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Ethical Dilemmas in Fighting the Global War on Terror

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Abstract

The ethical dilemmas that a Soldier will encounter while fighting terrorism are numerous. The United States Military faces ethical challenges daily in how it conducts the global war on terror. We are fighting an enemy with no morals or principles. Many believe that we handicap ourselves by fighting according to these principles. The United States Military actively confronts these lapses in standards whenever they arise, and continues to reinforce our principles and values. Three areas that it faces ethical challenges are torture, collateral damage, and the law of war.

Ethical Dilemmas in Fighting the Global War on Terror

The current global war on terror presents the American Soldier with many challenges. None of these is more challenging than the ethical dilemmas that a Soldier will encounter while fighting terrorism. Fighting against an enemy that has no morals or principles can often lead us to question our application of our own morals and principles. The conflict about how right or wrong the action is versus how good or bad the consequences of the actions are put our values to the test. History has shown that military force alone can defeat terrorism. However, these examples are of other countries, not the United States. The United States Military faces ethical challenges daily in how it conducts the global war on terror. Three areas that it faces ethical challenges are torture, collateral damage, and the law of war.

Torture, or the definition of torture, is currently being debated at the highest levels of our government. The popular argument is not about the moral or ethical problems with torture. The popular argument is that torture does not work, and that the information obtained is worthless since it was obtained under coercion. An ethical dilemma aside, my research has shown several examples where it has worked with tremendous success. An example that parallels Iraq and Afghanistan is the Battle of Algiers. In the late 1950's France was fighting Islamic terrorists who were trying to gain control of the country and expel the French. After two years of fighting with several bombings and assassinations, the violence was increasing. The local police and military were unable to confront the brutal tactics used by the terrorists. After the assassination of a local mayor and the bombing of his funeral procession at the cemetery the French had had enough (Horne, 2006, 187). The decision was made to match the terrorist's brutal tactics. The elite French 10th parachute regiment was ordered to take over and quell the rebellion by any means necessary. They immediately began to torture captured Islamic terrorists for information.

All detained persons were subject to interrogation, and the majority tortured. Within 90 days, the terrorist network that took 18 months to build was destroyed. The entire leadership was captured or killed and the insurgency ended. By all accounts, this outcome was only made possible by the information gathered from torturing captured Islamic terrorists (Horne, 2005). This example raises an ethical question. If doing something wrong produces something good, do the ends justify the means? To the American Soldier the answer is no. The example above would not work with our military. We are duty bound to do what is right-always. While we are duty bound to win, we must win with the knowledge that we maintained our societal morality. It is accepted that we live by a code of ethics, while our enemy has none. The United States Military is not a perfect institution, and when examples of detainee abuse have become public, the institution reacts strongly, morally, and ethically.

Collateral damage is another hot topic being discussed by both those in and out of the military. Collateral damage is a U.S. Military term for unintended or incidental damage during a military operation (Coordesman, 2003). The term can refer to friendly fire, or the killing of non-combatants and the destruction of their property (Coordesman, 2003). When fighting terrorism it is a basic fact that innocent people will be hurt, by the terrorists or collateral damage. The expression collateral damage came about during the Vietnam War when normal iron bombs were dropped and inflicted large amounts of civilian casualties. With the growing media coverage, collateral damage was not only moral issue, but political as well. Historically, collateral damage was not a major concern. Killing innocent civilians was to be avoided, but the poor accuracy of bombs made that almost impossible. Political motives rather than military goals often led to excessive collateral damage. The firebombing of Dresden and the dropping of the atomic bombs are two cases in point. As technology improved, so did the accuracy of our bombing. Currently,

we have bombs that can hit within six meters of their intended target. This has led to targeted air strikes where we are trying to kill one person with a bomb. Terrorists are aware of our technology and have shifted to highly populated areas with the hope of deterring a strike by making the costs in collateral damage too high. This tactic is effective with all but the highest value targets. It has been reported by former mission planners, that the United States Military will accept up to thirty civilian casualties for every high value target killed this way (Jehl & Schmitt, 2004). They also reported that they could go above thirty with the approval of the Secretary of Defense (Jehl & Schmitt). When the target was time sensitive, or forces were engaged on the ground, these rules did not apply. The likelihood of civilian casualties combined with the negative publicity make these tactics morally and politically risky. The more we force we apply and the heavier the collateral damage to the civilian population, the more we aid our enemy. If this continues, it will undermine the morality and legitimacy of our actions.

The Law of War applies to the conduct of warfare and to relationships between belligerents and neutral states. These laws apply only to nations that agree and consent to be judged by them. This judgment is normally in the form of diplomacy or international organizations, but all nations are expected to follow the laws of war. The United States Military adheres to the Laws of War, but our enemy does not (International Committee of the Red Cross, 1949). Terrorists have no code of ethics and often deliberately target those protected by the Laws of War. Due to the nature of the Global War on Terror, terrorists live and hide in the civilian population. Terrorists cannot defeat our military in direct combat, so they attempt to weaken our resolve as a nation. To achieve their goals they attempt to terrorize the civilian population, their own and in the United States. They do this in the belief that American society is the weakest link in our democratic country. The terrorists kidnapping and beheading of civilians, ethnic cleansing, and

bombing marketplaces all target non-combatants. All of these acts severely test our military. With a civilian population that is largely hostile towards our military, it presents a tremendous ethical challenge to distinguish friend from foe. Adhering to the Law of War actually places our Soldiers in greater danger by adopting tactics to prevent civilian casualties. This leads many in the military to ask why we follow the Law of War when our enemy uses it against us. We are a military based on values, and our goal is to win while upholding these values. The people we are fighting have a completely different set of values and beliefs. They can justify their cruelty based on the population's religious beliefs. Our enemy deliberately tries to make us violate our ethical values for political and propaganda value. They do this not to show their population our mistakes, but to show ours. Our society strongly believes in the principles of the Law of War. Any deviation from these principles by our troops is perceived as criminal behavior by our society, and undermines our overall actions.

The Global War on Terror is putting our country's ethics and moral principles to the test. Maintaining these principles when fighting an enemy who operates without moral standards is tremendously difficult. The United States Military actively confronts these lapses in standards whenever they arise, and continues to reinforce our principles and values. The world will judge us not only on our victory, but also on how we achieved it.

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