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Small Wars and Morally Sound Strategy

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## ABSTRACT

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### Small Wars and Morally Sound Strategy

This paper examines the complex moral problems faced by the U.S. military in "low-intensity conflict," positing that moral forces were partly responsible for failure in the Vietnam War and that we have done little to study or learn from that lesson. Basic sources of the problems are discovered in the nature of small wars and the enemy we face; U.S. military traditions, doctrine, force structure and training; and traditional American values with respect to foreign policy. The Western Just War Tradition, international law, and terrorism are considered in the discussion. Recommendations avoid expensive, unlikely force structure proposals, and concentrate on proposals to educate the officer corps and train our units to maintain morale, cohesion, and discipline in frustrating, dirty, little wars.

## The American Just War Tradition and Small Wars

As military men, we face the continuing prospect of fighting limited conflicts around the world in the name of American interests. One of the most important but often over-looked keys to successful outcomes in these conflicts is the morality of the strategic and operational conduct of the war. Perceptions of the morality of U.S. operations will affect whether, how, and for how long we are allowed to fight. The perceptions that count are those of the American public, our soldiers and, to a lesser degree, the rest of the free world. Criticism of the Vietnam War was couched in distinctly moral terms. And criticism came from a broad spectrum of American institutions and citizens, not just an irresponsible minority. The relation of moral values to military strategy and operations may not seem critical to military officers conditioned to leave political and social considerations to civilian leaders, but that perception is both irresponsible and dangerous. Some argue that war is inherently immoral (or amoral), that "clean fighting" is a contradiction in terms, or that unacceptable noncombatant targeting, death and destruction are inevitable elements of modern warfare. Americans that take these positions ignore the importance of moral values in our culture and national policies. They also give up an American strategic strength, the moral "high ground."

Key questions for future war are: can the United States win? Can we win and act morally? Must we act morally in order to win? Some answers are at hand. If U.S. forces cannot fight substantially with Western moral values and maintain in the U.S. public a prevailing opinion that they are doing so, then we

likely will lose the next war. Unfortunately, military tradition, doctrine, and force structure present the strong possibility we will fight an immoral and ineffective war. We ignore the strategic value of morality to our peril.

To come to an understanding of the moral problems U.S. forces face in fighting small, limited wars, we must first comprehend the Western Just War Tradition, which represents two thousand years of religious, secular, and military thought about the justice of war. The justice of war, or deciding whether waging war is morally acceptable, is termed jus ad bellum. Justice in war, or fighting cleanly, is termed jus in bello. Both can be codified in general terms: for jus ad bellum, the rules are to use diplomacy as much as possible to avoid war; fight only at the direction of a legitimate authority; and fight only for very important reasons. For jus in bello, the rules are to fight with efficiency, to do what must be done, but minimize destruction and suffering. These principles are generally, if unconsciously, accepted as practical moral principles by Americans, and they represent Western values with respect to international relations, sovereignty of states, human rights and the value of human life and property.

Therefore, in any conflict, U.S. policy makers must evaluate jus ad bellum standards of the justice of intervention, the relative value of the geopolitical goals for which we fight, the danger of escalation to unacceptably

violent warfare, and the legitimacy of the enemy's political authority. Jus in bello standards, however, involve discrimination, or engaging only appropriate military targets, and proportion, or using only the minimum force necessary to achieve legitimate military goals. A critical corollary to proportion is that some collateral damage or unintended noncombatant death, injury and destruction is expected in war, but it obviously must be minimized.

Both jus ad bellum and jus in bello standards are deeply ingrained in traditional American values, but both are in trouble. As war has changed the tradition has evolved. In the twentieth century, the shifts in warfare have been traumatic, causing a dramatic heightening of jus ad bellum standards, which today "outlaw" war. This shift ironically has acted to lower jus in bello standards. Thus, failed attempts by Western societies, particularly the United States, to eliminate war have acted to make war more destructive and brutal.

The heightening of jus ad bellum standards is an attack on traditional use of war as an international political instrument, a legitimate instrument, at least. This heightening is a response to the continuing development of modern total war, begun with the mobilization of an entire state under the French Revolution, furthered by the bloodbath of World War I,

and brought to a culmination in the worldwide holocaust of World War II. Modern wars have demonstrated a growing tendency of societies to take the war to an entire enemy population. Technology has overcome pre-industrial economic and environmental restraints on war, and the advent of nuclear weapons presents the genuine possibility of rapid, worldwide destruction of entire societies. These prospects of world wide suffering and potential for mass destruction are understandably incompatible with Western values. Thus, any justification for any war, however small, is seen by world and U.S. publics as movement along a continuum towards a holocaust. Therefore, any war may be immoral since it contains the seeds of the use of nuclear weapons or waging of global war. All warfare since 1945, including those in which the nuclear powers have participated energetically, has been nonnuclear, limited, and conventional, but alarmists are not comforted. The fear of escalation is a moral "trump card" that tends to frustrate any attempts to justify any war.

A second source of heightened jus ad bellum standards is the domination of the Western just war tradition by humanitarian and apolitical ideals proposing a natural state of peace among men, based on relationships above the dirty and amoral realm of governments and politics. Historical American geographic security and two hundred years of liberal democracy, stressing the value and rights of the individual, have bred a dominant American anti-war idealism. Coupled with another American tradition, distrust of government and the military, these ideals have produced perennial political and public confusion over the necessity of using U.S. armed forces in foreign relations. Anti-war sentiment is not a post-Vietnam phenomenon, but dates to the eighteenth century.

Contemporary American jus ad bellum standards (shared in part now by many societies influenced by American liberal democracy) represent a predictable response to a strong peacetime military and superpower confrontation.

These impractical and ideal just war standards paradoxically undermine jus in bello. Idealists who could not justify a war for amoral, political reasons justified war for ultimate moral principles in the past. Thus, the traditional American pacifist quickly can become belligerent crusader. To justify politically necessary or advisable armed force, American political leaders must use idealistic, crusading rhetoric, leading to a "decoupling" of public policy and strategy from the realities of the politics and social systems in the conflict. In a major war, crusading rhetoric may have some use, since the United States may be fighting for ultimate stakes, but in a small war it is a different matter. Our slogans reveal the impractical, decoupling nature of American just war standards: "Make the world safe for democracy," "the War to end all wars," "End the Red menace," "Win the hearts and minds," and even in tiny Grenada, "protect the vital national security of the United States."

This drive for extreme justification of American intervention endangers jus in bello standards of discrimination and proportion, since crusaders are noble warriors facing an evil enemy. Americans tend to view as legitimate a war with a quick, decisive, punitive victory. Once American forces are committed, concern for preserving American lives, impatience for a quick resolution, hatred for the evil enemy, and ignorance of the true political and military nature of the conflict combine to hinder a practical, long-

term, restrained U.S. participation in a small war. Americans, therefore, as humanitarian as their impulses are, often will sanction extreme measures on the part of their armed forces. The results include indiscriminate tactical and strategic bombing, massive use of artillery to preserve American lives, and an attitude that there can be no logical restraints on combat operations. As the war inevitably enters a protracted phase, these practices may backfire, providing evidence of the immorality of American intervention, as crusading ideals give way to the political reality they cover.

It is appalling that American armed forces should operate in highly political, limited wars without regard for the impact of their operations on the societies for which the contest is being waged. Yet that pattern is evident in World War II, Korea, and Vietnam. American ideals are not going to change; American presidents will continue to use crusading rhetoric to justify war to the American Congress and public. The American public will continue to justify military force only for idealistic priorities. The key in this problem is the link between jus ad bellum and jus in bello. As military leaders, thinkers, strategists, or force structure experts, we can have little impact on jus ad bellum arguments. When, where, and why U.S. forces are committed is the province of politicians. However, how forces fight is almost solely our responsibility. It should be evident that high standards of jus ad bellum will not prevent war; a "natural" peace lies only in a mythical future. Military leaders, then, must insure that jus in bello, the morality of our strategy and tactics, is preserved, so that U.S. forces fight more effectively for low-key sustainability and resolution and so that moral criticism of American intervention has



less justification.

### The Moral Climate of Small Wars

The term "small wars" avoids the semantic difficulties of "low-intensity," since such conflict has been "intense," even on theater-wide levels in Vietnam and Korea. The nature of small wars and the unique relation of U.S. superpower status to that nature raises the potential for special moral problems. Whether U.S. forces are actively involved in combat operations to support a Third World ally, unilaterally employed, or involved in noncombat operations, some of the moral problems will be present.

The first significant source of our moral problems will be the domination of all other belligerents by U.S. military power, although political goals may not be coherent with those of even her allies. The other belligerents may be fighting for local concerns, the U.S. for regional or global. The war from a U.S. perspective will be "limited," but "total" to some or all of the local belligerents. The implications for a resulting mismatch of political and military commitment, resolve or will are obvious. North and South Vietnam waged a total war; we lacked the will to alter decisively the result. Yet U.S. military power set the style and intensity of the war.

U.S. involvement guarantees that U.S. geopolitical rhetoric will permeate policy and strategy. Designed to justify U.S. intervention (both to domestic and international audiences), the "language" of the war may ignore true concerns of the local belligerents. With U.S. rhetoric unhinged from the realities of the war, our strategy may follow. Thus, for example, Vietnam in part became a U.S. war fought for U.S. concerns, rather than a Vietnamese war fought with U.S. assistance for South Vietnamese goals.

The second source of small war moral problems is that the local antagonisms, despite U.S. rhetoric and/or ignorance, define the true causus belli. In the Third World, fervent religions, ethnic, racial, tribal or political factions probably will underlie the modern labels of "ally," "neutral," "democracy," "Marxist-Leninist," etc. These factors exist in all war, but in a small war they cannot be ignored as easily as when great powers clash. Since local antagonisms may have ancient roots, small wars are unlikely to be brief. Long-term involvement by U.S. forces will result.

Thus, the nature of a small war calls into question the conventional U.S. military approach to a conflict. The local political and social fine points that U.S. strategists ignored in large wars loom large in a small for two reasons: first, belligerent success or failure will be determined by how those fine points fall out, and second, the American people's involvement in a small war is based on different concerns, thus raising to public attention and strategic importance issues submerged in large wars. The most important of these moral concerns are the protection of international boundaries, the loss of American lives, the proper use of U.S. budget funds, and, most important in the long run, the heightened importance of protecting noncombatants. Collateral damage, refugees, hunger, human rights, even ecological concerns, become strategically important, often overshadowing geopolitical issues. The "enemy" may be a partial combatant, a paramilitary without traditional skills, training or values, operating secretly in a "sea" of noncombatants. "Battlefields" may be ill-defined, as a weak enemy avoids confrontation with powerful allied units.

Conventional operations to "find, fix and destroy" the enemy may produce unwanted escalation in non-military arenas: political, Congressional, economic, propagandistic and certainly moral.

In such a scenario, as was made evident in Vietnam, poorly defined political/military goals leave conventional military forces in the frustrating and dangerous dilemma of wielding overwhelming force without clear objectives.

In these confusing wars, the importance of developing morally sound strategy stems in great part from the guerrilla's natural moral advantage. The small-war enemy partially offsets his military weakness by appearing to fight a more just war. The moral onus in small war is on the United States; the moral "advantage" is almost wholly the guerrilla's.

In jus ad bellum terms, all three requirements for a just war lean to the position of the guerrilla: fighting as a last resort, acting from legitimate authority, and having a morally justified cause. The weakness of the revolutionary works to his advantage, as he acts the David to our Goliath. His obvious lack of economic or political alternatives contrasts with vast U.S. economic and political resources. Western restraints on using force only as a last resort present an almost insurmountable barrier for U.S. policymakers. The guerrilla's legitimacy often stems from his idealistic ideology, particularly Marxist-Leninism. Although lacking political legitimacy or military strength the guerrilla in the twentieth century can draw on powerful Western intellectual sentiment for "liberation movements." The United States is a status quo power, often supporting regimes with ties to colonial structures or policies, which often lack

the democratic ideals and practices Americans will support. The result may be a de facto distrust of U.S. intentions and acceptance of enemy propaganda, giving the guerrilla legitimacy and moral justification. Even when the United States is supporting a guerrilla group seeking to overthrow a demonstratively oppressive regime, as with the Contras in Nicaragua, the U.S. position may be mistrusted and the moral rectitude assigned to the enemy.

In jus in bello terms, the appearance of both discrimination and proportionality are difficult for U.S. forces to maintain, but easy for the guerrilla. Insurgents, particularly Marxist-Leninists, are skilled at merging political and military goals and controlling the public image of the war. They skillfully use limited military means to serve specific political ends. We tend to divorce military strategy from political issues. Public scrutiny of U.S. operations via media reporting contrasts strongly with the secrecy of enemy organization, planning, and operations. The horror of war, broadcast and critiqued daily, tends to be blamed on the stronger, more visible, forces. Combined with skillful media manipulation by a centrally controlled enemy propaganda machine, this visibility-secrecy contrast becomes a powerful advantage for the guerrilla. In Vietnam, allegations of U.S. war crimes became a virtual "industry" of deceit and staging for an American audience predisposed to distrust its government and abhor the suffering of war. That U.S. atrocities were few, unsystematic, and often officially punished was almost irrelevant to this issue. In the information war, the guerrilla easily presented himself as weak, and desperate, fighting for his people's rights.

Ironically, moral analysts side with conventional strategists, tending to blame the guerrilla for the excessive collateral damage and atrocities of small wars.<sup>1</sup> It is the guerrilla who chooses to hide among the population, thus making them targets; conventional units are forced to engage the enlarged "target" to be effective at all. Obviously when discriminating between innocent and enemy becomes more difficult, in a small war, proportionality must be weighted more heavily. Restraint of force must be the rule. Conventional units do not do this well, tending to apply more force in frustration, increasing noncombatant death and injury. Non-military means, therefore, become more important as employment of military units becomes strategically risky. Only by using effective political and economic tools can U.S. forces overcome the moral advantage of the guerrilla.

#### Moral Logic in Small Wars

It will be helpful for us to understand the moral logic used to condemn or justify military strategies and different forms of fighting "clean" or "dirty." These ethical arguments are not often explicit. Rapidly shifting international tensions often create crises between peoples of different cultures and moral value systems. How do morally responsible Americans react when faced with different moral value systems? Can American forces develop and execute morally sound strategy alongside allies of varying cultures, races and moral values? How do American values apply in different types of war?

The first problem in moral logic may be termed "moral relativism," implying here that immoral enemy or allied behavior calls for American forces to respond immorally, in retaliation or

reprisal. Sometimes expressed as the argument that no rules exist in war, this common position seems to assume two concepts. Since others' values are different, ours must be invalid, and it is strategically wise or necessary to fight dirty. The alternative, maintaining traditional Western just war standards in the face of an immoral enemy is argued to impose unfair restrictions on U.S. forces, to tie their hands.

Yet, facing an enemy who disregards the international law of war and uses noncombatants, mass reprisals and execution and torture of prisoners need not compel a like response. Indeed, American values and media scrutiny virtually guarantee that even sporadic or accidental immoral military action by U.S. forces may be strategically disastrous. American citizens, especially over a sustained period, will become outraged and we and our soldiers may be morally repulsed, causing degradation of morale and discipline. The law of war does authorize reprisals, but not in kind; it is illegal for American forces to summarily execute or torture helpless people under any circumstances. It is difficult moreover, to find any arguments for the strategic wisdom of fighting "dirty"; rather, the opposite would seem to hold true in a small war. Thus, a moral "disjunction" may exist in a small war, but our moral values may be treated as absolutes without loss of strategic leverage or logic.

A second moral logic, common to all military forces, but particularly damaging for U.S. forces in small wars, is parochialism. American fighting men tend to treat foreign people in war, friend and foe, with distrust and contempt. This tendency damages cooperation with allies but more importantly exacerbates American

tendencies to fight punitively rather than pragmatically. Our belief in the ultimate value of human life should result in morally sensitive strategies. In small wars, where restraint is also strategically wise, we logically should minimize collateral damage, but the opposite occurs. The lives that our strategies seek to protect are usually American lives. We employ massive, high-tech firepower to obliterate enemy resistance from a distance. Both Korea and Vietnam clearly symbolize this tendency, especially in Korea where civilian casualties nearly equalled military. In a small war, Americans at home and in the service cannot reconcile the loss of American lives with obscure and limited gains in a long, political war.

The final moral logic that operates to the detriment of U.S. forces is the "sliding scale" of moral judgment--actions that go unnoticed in a large war elicit moral outrage in a small war without logical reference to the law of war or moral context of the actions. Wars seen as justified in jus ad bellum terms, such as World War II and Korea, tend to be evaluated more leniently in jus in bello terms. Wars questionable in jus ad bellum terms are strictly evaluated in jus in bello terms. In World War II, incendiary bombing of entire cities and use of napalm and flame-throwers were largely uncondemned. Carefully controlled strategic bombing in Vietnam produced few civilian casualties in comparison to the destructive potential: 1400 in the 1972 B-52 Christmas bombing of Hanoi. Violent public outrage resulted. Napalm, a legal weapon, became a virtual symbol of American atrocity in Vietnam, and was condemned improperly as responsible for thousands of civilian

casualties it did not produce.

In a small war, perceptions of U.S. and allied jus ad bellum and jus in bello violations will tend to feed on each other, as critics search for evidence to bolster arguments for American withdrawal. The unfortunate result may be unfounded but widely believed allegations of American atrocities, criticism of military actions without regard for the realities of war, political and public turmoil and our alienation from public and informed debate. We thus may be cut off from critical civilian and political sources of moral judgment and support we need to conduct a restrained and practical war.

All of these problems in moral logic underlie American problems with small war--jus ad bellum standards adversely affecting jus in bello, the distracting influence of American public opinion and tradition-bound amoral military approaches to war.<sup>2</sup> These undesirable consequences may be minimized only through farsighted and sound military training designed to maintain discipline and restraint in ambiguous situations, when units must operate under complex, frustrating, and inconsistent political control.

These moral problems of small wars should be examined in the context of genuine U.S. attempts to fight with moral awareness and restraint, for both moral and strategic, practical reasons. Although Vietnam elicited tremendous moral outrage in domestic and international politics, it can be argued that the U.S. military attempted to impose unprecedented moral restraints on its units. The planned atrocities of other armies in the twentieth century provide a measure of perspective on how strong is the tendency of Americans to fight justly. The following contrast with the American approach to small wars: Nazi war crimes; Japanese mis-



treatment of American POW's; multiple examples of deliberate, systematic atrocities in numerous small wars, by the French in Algeria, Idi Amin in Uganda, and the Viet Cong in Vietnam; routine communist torture and manipulation of POW's; and apparent Soviet reprisals and atrocities in Afghanistan.

In Vietnam, constant presidential attempts to negotiate an end to the war, frequent publishing of rules of engagement and the laws of land warfare, command warnings to avoid noncombatant casualties and respect the Vietnamese civilian population and trials and convictions of U.S. servicemen for offenses that were, in essence, war crimes, are testimony to typical American attempts at restraint. That some of the reasons for this restraint were pragmatic and strategic, rather than purely moral, only argues the point more forcefully; moral concerns must be considered in developing sound strategy.<sup>3</sup>

Yet American forces are not organized, equipped, or trained to fight with moral sensibility or restraint; a simple desire to fight cleanly cannot overcome the inertia of the "American way of war." Military necessity has cancelled moral arguments in all U.S. wars. Humanitarian concerns coupled with American warfighting techniques prevent only wanton cruelty and destruction.<sup>4</sup> In politically and socially sensitive wars, that exclusion is not enough.

The U.S. Military and Small Wars: Institutional Problems

Despite a two-hundred year history rich in fighting unconventional, limited wars, the U.S. Army, our primary small war service, today reflects that tradition in virtually no organizations, traditions, or doctrines. The great-power status of the United States, her major warfare experience from the Civil War onward, and

forty years of confrontation with the U.S.S.R. have created a military institution (including all four services) unsuited for the special moral problems of small wars. The U.S. military has little basis in professional tradition, organization, equipment, or training to allow us to understand the moral problems of such wars, much less avoid their dangerous strategic and public relations consequences.

The central professional tradition of the U.S. officer corps is the "warrior ethic." We are not politically oriented citizen-soldiers, but strive to be apolitical, honorable instruments of the executive (civilian) arm of government, responsible for national security, dedicated to lives of service. This ethic differs from dominant American intellectual liberal traditions. In becoming consciously apolitical and withdrawing from "civilian" ways of thinking, we "warriors" view our proper role as purely military. (Not incidentally, we tend to resent civilian meddling in military affairs.) "Combat," with "victory" the goal, is the medium through which the "warrior" fulfills his profession's raison d'être, the preservation of the nation. We leave official determination of why and when to fight to civilian leaders responsible for (and capable of) working through the ambiguous "politics" of the situation. We view the "military solution," when implemented, as a relatively definitive answer to a politico-military problem.<sup>5</sup> The U.S. officer, then, tends to be unaware of the importance of local politics, economics, and social systems in small wars. We also are insensitive to the implications of the deep, non-military impact military actions (or even presence) of our units may have on the tactical and strategic outcome of a small war.

A second problem of the "warrior" in small wars is the nature

of the enemy. Warriors are trained to engage other warriors in combat, who will organize, equip, and operate in ways we understand. The small war enemy may be unprofessional, uninformed, and operate outside the effective comprehension of conventional doctrine and tactics. More significantly, the small war enemy may (and likely will) integrate messy social values (religious, ethnic, political) into his operational art, to the dismay of the apolitical U.S. professional.

Useful moral strengths of the code of the U.S officer include integrity, honor, and service, which do help us develop a relatively restrained approach to war, one responsive to civilian political direction. However, "managerial" techniques and the insidious characteristics of the military bureaucracy further hinder a moral approach to small wars. The need to maintain a large standing force within fluctuating fiscal bounds has produced a search for sound management in the military. American business methods continue to persist in the peacetime military, often diverting all levels of command from the essentials of leadership, future strategy, ethics, and doctrine development. Battalion commanders struggle with a "budget" for their operations, training and maintenance. Some division commanders oversee daily the minutiae of training ammunition accounts or vehicle "down" time. A commander's success is often viewed in terms of quantifiable indicators, such as UCMJ actions, spare parts on hand, AWOL's, awards, etc. Routinely exhausting, overlong duty days and short-term crisis management, then, become the norm for junior and senior officers and noncommissioned officers, who have little time or incentive to pay more than lip service to the invisible, non-quantifiable, deep qualities of a unit's

doctrinal, ethical or professional health.

The "management" of the Vietnam War represented the immoral consequences of using business practices to achieve "victory" in a dirty, politically and socially complex small war. Numbers measured success and progress, as in bombs dropped, sorties flown, villages pacified, weapons captured, and most notoriously, bodies counted. A commander's performance often was tied to such numbers, thus driving some to inflate reports and certainly inciting greater disregard for discriminate and proportional use of firepower. Management by such internal "bean counting" failed to evaluate properly the impact of military action on the noncombatants.<sup>6</sup>

We have learned some of these lessons and greater emphasis on leadership, professional development of subordinates and moral values is evident throughout the services, but the reorientation is not deep enough. The moral problems of the next small war will be solved or ignored by the young leaders we are developing today. They will be the de facto front-line political agents of the United States. Their awareness of the sensitivity of that role will come only from specific, early and continued education, yet they still are taught by their daily duties that there is no time to reflect, read professionally or discuss the social political, and ethical issues of war. What counts is getting that vehicle "up," the report sent, the mess hall cleaned, today!

These orientation problems are exacerbated by bureaucratic tendencies found in all large, complex organizations: avoidance of responsibility, use of rules to protect "turf," conformity, careerism, dogmatic adherence to "right thinking," and reliance on a no-risk, "safe style." Particularly deadening to the moral sen-

sitivity of combat forces in a small, dirty war, bureaucratic impulses cause us to look inward to the needs and norms of our institutions, rather than outward to the requirements of the conflict. Small wars require flexibility and the willingness to take risks with new doctrine and strategies.

Conventional force structure and training add to the problem. The great preponderance of the U.S. force structure is designed and trained to fight the U.S.S.R. in a major conventional war for ultimate stakes. We therefore emphasize traditional "annihilation" or "attrition" strategies relying on massive firepower. Even non-NATO "light" forces, such as the Army's light infantry division, are designed for rapid deployability rather than true low-intensity effectiveness; all have major conventional contingency missions, and so-called "low-intensity doctrine" has been slow to build on painful lessons of the past.<sup>7</sup> All U.S. combat units still are trained to "find, fix and destroy" enemy units to achieve victory.

Any attempt to use the massive might of a NATO-oriented force in a small war would tend to reproduce the Vietnam experience, wherein the enemy chose consistently the time and place of battle and thus, the casualty rate he could bear, nullifying our attrition strategy. Even if the enemy had large conventional forces, as in Vietnam, a generally conventional strategy has social, political and moral effects beyond our current ability to control them or assess them correctly.<sup>8</sup>

There are specific sources of moral problems in the conventional orientation of our forces. One source is the U.S. reliance on high-tech weapons, stemming naturally from the United States' scientific and industrial strengths. American commanders are

trained to use sophisticated weapons not only to maximize firepower ("more bang for the buck"), but also to preserve American lives ("trading firepower for bayonets"). Yet such weapons, best exemplified by U.S. air forces (but seen in almost all U.S. combat units), present a troubling image of "technological overkill." The outrage resulting from tactical and strategic bombing in Vietnam was in part caused by a perception that high-technology weapons are automatically "disproportionate" and often indiscriminate. Using fighter-bombers, rocket-firing attack helicopters, and B-52's against a poorly armed peasant enemy, however carefully controlled, presents a poor public image of U.S. "limited" combat. Combat may need to be intense, but U.S. forces often were not controlled well. Our doctrine relies heavily on combining air power with land power. Long-running arguments by air strategists for the decisiveness of strategic bombing make it unlikely that U.S. forces will fight the next war without heavy reliance on air forces. Yet, the utility of air forces in small wars is questionable. Among those losing small wars despite air superiority are Chiang Kai-Shek, France in Indochina, Batista in Cuba, Somoza in Nicaragua, and the United States in Vietnam. Air forces and other high-tech systems not only present serious moral problems; they may be ineffective, since they optimize combat power, not political or ethical sensitivity.

A second source of moral problems deriving from the American conventional approach to war is that we "make our allies in our own image." By dominating the local military and political situation, U.S. forces in the past have set the tone for allied forces' doctrine and force structure. In Vietnam, we created a South Vietnamese

army very like our own, which then proved even less effective against the enemy than ours. Rather than assisting other forces, we tend to reform them in ways counterproductive to effective small war operations, creating infantry battalions, armored regiments and fighter squadrons. Such organization, which we do best, may clash not only with the needs of the conflict but with societal values and structure as well.

A third source is found in traditional resistance to special operations forces, which have perennially been on the short end of the force structure stick. Basically missing in active duty force structure are the vital PSYOPS, Civil Affairs, Judge Advocate General, Public Affairs, Military Police, and medical units. Among these units lie doctrinal responsibility for dealing with noncombatants, assessing public opinion, legal constraints on military actions, anti- and counter-terrorism, physical security, and political expertise. Active duty commanders rarely train with such units, insuring that these functions will not be well integrated with combat operations in the next small war. Even with the recent renewal in interest in Special Operations Forces, the emphasis is on beefing up glamorous combat units such as Special Forces and Seals, and even those have been forced occasionally to tie their survival to a bureaucratic "deal," such as Army Special Forces taking on a conventional NATO mission, against their basic doctrinal sense. On a larger scale, the Army's debate over doctrine for its Light Infantry Division shows the "NATO school" developing conventional rear-area missions for a force conceived as a limited war contingency unit.

Finally, U.S. commanders are trained to issue mission-type orders. We seek to maximize subordinates' initiative, intelligence and experience, but general, mission-type orders are a

dangerous way to control a unit whose every tendency is to use massive firepower to achieve purely military objectives while preserving American lives. Military operations in small wars may require the utmost clarity and sensitivity, which can be enhanced by careful command guidance. The frustration of seeking an elusive, quasi-military enemy, ambiguous orders and tactical isolation can have tragic, immoral and strategically disastrous consequences. One (of many) faults in the leadership and operational control that resulted in the My Lai tragedy was that Lt. Calley's orders were vague enough that he could interpret them as an order to murder; had his orders specifically forbidden deliberate noncombatant/detainee casualties, the massacre probably would not have occurred. Military discipline and obedience in the chain of command insure that restraint can be "dialed in" to an operation via specific orders.

The grand strategies of both the Korean and Vietnam wars were carefully limited by U.S. political leaders. Strict geographical restrictions, presidential control of some warfighting methods, continual search for negotiations, and slow, gradual escalation were the result. These civilian "limits" contrasted strongly with the military's time-honored tactics and strategies derived from conventional unlimited war: an apolitical approach of search-and-destroy, tactical bombing and heavy artillery use. These devastated both countries (particularly Korea), resulting in unacceptable collateral damage. Thus, a pattern may be discerned, wherein U.S. small wars are limited in regional, political and budgetary terms, but are wage● by U.S. forces using strategies and tactics



designed for major unlimited wars. Certainly, the frustrating limits of the Korean and Vietnam conflicts will be present in future limited wars. The U.S. military must prepare alternatives to its usual massive-firepower doctrines and force structures to operate effectively under such constraints. Proud traditions of honor and service cannot automatically correct military doctrine out of tune with the strategic requirements of much of modern war.

#### The U.S. Military and Small Wars: Ethical Training

As we have seen, there are moral dimensions to the lack of preparation for small wars evident in the U.S. military. However, the moral problems run much deeper, for our units today do not prepare well for the hard issues of morality in any war. All war presents American soldiers with ambiguous and emotional questions of how to fight cleanly, questions of great import to the armed forces of a liberal democracy with Western values. Yet American military training deemphasizes moral problems and relies on the unsatisfactory medium of the law of war to "solve" moral dilemmas.

A distinguished British officer wrote that the best moral climate for a soldier of a free society at war is when he has "a quiet yet active conscience."<sup>9</sup> That is, he is aware of the moral issues he faces (a particularly crucial requirement for limited war), yet he is satisfied with the moral latitude of his choices and the moral responsibility of his leaders. This is not to argue that his hands, or his leaders' hands, are never dirty; small wars are in some ways necessarily "dirty." But the soldier in a free society, in maintaining his own discipline and self-esteem, can do

so only when leaders make him aware of the problems he will face, the choices he will have to make, possible consequences of the choices, and why and for how long he will face the difficult situation.

U.S. forces are not oriented that way, for several reasons. First, in training a large force for relatively short-term usefulness in a conventional mission, our training base concentrates on training volunteers in basic military and technical skills. Professional officers and NCO's spend the vast majority of their training time learning to manage the technology and administration of the services. There is no time or money to prepare conventional units for the special moral rigors of small wars. For all service men and women below the rank of major (O-4), there is virtually no exposure to subjects that would prepare them for these problems: Third World politics, ethnic, tribal and religious issues; the rationale for restrained firepower; the news media's role in war; domestic U.S. political-military relations; and effective allied relations. Select O-4's and above may receive some such education at war colleges, but their professional orientation is set by that time and none of their subordinates are prepared to implement new ideas they may develop.

The morality of war in military training and education systems tends to be treated as a relatively minor adjunct to war preparation. A few hours of basic training for enlisted soldiers, several classroom discussions with a chaplain for advanced course officers, a yearly one-hour training requirement for the law of land warfare, and a total absence of moral issues from CPX and FTX characterize Army preparation for morality in war.

We rely heavily on the codified law of land warfare to provide guidance in fighting cleanly, but that approach, although

logical, is fraught with peril. A "legal" approach to war and morality fails to deal with the ambiguities of a modern limited war. The U.S. Army's FM 27-10 is typical of the legal approach, labeling as a "war crime" any violation of the law of land warfare, thus presenting a black-and-white, unambiguous list of rules written in answer to World War II moral problems.<sup>10</sup> This approach trivializes the term "war crime" by failing to judge the seriousness of the act, and it ignores the fact that in a small war the soldier may not clearly see a right way to act. A legalistic approach does not treat the causes of immoral acts, but only defines some of them and establishes punishment rationale for clear, wanton criminal acts. Many of the morally questioned (and questionable) acts of U.S. forces in recent wars (strategic bombing, napalm, free-fire zones) probably were legal and certainly seemed so to those who ordered or performed them. Reliance on law cannot produce morally sound strategy in small wars; it will only give critics of unsound strategy hooks on which to hang their outrage.

Restraint and moral sensitivity in war are determined by doctrine, force structure, and training for understanding, cohesion, discipline, and effectiveness in the murky atmosphere of limited war.<sup>11</sup> Training a soldier to participate in the D-Day landings requires different (and less) moral sensitivity training than preparing a soldier to perform counterterrorist operations in Lebanon.

It is tragic to note that the U.S. Army, at least, has not used its greatest resource in this area, the thousands of officers and NCO's who faced the moral dilemmas of the Vietnam conflict. There is little evidence that the Army did more than turn away from that painful experience; certainly little attempt was made to pass on, formally or informally, the moral lessons of that war to those

of us who did not serve in it.

### International Law and Small Wars

International law cannot be relied upon to prepare us for the moral problems of small wars.<sup>12</sup> Although the International Law of War codifies some of the just war tradition for U.S. forces in such manuals as The Law of Land Warfare (FM 27-10), these are necessarily incomplete interpretations of the tradition. They represent the inadequate compromise of political settlement.

International laws of war treat the problems of the last war. Thus, nineteenth-century laws dealt with protecting casualties after battle and preserving prisoners' lives. Twentieth-century laws after World War II moved from such jus in bello concerns to the harder jus ad bellum issue of "aggressive war" (as practiced by Germany and Japan) affirming the legitimacy of "resistance fighters" in aggressively occupied territory. Developing a current consensus among nations has become more difficult, as issues of geopolitical force, sovereignty, and neocolonialism have emerged, rather than the simpler nineteenth-century humanitarian jus in bello issues.

The latest Geneva meetings (1974-1977) on the laws of war considered, without success, such aspects of modern war as, no formal declaration, unclear boundaries, and combatant/noncombatant ambiguity. The protocols that emerged are useless to us since they fail to address any of the hard issues and are filled with the politically inflammatory rhetoric of some of the numerous Third World states participating.

The moral and legal questions of small wars are many. For example, who has legitimate authority to wage war in an age of guerrilla war? At what stage in a guerrilla war/revolution does

the incumbent government lose its legitimacy? Given the permeation of some military doctrine by Marxism-Leninism and other political ideology, should laws for prisoner treatment be modified? How should combatants be defined and identified, and, with noncombatant distinctions blurred, do we need laws to protect uniformed, conventional soldiers from civilians?

These questions are too hard for the debates of international conferences to solve in time to help U.S. strategy for the next war. As military leaders, we must prepare our own "law" to insure compliance with American and international concepts of just war and justice in war.

#### Moral Strategy and Terrorism

For all of its apparently aimless brutality, terrorism is usually carefully planned for precise political, economic, moral, or psychological effects. The terrorist may be a criminal, and Western societies must and should treat him so for moral, tactical and jurisdictional reasons. But he is also a soldier, albeit an immoral one. Since his acts of violence are geared to political ends, they are military acts of a particularly dirty, indiscriminate kind.

There are two types of terrorism, and understanding them will point out different moral problems for U.S. forces.<sup>13</sup> First, "small war" terrorism is that encountered within a regional small war. Both guerrillas and regime forces are capable of using violence against noncombatants for their purposes. Guerrillas seek to disrupt government control, demonstrate governmental weakness, and coerce the population through fear. Governmental forces may use terror to punish guerrilla sympathizers, gather information, or

coerce.

Guerrilla terror is relatively rare in insurgency, for the guerrilla relies on population support for protection, food, and moral support. But he may use an indirect terror tactic by fighting to deliberately draw a powerful military attack which kills or wounds noncombatants. He then uses media coverage of the brutality of the regime to reaffirm his role as protector of the people. In Vietnam, the Vietcong used this tactic well, fueling the fires of American public outrage. However, Vietcong guerrillas also performed systematic, widespread murders and torture, resulting in ten of thousands of noncombatant deaths over the years of the conflict. Although their brutality helps explain the decided lack of public support for the communists during the Tet offensive, the tactic probably represents Marxist-Leninist standing operating procedure. They reaped the benefits of destroying the government infrastructure in the countryside and frightening people away from government cooperation, and the police state they envisioned would be (and is now) based on similar coercion and fear.

The guerrilla holds the strategic moral cards, here, as well. His secrecy and weakness keep his terror underground. Regime-sponsored terror is more difficult to hide and may be counterproductive in terms of demonstrating government protection for citizens. More importantly, no government that can be shown to use terror, torture, or violent reprisals will maintain American political support. U.S. forces cannot fight effectively with allied units who practice terror tactics; public support will dry up. Also our units may be corrupted, as some were in Vietnam.

Given that many regimes practice violent coercion and that some are expected to by their citizens, this constraint presents enormous obstacles for practical U.S. military intervention.

Urban terrorism differs from small war terrorism in key ways, and it is urban terror that American policy makers and strategists grapple with today. It is international in scope, often directed at unsuspecting people far from any war zone, often organized or supported by sponsor regimes who are not at war, and often performed by professional terrorists formed into loose international networks. It is still war, violence for political ends, but while U.S. forces involved in a small war probably will face terror tactics and be forced to respond, urban terrorism presents a different problem. U.S. military forces are not engaged, and military solutions generally are not applicable. National police forces are better trained and equipped to counter such widespread terrorism. Where urban terrorists threaten free societies, extensive use of military forces is impossible and actually would signify a major terrorist victory, as civil rights were diminished and public fear heightened.

It is possible that in attacking the sponsor state, where one can be publically identified, U.S. forces may have a role in counterterrorism, but the jury is still out. President Reagan's use of air force and naval airpower against Libya avoided some of the pitfalls of American moral attitudes towards war. It was "just," following closely on Libyan-sponsored terrorist attacks when American outrage was strong, and it was brief and "victorious," avoiding public impatience while providing a "solution."

However, as in many small war operations, the noncombatant deaths and injury seriously detracted from the perceived justice of the attack. Although we sought to attack "purely military targets," there may be none in such conflicts. A second problem in using U.S. forces against urban terrorists or sponsor states is the legitimacy thus conferred upon the enemy. Our policy assumes he is a despicable criminal, yet using U.S. armed forces brings the terrorist into international geopolitics, legitimizing his political rhetoric, often building up indigenous public support for his cause. Again, Khadaffi is an excellent example.

In summary, U.S. strategists and trainers must view small war terrorism as a tactic within the context of some wars. U.S. forces and allies must avoid such tactics and set a double standard whereby the enemy's use of terror is not answered in kind. Otherwise, American support will fail. Urban terrorism, primarily a police responsibility, may be amenable to retaliatory strikes against sponsor states; however, the moral and political risks of such action are high.

In summary, the military must do three things to deal with the moral problems we are certain to face in the next small war. First, we must study the problem; that is, we must study small wars in terms of moral values and perspectives and we must look for patterns in the interaction of the Western Just War tradition and other cultures. We must overcome the American tendency to forget old lessons and study our past small wars, especially drawing on our dwindling numbers of active-duty Vietnam veterans to teach us the moral lessons of Vietnam.



Secondly, we must deal with the issue of civil-military relations, by advising the President and his Cabinet of the possible moral consequences of inserting U.S. forces. We must advise caution in insertion of conventional forces and emphasize using non-combatant special operations forces for training and direct assistance to allied forces. And, the U.S. military must continue to improve relations with the media, so that before a war they understand us and our force structure and operations.

Third and finally, we must begin to reorient our forces to be able to fight with restraint and social and political sensitivity. Expensive, difficult solutions, such as creating a Special Operations Command or drastically restructuring the active-reserve force mix, are not practical. Rather, we must continue to develop practical low-intensity doctrine, concentrating on the nature of such war and the kind of enemy we will face.

The professional military must revamp military education and training. Officers from the beginning of their careers must receive politico-military orientation, learning how they fit into American political institutions and how use of armed force affects the domestic and international environment. Officers must be trained to command conventional forces in dirty small wars. Officer education must include restraining firepower, indigenous issues and languages, political sensitivity, and sustaining high morale, discipline and cohesion under the extended pressure of public criticism, cultural disjunction, political restraint and sporadic casualties. Enlisted training should emphasize how to fight with restraint and why it is important and how to maintain morale, discipline and cohesion in small wars.

U.S. military members, planners, strategists, and leaders must face the prospect of numerous small wars and limited conflicts over the remainder of this century and into the next. A major component of our strategic planning for these wars must involve the moral problems we will face in them. We can do no greater service to ourselves, our armed forces, our troops, and the American public than to prepare to face these moral issues.

## Footnotes

<sup>1</sup> Major sources for the discussion about the so-called moral "advantage" of guerrillas included William V. O'Brien, The Conduct of Just and Limited War (New York: Praeger, 1983); Paul Ramsey, The Just War (New York: Charles Scribner's Sons, 1983); and Guenter Lewy, America in Vietnam (New York: Oxford University Press, 1978).

<sup>2</sup> Several sources can provide further insight into this issue. William V. O'Brien, in The Conduct of Just and Limited War (New York: Praeger, 1983), argued that U.S. forces must set their own moral standards in a dirty war. He also discussed in some depth the existence and implication of the "sliding scale" of moral judgment. Guenter Lewy, in America in Vietnam (New York: Oxford University Press, 1978), provided a lengthy, insightful analysis of the "war crimes industry" that exaggerated and even manufactured U.S. "war crimes" in Vietnam. Paul Ramsey, in The Just War (New York: Charles Scribner's Sons, 1968), courageously took on the Vietnam antiwar lobby in discussing the illogic of some of their criticism and the dangerous separation of the U.S. military from its constituency that resulted.

<sup>3</sup> William V. O'Brien, The Conduct of Just and Limited War (New York: Praeger, 1983), discussed the extensive American attempts to fight a just war in Vietnam, both in jus ad bellum (negotiations and truces) and jus in bello (rules of engagement, command warnings, etc.).

<sup>4</sup> Robert W. Tucker, in The Just War (Baltimore: The John Hopkins Press, 1960), condemns even before the Vietnam war the tendency of U.S. forces to respect the "humanity" of only U.S. soldiers, using "military necessity" to justify massive collateral damage.

<sup>5</sup> Comprehensive and remarkably current and valuable analysis of American civil-military relations and military professionalism can be found in Morris Janowitz, The Professional Soldier: A Social and Political Portrait (New York: Free Press, 1960; reprint ed. with new prologue by the author, New York: Free Press, 1971) and Samuel P. Huntington, The Soldier and the State: The Theory and Politics of Civil-Military Relations (Cambridge, MA: Harvard University Press, 1957). Despite their age, these studies represent the best source for studying origins of current professional standards, doctrine and traditions. All officers should read them.

<sup>6</sup> Basic sources for the dangers of "management" in the armed services include: Douglas Kinnard, The War Managers (Hanover, NH: University Press of New England, 1977), and Richard A. Gabriel and Paul L. Savage, Crisis in Command: Mismanagement in the Army (New York: Hill and Wang, 1978).

<sup>7</sup>The U.S. Army recently has published a new and comprehensive doctrinal manual, which is worth studying: DA, Training and Doctrine Command (TRADOC) Pamphlet 525-44, U.S. Army Operational Concept for Low-Intensity Conflict, Advance Copy, (Fort Monroe, VA: 18 Oct 1985).

<sup>8</sup>The problem of applying massive conventional power to limited war has many aspects. Michael Walzer, in Just and Unjust War (New York: Basic Books, 1977), discussed from a moral philosophy point of view the inability of U.S. forces in Vietnam to respect the scope and character of the war. Morris Janowitz, in The Professional Soldier (New York: Free Press, 1971), analyzed the dialogue between strategic "absolutists" and "pragmatists" in the U.S. military profession, and the implications for limited war. Janowitz also discussed the tendency of U.S. forces to recreate their own image in military assistance programs, and their tendency to handle local political and social issues within the tactical organization of U.S. field armies. Robert E. Osgood, in Limited War Revisited (Boulder, CO: Westview, 1979), discussed the consequences of placing civilian and political limitations on U.S. conventional forces, and the probability that future limited wars will present similar problems. Some excellent analysis of matching U.S. forces to special operations and limited conflict can be found in: Allen Dodson, ed., The Role of Airpower in Low Intensity Conflict: Proceedings from the Ninth Air University Airpower Symposium (Maxwell AFB, AL: Air War College, 1985).

<sup>9</sup>Sir James Glover, "A Soldier and His Conscience," Parameters, September 1983, pp. 53-58.

<sup>10</sup>U.S. Department of the Army, The Law of Land Warfare, FM 27-10, July 1956, p. 178. Review of this manual will reveal its unsuitability for preparing our units for small, dirty wars.

<sup>11</sup>For an excellent discussion of the inadequacy of explicit legal prescriptions in limiting belligerent behavior, see William V. O'Brien, The Conduct of Just and Limited War (New York: Praeger, 1983).

<sup>12</sup>Clausewitz seemed to argue that law and custom are of no value in mitigating the effects of war (see Carl von Clausewitz, On War, Princeton, NJ: Princeton University Press, 1976, p. 75), but closer reading of the text reveals that his caveat applied to his theory of "pure war," that actual war is bounded and controlled by the standards and customs of the societies waging it. Excellent discussions of the history and current irrelevance of modern international law to modern warfare are found in: Geoffrey Best, Humanity in Warfare (New York: Columbia University Press, 1980) and Keith Suter, An International Law of Guerrilla Warfare (New York: St. Martin's Press, 1984).

13 The following authors analyze various aspects of small war terrorism: Its political and military character; Barrie Paskins and Michael Dockrill, The Ethics of War (Minneapolis: University of Minnesota Press, 1979). The nature of guerrilla terrorism, its rarity and manipulative character; Robert L. Phillips, War and Justice (Norman: University of Oklahoma Press, 1984). The advisability of counter guerrilla forces accepting a moral "double standard"; William V. O'Brien, The Conduct of Just and Limited War (New York, Praeger, 1983). Vietcong Terrorism: Guenter Lewy, America in Vietnam (New York: Oxford University Press, 1978). The necessity to retaliate with military attacks against today's national "sponsors" of international terrorism; Alvin Bernstein, "Iran's Low-Intensity War Against the United States." Unpublished paper, U.S. Naval War College, Newport, R.I.: 1985. The danger of conferring legitimacy on the terrorist by fighting him with military forces: Christopher Dobson and Ronald Payne, Counterattack: The West's Battle Against the Terrorists (New York: Facts on File, 1982).