

**The Ashgate Research Companion to Military Ethics,**  
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‘Ethics’, derived from the Latin word *ethice*, means a set of moral principles which guides actions towards ‘normative’ discipline. The origin of the field of ‘military ethics’ is distinctly credited by the editors of this book to a handful of US military officers of the 1970s/1980s, from where arose a grouping named Joint Services Committee on Professional Ethics (JSCOPE), which grew to include representation of serving officers from North Atlantic Treaty Organization (NATO), and later other militaries as well, transforming JSCOPE into its present form—the International Society for Military Ethics (ISME).

Though the terminology ‘military ethics’ is of a relatively recent origin the ethos behind it is long-standing. In the past few decades, the rubric of ‘military ethics’, as a ‘species’ of the genus ‘ethics’, has grown to become very diverse in itself. The dilemmas and moral challenges inherent in varied ‘modern-day’ military situations make it imperative for military professionals to understand the legal and ethical demands of their military actions that could help in better discharge of their professional obligations. Towards this understanding and as a simple test of ‘relevance’ of this book, one could judge from the question: is

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\* The reviewer, a serving naval officer, is presently appointed in his second sea command. The views expressed are his own and do not reflect the official policy or position of the Indian Navy or the Government of India.



this book a helpful tool towards providing real-world guidance to military professionals and policymakers? The answer would be a definite 'Yes'.

The editors have organised this volume around three major themes on the 'use of military force'. The first is that of the 'decision' whether to initiate the use of military force; the second is that of the right 'conduct' in the use of military force; and the third is that of ethics after a conflict is over. All the three themes, based primarily on Western historical experiences and thought processes, broadly correspond to the 'just war' concepts of *jus ad bellum*, *jus in bello* and *jus post bellum*. In order to provide a more 'global' view, a fourth section of the volume briefly provides an overview of perspectives on the use of military force by three major cultures—Islamic, Chinese and Indian. Overall, the book aims to address 'ethical issues' in the contemporary use of armed forces, whilst establishing its linkages with the Western historical experiences.

The eight chapters in Part I of the book cover the perspective of *jus ad bellum* decisions. Starting with a sneak peek at the classical just war thinking, and the recent moral arguments on the decision to use military force, this part includes chapters on the impact of international law on the decision to use armed forces, the role of military in these decisions, pre-emptive use of force, the problem of asymmetric warfare and terrorism, the 'Responsibility to Protect (R2P)' doctrine and its implications, and the question of military ethics posed by nuclear and other weapons of mass destruction. Chapter 1 traces the pioneering work of certain medieval theorists and theologians (Gratian, Aquinas, et al.) to emphasise that the decision to initiate war and resort to armed force flowed from 'absolute virtue' (legitimate authority), and was only to rectify an 'egregious wrong' (just cause), with the ultimate aim of political well-being (right intention). Analysing the post-Cold War era case studies of use of military force by the US, Chapter 2 traces the paradigm shift in significance of just war principles, the emergence of the Responsibility to Protect (R2P) norm (in US foreign policy) and the need for a framework to govern *jus ad vim* (the use of limited force). R2P, in particular, has emerged in the recent past as a broad-based 'policy agenda' to guide international 'military responses' to humanitarian crises. However, such use of military force is rather open to criticism, interpretation and inconsistent application. Examples abound and include those of interventions in Somalia, Bosnia and Kosovo, and non-intervention in Rwanda.

The subsequent chapters (Chapters 3–8) delve into contemporary international law and the role of military in the decision to use armed force, with a detailed examination of four ‘special problems’ relevant to recent debates over military ethics. Making an ethical case to the problem of ‘pre-emption’ versus ‘prevention’ (both being of different character), the authors importantly bring out that actions ‘short of war’ and involvement of ‘non-state’ actors have presented new challenges to what is commonly understood of ‘anticipatory self-defense’. While military action in the face of an immediate threat of attack classifies as ‘pre-emptive’, the absence of the justifying cause of ‘immediate threat’ renders such action as ‘prevention’. However, the basic understanding how an ‘immanent’ threat becomes an ‘imminent’ threat is a distinction left out by the author for further deliberation. So, whether it is surgical strikes by drones in Afghanistan or the unintentional harm to non-combatants (sometimes even used as human shields) in the crosshairs of counter-insurgency operations, the author reaffirms that the ramifications in customary international law are quite significant.

The *jus ad bellum* considerations of Part I flow into the *jus in bello* deliberations of the most voluminous Part II of the book, which comprises 16 chapters. Of these, the first five chapters (Chapters 9–13) explore and examine various prominent legal/moral frameworks applied in discussions of military ethics and the challenges posed by ‘global–local’ terrorism. Chapters 14–18 are structured to address ‘special problems’ that have arisen in contemporary armed conflict, such as the right conduct in dealing with terrorism, targeted killing, ethical implications of using unmanned aerial vehicles (UAVs)/other new technologies, bombing of ‘dual-use’ targets, and cyber warfare. The emergence of terrorism as an ever-existent threat and a prominent phenomenon in contemporary armed conflict has been discussed in detail in Chapter 14. The author’s arguments for a military response to terrorism and the challenges posed by terrorism towards right/ethical conduct of military force bring out the ‘moral asymmetry’ dilemma of a modern soldier, where he/she is tied down by military ethics and the perpetrator is free to use foul means with impunity. Chapters 19–24 deal with ethical discussions in terms of contemporary armed conflict considerations like non-combatant immunity and proportionality, with special emphasis on moral equality of combatants, treatment of prisoners/detainees and military ethics in peacekeeping operations.

Part III of the volume (Chapters 25–28) focuses on *jus post bellum*, that is, ethical issues related to the ‘good’ end of armed conflict. These chapters attempt to throw light on the blurring lines between military and civilian responsibilities, the jurisdiction and ethics of ‘who’ is ‘in charge’ of ‘enforcing peace’, including the role of war crime tribunals post conflict, and how the conflict could be brought to a ‘good’ end by fostering reconciliation. The point that the author reinforces is that the articulation of ‘post-war aims’ requires forethought and planning—and the same needs to be clear even prior to the conflict. This is vital because, in author’s words, ‘secure and just peace is the ultimate “goal” of winning a just war’.

In order that the readers are not overwhelmed by the Western flavour of the book, the editors have included a much shorter Part IV, comprising Chapters 29–31, which briefly covers the highlights of the literature on ethics of military warfare produced by the Islamic, Chinese and Indian cultures. The authors of these three chapters have succinctly described the contours of ‘ethics of war’ in the deep-rooted historical and cultural traditions of these major cultures, and also bring out how these traditions matter in the practice of contemporary armed conflict. More importantly, the authors/editors have recognised as ‘essential’ the need for bringing out ‘similarities and differences’ between ‘Western’ approaches and ‘other’ major cultures. Overall, it is a fair attempt at finding moral considerations about war in different cultures. While the relation between ethics and war has been assessed as very much ‘in flux’ in Islam, the Chinese school of thought lays emphasis on the strength of character of its generals and leaders.

The concluding chapter of Part IV, titled ‘The Indian Tradition’, though authored by a non-Indian, has adequately covered various tenets that the Indian tradition is anchored on and sufficiently deriving from interpretation of the epics of Ramayana, Mahabharata and the rich literature of Kautilya’s *Arthashastra*. Interestingly, when questioned on the trickery and lies that Krishna uses to assist the Pandavas, the high God (Krishna) answers that the ultimate goal is for the good side to win in the end. The author, therefore, succinctly brings out the difficult debate between the relative importance of ‘right conduct’ versus the ‘overarching goals of war’. Finally, commenting on the relevance of Hindu ethics of war to the present-day military thought, the author comments that the modern Indian military policies have been shaped by the ‘globalisation’ of Western thought; the only difference being the unshakable faith in

religion and God, which helps in creating cohesion and keeping the men together, evident more so in the Indian Army.

Though the book does not have a concluding chapter to sum up the wide spectrum of issues covered over its 31 chapters, there are a few significant takeaways that would help the reader in better understanding more than what meets the eye.

1. A healthy *jus ad bellum* decision process requires full coordination between ‘civilian judgement’ and ‘military expertise’, where the latter critically ensures that the former is arrived at after best possible and well-informed deliberations.
2. There can hardly be any ‘discriminate’ use of nuclear weapons; when in the fog of war, even a limited use of a tactical nuclear weapon by one side may trigger a disproportionate retaliation, thus negating any good sought by the initial limited use. If that be true, then there is no need to produce new low-yield weapons.
3. The emerging military technologies like soldier enhancements, incapacitating agents, unmanned weapon systems, and cyber warfare are fields in which moral thinking and international law need to race-up to keep pace.
4. The increasing use of autonomous and unmanned aerial vehicles, with similar developments in warfare at sea and on land, will further stretch (and eventually break) the propinquity between the actor and the target. The question of responsibility for a given action in such situations is an uncharted territory that needs to be tread on. Further, the anonymity, deniability and relatively low-cost means to battlefield success accorded by UAVs, coupled with instances of use of non-military personnel at launch and recovery sites overseas, has heightened the need for clarity on moral obligations and ‘drone ethics’.
5. ‘Global–local’ terrorism, as a powerful combination of global and domestic causes and using radicalised individuals as perpetrators, reflects a hybrid which is likely to pose significant challenges in future. The Boston Marathon bombing in 2013, the ‘truck terrorism’ incidents of Bastille Day truck attack in France in July 2016 and recently, a truck barrelling into a crowd in a Christmas market in Berlin in December 2016 are some examples of this form of terrorism.
6. Customary international law permits infringement on the territorial sovereignty of another nation in response to a threat,

and in self-defence, where the underlying reasons for state action should be sound, legal and moral. Whether these tenets have been followed the world over or have been distinctly absent (for example, Russia's seizure of the Crimean peninsula in 2014) are a subject for further debate.

7. The cyber domain serves both military and civilian functions, which are subject to varied legal interpretations. Every component of cyber infrastructure arguably qualifies as a 'dual-use' object and thus a legitimate military target. However, the increasing dependence on Internet and the disproportionate effects of its degradation ensuing a cyber attack raises questions (on the ethics and legitimacy of bombing such targets) that need to be answered and deliberated upon. Another important aspect that needs considerable thought is that if the anonymity of actions in cyber domain leads to a lack of meaningful accountability, then what is the threshold of cyber attack that would justify retaliation?

The most significant takeaway emanating from this book is that there is no 'chocolate-mould', 'cookie-cutter' or a simplistic straight-jacketed approach to ethics where everything is expected to be either 'black' or 'white'. It is in the varied shades of grey that the answers to the questions on military ethics abound. While this book deals in military ethics in various situations, it does not cover any aspect of ethical leadership. For a lay reader who is new to the field of military ethics, the title could be a little misleading as it does not cover an equally important tenet of 'personal ethics' of a military leader.

This compendium of contemporary thinking about military ethics is enriched by the collective wisdom of distinguished professionals and academics having a distinct and definite 'connect' with military realities. The fact that 30 out of the 31 authors of the chapters are from non-military background, and only one is ex-military, does not in any way undermine its credibility. Rather, the combined experience of these eminent professors in teaching military ethics to military professionals—amply reflected in this book—makes it an authoritative book of reference and a credible 'research companion'; a must for all interested in ethics.