

Ethical Dilemmas in Asymmetrical Warfare

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## Ethical Dilemmas in Asymmetrical Warfare

Many soldiers are operating in Iraq in a vacuum of clear doctrine and foggy guidance on what the line is between a combat operation and what is a violation of the Law of Land Warfare and the Geneva Conventions. The Army leader is facing increased ethical scrutiny in an era of embedded media and in fighting a widespread insurgency. Can the U.S. Army objectively look at the issue of war crimes without ostracizing those who challenge its existence and continued possibility? Does troubling evidence suggest that these violations aren't the actions of a few isolated individuals?

The American army is extremely challenged when up against an adversary that is comprised of non-state armed groups that know no boundaries and conveniently camouflages itself behind a world religion. Ethical dilemmas and questionable military procedures and decisions are only magnified with media reports and investigations such as the debacle at Abu Ghraib, the incident where detained Iraqis were forced off a bridge, accusations of a PSYOP unit exploiting the burning of bodies in Afghanistan, allegations that U.S. troops desecrated copies of the Koran belonging to detainees, and the released video clip showing Marines killing an already wounded and impaired Iraqi soldier.

The problem extends itself beyond the Army to the joint and strategic level of the armed forces. Evan Wright, an Iraqi war correspondent, commented on a Marine caught on camera executing a wounded Iraqi prisoner in Fallujah. Wright reported, "One thing military officials are not saying is that the behavior of the Marine in the video closely conforms to training that is fairly standard in some units. Marines call executing wounded combatants 'dead checking.'"

The recent shift of warfare towards guerilla style warfare against U.S. forces is a growing reality. Smaller armies and forces realize that the U.S. has overwhelming military power. The

easiest way to neutralize the overwhelming advantage is to shift to guerilla style warfare where they refuse to follow Geneva Conventions and Laws of Land Warfare. The U.S., being bound to follow international law and trained to fight a conventional force-on-force, is then left to operate in a doctrinal vacuum with little advantage other than technology to help neutralize an often expansive guerilla fight.

On top of the guerilla style warfare, the U.S. faces groups that operate across borders – an enemy without a sovereign territory to actually defend. Waging warfare against a civilian populous across borders with no identifiable base of operations and supply or logistics points to destroy only complicates the war in which U.S. troops find themselves amidst.

The American soldier is forced to fight a politically correct, unilateral war with very little military ethics and guerrilla warfare training. The war in Iraq has somehow transformed itself from a global war on terrorism, to neutralizing a nation with weapons of mass destruction, to an invasion, to an occupation, to rebuilding a foreign government and a military/security force from scratch. However, the soldier must keep rules of engagement, army values (all conveniently placed on plastic wallet cards), conventional tactics and military ethics straight against a relentless enemy.

The soldier may be confused where an insurgent fits into the scheme of things when the Secretary of Defense tries to make a distinction between international rules that govern wars between countries and those that involve terrorist groups. He states, “Terrorists don’t comply with the laws of war. They go around killing innocent civilians.” This analysis puts into question that some of the twisted violations of international human rights are possibly stemming from policies approved by our military and civilian leaders.

An anonymous source wrote, "We all tend to see events and people through the prism of our own desires and prejudices." Cognitive biases such as individual peculiarities and inherited beliefs interfere with our attempts at objectivity. Couple these biases and "prisms" with a lack of cultural understanding and military ethics training, and it opens the door to systemic problems in the day-to-day operations or the heat of battle. For these reasons, the Army needs to better equip their soldiers by incorporating the latest ethics cases and scenarios into tactical training. The training should continue in the theater of operation on a quarterly basis, but no less than semi-annually.

The classroom instruction should not be a sanitized version of the latest incidents. Leaders must challenge soldiers through contemporary discussions and realistic dilemmas. Too many pre-deployment training classes are watered down presentations that bore soldiers and decrease efficacy. Trainers who think through and better prepare these mandatory training times will find soldiers willing to debate these controversial matters. Using small group facilitation will also enhance the experience and help the individual soldier to process heavy weight issues.

A soldier receives minimal training on the Laws of Land Warfare and Geneva Conventions from the time one enters Basic Training to the time deployed. What little training that is received prior to deployment should intensify the need to understand these laws at a more comprehensive level. Field training exercises must incorporate more thorough ethical dilemmas into their Observer Controller (OC) feeder card scenarios. The current ethical feeder cards are rather unrealistic and given a back seat to tactics. The job of the OC is to be insightful and resourceful. Therefore, the OC must elevate the importance of the soldier's response.

Army Captain Ian Fishback stated in a letter to Senator John McCain (R-Ariz.) that he felt the lack of a clear policy from the top was to blame on firsthand violations of the Geneva

Conventions that he had seen in Afghanistan and at Iraq's Camp Mercury. The captain had asked superiors repeatedly for clarification on the rules for treating prisoners. Whistleblowers are coming forth and shedding light on ethical dilemmas that they face as an army soldier. The fog of war can only be less of a nightmare if the Army properly arms its soldiers with current knowledge of significant incidents dealing with probable and improper engagement and treatment of the enemy or prisoner.

Without a doubt, the key to alleviating violations of international law is effective training and review of lessons learned. This training needs to happen at all levels and complimented with well thought out training materials and information consistent with the modern day challenges that the soldier faces on the battlefield. Educating the American fighting force on the Laws of Land Warfare and Geneva Conventions is paramount in the global war on terrorism.