas fight wearing civilian clothing in urban locations surrounded by non-participants, it increases the chances of error in targeting and the rate at which civilian collateral damage occurs even when force is guided with the best of intentions. On the other hand, the reason why these irregular tactics are so attractive to insurgents is because of the great difficulty of mustering sufficient force and aiming it with enough effect when your arms are light, your armour non-existent, and your ability to penetrate enemy fortifications or even reach enemy targets geographically is much weaker than your opponent's.

Given these twin problems, three ethical questions have arisen for philosophers: first, if we assume – as all the philosophers listed above do – that insurgency might sometimes be justified, we need to ask which of the irregular methods commonly seen in these wars might be morally permissible, in principle and in practice. Second, we need to ask in which ways – if any – regular armed forces might be permitted to disregard or modify the rules of engagement indicated by the standard *jus in bello*. And third, we need to set aside the *ad bellum* question of which side (if any) has just cause; instead, we might ask how best to regulate asymmetric wars (AWs) in order to maximise civilian protection and minimize the duration and extent of destruction that AWs cause, while providing opposing forces with rules they can follow without sacrificing entirely their 'fighting chance' (to use Gross's influential term).

The first difficulty that any account of ethics in AWs faces, as Pauline M. Kaurin indicates in her new book, is one of definition. Asymmetry is widely used as a term referring to the relation between any two warring parties where one has significantly weaker war-making capacity than the other, whether for reasons of technology, socio-economic development, or sheer economics. But ethicists are more often concerned with a different range of cases. Gross (2010) focuses specifically on 'CAR conflicts' (drawing on the terminology of Additional Protocol 1's wars against Colonialism, Alien occupation and Racist rule), for example, while others (Finlay 2013 and 2015) extend the category to encompass revolutionary wars and domestic rebellion. Whereas these approaches define asymmetry by the sort of relationship that occurs between occupied and occupier (or between a people and its rulers), Kaurin defines it by the extension of tactics by a weaker party to include methods that 'subvert the moral, strategic and other norms of warfare as a weapon to be used against the stronger opponent, who presumably benefits from that normative order.

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[It is] an attempt to alter the discourse and ground rules about what constitutes war, how it is to be waged and what counts as success or failure' (9).

Kaurin enters the debate with a distinctive set of questions and a fresh and interesting thematic through which to address them. Her concern is particularly with the role that military education ought to play in relation to AWs. If we assume that AWs will continue to be the most prevalent form of armed conflict to draw in western powers and if we take seriously the peculiar difficulties they pose, then it necessary, she persuasively argues, to extend reflection in ethics to take account the problems they impose on those tasked with shaping the individual who will be expected to go out and fight in them on their behalf. The most distinctive offering of her book is thus to provide thoughtful reflection on the question of military training and education against the background of increasingly prevalent asymmetric war.

In this regard, Kaurin's book connects fruitfully with a second theme that has begun to receive attention; the question of military *virtue*. The newness of asymmetric war is, of course, a matter of dispute (see, for instance, Boot 2013) but whereas the ethics of asymmetric war are often seen more purely as an area of innovation, prompted by new developments in recent decades, the question of virtues and, in particular, virtue ethics is seen as a return to much older traditions of moral theory. A key recent contribution to reflection on this dimension of war ethics is David Fisher (2011).

Achilles provides a focal image for Kaurin's book, useful for its ambiguity as much as for its universality. Over the centuries, he has exemplified, for many, the idea of virtue in a warrior ethos emphasizing physical strength, martial skill, courage, and, as Kaurin notes, 'resistance to the misuse of political authority,' while for others, he represents the disorder that can arise from a lack of self-restraint. Most interesting of all, however, is Kaurin's suggestion that he might now come to depict the asymmetric warrior: not the regular sent out to fight the insurgent, but the insurgent warrior whose combat, she suggests, bears closer resemblance to that of the Greeks than it does to modern-day regular armies.

However, the target of what is, fundamentally, a treatise in education is the regular American soldier who may be sent out to face a modern-day Achilles in the person of an insurgent who defies the normative and conceptual boundaries of modern war. Kaurin offers thoughtful discussion of the key virtues of the soldiers, courage and loyalty, arguing that these must be rethought for a military practice in which the enemy is geographically and visually more distant, in which the aim of regulars is more particularly that of survival and rescue than the infliction of direct, overwhelming force, and in which norms and boundaries are continually contested. Later chapters consider the wider ramifications of AWs both for the *jus in bello* and *jus ad bellum*, culminating in some interesting practical reflections on classroom practice, focusing on the use of narrative as a means of inculcating the character that modern war demands of the soldier.

References

Benbaji, Yitzhak (2012) 'Justice in Asymmetric Wars: a Contractarian Analysis,' *Law and Ethics of Human Rights*, 6.2: 172-200.

Boot, Max (2013) 'The Evolution of Irregular War: Insurgents and Guerrillas from Akkadia to Afghanistan,' *Foreign Affairs*, 1 April.

Fabre, Cécile (2012) *Cosmopolitan War*, Oxford: Oxford University Press.

Finlay, Christopher J. (2013) 'Fairness and Liability in the Just War: Combatants, Non-Combatants, and Lawful Irregulars,' *Political Studies*, 61.1: 142-60.

Finlay, Christopher J. (2015, forthcoming) *Terrorism and the Right to Resist: A Theory of Just Revolutionary War*, Cambridge: Cambridge University Press.

Review - The Warrior, Military Ethics and Contemporary Warfare

Written by Christopher Finlay

Fisher, David (2011) *Morality and War: Can War be Just in the Twenty-First Century?* Oxford: Oxford University Press.

Gross, Michael L. (2010) *Moral Dilemmas of Modern War: Torture, Assassination and Blackmail in an Age of Asymmetric Conflict*, New York: Cambridge University Press.

Gross, Michael L. (2015) *The Ethics of Insurgency: a Critical Guide to Just Guerrilla Warfare*, New York: Cambridge University Press.

Rodin, David (2006) 'The Ethics of Asymmetric War', in Richard Sorabji and David Rodin (eds) *The Ethics of War: Shared Problems in Different Traditions*, Farnham: Ashgate, 153-68.

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