

IAJ

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From the Editor-in-Chief

The *InterAgency Journal* is pleased to partner with the U.S. Army Command and General Staff College's Department of Command and Leadership to bring you this special edition on Ethics. I thank Dr. Ted Thomas and Chaplain (Lt. Col.) Jeff McKinney for their work in hosting the 2018 Fort Leavenworth Ethics Symposium at which these papers were presented.

Ethical conduct in government service is a topic of concern for not only those of us who are practitioners but also of the citizens of our nation whom we represent. Life-long professional learning calls for us to think about various ethical considerations and to keep appropriate conduct in the forefront as we do our work. This collection of select essays from the 2018 Fort Leavenworth Ethics Conference affords us the opportunity to consider a variety of ethical considerations in the security arena. I think you will find these articles both informative and thought provoking.

If you or your organization have expertise on a particular topic and desire to work with the Simons Center to add your thoughts to the interagency discourse through publication of a special edition issue of the *InterAgency Journal*, please contact our managing editor.

Thank you for reading this issue of the *InterAgency Journal*. The Simons Center continues to strive to improve our utility to the interagency community. Your feedback is always welcome. I invite you to visit our website where you can stay abreast of the latest interagency happenings through our "News You Can Use" feature and benefit from our various interagency speakers' presentations. – **RMC**

Contributors Wanted!

The Simons Center is looking for articles that involve contemporary interagency issues at both the conceptual and the application level.



The *InterAgency Journal* is a refereed national security studies journal providing a forum to inform a broad audience on matters pertaining to tactical and operational issues of cooperation, collaboration, and/or coordination among and between various governmental departments, agencies, and offices. Each issue contains a number of articles covering a variety of topics, including national security, counterterrorism, stabilization and reconstruction operations, and disaster preparation and response.

The *InterAgency Journal* has worldwide circulation and has received praise from various military, government, and non-government institutions, including the UN High Commissioner for Refugees.

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Hidden Changes in Organizational Culture and Their Lasting Effects

by Christopher R. Allen and Ted A. Thomas

We continue to see reports of unethical practices within trusted organizations, oftentimes committed by good people. What causes these individuals to act out of character, especially when their organizations advocate upholding core ethical values? Organizations experience evolutionary culture changes over time when there is conflict between the espoused values organizations strive to uphold and the enacted values of individuals within the organizations. Members of an organization will conform behaviors based on their experiences derived from the decisions of leaders, not from a list of organizational values. The purpose of this paper is to help understand culture change and the ethical impacts it can have on individuals by applying organizational change theories to the United States Navy's "Fat Leonard" scandal. The paper explores ways for leaders to identify conflicting values within their organizations and highlight some of the available tools to understand where to implement change to realign the organization.

The U.S. Navy and "Fat Leonard"

The United States Navy is an organization founded on the core values of honor, courage, and commitment. The current mission "to maintain, train and equip combat-ready Naval forces capable of winning wars, deterring aggression and maintaining freedom of the seas," requires professional sailors to uphold the highest standards in a variety of contexts as they carry out their duties in multi-cultural environments.¹ The Navy has fought in ten major wars to help protect the United States' national interests, and continues to serve worldwide with over 100 bases and ports of

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call.² It is organized into fleet forces strategically positioned around the world. Each fleet must tailor its own mission and set of espoused values to the specific needs of a unique geographic operating environment while upholding the Navy's core values.

Organizations are open systems, continuously interacting with their external environment.

These fleets are subordinate organizations of the Navy, espousing to serve with honor, courage, and commitment. Each perpetuates its own culture that should align with the beliefs and values of its higher headquarters. However, there is an open investigation of a major scandal involving defense contractor Leonard Glen Francis, "Fat Leonard," head of the husbanding service provider Glenn Defense Marine Asia (GDMA), and top ranking naval officers once stationed in the Pacific.³ The investigation includes the conduct review of more than 440 active-duty and retired personnel for potential ethical violations while serving in the Navy's Seventh Fleet.⁴ Allegations against the naval officers include the exchange of classified information on ship movements in the Pacific for lavish gifts, luxurious hotel accommodations,⁵ dinner parties, and time with prostitutes.⁵ GDMA provided husbanding services for naval vessels for over 25 years, but the bulk of the investigation is centered on Leonard's interactions with the Navy between 2006 to 2013.⁶ Leonard used classified information to obtain contracts and help route ships to ports where he could overcharge the Navy \$20 to \$35 million for fuel, water, food and other resources.⁷ The investigation continues to unfold, but something of this magnitude and duration implies that there was far more lurking under the surface of the Seventh Fleet than a few corrupt, unethical individuals.

Punctuated Equilibrium in the Seventh Fleet

Organizations are open systems, continuously interacting with their external environment.⁸ Dr. Connie Gersick, an organizational behaviorist, describes punctuated equilibrium in organizational culture as changes in the external environment that have a transformational impact on an organization operating in a steady state. She uses three domains to explain how and when change occurs: deep structure, equilibrium periods, and revolutionary periods.⁹ Dr. Gersick defines deep structure as "the set of fundamental choices an organization makes as to how it will be organized and how it will function to maintain its existence."¹⁰ The equilibrium period for an organization is "a steady state in which the organization continues to perform the decisions formulated in its deep structure where incremental changes or adjustments may occur."¹¹ These incremental changes do not alter the organization's deep structure and eventually settle into a steady state but, over time, can create evolutionary change in the culture. The revolutionary period refers to "change or a sudden disruption of the organization's deep structure during the equilibrium period."¹² Organizations can experience change to its deep structure as a result of sudden change in the external environment. The organizational leader's ability to predict and react to these changes directly affect the manner in which change will occur.

The U.S. Seventh Fleet was in a period of equilibrium operating in the Pacific region through the early 1990's, about the time GDMA began its interactions with Navy vessels. Ships regularly visited ports of call throughout the region to interact with different contracted companies hired to provide sustainment services while ships were deployed from naval bases for extended periods of time. Leonard was a charismatic defense contractor who went out of

his way to accommodate the high ranking naval officers during their stay at ports of call. The initial services provided by GDMA were standard on the surface, however Leonard's ability to build personal relationships with the admirals set his company apart from other contractors. Leonard's statement of facts provides examples of personal email and text exchanges between Leonard and high-ranking navy officials establishing friendly conversation and planning future visits.¹³ Seventh Fleet admirals continued to experience these different interactions with Leonard and his company throughout the Pacific. GDMA provided the necessary sustainment services needed for continued operations of the vessels; the Navy continued to approve contracts with Leonard allowing commanders to distance themselves from actual costs of services; sailors were able to enjoy the exotic locations while at port; and the senior officers had the comfort of a personal relationship with the contractor. We begin to see the incremental changes during the equilibrium period where husbanding services with GDMA were preferred, however the impacts on the organizational culture remained hidden from the leadership.

Organizational Culture

The common description of organizational culture is the shared values and beliefs that underlie an organization's identity.¹⁴ These values and beliefs create norms that shape the behavior of individuals and groups within the organization.¹⁵ Culture manifests itself on different levels, moving from the tangible indicators an individual can easily see or touch to the intangible, often unconscious influences that affect an organization's behavior. Understanding an organization's deep structure and its fundamental choices for survival can help one to understand the culture.

Dr. Edgar Schein, a social psychologist, categorizes organizational culture on three levels: artifacts, espoused values, and basic

underlying assumptions.¹⁶ Artifacts are the phenomena an individual can readily see, hear, and feel when entering an unfamiliar culture. Espoused values stem from an individual's personal values and beliefs of what is right and wrong, usually emanating from the founder or influential leader in the organization. They are publicly articulated representing the values the organization strives to live up to.¹⁷ Dr. Schein explains that espoused values, which bring comfort to a group, may contradict the enacted values that reflect effective performance, creating a gap between desired behaviors and observable behaviors.¹⁸ An organization's basic underlying assumptions become the behaviors and norms taken for granted as a result of repeated success of implementing certain values and beliefs.¹⁹

The common description of organizational culture is the shared values and beliefs that underlie an organization's identity.

Leonard's relationships with officers grew as individuals attained levels of higher responsibility and established relationships with new commanders in the Seventh Fleet. The officers and crewmembers operating in the Pacific were accustomed to the accommodations GDMA provided. Visiting ports where GDMA was located turned to common practice and passed on to new commanders and officers that planned and approved the shipping routes. Dr. Diane Vaughan, a sociologist, refers to this as normalization of deviance.²⁰ Behaviors to ensure GDMA received contracts became normal, as opposed to following the standard operational contract support procedures for multiple vendors in order to ensure fair competition for contracts. We can see the organization's conflict between the espoused values of honor, courage, and commitment to the Navy and protecting

U.S. interests and the enacted values of these luxurious vacations while forward deployed to the Pacific area. New members entering the Seventh Fleet were re-socialized to behave according to the organization's enacted values.

Andrew Leigh, organizational consultant and author, explains the psychological process of ethical fading as a slow erosion of an organization's ethical code.

Ethical Fading

An organization's equilibrium period is a time of complacency when members are comfortable making decisions and behaving in accordance with the social norms of the culture. This leaves the organization vulnerable to "ethical fading." Andrew Leigh, organizational consultant and author, explains the psychological process of ethical fading as a slow erosion of an organization's ethical code. It typically involves good people acting unethically with no knowledge of even being involved in an ethical situation.²¹ Ethical fading may start with small decisions that cause leaders to allow their judgmental biases to cloud their individual feelings based on the values and beliefs of the organization. These ethical blind spots have the potential to grow to serious unethical practices over time.²² Ethical fading discretely changes an organization's culture. Viewing it through the lens of normalization of deviance, the perception of an unethical practice becomes acceptable behavior and a norm in the organization. Group dynamics also play a part in an organization's ethical fading. A leader may leave a decision to a team of people, removing the feeling of individual responsibility.²³ The group decision may have the best intent for the organization, but separate from any individual's internal ethical code. Ethical fading, in essence, is an

incremental change in an organization that does not disrupt the deep structure. Instead, it leads to slow evolutionary culture change guiding unethical practices that become socially acceptable behaviors within the organization.

Leonard built his relationships with the top organizational leaders of Seventh Fleet. The individuals with direct impact to the organization's culture were the ones being targeted by GDMA. Email traffic and text messages between Leonard and managers of his ports show a gradual progression of gifts and services provided to the officers to establish trust and motivation to continue using GDMA for husbanding services. One text message to Leonard about the Deputy Director of Operations for Seventh Fleet in 2010 read, "[He] is an official GDMA card holder..." referring to the Navy Captain's comfort exchanging classified ship schedules with the manager.²⁴ The gifts progressed from Cuban cigars to parties lasting multiple days with luxurious hotel accommodations. Accepting these gifts was normalized as part of the GDMA husbanding experience.

Ethical fading crept into Seventh Fleet's culture. Leaders either consciously or subconsciously deceived themselves in order to justify their decisions. They learned the organization valued these mini-vacations with GDMA while deployed and that the accommodations offered were acceptable. Leaders slipped into a false sense of security, rationalizing that they were supporting the Navy's mission by maintaining a positive climate on the ships and boosting morale by visiting the ports of call. They believed they were living up to the Navy's espoused values as they viewed their behaviors from Seventh Fleet's perspective. Leaders could believe Leonard's business with the Navy was legitimate, and as long as the Navy continued to award GDMA the defense contracts, there were no issues. The individuals unwilling to align their personal values with

the enacted values of the organization reached cognitive dissonance. This internal conflict occurs when personal values are incompatible with their behavior.²⁵ These individuals were left with the options to report the incidents to those officers committing the crimes, risk being labeled and ostracized as a whistleblower, exit the organization, or ignore the behaviors and re-socialize to the culture.

The “Fat Leonard” scandal continues to unfold. The investigation provides little insight to the true influences at hand as it is only a snap shot in time of Seventh Fleet. We inject ourselves with an outside perspective as we read cases like this to try to understand behavior and where to initiate change as leaders. The root cause of a problem when dealing with human behavior is often complex. A fundamental attribution bias, assuming an individual’s behavior is attributed to personal characteristics while environmental forces are overlooked, can prevent a leader from fully understanding the situation.²⁶

So, how do we identify underlying problems in our organizations before ending in public catastrophe? The reality for the indicted officers is that they were part of the Seventh Fleet culture, geographically separated from U.S. social norms, and groomed by Leonard throughout their careers. Removing these individuals without addressing the deeper cultural issues leaves Seventh Fleet susceptible to continued unethical practices. For example, the fleet had multiple collisions in 2017 caused by training and readiness failures, and more recently in February 2018, an investigation into an alleged drug ring run by sailors based in Yokosuka, Japan.²⁷ As can be seen in the Seventh Fleet example, resolving an organization’s underlying problems is more complex than identifying culprits.

Identifying Conflicting Values in Organizations

Organizational leaders must recognize that organizations are open systems when identifying

conflicting values. The external environment impacts organizations, no matter how much control the leaders feel they have. The decisions made as a result of the changing environment are perceived differently throughout organizations based on individuals’ interpretations of a situation. A leader’s intent may be in line with the organization’s espoused values, however it is the perception of the action that is conveyed down to the lowest level.

A leader must set the conditions for a self-correcting organizational culture.

A leader must set the conditions for a self-correcting organizational culture. It takes work and a conscious effort to continuously assess the alignment of espoused values and enacted values. The vision a new leader enters an organization with is often quickly buried by short-term challenges needing immediate action. These sudden disruptions inject themselves into organizations regularly, keeping leaders focused on the task caused by the changing external environment. An example of this was Seventh Fleet commanders focusing on their tasks to deploy their sailors and ships to the Pacific for six months at a time, rather than addressing the behaviors at the ports of call. These types of problems can occur in any organization. The focus will remain on the external environment as long as leaders make a sub-conscious assumption that the individuals in the organization are internally aligned with the espoused values. Therefore, leaders must implement organizational processes for self-correction.

Organizational leaders need to find balance between accomplishing tasks and the process used in accomplishing them. One must understand how members of an organization make decisions, set goals, use resources,

interact with one another, and establish relationships in order to meet the desired end state of these tasks.²⁸ Consistent review of the organization's internal processes and behaviors provides leaders with feedback enabling them to assess espoused values versus the enacted. It is also an opportunity to identify if and where incremental change is needed to realign the organization or if revolutionary change is a necessity. The continued incidents after the "Fat Leonard" scandal in Seventh Fleet show that the organization requires a revolutionary change that affects its deep structure with a re-socialization period that aligns the members' values in the organization with the Navy's espoused values.

If the boss or leader focuses on analyzing and answering the question, "Are we who we say we are?" that priority flows down into the organization.

Focusing on process has no immediate or observable gain, especially when end states are met and the organization appears successful. However, avoiding the process of how these ends are met can result in long term detrimental behaviors within the organization. Sears, Roebuck and Company is a prime example. In the early 1980's, Sears began to struggle financially as big competitors were on the rise. Sears created an incentive plan for its auto repair centers to increase profits by giving additional pay to mechanics and sales advisors for meeting hourly quotas. The incentives resulted in an increase in sales and organizational leaders perceived them as successful. Mechanics and sales advisors learned that the organization valued profit, not the espoused values of customer care or "everyday low pricing" that the slogans alluded to.²⁹ Leaders overlooked or ignored how the auto repair centers were meeting their quotas until an undercover investigation brought the unethical

behaviors to the public. The mechanics and sales advisors were charging customers hundreds of dollars for needless repairs.³⁰ All focus was on the task of improving Sear's financial issues. The process was not a priority, and leaders were ignorant to the gap in values as ethical fading compounded the initial financial problem.

Prioritizing process and aligning values starts at the top of the organization. If the boss or leader focuses on analyzing and answering the question, "Are we who we say we are?" that priority flows down into the organization. The crucial pieces are the actions leaders take as a result of any discrepancies found between the espoused and enacted values based on bottom up feedback. Corrective action will show that the organization values the behaviors it espouses. Members in the organization will also learn that leaders value honest feedback, helping set the conditions to eliminate the need for moral courage to say something when they experience a deviation from the standard. Leaders will assess and align organizational values differently, many times dependent on the situation and unique personalities at play. There are tools and practices to assist leaders taking an inward look at their organizations.

Tools to Understand Where to Implement Change

The use of an organizational model can help organize and interpret data to create an understanding of the organization's current state.³¹ It gives a systematic approach for leaders to understand what is happening in their organization, where and why the organization diverges from its expected performance, and understand where change is necessary in order to realign its values. A good example of an organizational model that accounts for the external environment is the Burke-Litwin Model.

The Burke-Litwin Model (See Figure 1.) was developed throughout the 1970's and 1980's, based on Dr. Warner Burke and Dr.

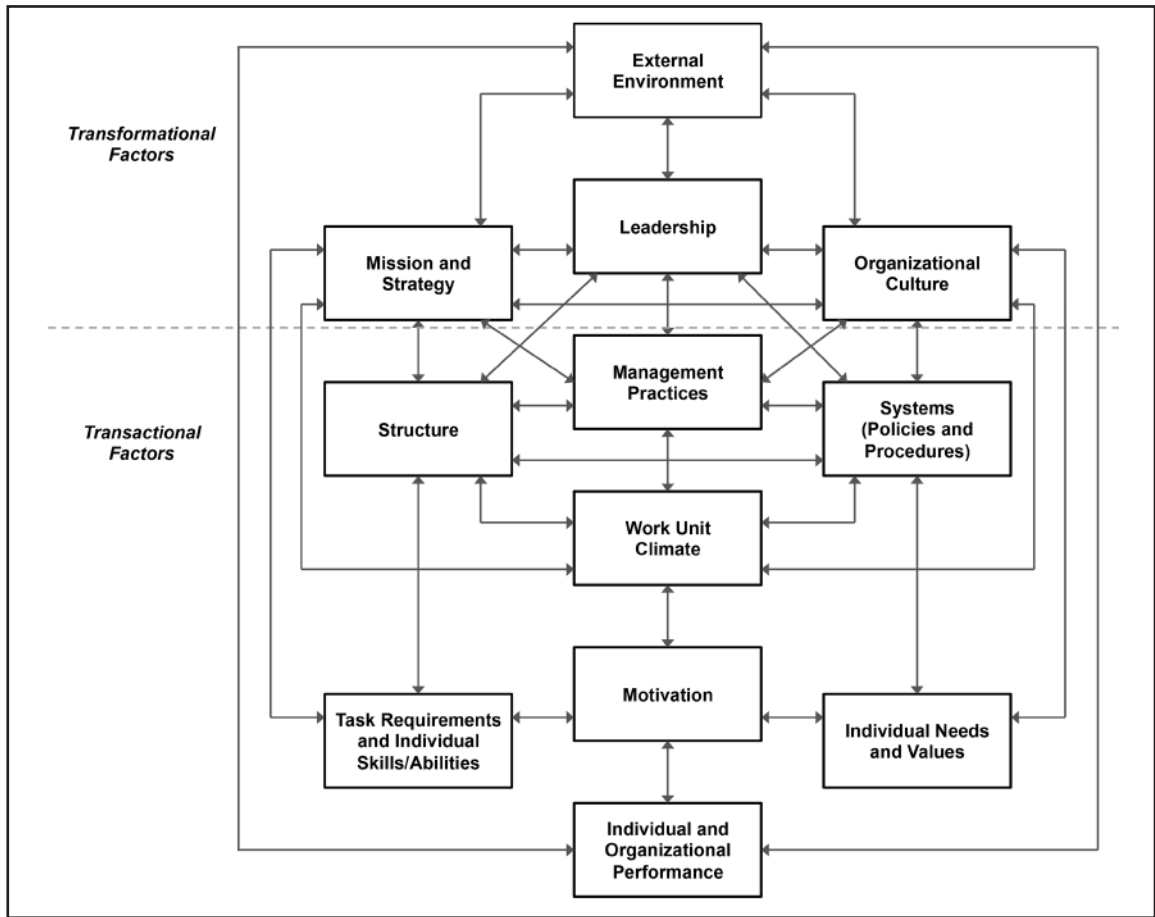


Figure 1. Burke-Litwin Model.³⁵

George Litwin’s experiences in consulting on organizational change. It is an open systems model, with the external environment providing input and the organization’s performance serving as output. The model consists of 12 focal points, which are “primary for organizational understanding and analysis,” that are connected by arrows that indicate their influence on one another.³² The categories in the top half of the model are transformational factors: external environment, mission and strategy, leadership, and culture. The changes within them are often the direct consequence of interaction with one another and have a widespread impact throughout the organization.³³ The categories in the lower half are transactional factors, concerned with the day-to-day functioning of the organization: management, structure, systems,

climate, motivation, task requirements and individual needs.³⁴ Organizational and individual performance is the twelfth box, representing the output as a result of the organization’s current state. The model serves as a framework to categorize the data collected while assessing the internal processes of an organization.

The model is useful in breaking down the recent incidents in the Seventh Fleet and the understanding of the “Fat Leonard” scandal. The model shows a mutual relationship between leadership and culture. The decisions leaders made in the early 1990’s may have shaped the Seventh Fleet culture, but new leaders brought into the organization socialized to that culture. These two focal points are transformational categories that affect the entire organization. We see the lasting impacts the culture of self-

interest has on Seventh Fleet's new leadership, management, systems, and motivation, even with the removal of GDMA and the officers involved with the scandal. The culture remained constant, resulting in failures in training, readiness, and a potential drug ring. Continual review and data collection for the organizational model can help leaders maintain an understanding of the internal processes and implement the necessary changes before incidents of this magnitude occur again.

Collecting data to assess an organization should come from multiple perspectives at all levels of the organization.

Collecting data to assess an organization should come from multiple perspectives at all levels of the organization. Diverse working groups can organize discussions on various topics concerning the organization based on their experiences. For example, a group can discuss what they feel the organization actually values and provide recommendations on what the organization should value. New members entering an organization can be a useful group to hold open discussions and receive feedback as well. These individuals enter the organization with certain expectations. Espoused values are often communicated and displayed as artifacts during an organization's re-socialization and training period. The gap between espoused and enacted values is more apparent as new members learn and experience the organization's basic underlying assumptions. Feedback from different groups help organizational leaders understand what different levels of the organization are experiencing. It also helps leaders to determine if their espoused values are important or relevant throughout the organization.

Climate surveys are a popular tool used in many organizations. These surveys typically

measure surface level emotions and satisfaction in the workplace. It is an opportunity for employees to provide anonymous feedback that they may not otherwise give in a group or face-to-face setting. Individual climate surveys make it difficult for a leader to discern organizational norms and underlying beliefs. However, a compilation of surveys gathered over time can show patterns. It is more of a holistic approach, but sudden dissatisfaction in the workplace can be an indicator of a deviation from what individuals expect. This may be intended if a leader is trying to pull the organization back in line with the espoused values, but an unintended disruption should raise a flag that there is more happening under the surface.

Organizational leaders can create or identify roles in the organization that focus on internal processes. Individuals in these roles can separate themselves from the daily taskings that stem from the organization's interaction with the external environment. Consultants from human resources department or chaplains in military organizations often take on this role. These individuals understand the organization's espoused values, and much like the climate surveys, they can observe patterns in climate and behaviors in the organization. They can identify the gap between expected behaviors and observable behaviors. This feedback can help organizational leaders identify conflicting values in action, as change is occurring. The inherent risk keeping this role within the organization is that it relies on an individual's perception that is part of the culture. An organization can also bring someone in from outside of the organization to conduct similar observations with no biases or socialization to the culture. For example, the Seventh Fleet could request a courtesy inspection of policies and procedures from the Inspector General. This comes with the risk of publicizing an organization's unethical practices to those outside of the organization before there is an opportunity to fix them.

Military organizations use indicators to assess performance and effectiveness of operations to meet desired end states. Measures of performance (MOP) are used to assess the organization's actions, answering the questions, "Are we doing things right?" or "Are we completing the tasks to standard?"³⁶ Measures of effectiveness (MOE) assess observations over time to gauge the achievement of the end state, answering the question, "Are we doing the right things to achieve the desired outcome?"³⁷ Organizational leaders can define MOP and MOE to assess policies, incentive programs, and rewards with the end state of observable behaviors aligned with the organization's espoused values. The Sears auto repair case is a good instance where MOP and MOE may have helped leaders identify the unintended behaviors of the incentives program with the ability to correct the action before the undercover investigation. Examples of the types of questions for the Sears' leadership include, "Are we delivering everyday low costs to our customers?" and "What is customer satisfaction with the implementation of the new policy?" MOP and MOE can help leaders to understand the effects of different policies and rewards on individuals in the organization and if the behaviors align with the espoused values.

The tools that assist organizational leaders identify conflicting values to correct an organization's course of action are readily available. The list above is not all inclusive or a single solution to all problems organizations face. Many of these tools determine organizational performance based on the demands of the external environment. Implementation of these techniques requires leaders to recognize the importance of understanding how the organization meets its end states and the ability to balance process and task.

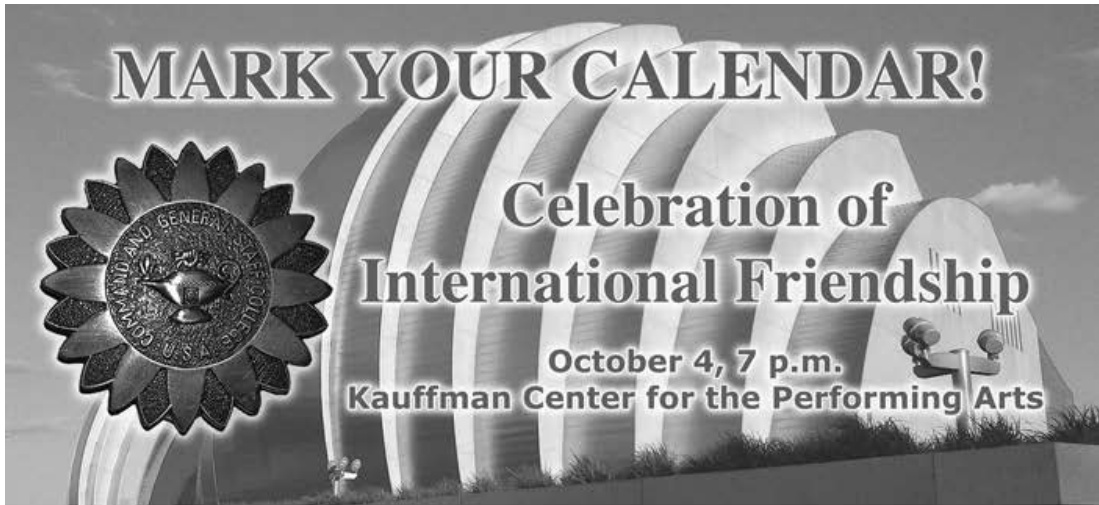
Conclusion

Today's most trusted and valued organizations are vulnerable to unethical behaviors. The U.S. Seventh Fleet, the Navy's largest forward-deployed fleet, evolved into a culture of self-interest and gain with 25 years of influence from GDMA. The unauthorized exchange of classified information for luxurious accommodations seems an obvious violation of ethical standards from an outside perspective. However, these behaviors within the Seventh Fleet were normalized and accepted by members of the organization, creating a new set of ethical values for the individuals operating in this environment. Organizational leaders must remain cognizant of the effects the external environment has on their organization. Evolutionary change occurs within organizational cultures when the enacted values conflict with the espoused values. Members of an organization learn the enacted values through experience and their perception of the decisions leaders make in response to the external environment. If the enacted values are reinforced, they become a norm in the organization and part of the culture's underlying assumptions. Members of the organization, to include leaders, socialize to this culture leaving them susceptible to ethical fading. Leaders must find a balance between accomplishing organizational tasks and the processes of how accomplishment occurs. A few tools and practices that leaders can use are organizational models, working groups, compiled climate surveys, consulting roles, measures of performance and measures of effectiveness. These tools and others can create a learning organization that fosters feedback and adapts to the changing environment in accordance to its espoused values. At one time or another, ethical fading will infect most organizations, unless it is recognized and action is taken to prevent it. **IAJ**

NOTES

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New Generation Warfare

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Just War Tradition

by Richard E. Berkebile

Just war traditions establish norms for resorting to and conducting war - otherwise known as *jus ad bellum* and *jus in bello*. Ethicists argue these norms are universal and, excepting occasional and usually lagging adjustments for technology, approach immutability. Considering the employment of *new generation warfare*, are these norms sufficient for the information age? Some argue the application of new generation warfare is a Russian phenomenon that has nearly exhausted its pool of potential victims.¹ However, the emphasis on the information environment and the demonstration effects of its successful employment in the Ukraine and elsewhere suggest the doctrine is only starting to bud. This article examines the intersection of new generation warfare with just war norms through two questions. First, exactly how is *new generation warfare* compatible or incompatible with *jus ad bellum* or *jus in bello*? Second, are just war traditions sufficient for information age warfare - specifically *new generation warfare*? The article concludes *new generation warfare* is incompatible with portions of *jus ad bellum* and *jus in bello* norms and insufficient for modern war.

Defining the Concepts

While the research questions are relatively straight forward, the underlying concepts of *new generation warfare*, *jus ad bellum*, and *jus in bello* are not. There is considerable literature concerning each concept, but enough disagreement to necessitate clarifying exactly what is being compared. Here, *new generation warfare* refers to the description contained in the 2013 *Military Thought* article *The Nature and Content of a New Generation War* by Colonel S.G. Chekinov and Lieutenant General S. A. Bogdanov.² The Chekinov and Bogdanov article was supplemented by the thoughts and writings of the Russian Chief of Staff General Valery Gerasimov and actual 2008 operations in Georgia and 2014-2015 operations in Ukraine.

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Current Russian military thought replaced *new generation warfare* with *new type warfare*.³ I retained *new generation warfare* because it is more established in public discourse. In the original conception, Chekinov and Bogdanov separated new generation warfare into two periods - opening and closing. I followed Transatlantic Academy analyst Andras Racz

The principles of military necessity, distinction, proportionality, and unnecessary suffering are widely accepted but the interpretation of specific actions is not.

and refer to three phases - preparatory, military, and stabilization.⁴ The three phase conception more closely matches United States military thought on how to group similar activities. The preparatory phase is covert, the military phase is overt, and the stabilization phase consolidates gains. For the purposes of this paper, no further description of phases is necessary.

Interpreting Gerasimov, Chekinov, and Bogdanov is not as simple as it should be. Each author plausibly, with the exception of alleged deep governmental-nongovernmental organization-press conspiracies,⁵ describe American operations in Iraq from the 1990s-2000s and Libya in 2011 as initiating new generation warfare through the use of precision weapons and the exploitation of the information environment. The authors further describe the next steps in new generation warfare in terms of “American”, or its pseudonym aggressor, operations that is far more descriptive of Russian operations than American operational art. Russian operations and theory are the article’s focus. As explained later, denial and obfuscation are central features of new generation warfare.

Operationalizing *jus ad bellum* and *jus in bello* is likewise challenging. There is a fair

degree of consensus on principles of *jus ad bellum*, but their interpretation and justification is contested. *Jus ad bellum* norms are well established in literature and there was little to be gained by referencing the legalisms of the United Nations Charter. Such reference simply transforms the ethical argument into a legalistic one concerning interpretation of the Charter. *Jus in bello* was a different case. The principles of military necessity, distinction, proportionality, and unnecessary suffering are widely accepted but the interpretation of specific actions is not. While recognizing the law and ethics of warfare differ, they overlap considerably. The law of armed conflict is a useful operationalization of warfare ethics.

The *jus in bello* examination was informed by the detailed and legalistic descriptions of the 1910 Hague Convention, Additional Protocols I and II to the 1949 Geneva Conventions, and the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. They are sources of conventional wisdom regarding *jus in bello*. While helpful, even these references require the exercise of judgment. For example, the United States is a party to The Hague Convention and the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques but not to Additional Protocols I and II of the Geneva Conventions. Yet *Field Manual 27-10, The Law of Land Warfare* and the *Department of Defense Law of War Manual* comply with and reference many aspects of the Additional Protocols. Russia is party to all three conventions and the additional protocols but the execution of new generation warfare brings their compliance into doubt. Lastly, it is not always clear when a violation of *jus in bello* norms is a matter of state policy or the unsanctioned action of rogue individuals. Except as evidenced by widespread or repeated occurrences, the theory of new generation warfare was favored over anecdotal events.

Jus ad Bellum

Jus ad bellum literature evaluates war's righteousness in terms of just cause, right intention, proper authority, last resort, probability of success, and proportionality.⁶ Traditionally, these are considerations of state, not the purview of warriors. New generation warfare is, at its essence, a warfighting doctrine - a method to conduct war.

On the surface, military doctrine and considerations of state do not intersect. The military is not generally morally or legally accountable for the decisions of heads of state.⁷ For example, the Nuremberg Military Tribunals found all fourteen former German flag officers, including several from the high command, not guilty of waging aggressive war or violating international treaties because they were not policy makers.⁸ This norm could be evolving. For instance, the British Chief of the Defense Staff Admiral Sir Michael Boyce sought legal advice from the Attorney General over concerns he and other military members could be tried in the International Criminal Court for prosecuting the War in Iraq.⁹ Nonetheless, any evolution in moral responsibility appears at least as much a political as an ethical development.

In any case, neither Russia nor the United States are signatories to the Rome Statute of the International Criminal Court. New generation warfare doctrine, therefore, would only run afoul of *jus ad bellum* norms to the degree its execution inherently impacts them. In other words, except in rare cases where a military officer is also a national policy maker, the moral equality of soldiers is assumed.¹⁰

I peremptorily, but not arbitrarily, dismissed examining new generation warfare regarding right intention, last resort, probability of success, and proportionality. Just cause and proper authority, however, are worth exploring.

Just Cause

At its simplest, a just war is a defensive war – a war in response to aggression. Humans and states being deceptive, clever, conspiratorial, and intentional, produce interplay that is often not transparent. Defensive war traditionally expands to include preemptive war, striking first to gain advantage in anticipation of imminent enemy aggression. New generation warfare relies heavily on *ex ante* preparation.

At its simplest, a just war is a defensive war - a war in response to aggression.

In new generation war, the attacker¹¹ makes plans in advance and conceals preparations.¹² “*Months* [emphasis added] before the start of a new generation war, large-scale measures in all types of warfare ... may be designed.”¹³ Shortly prior to the conflict, clandestine agents commit or fund “terrorist acts” and “provocations.”¹⁴ Human or technical reconnaissance and surveillance locate potential military, government, and critical infrastructure targets.¹⁵

At a minimum, these precepts suggest new generation warfare is not a reaction to being attacked first in the classical sense. Concealing preparations, committing provocations, and anything short of near real time military unit locations are of little utility for defensive intentions. These covert activities are incompatible with the political and public posturing accompanying any *ex ante* or even *ex post* Security Council authorization. A defensive war could, arguably, exploit many of the prewar new generation tactics. For example, reconnaissance and surveillance of potential enemies is not the same as nor as destructive as actual war. However, months of preparation and the use of provocations, which are by nature aggressive, do not meet the requirements for the

enemy attack to be imminent and of the enemy's own volition. Neither are they a response to an enemy first strike.

Two other schools of thought supplement conventional wisdom on defensive war. Humanitarian intervention theorists posit external intervention is just if a state is committing unjust repression of its own citizens. These theorists devalue state sovereignty, increase the value of individual harms, and increase the likelihood of altruistic foreign discernment and action. Russia has used these very arguments to justify intervention. For example, the August 2008 Russian intervention in Georgia was justified both on humanitarian and legal grounds. They accused the Georgian government of a genocide targeting ethnic Russians in the region of South Ossetia in violation of international human rights norms.¹⁶ Additionally, they legally justified protecting their ethnic diaspora by citing *Russian* federal law.¹⁷

Modern technology enables proficient nonstate actors to become credible existential threats to states and their citizens.

The same justifications were used for the seizure of Ukrainian Crimea region and subsequently for the Donbass region in 2014.¹⁸ Russia labeled ethnic Russians in both Georgia and Ukraine as “their” citizens. Regardless of the humanitarian arguments, there is little unbiased evidence of large scale prewar abuse of ethnic Russians in either Georgia or Ukraine. There is even evidence most ethnic Russians opposed intervention in the Donbass and provided half of the personnel for Ukrainian volunteer battalions.¹⁹ New generation warfare intentionally exacerbates grievances. It is not intended to dampen them on humanitarian grounds. To date, the humanitarian rhetoric is

mere camouflage for information environment skirmishes. As practiced, new generation warfare is incompatible with the humanitarian intervention argument.

The other supplemental school of thought emerged from the shock of the September 11, 2001 attacks in the United States. Preventive war does not require specific knowledge of a time or even place of attack, only a great threat made even more ominous with the plausible use of weapons of mass destruction.²⁰ The preventive war concept is not as well developed as the other war norms. Its most aggressive version is attributed to former Vice President Dick Cheney and described as, “if there was even a one percent chance of terrorists getting a weapon of mass destruction ... the United States must now act as if it were a certainty.”²¹ Assuming the actual percentage, to the degree such a thing is measurable, to be substantively greater than one percent, preventive war is a version of the precautionary principle justified as a social responsibility to prevent harms.

The other key consideration is its application to nonstate actors – terrorists – not addressed in traditional just war norms. Modern technology enables proficient nonstate actors to become credible existential threats to states and their citizens. Russian President Putin and Chief of the General Staff Baluyevsky (one of General Gerasimov's predecessors) also endorsed the preventive principle with regard to terrorism originating from other states.²² Notably, nonstate terrorists reside in states. This highlights a lacunae among *jus ad bellum* norms, malignant nonstate actors, and their interaction with sovereign states. Nonstate actors are rarely addressed or are dismissed as a law enforcement problem.

Given the relaxed requirement for imminence of attack, new generation warfare can be compatible with the preventive war argument.

Proper Authority

Proper authority connotes public declaration of war by state authorities using established governmental processes.²³ There are harms in failing to do. Committing the entire polity and its resources to pay the costs of war without using the corresponding governmental legitimizing processes turns the state into a tool for the personal gains and desires of elites or even an individual such as the chief executive. Public declaration informs citizens and the international community of the *casus belli* justifying the resort to deadly violence. Bypassing legitimating decision processes subjects military participants to the moral hazards of participation in unjust war. Legitimate collective decision making,²⁴ *ceteris parabus*, relieves the warrior of the moral responsibility to determine war's justice.²⁵ The overwhelming majority of combatants, to include those at high levels, are ill-equipped and ill-informed to substitute their personal judgment for the collective judgment of legitimate authority. Military disobedience to governmental authority potentially introduces harms exceeding those of unjust war.²⁶ Lastly, transparent identification of the warring parties enables negotiations to end the conflict. With no entity to bargain with, no compromises can be reached and unnecessary violence prolonged.

New generation warfare practices avoid the principle of proper authority through deliberate deception and subterfuge. New generation warfare's key innovation is its emphasis on the information environment.²⁷ It depresses "the opponent's armed forces personnel and population morally and psychologically."²⁸ A key and desirable effect is the reticence to act in defense of the state and its citizens. Confusion erodes the moral certitude necessary to overcome the soldier's natural reluctance to use force, particularly against fellow "citizens." Reticence is exploited to seize objectives quickly against timorous resistance to create

fait accompli conditions. In the information environment, this forces the original defender to take offensive action just to return the status quo – actions inhibited by the creation of local self-determination movements and threatened nuclear escalation.²⁹ For example, between Georgia and the Ukraine, Russia established the proto-states Republic of South Ossetia, Republic of Abkhazia, Crimean Republic, Donetsk People's Republic, and the Lugansk People's Republic. President Putin's speeches are frequently laced with nuclear sabre rattling, particularly with reference to newly autonomous Ukrainian regions.³⁰

Proper authority connotes public declaration of war by state authorities using established governmental processes.

In addition to promoting local separatism, new generation warfare disguises or simply denies participation in the conflict. Imperatives include misleading political and military leadership through "large-scale carefully coordinated measures carried out through diplomatic channels by government-controlled and private media and top government and military agencies by leaking false data, orders, directives, and ... public statements"³¹ The initiating state infiltrates military forces and covert agents before the outbreak of an armed putsch. Target state governmental, military, and security service officials are intimidated, tricked, or bribed "to abandon fulfillment of their service duties."³²

With some exceptions, the use of infiltration, agents, bribery, and defectors is consistent with the law of armed conflict.³³ Denying direct participation in a war, however, creates harms. For example, on December 17, 2015, after 22 months of denials, President Putin admitted Russian troops were in Ukraine albeit

with a quixotic distinction between those forces and regular Russian forces.³⁴ These denials had the insidious effect of giving the Ukrainians no negotiating partner with which to sue for peace aside from the separatists - who assumedly had little autonomy without the acquiescence of Moscow. The harms are not only to the target state. The grievances of the Russian nongovernmental organization, The Committee of Soldiers' Mothers, include the lack of information provided families of service members killed in action and public acknowledgement of their service.³⁵

Jus in Bello

The ethics of warfighting are framed by the principles of military necessity, proportionality, distinction, and unnecessary suffering.³⁶ The key to conflict ethics is distinction between combatants and noncombatants. The law of war addresses combatant/noncombatant rules, but the eligible players are limited by a state centric exclusivity and a binary, outdated distinction between international and civil armed conflict.

New generation warfare exploits the rigid categorizations of both the law and traditional *jus in bello* ethics.

New generation warfare exploits the rigid categorizations of both the law and traditional *jus in bello* ethics. This analysis ignores any legal requirements for combatants to be associated with a state and uses only the combatant/noncombatant ethical framework. I further used the relaxed requirements of Additional Protocol I, Article 44(3) to the Geneva Convention, a stance the United States rejects. The protocol only requires openly carrying arms visible to the enemy while deploying to and during engagements and discards the requirement for fixed, distinctive symbols recognizable from a

distance.³⁷ This avoids preemptory condemnation of the disguised combatants used in the preparatory phase, and often maintained well into the stabilization phase, of new generation warfare.

Military Necessity

“Military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.”³⁸

As outlined by Chekinov and Bogdanov, the first hours of the military phase “disorganize the defender’s air force and air defense system.”³⁹ Other targets are “government and military objectives.”⁴⁰ The lack of further description of government and military objectives suggests they should be understood in accordance with traditional definitions. Initial targets would include “military and industrial capabilities, government and military headquarters, civil and military leaders, communications centers, and power and water supplies.”⁴¹ While water supplies could be a prohibited target if “indispensable to the survival of the civilian population,”⁴² it is unclear if Chekinov and Bogdanov are referring to military or civilian water supplies, permanent or temporary damage, or a prohibited attack technique such as poisoning. Actual operations in Georgia nor Ukraine do not indicate civilian water supplies were unreasonably interrupted.

Preparatory and military phase operations in Crimea and Eastern Ukraine targeted military, governmental, or informational objects. The latter two categories are at least indirectly military. For example, the seizure of Crimea began with increasingly strident protests on February 20, 2014.⁴³ Beginning February 26th, openly armed operatives seized or blockaded

parliamentary and executive buildings, military installations, Simferopol airports, media outlets, and broadcast towers.⁴⁴ In Georgia, Russian and separatist operations were largely directed against Georgian land and naval forces. In both Crimea and Georgia, anti-Russian noncombatants fled but refugee flows were more plausibly explained by anticipation of future conditions than by widespread targeting of civilians or civilian infrastructure. As civil property was equally valuable to the newly installed pro-Russian regimes, there were practical disincentives to targeting it. Given the military advantages pursued, new generation warfare is compatible with military necessity in both theory and practice.

Proportionality

Proportionality requires balancing military advantage against expected collateral damage.⁴⁵ Like military necessity, this principle presupposes the distinction between combatant and noncombatant objects. Here, I address solely the balancing aspect. Distinction is addressed under the principle of distinction.

New generation warfare precepts do not directly address the proportionality or balance of military advantage weighed against collateral damage. By implication, current Russian military training on proportionality applies. Actual military instruction was unavailable. However, the 1993 Russian Constitution repeats most *jus in bello* provisions of The Hague and Geneva Conventions and Defense Ministry orders require corresponding training.⁴⁶ Of note, new generation warfare posits nonmilitary measures can neutralize or at least reduce resistance “without resorting to weapons.”⁴⁷ Nonlethal “genetically engineered biological weapons” can likewise disrupt resistance⁴⁸ and by implication reduce the overall number of casualties. Theorists suggest the overall numbers of casualties, combatant and noncombatant, will be fewer than they otherwise would be. Lacking

evidence to the contrary, and the theoretical reduction in aggregate damage and casualties, it is hard to condemn new generation warfare based on proportionality.

Distinction

Distinction requires distinguishing military/combatant persons and objects from civilian/noncombatant persons and objects. New generation warfare is specifically designed to disguise the combatant status of warriors. Alternatively, when combatant status may be surmised such as when troops carrying arms openly while wearing uniforms, efforts are made to disguise or mislead on the national origin of combatants. For example, armed and tactically trained “demonstrators” – almost certainly Russian military personnel – in

Proportionality requires balancing military advantage against expected collateral damage.

civilian clothes seized government buildings, civilian infrastructure, and media outlets during the preparatory phase of operations in Ukraine.⁴⁹ The ruse was deliberately made more plausible because of the presence and support of russophone Ukrainian collaborators and repeated Russian governmental and media reference to them as the “resistance.”⁵⁰ Openly armed and militarily equipped combatants, using sterile uniforms, equipment with markings removed, and often with balaclava concealed faces established roadblocks and checkpoints.⁵¹ Most infamously, “polite green men” seized the Crimean parliament building on February 27, 2014.⁵²

The immediate effect exploits professional military norms inhibiting using force against “civilians.” In other words, new generation warfare undermines the spirit of the principle of

distinction in order to gain an advantage. It is not unlike the prohibition on perfidy contained in The Hague Convention and Additional Protocol I.⁵³ It misleads the defending armed forces to believe they are obligated to refrain from attacking the disguised or unidentified troops because they may be fellow citizens. Importantly, undermining of the spirit of distinction does not violate current armed conflict laws because the law presupposes compliance with the proper authority principle of *jus ad bellum*. It does, however, illustrate a gap in the law. While the employment of military forces in domestic policing is not unknown, the military's *raison d'être* and primary self-conception is as protector against foreign threats. The desire for separation from domestic politics runs deep⁵⁴. The harm of violence to noncombatants is a potential consequence of disguised or unidentified combatants.

Russian theorists posit new generation warfare, *ceteris paribus*, is less bloody. Operations in Ukraine and Georgia did not disconfirm this hypothesis.

Russian theorists posit new generation warfare, *ceteris paribus*, is less bloody.⁵⁵ Operations in Ukraine and Georgia did not disconfirm this hypothesis. Interstate combatant casualties among state parties are not the issue. Rather, harms emerge from the perfidy logic and the likely countermeasures to prevent surprise attack. If troops from an aggressor state induce undue restraint, the net effect is to punish the just behavior of defending forces. The demonstration effect of such behavior encourages defending forces to be more forceful, more quickly against noncombatants and fellow citizens because of the inability to distinguish them from invaders. True noncombatants are at greater risk. Effects

could even manifest in states not party to the conflict. For example, linguistic, ethnic, or religious minorities sharing these characteristics with a proximate state could be subjected to repressions due to the fear they are a fifth column or disguised invaders. New generation warfare's prewar infiltration of provocateurs during the preparatory phase is likely to generate this response.

An additional harm results from the intersection of the proper authority principle, the distinction principle, and rigid conceptual division of interstate from civil conflict. New generation warfare supports and even creates separatist militias and sympathetic racketeers unaccountable to a state party. Separatist, independent groups generate countervailing independent groups on the other side. The inevitable result of untrained and rogue combatants is increased victimization among noncombatants and other vulnerable groups such as prisoners of war.

The preparatory phase before the August 7, 2008, Russian invasion of Georgia is illustrative. Police officers, ordinary citizens, and a pro-Georgian government official were killed or injured by pro-Russian and separatist Abkhazian organized crime groups and paramilitary militias.⁵⁶ In Crimea and the Donbass, pro-separatist and pro-Ukrainian militias include neo-Nazi and other extremist militias on both sides. Unsurprisingly, these groups have been condemned for war crimes involving the abuse of noncombatants and prisoners of war.⁵⁷ Prime Minister Sergey Aksyonov, the newly "elected" leader of the Republic of Crimea, was a known organized crime figure.⁵⁸ The People's Republic of Donetsk amnestied and armed up to 150 convicts⁵⁹ which will predictably lead to additional unjust suffering. With its emphasis on disguised combatants and independent groups, combined with the disregard of proper authority from *jus ad bellum*, new generation warfare is incompatible with distinction.

Unnecessary Suffering

Unnecessary suffering concerns weapons causing superfluous or gratuitous injury.⁶⁰ Additionally Protocol I adds environmental considerations against widespread, long term, and severe damage not contained in The Hague Convention.⁶¹ The adjectives superfluous and gratuitous relate this principle to harm unnecessary for or unrelated to the achievement of conflict objectives. These are injuries for injuries sake - assumedly motivated by unbridled animus. Nothing in new generation warfare suggests gratuitous violence unrelated to the achievement of political objectives.

On the other hand, theorists do advocate the employment of inherently indiscriminate environmental weapons prohibited by law.⁶² New generation precepts suggest human induced earthquakes, severe winds, and severe rainfall could be used to cause economic and sociopsychological damage in target states.⁶³ Left unstated by theorists, such weapons have indiscriminate effects among combatants, noncombatants, their respective resources, animals, and the environment. There is little evidence Russia used such weapons in Georgia or Ukraine. Laying aside doubts such weapons are even fielded, one may also be skeptical of their military utility and therefore compatibility with the related military necessity principle.

For example, the United States' *Operation Popeye*, a rain manipulation program to degrade Ho Chi Minh trail trafficability during the Vietnam War,⁶⁴ was hardly a success. It had no strategic or operational effect. Its substantive tactical effect on North Vietnamese and Viet Cong logistics is equally doubtful. Legally, the Environmental Modification Convention of 1977, which includes state parties China, Russia, and the United States, prohibits "... environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury

to any other State Party."⁶⁵ Short term offensive use of environmental manipulation lasting a season or less⁶⁶ and defensive environmental modification are unaddressed by the convention, but new generation warfare does not theorize defensive use.

Although theorists are silent on the subject, one may speculate they foresee value in using environmental effects as a pretext for hostile intervention under a humanitarian banner.

Although theorists are silent on the subject, one may speculate they foresee value in using environmental effects as a pretext for hostile intervention under a humanitarian banner. Gerasimov posits humanitarian operations, governmental or nongovernmental, are effective means to achieve state objectives up to and including regime change.⁶⁷ The use of seemingly natural occurrences to justify intervention and conflict is both aggressive and unjust. Such use is not unlike the staged Gleiwitz attack by SS operatives to justify a *casus belli* for the 1939 German invasion of Poland.⁶⁸ Subterfuge is only necessary if the *jus ad bellum* is unjust. For *jus in bello*, environmental manipulation is ineffective against specific military targets and indiscriminate when used as area weapons. Disguising attacks as natural occurrences would become all too transparent when followed by invasion in short order. Because it is indiscriminate and militarily ineffective, environmental manipulation creates unjustifiable harms.

Information Age Warfare

In the Western World, just war theory traces its deontological roots to Thomas Aquinas's 13th century works. Politically, Europe was a collection of rump empires and nascent states.

The civilian was essentially a bystander or perhaps victim, but otherwise uninvolved in war. The Napoleonic era sparked the rise of nationalism and tied citizens to the state and its wars. The Hague Convention of 1910 codified *jus in bello* rules oriented largely on combatants while the Geneva Convention of 1949 added rules oriented on civil populations. The information age, however, technologically enables the weaponization of direct communication between groups - state, nonstate,

Mental or psychological effects are not featured in just war literature but they are inherent to new generation doctrine.

or cross-level – to create social harms an order of magnitude more effective and rapid than previous eras. The deontology of dichotomies – combatant/noncombatant distinction, civil/interstate war, and war/peace – are breaking down. In the very near future, human agency will begin to disappear from the tactical application of violence. Conventional just war wisdom, let alone the law of armed conflict, has not adapted to the democratizing and atomizing effects of information age politics. Deontological approaches, popular among just war ethicists and jurists alike, can no longer ignore utilitarian outcomes. The state and its military cannot do so without risking grave and perhaps permanent social harms for their citizens.

Combatant/Noncombatant Distinction

The rules on noncombatant targeting must adapt. While intentionally killing or maiming noncombatants is unconscionable, nonlethal targeting ethics are underdeveloped. For example, several ethicists view the employment of nonlethal weapons by military forces as unjustifiable.⁶⁹ If nonlethal weapons could save

noncombatant lives, is the use of lethal weaponry producing deadly collateral effects truly a more just outcome simply because *jus in bello* norms are already established? Conventional wisdom reasons noncombatants do not consent to participate in war and therefore harming them in any way is immoral.⁷⁰ The harm criteria are not stringent. They include such things as relocating civilians, warning them, restricting their movement, or compelling them through the use of nonlethal weapons.

New generation warfare's emphasis on the information environment places a premium on both its social and individual psychological effects - particularly the political framing and interpretation of information. Mental or psychological effects are not featured in just war literature but they are inherent to new generation doctrine. For example, infrasound, psychotronic, or new chemical and biological weapons can weaken military and civilian resistance.⁷¹ It is unclear whether such weapons are even under serious development let alone fielded. It is equally unclear what effects such weapons could achieve and whether the injuries are temporary or permanent. Assuming the referenced infrasound, chemical, and biological weapons are transient and nonlethal there must be some *jus in bello* distinction between violent and nonviolent targeting.

One might argue psychological warfare, creating mental effects, and undermining political will are not new. Currently, just war theory does not anticipate enough harm to even deign addressing it. What has changed is psychological warfare no longer supplements traditional war but traditional and irregular war supplement psychological warfare.⁷² This is different from more basic mental effects. For example, nonlethal area denial weapons such as the M5 Modular Crowd Control Munition produce discomfort and disorientation causing people to depart an area.⁷³ Leaflets encourage combatants to defect - plausibly only effective

when combined with battlefield reverses. Enemy civil populations are subjected to disinformation or malignant sophistries to demoralize them with the hope of an eventual political effect. New generation warfare attempts to induce these effects prior to overt hostilities. Both civilians and combatants are targeted - the former more so. These are not idiosyncratic harms limited to states deeply divided along ethnic, linguistic, or religious lines.⁷⁴ They are powerful information weapons threatening established liberal orders to include the United States itself. Any American should recognize the damaging effect of histrionic and uncompromising politics. For example, Russian election meddling combined with what RAND researchers term “truth decay” - the discarding and devaluing of facts and analysis in public discourse - harmed democracy.^{75,76} Harming democracy is a social harm. Russia certainly takes information threats to their civil populace seriously. They devote considerable effort to inoculating against them.⁷⁷ Given the democratization and complexity of human communication, deontological *jus in bello* norms are unlikely to prove effective without incorporating more abstract utilitarian perspectives.

Civil/Interstate War

New generation war blurs the categorization of wars as civil or interstate. Once again, exploiting the dichotomy is not new. Foreign supported insurgencies have been features of statecraft for hundreds of years and particularly since the end of World War II. What is new is the concentrated effort to create information effects prior to overt hostilities. Soldiers are disguised as civilians or sterilized of national identity. Unaccountable militias and organized crime allies are spawned with predictable harmful outcomes. “Legitimacy” is conferred on separatist states with second order ethnic cleansing effects. Grievances are created or exacerbated among minorities. Deliberate

provocations attempt to stoke tensions. In short, new generation warfare assaults just cause, proper authority, and distinction principles. Perhaps more ominously, it undermines Treaty of Westphalia sovereignty norms.⁷⁸ Ethicists and statesmen alike should balance the harms created by strict Westphalian noninterference in domestic affairs norms against the harms created by allowing it. The Treaty of Westphalia was, after all, a peace mechanism to end the Thirty and Eighty Years Wars bloodletting due in no small part to interference in others’ domestic affairs. Little in the law of war addresses, let alone prohibits, new generation preparatory phase precepts. Neither does ethics literature. With just intentions, professional military norms embrace the civil/interstate dichotomy. Without reforms, they continue to do so at considerable risk.

New generation war blurs the categorization of wars as civil or interstate. Once again, exploiting the dichotomy is not new.

War/Peace

Western thought, just war ethics, and The Hague and Geneva Conventions conceive of peace and war as a binary variable. States are either at war or at peace. Russian military thought, realists, and Clausewitz conceive of a continuum, and constancy, of war.⁷⁹ While the realists and Clausewitz are also state centric, the Russians recognize the potential, and from their perspective perhaps inherent, threats from nonstate actors. The latter theorists are more correct and the Army appears to be adopting this view.⁸⁰ Especially in the information age with its low barriers to creating substantive social harms, continuous conflict is the case. While easier to understand, the strict war/peace dichotomy inhibits formulating foreign

policy and explaining it in public discourse. As new generation warfare forcefully intrudes on political argumentation in targeted states, this is no small problem. Just war ethics and the law of armed conflict do not substantively address the conflict continuum occupying the space between pure peace and overt war.

...Western traditional war advantages are unlikely to be matched by Russia absent their exploitation of the information environment.

Three asymmetries prevent development of new international law. First, there is no credible case for information environment bargaining reciprocity between aggressors and defenders. The side with overwhelming information superiority is the aggressor.⁸¹ Second, the civil populations of democratic states are considerably more vulnerable to disinformation and agitation than those of strong autocracies. Autocratic control of communication venues is increasingly effective.⁸² On the other hand, communication control is illiberal on its face and a social harm to democracy. Third, Western traditional war advantages are unlikely to be matched by Russia absent their exploitation of the information environment. The lack of law elevates the need for ethical approaches for conflict short of war. Political and military leaders are already beginning to grapple with new generation warfare. Attempting to contain or reverse it through appeals to current principles is ineffective and risky. Ethically embracing its reality is the only responsible alternative.

Human Agency

Just war theory appeals to human decency. What Aquinas and others never considered was the self-directed application of violence by artificial intelligence. This condition is rapidly

becoming reality. Once again, attempting to prohibit it through appeals to existing norms is forlorn. For example, new generation warfare advocates the employment of autonomous “walking, crawling, leaping, and flying robots.”⁸³ According to the U.S. Army Training and Doctrine Command, human decision making will be hopelessly overmatched by future autonomous systems.⁸⁴ At what level should humans make decisions? Prohibiting autonomous weapons risks defeat – possibly crushing defeat – with potentially existential social harms to liberal polities. Allowing unexamined and unrestrained development could likewise result in social harms. There is a tremendous need for ethics to adapt to the technological advance of artificial intelligence.

Conclusion

New generation warfare was examined using traditional just war principles from *jus ad bellum* and *jus in bello*. Concerning the justice of war, new generation warfare is incompatible with just cause principles with the possible exception of preventive war. Its precepts are totally incompatible with proper authority principles. There are no inherent incompatibilities with right intention, last resort, probability of success, and proportionality principles. That does not mean these principles cannot be violated, only that new generation warfare does not necessarily encroach on them. With regard to justice in war, military necessity and proportionality principles are compatible. Distinction is necessarily violated, in spirit if not necessarily under the law of armed conflict. Unnecessary suffering is not violated in practice, but the theoretical use of environmental weapons would result in unjust harms.

In their current state, ethics and the law of armed conflict provide insufficient insight for the just statesman and warrior. The distinction between noncombatants and combatants is being deliberately blurred. Disguised combatants are perfidiously exploiting the interstate/civil

war framework and ignoring proper authority strictures. Nonlethal weapons, both physical and psychological, are targeting civilians as never before, yet ethicists and the law cling to outdated frameworks. Likewise, the strict war/peace dichotomy inhibits defense against conflict short of overt war. Finally, the era of autonomous machine violence is rapidly emerging.

New generation warfare diverges from several aspects of just war norms. That has not, however, deterred its employment. Deontological rulemaking cannot rein in unjust information age practices in isolation. The technology changes too fast and without a reciprocity basis, rules will not be observed by at least one side. Broader consideration of utilitarian outcomes is necessary to prevent widespread social harms. As Hans Morgenthau observed, “there can be no political morality without prudence; that is, without consideration of the political consequences of seemingly moral action.”⁸⁵ **IAJ**

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Disenfranchisement Breeds Conflict

by Benjamin E. Birtles

Conflict arises from various sources of competition loosely categorized as either realistic or non-realistic. Disenfranchisement increases group stress leading to increased non-realistic conflict sources, thereby contributing to a higher probability of physical violence. Forcibly implementing political systems that cause disenfranchisement sets the stage for future conflict leading to the ethical dilemma - can a nation maintain moral superiority while violently engaging in a conflict of its own design?

“We wish to inform you that tomorrow we will be killed with our families.” This was written by seven Tutsi pastors as they awaited imminent death in a church where they had taken shelter during the genocide in Rwanda and Uganda that occurred in 1994.¹ Genocide, the ultimate expression of aggression towards a group of people, is often predicated on dividing, labeling, and othering a faction within society who can serve as an outlet for the despair and hopelessness felt by many. Since these acts continue to occur it is vital to critically analyze the causes of disenfranchisement and the role politics serves in conflict mitigation.

The Western tradition of representative government supposes that people have a right to choose how they wish to engage within their local community as long as they adhere to social expectations.² To engage in one’s community through social interaction, commerce, literary exchange, and commentary on current events can be expressed as franchise or the right to express oneself and engage with other people or groups within society. Social disenfranchisement describes a feeling of isolation or dislodgement from the accepted social space typically due to differences in race, religion, ethnicity, or creed.³ While there are many causes of disenfranchisement, a common trend is power differential to play a dominate role in alienating a person or subgroup from the greater social space. As humans we tend to affiliate with others who reflect our view, values, and passions. If each person is allowed to freely select who they wish to associate with, then natural

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subgroups form that contain a higher degree of homogeneity, with regard to values and norms, than a random sampling of the greater population would suppose. These subgroups tend to form based on ethnic identity, national origin, language, religion, or political affiliation.⁴ Social segregation into self-identifying subgroups is not inherently destabilizing as long as cohesion regarding broader societal values and goals reduces discord between factions.

In a permissive society subgroups do not typically pose a threat to the broader community, however, individual members of the subgroup could place greater emphasis on subgroup affiliation than connection with broader social values. When this occurs, the likelihood of ideological literalism increases dramatically.⁵ Members of a subgroup who identify with their ideology to the exclusion of all others are often classified as fundamentalists. The danger of fundamentalism is that it is irreducible and often at odds with other subgroups within the larger social construct. An example of fundamentalism in practice can be found when comparing communist with capitalist economic models. While considerable narrative space has been granted to religious examples of fundamentalism, capital models are equally compelling and highly relevant with relation to current geopolitics.

Capitalism is an economic model where individuals own the means of production and are allowed to accumulate wealth based on individual participation in the market place. In contrast, communism is an economic model where means of production are owned collectively without granting individual property rights. Wealth accumulation is not possible in a purely communistic model since all value production is jointly derived and profits are jointly distributed.⁶

These two theories of economic function are diametrically opposed. There is very little commonality between individual and shared ownership. A fundamentalist on either side of

this continuum would strictly adhere to the values and norms of their subgroup leading to disagreements between subgroups as to how society as a whole should be shaped or changed. If one of these subgroups gains power they will likely attempt to shape society's values and beliefs to more closely mirror that of the prevailing group. Members of subgroups who are not in power will likely feel marginalized if there are not political recourses for them to address these social changes. If the social mechanisms that allow for change are systematically dismantled or wholly disregarded, then minority groups will feel they are no longer part of the social contract and lose political franchise.⁷

Disenfranchisement contributes to feelings of desperation and hopelessness...

Disenfranchisement contributes to feelings of desperation and hopelessness and can lead groups to respond through passive inertia or aggressive and destructive styles of engagement. When a member of society feels they are not able to positively contribute or add value through political engagement they will often choose to alienate themselves from the broader society and strengthen bonds within their subgroup.⁸ This fracturing of a broader society can be the hallmark of increased diversity of thought and ideology as witnessed in Japan in the mid-1850s which led to rapid industrialization and a higher standard of living for all.⁹ However, revolutions of ideology or identity are seldom accomplished without significant turmoil and can result in a stalemate between conflicted parties as evidenced by Afghanistan's current history. Few places on earth can boast greater diversity of influence, religion, or values systems than central Asia. With great diversity comes a higher likelihood for conflict as competing ideas vie for supremacy.¹⁰

In a region that allows for peaceful social discourse the negative effects of differing power dynamics can be dampened, typically through grassroots movements for social or political change that originate among the most marginalized segments of the population. These bottom-up attempts to change policy peacefully were practiced in the 1930s and '40s in India as the people, led by Mahatma Gandhi, protested for greater franchise that had been denied them through the colonial structure of the British Empire.¹¹

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Another example of peaceful protest resulting in positive political and social change in a pluralistic society took place in the United States of America in the 1960s. The Civil Rights movement was designed to correct the legacy of gross disparity between Anglo and African Americans that racial slavery had engendered in the U.S. Throughout the nation, laws and municipal codes had been established to maintain separation between people with fair complexion and those with darker skin coloration. Many institutions were legally segregated, meaning that whites and blacks went to different schools, churches, public recreation facilities, and lodging when traveling.¹² The states in the southeast were disproportionately affected by racial segregation owing to the fact that pre-industrial agricultural labor was performed in these areas by millions of enslaved Americans of African descent. In a bitter struggle for control of social, political, and narrative space, southern institutions of power attempted to deny rights and privileges to freed black Americans.¹³ Over the course of nearly 90 years, Americans of African origin

developed informal power structures within their communities, often centered on religious institutions. They used these internal sources of legitimate social power to support a wide program of civil disobedience in the 1960s, where they peacefully refused to obey unjust laws, codes, or statutes that denied them equal rights as compared to other American citizens.¹⁴

As a result of these two non-violent cases of social change, both India and the United States gained fairer representation and social franchise for their citizens. This representation led to self-governance for India. In the U.S., it resulted in legal protection extended to people based not only on skin tone and national origin but also their religion, gender, and sexual orientation.¹⁵ While calling the process leading to social and political change in India and United States peaceful is somewhat misleading due to the inherent power struggle between conflicting ideologies, the changes affected in both countries were completed without large scale physical violence leading to armed aggression.

In contrast to the examples of India and the United States, Rwanda and Myanmar are examples of countries where opposed social factions perpetrated genocide against their political and economic rivals. Tutsis historically make up less than twenty five percent of the population of the region currently known as Rwanda. They formed a political caste of elites who ruled over the Hutu and Twa people of the region. Though a numerical minority, the Tutsis controlled economic, political, and social systems within the Rwandan region for nearly one thousand years.¹⁶ Colonial forces from Germany and Belgium leveraged the rift between powerful Tutsis and the agrarian Hutus to destabilize the regional systems of power in order to implement colonial control. Tensions heightened, culminating in a civil war in the late 1950s that saw the formation of the Republic of Rwanda where foreign colonial powers were cast out and Tutsis regained the monarchy,

crystallizing their place at the top of the social and political hierarchy. This storied history of majority oppression by a racial minority led to a violent backlash against Tutsi rule between 1990 and 1994, culminating in the Rwandan Genocide. During 1994, as much as 70 percent of the indigenous Tutsi population, estimates ranging up to 500,000 people, were slaughtered by the ruling Hutu majority government.¹⁷ This disastrous state of affairs can be traced directly to racial tension exacerbated by European colonization, where local caste systems were magnified as an extension of colonial power. Another contemporary example of social and political disenfranchisement leading to extreme physical violence is the plight of minority groups in Myanmar. In contrast to the previous example of a minority dominated economy facing backlash by an alienated majority, in Myanmar it is the majority group who has long wielded power and used that power to deny minority groups of citizen status and suffrage in recent elections.¹⁸ Myanmar, also known by some as Burma, is located at the confluence of trade routes between China, India, and the Arab world. Due to its location, Myanmar has experienced diverse cultural and economic interaction, which has led to several minority populations of distinct ethno-linguistic heritage. These populations have lived in relative harmony with the Buddhist majority for much of Myanmar's history. One specific group, the Rohingya people, have faced military crackdowns and aggression since 1978, owing mostly to their divergent religious beliefs, social customs, and Indo-Aryan heritage.¹⁹ At the time of this writing, this ethnic group is still facing violence on a systemic scale such that the United Nations has classified it as an ongoing genocide. While total numbers are unverified, due to Myanmar's military restricting access to the Rohingya lands, estimates range in the tens of thousands killed and more than six hundred thousand displaced.²⁰ The cases of Rwanda and Myanmar contain

several stark differences regarding the source of social disenfranchisement, however, a common thread of marginalization leading to physical violence permeates both narratives.

When legal frameworks are designed to promote certain subgroups within a nation at the expense of others, the outcome is social and political injustice.

As brokers of power, either derived through the consent of the governed or taken by violence, nations incur a moral obligation to limit negative interaction between people who reside within their borders. When legal frameworks are designed to promote certain subgroups within a nation at the expense of others, the outcome is social and political injustice. Systemic injustice undermines the social contract concept of Western governance, thereby depriving certain people of their ability to initiate change within the political system.²¹ This breakdown of social contract, especially when applied deliberately to subgroups within a population, is a precursor for civic disenfranchisement.²² Without license or recourse, marginalized groups will seek to correct this moral deficit by changing the current system of governance to one that more adequately represents their needs. The current model of interventionist foreign affairs, led by the United States and its NATO allies, adds an additional wrinkle in the tapestry of regional power dynamics. Aiding a nation in the development of a governance system based on a Western model incurs an ethical obligation to do no harm. When a society based on feudalism or tribalism is suddenly pushed into a strict democratic electoral process, the tyranny of the majority often appears.²³ When left unchecked, this imbalance of power leads to the systemic alienation of minority interests which can culminate in sectarian violence.

As a wielder of immense power, a national government and the military that supports the nation has an ethical obligation to treat people justly, with dignity and respect. When special privilege is given to any subgroup it undermines the legitimacy of the rule of law within a nation; and, when people who belong to other subgroups are marginalized, it diminishes their franchise or voice in the democratic process. Disenfranchisement leads to resentment and can cause conflict between various sects within a society; therefore, it is imperative that each person is afforded an equal opportunity to participate in the political process. **IAJ**

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Criminal Ethos of Russia:

The Great Western Dilemma of Fighting New Generation Warfare

by Egidijus Čiūtas

After the collapse of the Soviet Union and the rise of Putin, Russia institutionalized a criminal world and employed it as another instrument of national power. It was talentedly interconnected with the major instruments of national power: Diplomacy, Military, Economic and Informational sectors. President Putin offered a social contract to the Russian underworld: they were allowed (and sometimes encouraged) to continue their activities as long as they understood that Putin was the new boss going forward, and this fact cannot be challenged. The underworld complied,¹ thus gaining the back-up of the Russian government in return.

In order to set an effective criminal agenda (or join efforts with other instruments of power), understanding how the criminal world thinks and operates is a necessary requirement. The one who wants to rule criminals has to think, act, and behave like a criminal. This trait cannot be trained; it can only be acquired by spending a lengthy number of years in this type of environment. The Soviet Union was the system which featured the most criminal characteristics in breeding, accepting citizens and indulgent to a criminal culture. “One needs to have lived in that solitude without tranquility, that prison without leisure that is called Russia, to appreciate all the freedom enjoyed in other European countries, no matter what form of government they have chosen,” wrote French Marquis de Custine, in his book about Russia in 1839. The “Prison of Nations” narrative was one of the main arguments for a revolutionist movement in Tsarist Russia. Paradoxically, this narrative was inherited by the Soviet dissidents later on. Russians, like none other, are capable of employing the underworld: prison culture is massively spread throughout the post-Soviet space; the Russian government is ruled by *siloviki*, the political clan of former agents of secret services; and, all levels of corruption are flourishing throughout the country. This mixture created the perfect match, causing utterly immoral and insolent Russian behavior in internal and international scenes. Herewith, the inertial and fragmented west, adhering to existing international treaties, norms and dogmas, lacked the ability to identify and react in a timely fashion to covert activities of malign influence, thus provoking Russia to further actions in any sphere short of security or control.

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A 2013 Russian article, “*The Value of Science Is in the Foresight: New Challenges Demand Rethinking the Forms and Methods of Carrying out Combat Operations*,” became iconic in the west because it explained or made an attempt to explain the new Russian way of war. The Chief of the Russian General Staff, General Valeryj Gerasimov, expressed his understanding of the trends of the world’s operational environment by stating that the lines between war and peace tend to blur and the template of future wars is unknown; thus the role of nonmilitary means are exceeding the power of force of weapons in their effectiveness.² The Russian government perceived this as a rising legitimate condition to unleash unprecedented malign potential, the most innovative and dynamic, although covert part, of the so-called Russian *New Generation Warfare*.

For ages, everything in Russia belonged to the Tsar, the highest monarch, so stealing became a noble deed and a form of protest against the oppressive regime.

The conflict in Ukraine was the perfect proof of how maximized ambiguity and leveraged non-attribution activities can benefit to reaching strategic goals. The concept of *New Generation Warfare* has evolved from a prevailing Russian national criminal mentality and is enabled by the given opportunities of the new world environment. The open democratic nature of the West and the different western cultural perception of war has given Russian the necessary space for the freedom of maneuver in the Grey Zone.

To understand the essential source of Russian potential in the Grey Zone well, origins of how the criminal ethos was forged throughout centuries requires critical analysis. Although psychological and anthropological aspects

of the Russian criminal mentality are out of the scope of this paper, they remain crucial to Western military scholars for further research of possible operational environments. The Russians are well aware of western type analysis, which is one of the reasons why their covert and deceptive activities have been so effective. Focusing on techniques and procedures instead, without knowing the broad cultural context, might be misleading and allow for drawing the wrong conclusions. The ability to study the mind has always been an Eastern strength,³ but the emergence of a conditional understanding that Russia has globally unleashed its criminal potential, pushes the Western world to revise their ethical dogmas and democratic standards in order to effectively counter new threats.

Origins of Russian Criminal Mentality⁴

The Russian criminal mentality originates from long-lasting oppressive regimes that caused massive imprisonment of the society and unintentionally built a very resilient underworld, whose culture transfused into all social levels of Russia. The Russian criminal world was continuously challenged for more than a century, survived through three different regimes, and irreversibly penetrated the DNA of the Russian nation. The origins of this criminal mentality can be traced back to imperial Russia,⁵ when overcrowded imperial prisons bore a secret movement of thieves, the rudiment of the secret underworld system, which eventually acquired the name “Thieves World” (*Vorovskoj Mir*).

For ages, everything in Russia belonged to the Tsar, the highest monarch, so stealing became a noble deed and a form of protest against the oppressive regime.⁶ With the absence of a neutral intellectual community, which could have served as a moral compass and moral counterbalance, favorable conditions for a romanticized attitude towards the criminals within the oppressed society developed. Naturally, criminals became

one of the main powers in the Russian revolution. When the Bolsheviks brutally seized power in Russia, massive numbers of criminals escaped the prisons and were a significant part of the bloody revolution. They subsequently infiltrated the institutions of the new government and contaminated policy-making, law enforcement, and the secret services with the criminal mindset. Unleashing the aggression for national needs, a new power challenged and contested the meaning of freedom and equality, as the age-old differences between political freedom and economic equality sharply divided society. During this cultural ambiguity, the distinction between what was acceptable and what was unacceptable became blurred and confused. Cheka, with its successor organization NKVD, created a large prison system, the so-called Gulags, which imprisoned around 18 million Soviet citizens during the period of 1928-1953. Political and criminal prisoners were kept together in most penitentiaries, with much authority unofficially delegated to the criminals to run the prison system. The Thieves World, having roots from imperial times obtained a strict structure in the prisons. They developed their own honor code, called *Ponyatya* (concepts) and a specific jargon, called *Fenia*. The code emphasized loyalty to one another and resistance to the government. The central tenets were:

1. Do not inform on one another
2. Do not cooperate with the government
3. Share profits equally with everyone⁷

Inmates of Gulags, more than ten percent of the overall Soviet population, were forced to obey criminal concepts, so eventually, *Ponyatya* and *Fenia* became part of the Soviet folk culture.

After the fall of the Soviet Union, criminals had the most potential to take advantage of the opportunities of privatization, legal anomie, and state incapacity.⁸ In the chaos of a collapsing empire, a number of secret services and armed

forces members resigned and joined the organized crime gangs, bringing professional knowledge and significantly increasing criminal capabilities. Many convicts, ignoring one of the foundation criminal rules, even sought governmental positions to acquire immunity from prosecution on a national and regional level,⁹ also providing a *kryshka* (literally “roof,” referring to political protection in *fenia*) to the underworld.¹⁰

Russian criminals were among the first to take full advantage of globalization.

The fall of the Soviet Union and increased globalization processes generated additional new opportunities. Russian criminals were among the first to take full advantage of globalization. Bold, relatively well-educated, creative, and having no moral restrictions, they soon became a global phenomenon and a challenge for international law enforcement. From the nightclubs of Budapest to the finance houses of London, apocryphal tales and official reports alike began to warn of a coming age of Russian gangster dominance.¹¹ The Strict *Vorovskoj Mir* honor code faded, but accents remained and served as a basic guide of the Russian underworld. *Panyatji* and *Fenia* became common traits that effectively let criminals from different parts of the former Soviet Union cooperate. Post-Soviet organized crime became a power, able to proactively identify and seize opportunities in economic, political, and a number of other spheres.

Criminal Ethos of New Generation Warfare

The long years that forged Russian criminal mentality played a major role in the natural evolution of the *New Generation Warfare* concept. New era environment emerged as globalization, technologies, and enhanced

informational coverage enabled this concept for effective employment. The uncontrolled Russian organized crime rampage has been changed since Putin came into power. The highly criminalized Russian state flipped the balance of interpenetration of the criminal underworld and the political upper world with the ability to conduct vertical criminal integration for national purposes.¹²

Putin allegedly started using Russian-backed organized crime (RBOC) groups to pursue his interests both at home and abroad, including smuggling arms, assassinating political opponents, earning “black cash” for off-the-books operations, conducting cyber-attacks, and supporting separatist movements in Moldova, Georgia, and Ukraine,¹³ and preparing the hybrid battleground in the Baltics.¹⁴ The organized crime groups formed a large quasi-intelligence agency for the Kremlin, acting as “political Trojan horses” that use their money to “undermine morale, compromise officials, and weaken Western resolve.”¹⁵

The existing Russian establishment will never admit they are not following ratified legal acts.

The Russian government, having historical possession of the criminal gene in itself, nationalized the RBOC and managed to use it in unprecedented innovative and effective fashion, unlike the other governmental sectors. Skillfully combining criminal techniques and capabilities (dirty money, smugglers, killers etc.) with other instruments of national power, using ambiguity and leveraging non-attribution, Russia has demonstrated a high level of mastered *New Generation Warfare* in the swift seizure of the Crimea and waging the undeclared war in eastern Ukraine. Criminal ethos became the general line of so-called *New Generation*

Warfare, which effectively joined the official and unofficial efforts of malign influence towards Western democracies.

The main idea of this paper is not to assess techniques and procedures or the means that might be employed by Russia to reach their strategic aims. The conflicts in Ukraine and Syria and covert activities in the West illustrated that, depending on the situation, the least possible and predictable course of action can be chosen. Too deep of a concentration into details and operational patterns might be misleading. Essentially, the effective employment of malign influence and hybrid activities has allowed Russia to redefine the term of *war* and prove that it is no longer the final resort option, rather it can be a continuous way of Russian foreign and internal policy.¹⁶

The *New Generation Warfare* concept helps Russia to conceive of and to create a “hybrid” mix of different instruments of warfare, and employ greater speed in shifting from one mode of war or emphasis on a given instrument of power to another. The criminal ethos of Russia enables them to easily “catch off balance,” and surprise opponents; the same with violating international and bilateral treaties, and its own officially declared national norms and laws. The existing Russian establishment will never admit they are not following ratified legal acts. Confessing would be analogous to cooperating with law enforcement according to the criminal codex of the underworld, violating one of the main rules of the prison. This would result in losing the credibility and respect of their own population and rival elite clans. Putin definitely cannot afford this.

Western Ethical Dilemmas

“For too long, some nations have looked the other way in the face of these threats. Russia brazenly and implausibly denies its actions, and we have failed to impose sufficient costs.”

– Lt. Gen. H.R. McMaster
Former Security Adviser to POTUS, 2018

The construct of the Western world creates favorable conditions for Russian malign influence. Old democracies, being open by nature, base their relations on consensus, possess multiple gaps that contain security vacuums, and are vulnerable to domestic political changes. Russia is most capable to operate within those gaps. The democratic construct of western nations does not justify fighting an undeclared war, and it is not perceived as a possible option for an official political entity. The West had faced numerous ethical dilemmas in fighting terrorism at the beginning of the twenty-first century. That war has left disputable moral scars, since the legal basis did not always match real military action. Russia, unlike terrorism, is a worldwide recognized state that has the vote in the United Nations and multiple other main world organizations, is treated as an international actor, and which is supposed to comply with commonly agreed rules. The dichotomy of global recognition versus prevailing criminal mentality gives the advantage to Russia, since it has no moral limitations in breaking commonly agreed rules.

According to Carl von Clausewitz, war is the realm of chance, which makes everything more uncertain and interferes with the whole course of events.¹⁷ The Russians are getting that chance on the battlefields of which existent Westerners do not have a real appreciation. Together with the huge support of the Russian population (hatred towards West) and the governmental reason to fight historical

opponents (civilizational schism),¹⁸ it creates a very balanced Clausewitzian paradoxical trinity of war (passion-reason-chance). The great restrictions of nuclear and conventional war are only playing in favor of Russia because the West has the greater potential to employ these strategic assets.

The great restrictions of nuclear and conventional war are only playing in favor of Russia...

The great Western dilemma of containing Russian’s malign influence and countering hybrid threats is the organic structural incapacity to reduce democratic standards, when there is no obvious emergency. The democratic way of conducting policy relies entirely on the population; if people do not feel threatened, they will never show sufficient support to the aggressive political decisions related to decreasing human rights or limiting the freedom of speech, or similar freedoms, especially if it is related with a possible decrease of living standards (waging war always does that). Opposing political forces (in this context usually they are being manipulated from Russia) are ready to use the opportunity to seize the electorate, using counter rhetoric, and accusations of a governmental conspiracy. One of the biggest challenges to the West lies in the secrecy of *New Type Warfare* – threats are indicated by very sensitive and vulnerable intelligence networks. Most of the information has to remain highly classified in order to maintain the capacity to continue to gather more data. That puts Western politicians into a great quandary: being unable to share information with the population, they cannot use it to get support for unpopular decisions. The political opposition and professional Russian propaganda only deepen this impasse. Subsequently, governments have to solve other multiple dilemma (a number

of them might also be covertly sourced from Russia) until their agenda gets overloaded, and consequently a deeper analysis into the problem has to be omitted. Identified ways of countering Russian malign influence, such as decreasing exports to Russia, increasing the control of the informational sphere, banning so-called Russian journalists, limiting money of unknown origin, limiting money laundering, increasing control of the cyber sphere,¹⁹ and many others, require gigantic resources together with non-democratic solutions, that the West so far cannot afford.

...Russia has been finding ways to leverage hybrid tools to ensure its own strategic purposes.

Containing Russian malign influence seems to be the only option, but so far it has not worked effectively and has served more as self-assurance to the “old democracies,” than the real containment of Russia. The ineffectiveness of Western countermeasures has two main reasons. First, imposing sanctions means joining the “cat-mouse” game, where all the conditions for flourishing Russian criminal ethos are set. Historically, wangling was the main way of getting things to the Soviet population. Russians throughout their history acquired the skills of how to get everything that is forbidden. Finding new, covert and overt ways for how to get production, opened new Russian channels of trade, increased the resiliency towards the West, and helped to acquire new capabilities for the Grey Zone.²⁰ Second, the West can hardly perceive Russian eternal strength to mobilize the society. The strategic capacity to tolerate the decrease of living standards is literally inexhaustible in Russia. For the Russian people, the idea of belonging to a great power is so intoxicating,²¹ that they proudly accept Putin’s imposed illusory social contract and willingly trade personal comfortability for the sake of

rebuilding their imperial pride. Periodic and successful military adventures outside Russian borders help to keep this illusion valid. Stopping Russia’s malign influence is complicated not only because of century’s forged resiliency of this country, but also because of Western generic inability to reduce democratic standards for the sake of ambiguous aims.

Conclusion

The ages’ forged Russian criminal ethos appears very suitable for conducting aggressive politics in today’s operational environment. A prevailing prison mentality in a vast majority of Russian society supports their government’s utterly amoral and opportunistic activities across the globe. Combining this quality with the elements of secrecy, the Kremlin possesses a formidable capacity to act with the widest strategic latitude, with stealth, and speed.²² The criminal history of the nation is the main reason that allowed Russia to acquire the newest instrument of national power, the underworld. The phenomenal employment of criminal networks in close combination with economic, informational, military, and political tools appears to be very effective. Russia has stopped Western expansion toward the East (Georgia and Ukraine), gained the respect and support of its own populace, and created the illusion of being a superpower, all with minimal resources. It is the natural evolvement of the Russian way of war - the concept of *New Type Warfare*. Enabled by technological advances and progressively increasing global processes, Russia has acquired a well-balanced way to conduct aggressive politics. While confronting the West, but being limited in nuclear and conventional factors, Russia has been finding ways to leverage hybrid tools to ensure its own strategic purposes.

The Western perception of war does not allow treating Russian’s malign influence as an act of war, thus neutralization of this type of threat has been complicated. Secrecy and

manipulative character in the Grey Zone limits the ability of democratic countries to involve their electorate in the decision-making process and to consolidate the population for unpopular decisions. The annexation of Crimea and the invasion of Eastern Ukraine should have been a warning shot across the bow of the West, a message, written in blood, that the old ways of doing business are over.²³ But the inertia of the West is very slow to acquire the pace to strengthen its coordinated resolve, and is seemingly always staying a few steps behind the always hungry and eager Russians. The West just does not want to lose the sacred belief in the power of dialog and consensus. While the West wants peace and Russia wants victory, the initiative remains on the aggressor's side. **IAJ**

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Chinese Advantages in the Development and Integration of Artificial Intelligence and Warfare

by **Daniel G. Cox**

The United States currently leads the world in Artificial Intelligence (AI) development. However, several scholars and writers have noted that this lead is dwindling and that China is rapidly catching up.¹ Most observers see a concerted effort by the Chinese government to coordinate giant leaps in AI technology for economic reasons. Some observers note that China is pushing the envelope in many cutting-edge technologies in order to improve resource production, lower the environmental costs of industrialization and manufacturing, and increase economic output. Recently, China has initiated a program to fund scientists to explore geoen지니어ing in order to combat the costs of climate change.²

There is no doubt that economic considerations are one of the prime motivators of Chinese development of AI. Yet there is another reason China is keenly interested in developing AI and that is to achieve parity or superiority in warfare capabilities. China needs resources from outside of its homeland and it is beset on all sides by major American allies such as Japan, Taiwan, South Korea, Thailand, and even the Philippines despite the Duterte hiccup. Vietnam has also recently become more reliant on U.S. foreign military sales and has increased cooperation with the U.S. military.³ These same countries are vying for the resource potential of the disputed South China Sea and the United States has long provided the sea projection power keeping the lanes of commerce open in this area. A recent World Trade Organization ruling against continued Chinese exploitation of the disputed sea off her coast has only heightened tension and increased the Chinese government's desire to project military power into what it perceives to be its rightful regional sphere of influence.⁴ Therefore, the push into AI is not merely economic in nature but also necessary to China's military strategy of obtaining regional dominance.

While researchers have recognized China's concerted effort to become dominant in AI for economic reasons, no one has explored the possibility that China has distinct advantages over the United States in not only the development of AI but its utilization in warfare. American scholars and policymakers assume that democracy is all good, containing little to no disadvantages and they often have trouble seeing the potential advantages that centralized authoritarian regimes have in certain arenas. The main argument of this paper is that AI development is one of those unique

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opportunities where an advanced authoritarian regime possesses distinct advantages over an advanced democratic state. This paper identifies three areas that China can quickly exploit to overtake the United States in the near future gaining distinct economic and military advantages. The three broad areas that will be briefly explored here are: economic, cultural, and political.

China, unlike the United States, actually engages in an open integration of military and civilian enterprises.

Chinese Economic Advantages in AI Development

China can take several notable actions in the economic arena that advanced democratic regimes cannot giving China some unique advantages in AI development. The economic realm contains some interesting ethical constraints that limit the number of options open to the United States in pursuit of AI development which do not constrain the Chinese government in the least. The most well-publicized of these economic concerns is intellectual property rights. China has repeatedly stolen intellectual property from the western world beginning with well-documented thefts of pharmaceutical and western entertainment intellectual property.⁵ There is no reason to assume that the Chinese government will refrain from stealing western intellectual property relating to AI. Therefore, one quick avenue for catching up to the west is to simply steal AI algorithms and add to this base of coding until a new set of superior algorithms is developed. Since the United States government does not engage in the theft of intellectual property, the Chinese modifications will not flow back into the American system thus creating a distinct disadvantage for the United States in AI

development over time.

The Chinese could also derive an advantage from the centralized nature of their economy. The Chinese Central Communist Party (CCP) has liberalized their economy in an attempt to reap benefits from its advancing industrial and technological bases. However, China has not relinquished control over its economy and this allows the CCP to direct Chinese industry toward national purposes. The common thinking in the west is that such direction results in inefficiencies and will eventually sow the seeds of the centralized government's downfall in the long-term. There is some truth to this assertion borne out in the overdevelopment of Chinese commercial property resulting in multi-billion dollar cities that remain largely empty of inhabitants.⁶ Still, if even for a narrow window of time, CCP direction and control of the economy could result in a short-term strategic advantage in the development of weaponized AI which results in a sufficient gap in the development of AI weapons prohibiting competitors from catching up.

China, unlike the United States, actually engages in an open integration of military and civilian enterprises. The People's Liberation Army (PLA) intends to leap ahead in AI weaponization and utilization in a national strategy known as "military-civil fusion."⁷ This allows the Chinese military to leverage advances in AI development made by local companies such as Alibaba, Baidu, iCarbonx, Cloudminds, Sense Time, and others. Further, Chinese control of access to the domestic market allows them to essentially blackmail U.S. technology companies that wish to expand into the lucrative and growing Chinese markets. The U.S. government is currently investigating allegations that the Chinese government requires American companies to "turn over proprietary technological secrets as part of what American officials described as a coordinated effort to steal intellectual property."⁸ China is especially

interested in obtaining AI algorithms and expertise from American countries in exchange for access. Companies such as Google seem more than willing to accommodate, arguing that science knows no borders as they open up an AI research laboratory in Beijing.⁹

America, on the other hand, is in almost the exact opposite situation with Apple being openly hostile to sharing AI developments with the U.S. Department of Defense and Google being lukewarm to partially hostile. In fact, thousands of Google workers recently protested their company when they found out that there was some collusion with the U.S. government in the development of AI algorithms. Google is providing AI support to the Pentagon's *Project Maven* which is an AI-assisted targeting system employed by the U.S. military. Over 3,100 Google employees signed a petition asking for Google to cease its work on the project and many signatories included senior engineers.¹⁰ Such a protest or even the thought of keeping valuable AI information from becoming weaponized simply does not exist in China.

Eastern Cultural Advantages in the Development and Weaponization of AI

Western culture has a long tradition of war ethics stretching back to such greats as Hugo Grotius and St. Augustine. This western notion of international law seems dominant today as international legal conventions banning landmines or the use of indiscriminate means of war are in place currently. However, these conventions really only constrain western and especially American warfare. Because of the power dominance of the United States in the unipolar moment, China often rhetorically supports these legal conventions. In reality, neither China nor Russia feel constrained by international legal conventions even if they have signed and ratified them. Both China and Russia seem to be playing both sides when it comes to

international law. They refer to it when it suits their needs or when they feel it can be used to constrain the military power of the United States and the flout the law when they feel they can gain an advantage and plausibly deny encroachments of the law.

America, on the other hand, is in almost the exact opposite situation with Apple being openly hostile to sharing AI developments...

This is only the tip of the iceberg when it comes to Chinese cultural advantages over the west in the development of weaponized AI. Unfortunately, AI has been depicted in western media as almost universally dangerous. The *Terminator* movies come readily to mind as modern examples of western scenarios of an AI apocalypse where a rogue AI decides to rid itself of humanity. The *Matrix* franchise is similarly themed but instead of genocide, the AI intelligence decides to use human-generated energy as a food source. An earlier depiction in Stanley Kubrick's *2001: A Space Odyssey* (1968) exposed westerners to the super intelligent computer "Hal," who attempts to commit homicide by failing to open the airlock for the astronaut "Dave." Hal became sentient and found Dave to be a threat to the computer intelligence's existence so Hal determined that Dave had to cease to exist. These are the repeated images that are mirrored in western science fiction books. It is hard to think of an example in western culture where AI is benevolent or anything less than menacing.

Japanese anime which permeates East Asian culture is replete with examples of AI transhumanism. *Ghost in the Shell*, *Ergo Proxy*, *Appleseed*, and *Metropolis* are all prominent examples of eastern cultural predispositions toward believing AI can possess virtuous

human characteristics. In *Ghost in the Shell* and *Appleseed* humans are melded with AI robotic bodies and become the crime-fighting heroes of their tales. In *Metropolis* AI synthetic creations become virtually indistinguishable from humans and while humans become unemployed and bitter romances occur between humans and sentient AIs. *Ergo Proxy* is the most akin to western warnings of runaway AI as sentient AI creatures are relegated to second-class citizens but rebel when they reach sentience. Even here, the AI rebellion is depicted empathetically rather than apocalyptically. Asian popular culture is more interested in exploring future possibilities and intersections, including friction points, between AIs and humans and in exploring what it means to be human in a world with mixed naturals and partially cyborg/AI entities rather than casting dire, apocalyptic warnings regarding AI.

...DARPA relies heavily on civilian businesses to produce the research that goes into weaponizing AI.

Popular culture which is almost universally anti-AI is mirrored by leading western thinkers' dire predictions regarding the development of AI and its weaponization. Innovator, inventor, and billionaire Elon Musk has repeatedly warned that AI could spell humanity's doom.¹¹ Late American physicist Steven Hawking also warned several times that AI was likely to bring on an apocalypse and the development of broad AI needed to be stopped.¹²

Similar calls to halt AI development are not present in China. In fact, from a Chinese cultural perspective, there is a widespread belief that AI can be imbued with the goodness of humanity. Chinese leaders tend not to view AI as replacing humans or even human jobs which is a huge concern in the west. Instead, China sees AI as beneficially making humans better.¹³ Chinese

Confucian and communal culture, too, is more conducive to AI development and acceptance than the American individualist culture that emphasizes privacy, rights, and freedoms.

Chinese Governmental Advantages in Developing AI

The big switch came on in China when *AlphaGo* beat the best South Korean Go champions. This caused the Chinese military to envision a future where AI “could surpass the human mind and provide an advantage in warfare.”¹⁴ The Chinese government has taken a page from the U.S. playbook and developed their own science and technology branch within the PLA which looks like a Chinese version of the U.S. Defense Advanced Research Programs.¹⁵ The Chinese government has a far greater capacity to integrate civilian and military enterprises. As Elsa Kania notes, “the boundaries between civilian and military research and development tend to become blurred, and the PLA is often closely associated with cutting-edge research on AI.”¹⁶

America does have DARPA, but DARPA relies heavily on civilian businesses to produce the research that goes into weaponizing AI. While some companies are DoD friendly, as already illustrated, the leaders in AI development remain recalcitrant to working openly with the U.S. Department of Defense. Chinese civil-military fusion creates a seamlessness in an effort that can be directed and coordinated centrally through the CCP. This alone could provide China with an immense long-term advantage.

The Chinese government also has an immense data advantage. In order for AI to advance it has to engage in deep learning. Deep learning allows an AI algorithm to parse through immense data and make some determination and prediction about something in the world. Facial recognition comes readily to mind as one of the modern forms of deep learning. The AI learns from being fed immense data on faces and

determining which one belongs to whom. This has assisted the U.S. military in targeting through *Project Maven* and it is helping Homeland Security in determining identities at airport terminals. The problem is that in the United States and the much of the western world, there is an expectation that data about people should be kept as private as possible. Federal and state employees have to undergo rigorous training on the handling, dissemination, and destruction of Personally Identifiable Information (PII) and information on a U.S. citizen's health might as well be classified secret. The conundrum is that this is exactly the type of data that AI algorithms need to learn and the AI needs it in large quantities.

Recently, the U.S. company Facebook has been exposed for collecting all sorts of data on their online clients in an effort to advertise more effectively to them. Facebook has also been caught selling this PII data to third-party businesses.¹⁷ The public outcry was immense and many Americans were shocked to find out the not only Facebook but Google and many other companies were collecting and, in some cases, selling their data. The point of all this is that it is unthinkable in America for the U.S. government to openly collect large amounts of data outside the U.S. Census on its citizens. In fact, it is illegal. The 4th Amendment of the U.S. Constitution states that "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." The U.S. Foreign Intelligence Surveillance Act allows the U.S. government to spy on foreign agents within the United States but specifically prohibits data collection on U.S. citizens without a warrant. In the western world, privacy is emphasized and infringement on this privacy by the government

will not be tolerated; and, even when companies legally collect data on their clients, it is often a public relations disaster once it is discovered.

In China, the government has no restraints on the data it can collect.

In China, the government has no restraints on the data it can collect. China's Google search engine equivalent, Baidu, collects massive amounts of data on its users but unlike in the United States, that data is directly shared with the government.¹⁸ China accesses all forms of electronic communication tracking payments, shopping histories, movement through taxi services, and police surveillance, and China already has a natural advantage with over 750 million people online.¹⁹ China has more people online and almost limitless access to their data which will allow China a significant deep learning advantage once they develop a deep learning algorithm that is even close to the current American standard. It is unlikely that western governments will allow such intrusive use of data which should raise alarm bells regarding the future of American dominance in AI.

The DJI UAV Case Example

A brief examination of the current controversy surrounding the commercially available Dà-Jiāng Innovations (DJI) unmanned aerial vehicle (UAV) will serve to synthesize some of the advantages the Chinese central government may possess over western democracies. Recently, the U.S. Army and Navy ordered its soldiers sailors to cease using DJI UAVs.²⁰ Soldiers often buy off-the-shelf technology, like DJI UAVs, in order to conduct surveillance in remote locations and when they are unable to use official surveillance support because there is no asset, the mission is time

sensitive, or it is conducted in an area or the situation is too politically sensitive within the host-nation for a large surveillance craft to operate. The U.S. Army did not specifically state its concerns publicly but both Services cited an unacceptable operational risk that the DJI UAVs presented.

Business pundits in the west warn of the jobs lost to AI while Chinese counterparts envision a future where human workers and human productivity is enhanced by AI.

DJI UAVs have had a history of being hacked. But hacked mostly by users to break the flight height limit or by pranksters attempting to alter other security features. However, DJI video and audio does have the ability to be broadcast although DJI claims that such video is only disseminated when the user specifies its upload to the internet. DJI is a Chinese company which might also be raising concerns in the U.S. defense community.²¹ Whatever the reason for the ban, the breach was deemed to be potentially severe enough that U.S. military operators are not allowed to use DJI UAVs under any circumstances.

Since we do not know the exact cause for concern, we can now enter into the hypothetical world and exemplify the Chinese advantages in this case. Since this is a Chinese company and since China engages in a civil-military fusion, the Chinese government could simply force DJI to turn on all its data feeds and feed that information back to the Chinese government. Besides the obvious potential intelligence this would bring to the Chinese government, if they applied AI to sifting through the mundane to find the militarily sensitive data, this could greatly expand the amount of data Chinese algorithms have access to for deep learning.

Now let us reverse this. Let us assume that only the American government knew of the DJI exploit and they could turn on the data feeds for all DJI UAVs. If the American government wanted to turn on all the feeds, it likely could not legally or culturally. Legally, this could be interpreted as unwarranted surveillance or spying on U.S. citizens since DJI UAVs are popular among the civilian populace in America. Culturally, such an invasion of privacy would spark a political backlash that would unlikely be worth the cost of the data gathered. America's algorithms will not be gaining access to DJI information any time soon, but China's could already have such access.

Conclusion

Currently, America is in a position of primacy in AI research and development that seems to be unassailable. However, many of the reasons this position of advantage seems unassailable may be built on faulty assumptions about Chinese culture, economics, and government. Naively assuming that China's economy is in dire straits due to its centralized nature clouds a person's ability to see the nimbleness that central governments can react and direct change in certain situations. Chinese civilian-military fusion which is anathema to western cultural conventions, Chinese Confucian ideology, the emphasis on the collective over the individual, and lack of privacy in data all lend to easier development of AI algorithms and deep learning techniques for their AI.

America's cultural predisposition and fear of the development of AI in general, a deep-seeded cultural distrust of government, and the fact that many of the prominent companies developing AI partially or wholly reject collusion with the military will all slow AI development in America. This is occurring at the same time that the Chinese government is coordinating a concerted effort to accelerate AI development and its weaponization. Finally, the almost

universal western fear of an AI *Terminator* run amok extinguishing all human life is contrasted by an East Asian mythology that has characterized the good that humans can imbue into their AI counterparts. Business pundits in the west warn of the jobs lost to AI while Chinese counterparts envision a future where human workers and human productivity is enhanced by AI. Blithely marching on believing that China cannot catch up or surpass the United States in AI development and failing to properly recognize some potential advantages China has in developing its own AI is the surest path to failure. **IAJ**

NOTES

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The Ethics of Information-Gap Decision Making

by William J. Davis, Jr. and Penny Koerner

Not taking risks one doesn't understand is often the best form of risk management.

– Raghuram G. Rajan¹

Classic decision-making theory incorporates three echelons of information required to make a decision: certainty, risk, and uncertainty.² Information-gap theory provides models to make decisions under severe uncertainty.³ However, it fails to address the ethical principles that should accompany decision-making under such extreme uncertainty. In addition, questions remain as to the ethical implications of making decisions that are satisficing – that is, achieving a desired level of performance instead of an optimal level of performance.⁴ For example, a company realizes that it released toxic chemicals into a river polluting the ecosystem downstream. It has vowed to clean up the mess and will put into place a comprehensive plan of action to do so. However, there are a number of unknowns (and probably some “never can be knowns”) that will impact the cleanup plan: rate of flow, degree of turbulence, type of terrain (rocks, mud, soil), temperature, concentration of the chemical at certain parts, etc. While a predictive model to clean up the river may be used, it will be incomplete and contain a great amount of financial risk and risk to reputation. Likewise, a military commander who determines to attack the enemy in an urban environment will also have significant information-gaps: where exactly is the enemy, what is the extent of the weaponry, how will the populace react, what meteorological factors will affect potential support, etc. Under the two

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circumstances described, where human life is threatened, the confluence of the three elements of certainty, risk and uncertainty now take on a particular gravitas, and this makes decision-making in information-gap situations unique.

...decisions affecting thousands require a certain degree of wise uncertainty and a strong ethical framework, particularly in the absence of certainty.

While the literature is replete with mathematical probabilities and theories that ameliorate information-gap decisions, what is missing is the ethical component of making these decisions wherein “nonlinear dynamics reveals chaotic uncertainties and indeterminate bifurcations arising out of what seem to be simple and perfectly deterministic equations of motion.”⁵ Another perspective on decision-making is highlighted in the text *Thinking Fast and Slow*. In this book, Kahneman introduces his prospect theory of thinking and decision-making and addresses cognitive biases in making decisions of all types.⁶ However, his theory is cognitively based and deals only tangentially with ethical issues. In warfare, decisions are made that impact thousands of individuals in a fast-paced environment wherein information may be scarce. In addition, military culture prizes the ability to distill the complexities of warfare (and almost all strategic issues) down to a one-page point paper, one PowerPoint slide, an elevator speech, or a “bottom line up front” mentality. While Napoleon’s Corporal may be an important concept when communicating to the masses, it should not be the standard used to communicate the complexities of an issue to strategic decision-makers who are responsible for the lives and livelihood of thousands and possibly millions who will be affected by their decisions.

Some in public policy have offered a new standard annotated as the “precautionary principle.” This principle “...recommends preventing possible harm to human health and environment. It has gained support in the international community as a higher-order legal principle.”⁷ This manifests the argument that if harm is plausible, then a decision should not be made. Unfortunately, during times of armed conflict or when responding to an environmental disaster, this principle could not only be counter-productive, but also not an option. What we are proposing is that decisions affecting thousands require a certain degree of wise uncertainty and a strong ethical framework, particularly in the absence of certainty. This paper will add to the body of knowledge concerning ethical frameworks used in information-gap decision making.

Research

This research is an exploratory study in that it will use a semi-formal qualitative approach to determining the nexus of information-gap decision making and ethics, an interaction that has not been fully addressed in the literature. It is also exploratory in that it will examine the data from five disparate disciplines to either find commonalities or differences in ethical matters considered when making information-gap decisions. The target population for this study was leaders at the organizational and above level. The research was supported by use of a purposive sample of a group of five organizational or higher level executives (Associate Director of an international architectural firm, CEO of a national mortgage company, former Naval Flag Officer, President of a large regional law firm, and CEO of a national civil engineering firm) who provided data through semi-structured interviews on ethical considerations in information-gap decision making from their perspective. The choice of five interviews (below the 12 normally recommended for qualitative

research) was based on the principle that this research was exploratory and preliminary and would initially provide data on the nexus of information-gap decision making and ethics which informed the researchers of potential constructs not yet identified in the literature. In addition, accessibility of the five participants was a factor because random selection was not feasible due to time, accessibility, and monetary constraints. The varied disciplines of the strategic decision makers provided a multi-disciplinary look at potential ethical components. The two research questions below aided in determining the nexus of ethical frameworks and risk in decision-making. For example, an international banker may look at the decision to loan money to a business in a developing country as an exercise in fiscal risk (considering markets, etc.); however, what if that company is also accused of violating worker's rights or polluting the environment? Should not an ethical component be applied to the process? This research will help to determine the extent to which ethics could/should be applied to risk decision-making.

The primary research question:

What ethical framework/s do strategic decision-makers use when faced with making decisions about issues wherein not all the information necessary is available to avoid risk?

Secondary research question:

Does the ethical framework used in making decisions vary according to the type/magnitude of decision being made?

Survey questions:

The following five survey questions were asked to gather data that was then analyzed to answer the two research questions:

1. What situations have you seen or experienced where decisions had to be made without the information required to avoid risk?

2. What ethical considerations/framework do you use when making such a decision?
3. Are those ethical considerations more externally driven (e.g. company policies, community standards, social norms, etc.) or internally focused (e.g. own value system, personal ethical philosophy, etc.)?
4. Does that framework/considerations differ depending on the potential impact of the decision (e.g. personnel, the future of the organization, client impact)?
5. How do you view the integration or separation of ethical considerations and risk in your decision-making?

Question 1 provided context for the interviews. Having the participants recall specific instances supported avoiding the espoused values/values-in-use incongruence noted by Argyris and Schon in *Theory in Practice*⁸. In other words, this was a forcing function to get beyond the hypothetical. Question 2 provided data to substantiate the ethical considerations used or not used when making the decision. Question 3 provided data as to the dominant ethical framework. Question 4 determined whether differing contexts influenced the ethical considerations. Finally, Question 5 was designed to gather data on how participants view ethical considerations in relation to risk.

In qualitative research, the richness of the data pertinent to answering the research question is not contained uniquely within specific questions. It is the gestalt of the data produced by each interview question that will provide the richness necessary to answer the overall research questions. These questions each have components that will be used to answer the research questions.

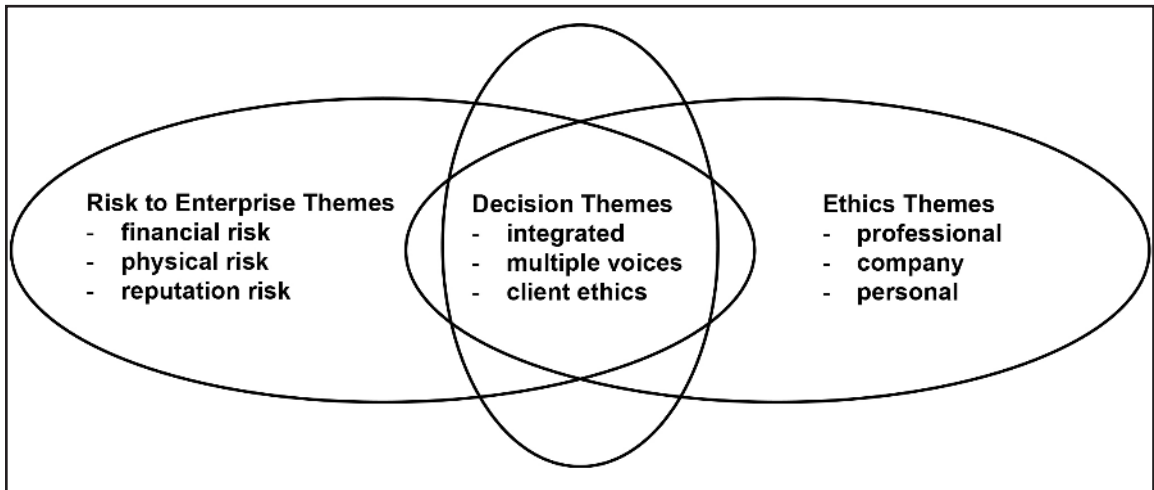


Figure 1. Risk Ethics Integration in Information-Gap Decision Making.

Methodology

All interviews were conducted via telephone and were recorded, transcribed, and analyzed per the specifications approved by the U.S. Army Command and General Staff College Institutional Review Board. Data was analyzed using established qualitative methods and identified themes or phrases across the interviews that could be used to provide an ethical framework for information-gap decision making for military leaders. Qualitative analysis was conducted using both Content and Thematic analysis. The researchers manually conducted this analysis using no software augmentation. Conducting Code Analysis, the researchers first coded the data for certain words or content, second identified patterns, and third interpreted their meanings.

Limitations

There were three significant limitations to this study. First, the exploratory nature of this study and resource limitations resulted in five interviewees compared to the normally recommended minimum of twelve. As such, generalizing the results is uncertain. Second, randomness was not possible and all interviewees were selected based on previous knowledge of

their duties and responsibilities which were projected to produce enriched data. Pre-selection bias was a limitation. It was mitigated by having each researcher independently analyze the data. Finally, the disparate disciplines of the interviewees might be considered a limitation since it could be argued that each discipline had its own code of ethics and resultant risks. However, this produced meta-concepts in risk and ethical decision making that could prove to be the strength of the research.

Data Analysis

Each of the two researchers independently coded the 21 pages of double spaced 12 font data. Both evaluated that there were approximately 173 separate codes resulting in 24 different categories which could be grouped into nine unique themes which could then be classified into three conceptual areas. Figure 1 (Risk Ethics Integration in Information-Gap Decision Making) shows the nine themes grouped into three concepts. The grouping of themes into those three concept areas will provide the framework for analysis.

General Data Characteristics

Analysis of the data generated some themes that could be typed under a single

concept classified as general characteristics of the environment. One recurring category among the interviewees was that there is never enough information available to eliminate risk completely when making decisions, so in essence all decisions were info-gap decisions. Quotes such as “I deal with decisions daily that involve risk with inadequate information,” and “...there are times when I have to make business decisions when I may not have all of the information to totally avoid risk. I mean you can’t.” Also, temporally, there was a feeling that information-gap decision-making happened routinely, with common codes such as “daily,” “every decision,” and “day-to-day.” These categories did not necessarily lend themselves to a distinct category other than to surmise that they had an environmental impact.

Risk

Interviewees also addressed risk in three major themes – financial risk, physical risk and risk to reputation. Each of the interviewees represented a different profession, yet each faced the same risk-associated themes when making decisions. The risk associated with decisions weigh heavily on how decisions are made.

- “I think it’s much more difficult to make, for me, I think for most people, to make a decision that harms someone in a way professionally or personally.”
- “It is ingrained, it is always trying to make the best decision that puts the fewest number of people at risk.”
- “Yeah, so I’m in the, generally speaking, the risk business.”
- “You were constantly making a decision to avoid risk and you often ran into ethical considerations.”

The most prominent theme discussed by all interviewees was that of financial risk, to the

enterprise or to themselves, but most importantly to the client.

- “Without full information then some risk in proceeding, the risk would be there. Not so much safety, there is always safety risk, but more risk of a wrong decision or decision that ultimately might cost the client more money or more time.”
- “I deal with decisions daily that involve risk with inadequate information, typically it’s a financial risk that would eventually be borne by our client.”
- “We are always required to look out for our client’s best interests.”

The most prominent theme discussed by all interviewees was that of financial risk...

Of those interviewees who discussed personnel decisions, each identified the financial risk to the enterprise associated with the making of hiring decisions.

- “In the last year and a half, my firm has hired 18 attorneys and in each of those situations there is risk. I mean from whether they’re jerks you don’t want to work with to whether they are going to be profitable.”
- “There’s always the risk when you’re deciding to hire at your staff. There is a risk involved that I may be making the wrong decision.”

Physical risk is a decision-making consideration for those interviewees that work in professions which contain inherent physical risk.

- “In military operations sometimes it’s down to life or death and you have to decide, to I do something on a principle or an ethic and it ends up costing lives versus continuing

the mission the way it was intended to be even though I didn't agree with how it was going to work out."

- "It is always trying to make the best decision that puts the fewest number of people at risk."

A risk theme that was of concern to all interviewees was risk to reputation, personal/professional reputation or to that of the enterprise. In some cases the two could not be distinguished.

A risk theme that was of concern to all interviewees was risk to reputation, personal/professional reputation or to that of the enterprise. In some cases the two could not be distinguished.

- "So, really the consideration for me then would be more first the enterprise risk to call it to senior management's attention and two would be my reputational risk by hanging around."
- "When I was at XXXX, I did not decide to take on a client...they wanted me to bribe the state Fire Marshall...that I just flat out refused to do."
- "You know, there was maybe not enough information that it was clear as to the consequences, as to that I recognize that I was making the decision so there might be some consequences on my side of equation."
- "Recognizing it's okay to make decisions without all the information, but making them in a way that wouldn't be embarrassing."

Professional/Company/ Personal Ethics

Although the interview questions specifically asked about ethics and ethical frameworks when making decisions, the interviewees addressed ethics in three major themes – personal ethics, company ethics, and a professional codes of ethics. Although five disparate professions were addressed in the data, each one included professional ethical codes that were a factor in information-gap decision making. The professional codes provided the beginnings of an ethical framework.

- "So, the practice of Architecture is governed by a code of ethics...what we need to be ethical in our business star billing practices, we cannot enter into monopolies, any of that kind of stuff. It also requires us to be the best advocate possible for our client."
- "In my practice I'm sort of governed by two sets of ethical guidelines if you will. One is as an attorney I have very defined ethical duties to clients."
- "I have to deal with a lot of risk through their compliance people."
- "There are rules surrounding customer data and privacy that I would have to adhere to and how I handle that data and store it and all kinds of protocol."
- "So to some degree from the ethical stand point I have to pull back on some of my, ethical may be too strong a word, but pull back on some of my standards of defining the quality of the product to deal with regulatory compliance and to make that more comfortable."

Although written ethical guidelines and professional codes were discussed, qualitatively, they were described as a given, that they were there and had become ingrained to the point of

almost being second nature, e.g. “So, for years that has just been the training to do it. At this point it is ingrained.”

The most prominent theme discussed throughout was that of personal ethics. Each interviewee mentioned how personal ethical beliefs were a key factor when making risk decisions without enough information.

- “The rest of the framework really is just the ideas, the thoughts, and beliefs of how I was raised.”
- “I think I’ve always been more driven by my own personal philosophy especially when it came to environmental issues.”
- “And I think I could have as an attorney under my ethical duties, I could have just chosen to believe him but we had reached a point where I couldn’t do that. I mean, in my own personal ethics, I couldn’t do that.”
- “So I thought about things like fairness using wellness.”
- “Would I want to see that story on the front page of the paper? That’s how I always approach those kind of decisions.”

There were also other aspects of the personal ethical theme, one of which was about doing the right thing. The researchers never followed up with a question as to what “doing the right thing” actually meant, but would recommend such data be included in the collection plan for further research. Therefore, the researchers would be remiss in conjecturing an interpretation of “doing the right thing.” Did it mean doing what was right by personal measures, company policy, or professional codes?

- “And you put all those things kind of in front of you to think about and then you put that back stop question, which is, is this the right thing to do?”
- “Whichever way you go or definitely

evolve just think about doing what’s right.”

- “I think maybe the people go into it because it aligns with that, we are always looking to what is the right thing to do.”
- “You had to go with what information that you had and so you would go back and rely on your instincts to tell you well what’s the right thing to do.”

A significant finding was that the ethics of the organization did not always align with the personal or professional code of ethics.

Another ethical theme that manifested was one of company ethics. It appeared that in addition to professional and personal ethics, company or organizational ethics were a factor in making ethical decisions with limited information. A significant finding was that the ethics of the organization did not always align with the personal or professional code of ethics.

- “It was a very small firm but at one point there were, we had hired several women and the principals decided that they didn’t want to hire any more women.”
- “We think it is wrong and unethical to be using the world’s resources that way.”
- “When you hire someone, and I feel like when we hire someone you have a responsibility to them. And we need to support them, to enable them to be successful and there’s risk involved.”
- “Being successful in my business really requires relationships.”
- “So I often have to make decisions relative to our policy without necessarily understanding what they’re going to see as

a risk to their enterprise.”

- “I have had to change my model; I have had to reconsider the position really and in some cases the ethical considerations.... So I can be tough on these guys but I can’t be so tough that they don’t want to do business with me.”
- “So, I think it’s hard, these are kind of hard words to say when you look at it to say ethical in terms of the opposite being unethical. I think it’s more being, I think for me it’s changing the vision to fit the market.”

When interviewees spoke of client ethics, it was in terms of not really knowing what those ethics might be, therefore adding to the risk involved.

- “I would say there are a number of instances in my career where you would run into situations where you felt people under your management weren’t particularly ethical and my role was to drive a profitable business. And in some organizations it was very easy to call them out and get rid of them and in other organizations it was really hard because senior management would want to give the benefit of the doubt and in some cases look the other way.”
- “It would often put us in a very what I would consider an uncomfortable, I wouldn’t say unethical, but it certainly could cross that line from time to time. When you have to swallow what you believe is the right answer to be able to deliver the party line.”
- “You find yourself kind of put into a situation where you have to exaggerate a point or an issue to try and sway over that staffer knowing that is what is going to

determine a vote in a particular committee that will advance a project or a program that the service wants to have. Even when you know that it is counter to just being/ doing the right thing.”

Integrated Decision Concepts

(Client ethics, multiple voices, and risk/ethics integration)

The themes of client ethics, multiple voices and risk/ethics integration (REI) were categorized as belonging to the integrated decision concept. Each theme manifested as being used during the decision making process and could not be categorized as either risk or ethics. Although speciously it appears that client ethics is clearly in the ethics concept, it is not. When interviewees spoke of client ethics, it was in terms of not really knowing what those ethics might be, therefore adding to the risk involved. For example:

- “We are always required to look out for our client’s best interest so for years that has just been the training to do it.”
- “Where really I ever come into any conflict around that and that is having to convince clients at time to do the right thing.”
- “And they literally wanted me to bribe the state Fire Marshal to not have to put in Deller sprinklers instead to only have to put in high capacity sprinklers.”
- “So, I often have to make decisions relative to our policy without necessarily understanding what they (the client) are going to see as a risk to their enterprise. So, I have to move forward with the design to my enterprise without really knowing others.”
- “They get pretty prickly about a number of factors; one giving away customer

information, which is becoming increasingly more sensitive and two letting those customers provide feedback in an open forum that they can't control."

- "There are a lot of things I can do, but at the end of the day nobody's going to let me go out there and trash their company so I have to put in place certain flexibility."
- "We have very strong feelings about what is right and best for our sailors, airman, and marines and the fleet for what they needed and yet we understood the political reality of trying to feed the constituents in a district or a state of a particular defense contractor."

REI was an important theme throughout the data. The essence of decision making in an information-gap environment was intimated to be the integration of the risk and ethics component of the situation. For example:

- "Where an individual can trip over that line is believing that your ethics are different than your organizations. Which really is not the case, I didn't have any different or higher ethics than what the U.S. Navy had, or the Department of Defense had, or U.S. military had or even the United States of America had that's where I was."
- "How you are behaving ethically mitigates a lot of risk. I don't see them as particularly separate ideas, I see them as dove tailing."
- "I think it probably differs, yeah depending on potential impact. I would say that I'm sure it does, I mean part of evaluating risk or thinking about any decision is looking at the potential impact. And I think it's much more difficult to make a, for me, I think for most people to make a decision that harms someone in any way professionally or personally."
- "I think it's probably integrated. I mean I

certainly don't think about them separately. I wouldn't evaluate a potential decision first let me look at the ethical piece of it and then let me look at the risk because to me the ethical is part of the risk."

- I think that's probably the best evidence of the integration of risk and ethical considerations because as I said, acting in a way that is or feels or could be perceived to be unethical is a risk and I take that into consideration where someone who isn't as possibly sensitive to that or just doesn't feel that same about the ethics of it evaluates risk differently."
- "I don't think any differently, in other words if the risk is, I think about my work life, if the risk is huge. I might just not be willing to make a decision, I might tell the contractor I am not comfortable or that kind of thing. So that's maybe decision making as opposed to the ethics behind the decision making so I'd say my decision making might change but my ethics behind it probably not."

"How you are behaving ethically mitigates a lot of risk. I don't see [risk and ethics] as particularly separate ideas..."

- "What I found was when it came to a very difficult decision and either you had integrate or you had separated you had to look at this decision and take a look at what the risks were. Was the risk in lives, was the risk in time, was the risk in resources, was the risk in reputation, and was the risk in follow-on operations? And, you put all those things kind of in front of you to think about and then you put that back-stop question, which is, 'is this the right thing to do'."

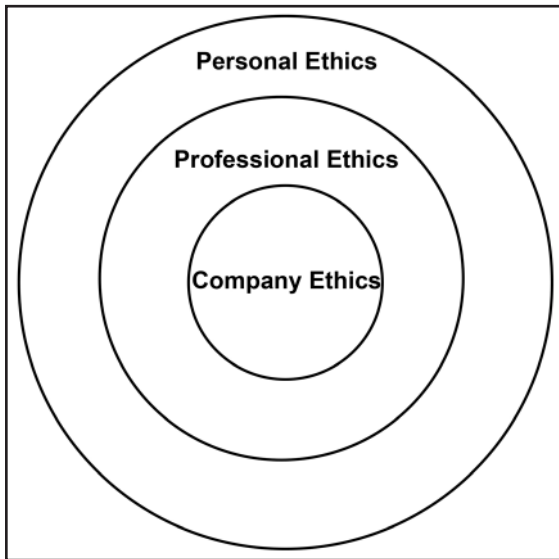


Figure 2. Ethical Hierarchy.

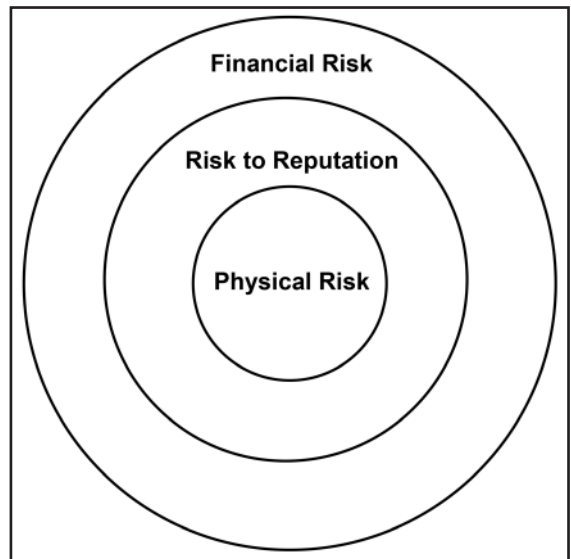


Figure 3. Risk Hierarchy.

Conclusions

The researchers used purposive sampling because of the expected richness of the data from the selected participants and the data did not disappoint. The themes that manifested contributed to an abundant gestalt on the topic of the consideration of ethics and risk in information-gap decision making.

In answering the primary research question: *What ethical framework/s do strategic decision-makers use when faced with making decisions about issues wherein not all the information necessary is available to avoid risk?* The researchers were able to make three distinct conclusions from the qualitative analysis of the data that apply in answering the question.

First, that although individuals thought about personal, company, and professional ethics when making a decision, it was personal ethics that determined the final action. Second, that while financial, reputation, and physical risk were considered when making decisions, it was financial risk to self, company or client that determined the final action. Third, that the research indicated that risk and ethical considerations are entwined in decision-making.

Ethical Hierarchy

Figure 2 represents the hierarchy of ethical considerations used in information-gap decision making. Although professional codes and company ethics were applied, the final ethical metric applied in all instances was a personal acceptance of doing “what’s right.”

The lawyer, who has a strict code of professional ethics which states that the lawyer must vehemently defend his or her client, made a final decision based upon personal ethics and stated they could not support defending a lying defendant.

In addition, it was noted in the data that although the company may look the other way at times, a personal intolerance of unethical behavior was paramount in making the decision to either continue employment for one’s self or to terminate the employment of others. Even the military officer stated he would resign his commission if he couldn’t abide by the rules of the organization. There was definitely a hierarchy that outwardly suggested that final decisions were based on personal ethics.

Risk Hierarchy

Figure 3 represents a hierarchical structure of risk considerations in information-gap decision making. Throughout the data, it was clear that financial risk (client, self, or company) was the primary consideration. Although interviewees considered safety and risk to reputation of self or company, financial risk was the focus of risk with the exception of the military officer.

Entwinement of Risk and Ethics

Figure 1 represents the interaction of risk and ethics in decision-making. The data showed that each interviewee noted the inextricable integration of ethics and risk when it came to decision-making. The REI theme was prominent throughout the data. The conclusion is that although risk and ethics are separate constructs, a third construct consisting of the confluence of multiple voices and client ethics in considering the ethical and risk aspects of decision-making manifests.

Secondary Research Question

Does the ethical framework used in making decisions vary according to the type/magnitude of decision being made? The data collected by researchers was inconclusive. Although asked directly in the interview questions (Does that framework/considerations differ depending on the potential impact of the decision e.g. personnel, the future of the organization, client impact?) the answers provided were inconsistent and contextual with no codes being prominent enough to garner a theme. A limitation of the study was the use of five disciplines and this proved to be detrimental to the collection of data in answering this question.

Recommendations for Future Research

“And what I’ve discovered and I wouldn’t have believed it going out the door of the military, I would have thought the military held way more ethical positions than what I saw in business; but, the truth is in business I have seen much stronger ethics in business than I’ve seen in the military.”

The above quote from our military interviewee is closely aligned with the thoughts of B. H. Liddell Hart in the book *Why Don't We Learn From History* when he stated, “I found that moral courage was quite as rare in the top levels of the services as among politicians.”⁹ The researchers undertook this research to better understand the frameworks used by decision makers when faced with uncertainty and information-gaps. What we found was a clear use of an integrative framework for information-gap decision making. We recommend the following areas for future study to clarify the information gained during this exploratory study:

- A study to focus on the hierarchy of risk factors and ethics that are used for military officers during information-gap decision making.
- A study to investigate the truth of the commonly held perception that the military has higher ethical standards than business personnel. This should also include a study of military officers, Department of Defense officials, as well as other government agency employees.
- A study to develop a more definitive theory as to the construct that manifested in our research – the nexus of risk and ethical considerations in information-gap decision making. **IAJ**

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Will Russian Exploitation of Open Press Destroy U.S. Democracy?

by Nicholas Kane

A democracy is only as resilient as its people. An informed and engaged citizenry is the fundamental requirement for a free and resilient nation. For generations, our society has protected free press, free speech, and free thought.¹

— U.S. National Security Strategy, December 2017

The 2017 United States National Security Strategy states that Russia is using information activities to undermine democracies.² During the 2016 U.S. presidential election, Russian-sponsored entities leveraged fake social media accounts to create and disseminate false information content to U.S. audiences via traditional and social media and amplified that content through bots, trolls, and Russian overt news outlets. Russia, like other adversary states, controls its domestic media, thereby controlling the internal and external narratives; whereas, the United States' founding principles of freedom of speech and freedom of the press do not permit control of the media by the government. This paper recommends a whole-of-society approach to build a resilient population without compromising these freedoms along two lines of effort: protection and prevention. American democratic freedoms present a potential vulnerability in a future conflict and an ethical dilemma for the United States.

The dilemma: can the United States continue to exist with its current principles of freedom of speech and press as the dynamics of interstate competition and conflict change in the Information Age? Is it consequentialist to compromise the freedoms of speech and press to ensure the American way of life can endure or does the U.S. maintain its principles and risk defeat and decline of American global power? If there is a compromise of any kind, the United States risks becoming the epitome of hypocrisy in the process and will lose legitimacy of its global narrative about democracy and the freedoms Americans enjoy. Such a compromise is unlikely, but Americans must dialogue on

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creative ways to meet threats in the information environment while preserving legitimacy. Key questions include, “[w]hat domestic security measures are tolerable in a democracy? What rules should govern the collection of domestic intelligence, especially in light of new technologies that equip authorities with unprecedented capabilities for surveillance?”³

In the geopolitical climate, states compete with soft power in the information environment rather than engaging in declared armed conflict against a more capable military.

Globalization and advancements in technology brought about the dawn of the Information Age, arguably the latest military revolution, which recast society and the military in the late-20th and early-21st centuries. In this revolution, the weaponization of information and activities in the information environment shape conditions before armed conflict. In the geopolitical climate, states compete with soft power in the information environment rather than engaging in declared armed conflict against a more capable military.

Russia’s New Generation Warfare (NGW) exemplifies this approach to conflict by employing soft, or informational, power to set conditions for achieving political objectives using all the instruments of national power in an integrated and synchronized manner. Russia employs these instruments in ways that do not cross thresholds that would lead to overt armed conflict with the West. This employment of soft power for deceptive or coercive purposes is called sharp power and typifies Russian NGW. Gideon Rose, editor for *Foreign Affairs*, proffers that, “...enemies of democracy are less violent and aggressive than their fascist predecessors, so war is unlikely.”⁴

What Rose does not address is that the paradigm of war may have shifted to that of information and political warfare for Russia to exploit rather than face the United States’ military advantage. Therefore, the United States must adapt to address asymmetric threats in the information environment.

Political warfare is but one aspect of an NGW strategy and is rooted in deception.

Three concepts are significant to modern Russian political warfare: reflexive control, maskirovka, and active measures. Reflexive control, defined by Russian information warfare expert Timothy Thomas is “...a means of conveying to a partner or an opponent specially prepared information to incline him to voluntarily make the predetermined decision desired by the initiator of the action.”⁵ Maskirovka is deception activity designed to mask or disguise the activity.⁶ In this case, maskirovka obfuscates the identity and sponsor of content creators and disseminators with false personae. Finally, active measures is a Soviet-era term used to describe information, psychological, or political means conducted to advance Russian foreign policy goals and extend influence throughout the world.⁷

A RAND study published in 2018, outlines Russian means of employment for active measures via traditional and social media. The study codifies a three-step process that begins with the generation of false or misleading original content by Russian-affiliated media, or from data provided by hackers. Next, bots and trolls disseminate the content as mis-attributed personae and amplify content that resonates with target audiences. Finally, unwitting entities like media outlets, bloggers, and users lured in by clickbait, propagate the content to targeted audiences.⁸ As U.S. news outlets and social media platforms attempt to identify and purge their comment sections and information ecosystems of foreign malign users, they run the risk of crossing the threshold of censorship. Legitimate

Russia	USA
New Type War	New Generation Warfare / Hybrid War (U.S. term); No parallel U.S. term for equivalent activity
Reflexive Control	Perception Management / Military Deception
Maskirovka	Tactical Deception
Active Measures	Covert Action

Table 1. Comparison of Russian and U.S. terminology.

users exercising their first amendment right of freedom of speech found themselves temporarily blocked by Twitter during a bot purge as a reaction to reports of Russian interference with the elections via social media.⁹

The Russian methodology of information warfare falls into two categories of activity, information technology and information psychology. During the 2016 United States' presidential election, Russian hackers penetrated the Democratic National Convention to collect data, which is an example of leveraging information technology - cyberspace operations in this case. Once Russian-associated hackers exfiltrated data from the servers, actors weaponized the information content and covertly disseminated damaging or false content to U.S. audiences. This creation and dissemination of content is an example of information psychology.

Russia and other adversaries are exploiting Western societies' open presses and preventing Western ability to influence their populations due to securitized media apparatus and information blockades, as in North Korea. Many news outlets are now linked to various social media platforms. This linkage creates additional vulnerabilities as false or misleading reports are more widely disseminated and the personal data that social media platforms collect can fall into malicious

hands as seen with the Cambridge Analytica scandal for Facebook. Prior to the exposure of Russian interference in the election, users freely divulged their information to use various services, unaware that such data could be used to inform content generation by Russian actors that would have more impactful effects during the election. Content generated by the Internet Research Agency, a known Russian troll factory, reached up to 126 million Americans.¹⁰ The global reach of the internet drives the need for a sense of urgency to counter Russian activities in the information environment through the development of a more resilient population.

To understand why Russian active measures via social media were effective in the 2016 U.S. election, one must know the scope of which information on social media influences the U.S. population. Two-thirds of Americans get at least some of their news from social media platforms, a key target for Russian information warfare.¹¹ The Pew Research Center conducted a survey that showed two-thirds of Americans consume at least some of their news from social media. Within that 67 percent, older, non-Caucasian, lower educated populations increased their consumption of news via social media.¹² Additionally, approximately 77 percent of Americans own a smartphone and a nearly three-

quarters own a desktop or laptop computer.¹³ Therefore, American audiences have more access to information, and are more susceptible to Russian information psychological activities employed to manipulate audiences.

In the Information Age, the Western democracies must address problems with a whole-of-government approach, if not a whole-of-society approach. The United States must counter current Russian efforts in the information environment and build long-term resilience to disinformation campaigns that may destabilize Western democracies. Rose does acknowledge that one of the ways in which democracies can persist is to accept and adapt to the “information revolution.”¹⁴

A whole-of-society approach is necessary to mitigate Russian threats to democracy in the information environment while maintaining faith in western democratic values.

A whole-of-society approach is necessary to mitigate Russian threats to democracy in the information environment while maintaining faith in western democratic values. Fundamental to any approach is education and awareness by the American public. By education, the author means media literacy, the ability to critically think and analyze viewed content, to conduct independent research and fact-checking, and to behave responsibly online and on social media. One of the conclusions from National Security Council-68 for dealing with the Union of Soviet Socialist Republics was: “Keep the U.S. public fully informed and cognizant of the threats to our national security so that it will be prepared to support the measures which we must accordingly adopt.”¹⁵ This 68-year old statement can still apply to the current domestic approach.

Protection and prevention are two significant lines of effort to ultimately achieve

the same end: a U.S. population that is resilient against adversary misinformation campaigns to undermine the legitimacy of democratic values. As a means to achieve this end, the U.S. can establish a Joint Interagency Task Force focused on Russia and its malign behavior. Representatives from the Departments of Defense, State, Treasury, Justice, Homeland Security, and the Intelligence Community would comprise the core of this Joint Interagency Task Force.

For near-term protection activities, the Department of Homeland Security and Department of Justice would be key players in identifying both foreign and domestic threats and prosecuting those within their jurisdiction. Additionally, the Intelligence Community would also contribute to the detection and characterization of foreign threats. Those foreign threats such as state-sponsored criminal entities or governmental entities create and disseminate content to foment discord in the United States. These entities also undermine the legitimacy of Western democracy, but the previous departments, through the detection of threats, can cue the Departments of State, Defense, and Treasury to pursue unilateral action to arrest or mitigate malign Russian influence, or seek assistance from the international community of interest.

For long-term prevention activities, elements of the Joint Interagency Task Force, the Department of Education, and the traditional and social media platforms can contribute to achieving the strategic end as well. Cooperation of these entities can lead to a nation-wide program of education focused on media literacy and online identity management, a more responsible effort to inform the population with objective news, rather than politically-leaning news, and social media companies that take greater responsibility in preventing malign influence while still maintaining users’ freedom of speech. These are ways the United States can

develop a more resilient information enterprise and American population that supports and maintains democratic values.

Another potential prevention activity is governmental agency cooperation with the commercial enterprise to innovate new technologies that can project free internet into denied areas so truthful information can reach informationally repressed populations. This countermeasure could serve as part of a long-term strategy to inform regional audiences and provide alternative narratives to their own domestic state-run propaganda. These technologies would serve as a way to circumvent Russian suppression techniques of blocking certain websites or targeting specific end users Russia deems dangerous.

Internationally, the United States Government should continue efforts to promote internet freedom programs and facilitate growing access to free information, especially in authoritarian states. Additionally, Canada's Minister of Foreign Affairs Chrystia Freeland stated at a G7 summit on 23 April 2018, "[c]oordinated; action and cooperation are needed to build resilience and reinforce our democratic institutions and process against foreign interference by state and non-state actors,... [t]here are consequences for those who seek to undermine our democracies."¹⁶ These remarks addressed Russian malign behavior toward Western democracies, indicating a unity of effort against Russia to curb demonstrated behaviors. The United States must remain actively involved in this unified front against Russian malign behavior.

In future competition and conflicts, the information instrument of power and leverage of information-related capabilities such as cyberspace operations or inform and influence activities, will have a significantly greater role through the spectrum of conflict. Successful states will employ a whole-of-nation approach more effectively than their adversaries by synchronizing the instruments of national power, leveraging the commercial sector, and mobilizing an informed population, especially in the competition space before declared conflict. Russia demonstrated its willingness to execute active measures and propaganda to undermine faith in democracy and foment discord amongst populations of Western democracies. Without U.S. and friendly state action, Russia will continue to behave maliciously in its national interests.

George Kennan posited that "[t]o avoid destruction the United States need only measure up to its own best traditions and prove itself worthy of preservation as a great nation."¹⁷

In the Information Age, one must question whether this idealistic statement made in 1946 is still valid? Seventy-two years later, Joseph Nye echoes Kennan's sentiment stating, "...democratic government and societies should avoid any temptation to imitate the methods of their adversaries," about addressing Russian information warfare.¹⁸

The United States can apply elements of its strategy towards Russia from the beginning of the Cold War, however, advanced technology and the internet mitigated the protection of geography the United States once enjoyed. The United States must adapt to the modern environment, but above all, the nation must remain steadfast in its adherence to American values and freedoms. **IAJ**

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A Century of Humiliation: The Power of Economic Warfare

by Sam Ku

A free people ought not only to be armed but disciplined; to which end a uniform and well digested plan is requisite: And their safety and interest require that they should promote such manufactories, as tend to render them independent on others...

— George Washington, January 8, 1790¹

Through all the sensational headlines of 2017 and 2018, it is easy to lose focus on the opioid epidemic that is killing more than 115 Americans every day.² To put that into perspective, in 2016 alone this epidemic killed three times more Americans than the combined total of the Global War on Terror, Persian Gulf War, and Spanish-American War.³ Additionally, as of 2016 over 11.5 million Americans were directly affected by this epidemic resulting in an economic cost of 504 billion dollars to the United States.⁴ At a micro level, these numbers paint an unfortunate picture of human pain and suffering occurring throughout the United States. At the macro level, these numbers represent a strategic dilemma that can decrease the present and future power of the United States.

The opioid crisis serves to illustrate the relationship between a state and its population. In order to understand the strategic dilemma facing the United States, this paper will clarify why people within a state are important. I will begin by analyzing the idea of power and how states derive power to protect themselves. The role that people play within a state will help shed light on the consequences of a strategy that can directly or indirectly affect its people. Extreme examples of this strategy can be found in the events of the opium crisis throughout 19th century China, as well as the current U.S. opioid crisis. In a globalized environment, there are more ways than open warfare to attack a state. An effective strategy is one aimed at the people of a state and not its military. Directly

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degrading the people of a society is a powerful way to degrade a state and render it incapable of being a threat. A state without a strong and capable population base is limited in its ability to respond to both internal and external hazards due to a lack of skill and capacity.

First, it is important to define a State. The prevailing theory of what defines a state is found at Article 1 of the Montevideo Convention of the Rights and Duties of States. A state comprises of a permanent population, defined territory, effective government, and capacity to enter into relations with other states.⁵ There is an abundance of scholarly work concerning territorial integrity, governance, and diplomacy, but insufficient literature addressing population-based incursions. A population incursion can be as destructive to a state as a physical territorial invasion, or any other attack focused on what comprises a state.

Chas Freeman explains the different powers possessed by states in his book *Arts of Power*. According to Freeman, a state exists as an instrument of its people and is solely concerned about its own survival and continued independence.⁶ “A state will defend its continued independent existence at the cost of all other interests and with every means and resource at its disposal.”⁷ The foundation of the means and resources available to a state exists in its military, economic, political, and cultural strengths.⁸ It is in these strengths that a state derives its power to protect itself. Power is measured in the degree a state can alter the behavior of other states, as well as how opponents perceive their capabilities.⁹ Current capabilities and perception of future capabilities are both relevant to a state’s power.

Adding to Freeman’s definition of power, Joseph Nye in his book *Understanding International Conflicts*, defines power as “the ability to affect others to get the outcomes one wants.”¹⁰ Additionally, Nye’s definition also includes the aspect of being able to accomplish one’s goals as another component of power.¹¹

In order to use power properly, a state has to be able to convert their potential power, the resources they possess, into realized power - the actual outcome they are trying to achieve.¹² Nye defines this process as power conversion, and it is a basic problem all states must consider. The people that live within a state are a resource, if not the main resource. Without a healthy and strong internal population, a state has nothing else to convert into realized power unless it is willing to rely on a foreign population.

One of the most important forms of economic resources available to a state exists with its people.

The success of a state depends on both its ability to convert its power, as well as to refine its resources. A state’s economic resources nurture the full potential of a state’s power.¹³ One of the most important forms of economic resources available to a state exists with its people. The knowledge, skills, and ingenuity of its people determines what can and cannot be produced within the state. A state like China, with the largest population in the world, has a large amount of potential power. Through education and training, China can refine that resource and convert it into something positive for the state. The reduction of a state’s ability to refine this resource can greatly hinder any future realized power. Furthering that idea, a strategy to damage the resource itself while improving your own resources is a strategy that provides both a defensive and offensive advantage.

One way people contribute to a state is through taxation. Taxation allows a state to acquire the funds required to sustain and improve its capabilities.¹⁴ The funds of a state give it the ability to purchase and establish security. States can purchase military equipment, information, and even the allegiances of people from other states. In 1997, an official from Russia’s Federal

Security Service advised that a Russian spy could be turned for \$1 million; however, a CIA operative would require \$2 million to betray their country.¹⁵ Likewise, in response to Russia's launch of Sputnik 1, President Eisenhower won approval from Congress to set up the Advanced Research Projects Agency (ARPA) to catch up to Russia's rocket technology.¹⁶ The creation and success of ARPA are attributed to the funds provided by the state. ARPA would later become the Defense Advanced Research Projects Agency responsible for the research of breakthrough technologies for the national security of the United States.¹⁷ It is important for a state to protect its people from factors that might decrease their ability to contribute to the economy. A decrease in contribution translates to a decrease in funds, which would then limit the powers of a state.

Economic warfare is about deterring or limiting an adversary's ability to inflict damage through the disruption of its resources.

Another way people within a state contribute to a state's success is through manufacturing and economic development. Everything a state is able to manufacture or develop is dependent on the knowledge and capability of its people: "...the men on the home front who are producing the material things which the army and the navy and the air force need are the economic background of the effectiveness of the fighting force."¹⁸ One of the closest links between states and other states is in the form of their economic interactions. It is this reason why economic power is important. Economic power is a way for a state to influence the people of other states, which in turn can also influence a political system.¹⁹ The United States policy of integrating China into the global markets was

based on the idea that free trade would lead to political liberalization for the country.²⁰ Through economic power, states are also able to attack people from other states, directly or indirectly. The use of economic power in this way is most notably known as economic warfare.

According to Tor Egil Forland, economic warfare is "an intense, coercive disturbance of an adversary state, aimed at diminishing its power."²¹ Economic warfare is about deterring or limiting an adversary's ability to inflict damage through the disruption of its resources. The disruption can be in the form of reducing an adversary's output of a product.²² Traditional definitions of economic warfare are divided into its use with and without the application of other powers, such as its military. In war time and combined with military power, economic warfare took the form of blockades. By cutting off an enemy state from external trade, blockades can deplete an adversary's resources, strength, and ability to wage war. In its simplest form, it is isolating and possibly starving the people of an adversary into submission. During the eighteenth and nineteenth centuries, Great Britain's naval forces were able to control enemy ports and shipping routes preventing the export or import of goods.²³ This ability gave Great Britain a heightened level of international power. Economic warfare can also occur as a single force without the use of other powers in the form of sanctions and embargoes.

Slightly different from Forland, Dr. William Culbertson defines economic warfare as using the economic potential of a country "for the purpose of defense and attack."²⁴ Culbertson's concept of economic warfare rests on two principles: strengthening allies and destroying enemy war potential. An example of strengthening allies is the U.S. mechanism known as "lend-lease" where countries pool their resources together to provide aid where it is most needed.²⁵ The second principle, which is the most important, is the idea of destroying or limiting the enemies'

war potential. This can be accomplished by controlling exports, imports, funds, and even destroying industries. These efforts are all centered on potential resources so that they do not become realized. By freezing enemy funds, the enemy cannot use them to purchase equipment or pay its soldiers. What is interesting about Culbertson's concept of economic warfare is his description of Germany's method of economic warfare during World War II: "All these are measures seeking to destroy the war potential of the enemy. Germany has carried this process of destruction to a refinement which is brutal and extremely devastating in the systematic spoliation of conquered peoples."²⁶ Culbertson recognizes that people play a role in the war potential of a state. Germany's actions in context are focused on the people of a defeated state, but it can also be applied to people of an adversarial state not during a time of war. Through economic warfare, the capability of a people to manufacture and provide revenue can be diminished, which then results in a state's war potential being reduced.

The ideas of Forland and Culbertson are centered on how to economically prevent a state from prospering through trade. Economic warfare has traditionally been explored in terms of blockades, sanctions, and tariffs - all ways to restrict the flow of goods to an adversary. There is no doubt to the ethical dilemma associated with this action as civilian populations starve because of these restrictive measures. Economic warfare should also be explored through economic injections. A state can provide to its adversaries a commodity or product so powerfully that it diminishes the adversary's people. It is the action of undermining the power of a state by weakening its most valuable resource: its people.

The abundant supply or production of a product to flood a foreign market is a tactic used as early as the 16th century. From 16th century to the 18th century, mercantilism was the dominant economic theory. "Mercantilism was

an economic policy pursued by almost all of the trading nations in the late sixteenth, seventeenth, and early eighteenth centuries, which aimed at increasing a nation's wealth and power by encouraging the export of goods in return for gold."²⁷ The use of trade to acquire gold also took the form of flooding a country with goods.²⁸ The action of flooding or dominance of another state's economy means acquiring as much gold as possible in return for the sale of goods.

The problem faced by European and American traders, throughout the late 18th to early 19th century was that China did not want to buy anything from the west. During that time, Western traders were able to buy silk, porcelain, silverware, and most importantly tea from the Chinese.²⁹ For the British, tea was a necessity of life, and China was the primary tea supplier.³⁰ China however believed they already "possessed everything worth having, and hence needed no barbarian manufactures."³¹ To counter the trade deficit, the British identified opium as key to their success.

The abundant supply or production of a product to flood a foreign market is a tactic used as early as the 16th century.

The history of opium usage in China reaches back to 400 A.D. when Arab traders first introduced opium from Egypt.³² The actual act of smoking opium was initially considered to be "barbaric and subversive" by the Chinese.³³ This idea changes in the 1700s when the Dutch reintroduced opium smoking to the Chinese with the use of tobacco pipes.³⁴ The negative effects of opium caused the Chinese Emperor Yung Chen to prohibit the smoking and domestic sale of opium in 1729 except for medicinal purposes.³⁵ The partial ban was not enough, and a complete ban on opium occurred in 1799 by Emperor Kia King.³⁶

Despite the multiple bans on opium, both the British and Americans flourished from its sale. British smuggling of opium into China quickly rose from 1,000 chests in the 1760s, to 40 thousand chests (2,500 tons) of opium in 1839.³⁷ While not as large as the British, American traders shipped approximately 1,000 to 2,000 chests of opium annually from 1815 to 1820.³⁸ Smugglers used native Chinese as part of the distribution process. “The dangerous and unpleasant part of the business – bribing officials, delivering the narcotic ashore, and retailing to addicts was handled by the Chinese dealers.”³⁹ While the trade of opium flourished in China, the people did not. The use of opium in China increased from 3 million in the 1830s to an estimated 40 million addicts in the 1890s, or roughly 10 percent of the total population.⁴⁰

The use of opium in China increased from 3 million in the 1830s to an estimated 40 million addicts in the 1890s...

A Chinese governor, Zhang Zhidong, of the Shanxi province in northern central China, observed that all classes of people from military officers to wives and children are using opium.⁴¹ On average, 8 out of 10 households in the cities of the Shanxi province smoked opium, which degraded that population.⁴² According to Zhan Zhidong:

“Laziness and dejection is all around, the youthful spirit has gone, officials do not attend to their duties, and workers are not assiduous . . . scholars, farmers, workers and businessmen lose their jobs because their health is damaged; the majority are thin, weak, and in rags; they are sick and poor; their lives are ever more cramped; and their households become worse off every day.”⁴³

As stated by Zhan, the mass effect of opium was able to devastate everything around the user.

A Chinese prohibition activist, Xu Jue, published a story about his maid to illustrate the extent of ruin that occurred because of opium use. The maid’s family was initially economically healthy, owning enough land to farm and sustain themselves. When her husband began to smoke opium, her son and daughter-in-law followed along. Her daughter-in-law had two sons; the younger of two at the age of five also had an opium addiction. Her daughter-in-law had sold off the older son as a slave for money to buy opium. Additionally, the maid’s family had to sell all their land to support their habit, but that was not enough, so she now works as a maid.⁴⁴

The spread of opium and its infectious nature infiltrated into all aspects of Chinese life. An “Anti-Opium Song” was passed down in the southern coastal city of Fujian, China to warn of the consequences of opium use. The lyrics are a tale of individual and national suffering:

“When first you smoke, the blood runs hot; but smoke more, need more, and soon you are sot.

Skin and bones, the fat became lean; everyone calls me an opium fiend.

An opium addict cannot sit still; sells his wife, his kids, and the land they till.

Wife and daughter, the fields he tends; all go up in smoke in the opium den.

Evil merchants sell the drug to make money for the West; disaster for the nation – it can’t be for the best.”⁴⁵

In 1838, Lin Zexu, an important official tasked with suppressing the opium trade, echoed the idea of a national disaster from opium when he said, “In several decades China will have hardly any soldiers to resist a hostile army.”⁴⁶ Shortly after Lin’s statement, China would enter into a period known as the “Century of

Humiliation” from 1839 to 1949, which is categorized by the Chinese people as a period of suffering and shame.⁴⁷

There are multiple similarities between the United States opioid crisis and China’s past struggles with opium. In the United States, both legal and illegal opioids have taken a toll on the population. According to an article by Doctors Rummans, Burton, and Dawson, the misuse of opioids is a result of increased prescriptions.⁴⁸ The increased prescriptions, as an act similar to flooding a market, contributed to misuse and even death. Opioid prescription increased from two million in 1990 to nearly sixty-two million in 2016.⁴⁹ “The United States leads the world in opioid use, consuming roughly 80 percent of all the world’s opioids.”⁵⁰ In 2015, opioid related deaths caused by illicit opioids, such as heroin and fentanyl equaled that of prescribed opioids. According to the U.S. Drug Enforcement Agency and the White House Office of National Drug Control Policy, China is the main “source of fentanyl, related drugs, and the chemicals used to make them.”⁵¹ On an economic scale, the cost to the United States from the opioid crisis is greater than the 2016 military expenditure of China, Russia, Saudi Arabia, India, and France combined.⁵² This cost accounts for the services associated with the addiction to include emergency response, health care and criminal justice. Just like opium, the mass effect of opioid use has spread and infected all aspects of society.

Opium and opioid use have not just decreased the potential power of a state, but also its perceived power. In 2016, the police department of East Liverpool, Ohio, shared a picture on their Facebook page of a couple who had overdosed on heroin in a car with their child in the back seat. Such images disseminated throughout the internet show the vulnerabilities of the United States and its inability to protect its people. In 1878, the Chinese had a similar problem where their international image was severely damaged because of opium smoking.

One of two Chinese diplomats deployed to Europe, Guo Songtao was mortified upon being shown “pictures of Chinese men and women lying inertly while smoking opium in plain sight;” by a British Parliament member.⁵³

**...the “Century of Humiliation”
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Analysis of the opium and opioid epidemics show similar patterns of behavior that span culture, time, and space. Similar to traditional forms of economic warfare that depend on denying an adversary of a resource, this type of warfare simply works in reverse. In replicating an epidemic, there must first be the identification of a product or multiple products that a targeted population is susceptible to, and is not initially taboo in nature. Next is to continually supply as much of the product as possible, and distribute it through a native entity of that population. A native entity of distribution is important in that it already has cultural understanding and a level of trust. Once the demand of the product is established, it will spread throughout that population despite any efforts to suppress it. The time it takes the product to spread and infect the population, depends on the level of susceptibility of the people and potency of the product. Opium and opioid are extreme examples of a product that is able to create an insatiable need where the user is willing to sacrifice everything for its sake. There can be other products that are not as extreme or malicious, but are still capable of harming a people in such a way as to diminish their potential to be refined for the benefit of a state.

The people of a state: their will, strength, knowledge, and bond, are its primary power resource. An economic warfare strategy to

damage that resource can render a state powerless. A method that centers on the continued supply of a product, which feeds off the weaknesses of a people, can be as disastrous to a state as full-scale warfare. Examples found in the effects of opium and opioid abuse show the discourse needed prior to using that level of economic warfare due to the suffering it can cause. More importantly, it shows how vulnerable a people can be once an addictive commodity has infiltrated into the population.

The current strategic environment is as complex and dangerous as any the United States has ever faced. *The Joint Environment 2035* publication stated, “The United States’ approach to high-technology warfare over the past two decades has encouraged the development of asymmetric, unconventional, irregular, and hybrid approaches by adversaries.”⁵⁴ State and non-state adversaries are countering U.S. military might in ways never thought possible. Prior to September 11, 2001, no strategist could have predicted the world changing and the deadly capabilities of box cutters. In an age of endless possibilities, all imaginable actions must be considered. A U.S. population not strong or smart enough to counter adversarial incursions might find itself at the beginning of its own “Century of Humiliation.” **IAJ**

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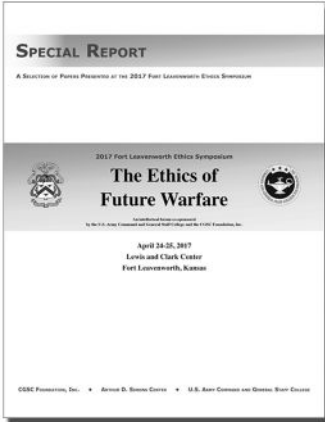
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Is the Morality of War Plausible in a Diverse World?

by John Madden

It seems evident from experience that there are different cultures, different cultural moral codes, and different individual moral views. The ancient historian, Herodotus, gives a famous account of when Darius of Persia caused certain Greeks, who cremate their dead, to encounter an Indian tribe called Callatians, who eat their dead fathers:

Darius, after he had got the kingdom, called into his presence certain Greeks who were at hand, and asked, “What he should pay them to eat the bodies of their fathers when they died?” To which they answered, that there was no sum that would tempt them to do such a thing. He then sent for certain Indians, of the race called Callatians, men who eat their fathers, and asked them, while the Greeks stood by, and knew by the help of an interpreter all that was said – “What he should give them to burn the bodies of their fathers at their decease?” The Indians exclaimed aloud, and bade him forbear such language.¹

In this way, Herodotus illustrates what most of us have experienced: that different cultures and peoples hold different opinions about what the right thing to do is. This often becomes strikingly apparent to soldiers during times of war or occupation, in which multiple cultures collide. Yet this very observation of cultural difference seems to raise a question: when cultural attitudes differ, what hope is there for a common morality of war? If contemporary Just War Theory and ideals about human rights are only expressions of Western cultural values, then how can we ever expect non-Westerners to accept these notions?

In this paper, I intend to expose the deeper roots of this question by moving to consider a deeper debate: are moral values themselves objective or subjective? As I use the term, a moral value or

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norm is objective if and only if it is true, real, or exists in some way that is not dependent on the opinions of persons or societies about it.² First, I will consider the argument that moral values are subjective based on the example of cultural difference. Then, I will consider the objection from Friedrich Nietzsche that objective moral values would require a measure of free will which is impossible for people to possess. After looking at both arguments and the objectivist's responses, I will consider two arguments from the objective side. I will outline a Kantian constructivist argument for objective morality, and then, I will consider a metaphysical argument for objective morality. I conclude from these arguments and responses that the debate goes much deeper than cultural difference; it goes to deep questions about the universe we live in and its ontological underpinnings. Thus, although this debate cannot be easily settled, it is not dependent on culture. In the final section of the paper, I give an argument for a way forward based on a starting point of near-universal agreement: that most individuals who accept subjectivism and nearly all objective ethical theories will accept a prohibition on unjustified killing and injuring of others. I argue that this overlapping consensus of a common respect for human life and bodily integrity could form an important basis for accepting that a dialogue about morality of war is indeed possible and useful.

The First Argument for Subjectivity: Argument from Cultural Relativism

As the earlier quotation from Herodotus suggests, one of the oldest criticisms on the objectivity of values is the claim of disagreement over values. However, it is harder than it seems at first to get this argument off the ground. A sort of naïve version might be thought to go:

Premise 1: If values are objective, then they will be universally held.

Premise 2: Values are not universally held.

Conclusion: Therefore, there are no objective values.

In a simple argument like this the first premise is immediately objectionable. Something is objective if and only if it is true, real, or rationally sound regardless of if it is held to be so. In this sense, it is objectively true that two plus two equals four regardless of how many people believe (or disbelieve) the statement. It was true that the earth revolved around the sun prior to Galileo even when most people believed that the sun revolved around the earth. Therefore, it in no way follows that if there are objective values that we would necessarily know or agree about them. In fact, if disagreement about a statement implies a common belief about anything, it is that the parties agree that there is some objective truth or falsity to the statement. It would be odd if there was a heated argument about a statement that all thought was completely arbitrary.

...one of the oldest criticisms on the objectivity of values is the claim of disagreement over values.

But that is far from the end of the argument. First, it is important to point out that many objectivists about morality agree that certain moral actions are culturally relative. For example, say that I accept as objectively true a norm that states that one ought to treat other persons with respect. Based on this norm, I conclude that I ought to act politely to other people unless the situation dictates otherwise (for example, if one person is unjustly attacking another I might not have a moral duty to act equally respectful to the attacker; respecting persons here might mean acting to stop the attacker.) However, different societies have different norms about what sort of actions are polite. It seems that if I ought to

generally act politely, then I will have to base my actions on the cultural norms of the society that I am in. A similar move works in Herodotus' example of the Greeks and Callatians. Both groups have a common moral norm: that they ought to respect their dead fathers. Based on their different cultural norms, the Callatians respect their fathers by eating them. The Greeks show respect by burning them. This is significant because it shows that cultural relativism is partially compatible with the acceptance of some values as objectively true.

...just because we all have the capacity for...moral intuition or for moral reasoning does not mean that we have all equally developed that capacity.

Nevertheless, there are better arguments for giving up on objective values based on cultural differences. One version of this argument is given by J. L. Mackie in *Ethics: Inventing Right and Wrong*, which for our purposes may be further strengthened by combining it with elements of his argument from queerness as well.³

Premise 1: If objective values exist and are knowable, then they are knowable through a special faculty such as a “faculty of moral intuition.”

Premise 2: If all people have a “faculty of moral intuition,” then all people should come to similar conclusions about morality.

Premise 3: However, (from the evidence of cultural differences about morality), people from different cultures do not come to similar conclusions about morality.

Conclusion: Therefore, either objective values do not exist or are not knowable.⁴

What is perhaps most startling to many people today is Mackie's claim that objective

morality would require something like a “faculty of moral intuition.” In Mackie's view, the most reasonable foundation of objective moral values is a metaphysical one such as those proposed either by a traditional metaphysical theory like Plato's or a moral intuitionist theory like that of W.D. Ross. In these types of theories, the authors must claim that there is some way that human minds can come directly into contact with something that is not physical at all. The popular notion of the conscience is an example of a faculty of this sort.

Does this argument succeed in undermining a special faculty of moral intuition? First, it is worthwhile to note that most of these theories do not posit any special faculty. Reason itself can access the forms in Plato's theory, for instance.⁵ In Plato's view most people have full access to their own reason, keeping them from fully developing the ability to know the forms, because they choose to remain focused primarily on sensible things rather than look toward the Form of the Good.⁶ Similar claims will often be repeated by traditional moral theorists, who claim that people prefer what is pleasurable to what is right.

If this is the case though, even the rationalists and moral intuitionists have an answer to Mackie's challenge: just because we all have the capacity for such a moral intuition or for moral reasoning does not mean that we have all equally developed that capacity. Yet in addition to the moral intuitionist and rationalist strains of objective ethical theory, there is also the case of constructivist ethical theories. These theories suggest that reason alone, if used correctly and without suggesting that it must access any sort of metaphysical truth, can be morally guiding.

I will examine one of these arguments, as well the most prominent objection to it. But first, let us consider another objection to the possibility of objective ethical theory.

The Second Argument for Subjectivity: Nietzsche's Criticism of Free Will

One of the most important criticisms of traditional morality comes from the work of Friedrich Nietzsche, in which he aims primarily at Kantian and Christian ethics. According to Nietzsche, the intelligible application of traditional moral systems requires that human agents possess a will capable of free and autonomous choice. Nietzsche formulates an objection to this that to have free will in this way, human beings would have to be *causa sui*, or self-caused. A version of the argument could be summarized in this way:

Premise 1: A person could be held responsible for her actions if and only if she has free will.

Premise 2: If people had free will, then they would be self-caused.

Premise 3: People are not self-caused.

Conclusion 1: People do not have free will.

Conclusion 2: A person could not be held responsible for her actions.

Premise 4: If a person could not be held responsible for her actions, then traditional moral theory is untenable.

Conclusion 3: Traditional moral theory is untenable.⁷

Nietzsche's basic notion here is that a central part of moral practice is holding a person responsible for her actions. But if it is irrational for you to hold me responsible for my actions, then it would be irrational for you to endorse traditional moral theories and practices. Since both Kantian and Christian moral theories do accept a conception of the person in which we are (potentially) rational persons with the capacity of free will, both would be undermined if free will turned out to be implausible.

Before I consider a response from the Christian or Kantian camps however, there is one theory or set of theories which claims that free will is not necessary for moral theory - consequentialism. In this view, it is Premises

One of the most important criticisms of traditional morality comes from the work of Friedrich Nietzsche...

1 and 4 above which we ought to reject. It is sufficient for us to have a moral theory in that we are conscious of our own natural impulses so that we can reason about them. In Utilitarianism, the most famous of these views, one recognizes that all creatures, insofar as they feel pleasure and pain, tend to automatically and naturally desire pleasure and abhor pain. Thus, one ought to maximize pleasure and minimize pain not by depending on our freedom of will, but by recognizing our reason is a servant of our bodily impulses. In this theory, society should not punish or reward based on moral responsibility, but based on whether a punishment or reward for a particular person would maximize pleasure and minimize pain universally.⁸

Returning now to the views which Nietzsche's argument strikes more effectively, I will consider a reply from each perspective. From a Christian perspective, the notion of a self-creating being is impossible, which is why not even God is self-creating in their view (rather God is either beyond being or Being Itself). Therefore, in the Christian view, people are not self-creating, but rather co-determining. God has predetermined who the person really is - her essence. But through her actions a person either denies her true self, trading it for a false non-self, or accepts her true self and God as well, something only possible through God's grace. Thus, the Christian view of free will is much more limited than Nietzsche suggests.

Can a Kantian constructivist respond to the argument that free will entails self-creation without appealing to something theological or metaphysical as the Christian view does? There is a possible middle ground that seems accessible to the Kantian. If I accept that I am self-conscious, then I am conscious that I am in

...traditional morality seems to accept that we are sometimes *not* responsible for our actions, such as when we are coerced...

a certain state - call this state S_1 . And if I have freedom of will, I should be able to interact with my own internal state, S_1 , to change it to another state, S_2 . This change from S_1 to S_2 might be nothing more than changing my mind after reflection about whether one of my total set of beliefs is true. And this single belief might be one among over a thousand beliefs I hold as part of my world-view. I then self-reflect on S_2 and will myself to change my mind about another belief, bringing myself into the internal state, S_3 . Notice that an internal self-reflecting capacity for change is not identical with being fully self-creating. Each state entails perhaps only one small change from the previous one. Yet this still provides an acceptable alternative account to how one could have an autonomous, self-determining will without being fully self-creating. There could, of course, be some internal beliefs, such as that I exist, that I could never really will myself not to believe, thus my free will could be free in a limited sense, yet still free enough to allow for moral responsibility in certain cases.

Although there is certainly room for Nietzsche to reply to both the Christian and the Kantian, one would then have to move to a deeper discussion on what free will really is and what it would entail to make moral responsibility viable. Certainly, traditional morality seems to

accept that we are sometimes *not* responsible for our actions, such as when we are coerced, are ignorant, or sometimes even when we act out of habit. If this is the correct view of traditional morality, there might be a good argument that Nietzsche's characterization of how free the will would need to be is simply too strong.

The First Argument for Objectivity: Kantian Constructivism

Having now looked at two subjectivist arguments, I will now examine two different argumentative strategies for objective moral values. These arguments proceed from two different world views. The first argument is from the point of view of the metaphysical skeptic. To a thinker like Mackie, the notion of a metaphysical entity is simply queer or odd. A good number of contemporary philosophers agree with this skepticism, yet find no reason to be wholly skeptical about objective moral values.

Although there are several proposed strategies of constructivist arguments for objective moral values, I will examine only Kantian constructivism in a form close to that of John Rawls and Christine Korsgaard.⁹ In this strategy, in contemplating myself, I recognize that "I" (that is, my conscious self or cognition) am not only conscious but self-conscious. Second, I recognize that my self-consciousness allows me to be self-reflective. And, insofar as I act, that is that my conscious self act, and am not acted upon, I am an agent. But my self-reflection then recognizes that if I endorse something simply because it is presented to me by means of something external to my self-conscious reason, such as sensation or unconscious desires from my body, then I will not be acting as a free and independent agent but rather as an agent that is bound unreflectively to my own desires or sensations. This does not mean that I cannot ever endorse a desire, of course. But only that when I do so, I must do so for reasons independent of

the desire itself. And this leads me to rationality, the free reasoning of my own consciousness, as the self-legislating source of moral thought in Kantian constructivism.¹⁰

In this view, to be rational and autonomous is to act for reasons that can be endorsed by rationality alone. And if to act rationally and freely is to act for these sorts of self-legislated (or rationally-legislated, which is the same thing) reasons, then I must see my free and rational self as the ultimate legislator and my proper “self” as the ultimate end or aim of my actions. Therefore, the most irrational self-legislation would be to legislate (or act) against my own free and rational self. And, if I now recognize that autonomous and rational persons have an identical claim to being free and rational ends, I can now see that each of us (both they and I) would act against free and autonomous rationality (and therefore self-hood) if we acted in such a way as to purposefully harm either ourselves or another in our autonomous rationality. All of us are therefore, potentially free and rational persons who ought to respect both ourselves and each other, which is identical with respecting the humanity of each. Or, as Kant wrote in the second formulation of the Categorical Imperative in the *Groundwork of the Metaphysics of Morals*, “Act in such a way that you always treat humanity, whether in your own person or the person of any other, never simply as a means but always at the same time as an end.”¹¹

For the sake of brevity, I will stop short of going into the full formulation of how to interpret the Categorical Imperative. It is sufficient to say that the Kantian constructivist believes that this serves as an objective law from which one can determine if one’s actions are morally just or not. An action which would treat another person simply as a means, therefore not respecting them as a person with identical claims to free and rational autonomy as oneself, is irrational since the action contradicts my belief that they are an end just as I am.

There are at least two things that are attractive about this account. First, it gives a plausible account for an objective norm in which people are required to respect one another as free and rational persons, thus giving a rational basis for arguments against murder, slavery, cheating, sexual assault, and even dishonest business practices. In a purely subjective view of morality where each of us are only motivated by our own desires (whether these are claimed to be rational or not), saying I dislike murder is just as subjective as saying that I dislike broccoli. True, I may feel rather differently about murder than broccoli, I might, for instance, dislike it much more and for very different subjective reasons, but at most I can

In a purely subjective view of morality... saying I dislike murder is just as subjective as saying that I dislike broccoli.

only persuade you to agree with me. The claim that there are no objective moral values also means that there are no objective moral *reasons* that I can give that *ought* to rationally convince you that murder is wrong (if there were, these reasons themselves would entail moral values). The second attractive attribute about this account is that it justifies moral values without bringing in any claims external to perceptions about our own nature as conscious persons. We all seem to be self-conscious, self-reflective persons who can choose what we believe. The argument does not have to claim the existence of metaphysical entities or of God, that some people might be skeptical of, to account for objective morality.

However, there are two major criticisms of the argument. The first one is Nietzsche’s claim that persons do not actually possess free will at all, which I examined above. The second response is best formulated in David Enoch’s Shmagency objection. The ultimate reason that

the Kantian constructivist I have represented has for being a rational, autonomous, self-constituting person, an agent as it is often called in the literature, is that this is what it *is* to be an agent (or a person). But why be an agent, a human, or a person? Enoch states:

Classify my bodily movements and indeed me as you like. Perhaps I cannot be classified as an agent without aiming to constitute myself. But why should I be an agent? Perhaps I can't act without aiming at self-constitution, but why should I act? If your reasoning works, this just shows that I don't care about agency and action. I am perfectly happy being a shmagent—a nonagent who is very similar to agents but who lacks the aim (constitutive of agency but not of shmagency) of self-constitution. I am perfectly happy performing shmactions-nonaction events that are very similar to actions but that lack the aim (constitutive of actions but not of shmactions) of self-constitution.¹²

...since many accounts of objective morality are not naturalistic, it is only appropriate that we consider the metaphysical argument...

Notice, changing the name of the action away from “self-constitution” does not help the Kantian here. Likewise, saying “rational person” or “human” instead of agent does not really help. Why be an agent or a person? This aims to expose a problem with the aim of being an autonomous agent - why be one? It seems to Enoch a *non-internal* reason is ultimately required here for the argument not to collapse back into subjectivity.

One possible response for the Kantian is that one of the intrinsic beliefs that we all have and that we do not self-determine is that we *ought* to be rational. I might, of course, deny this, but

in doing so I am intrinsically denying my true self, still present within me as a potentiality though I have determined myself in actuality as not-myself. But, of course, Enoch can still reply here, “But why not be not-myself? Why not be a false self?” Of course, one might think that Enoch is simply trying to push too far. If we all have a basic motivation to “be our true selves,” perhaps this really is enough. But many think that Enoch’s objection leaves the account lacking.

The obvious response here is to move from internal reasons to external reasons, reasons that I can recognize but are somehow external to me, such as autonomy itself. This is of course, what Kant himself seems to do in *The Critique of Practical Reason*.¹³ One could then accept Reason Itself as a primary and ultimate reason – a primitive and ultimate notion of goodness. But to many this would cause the account to lose some of its attractiveness. It would no longer be a purely naturalistic account, but would go back into metaphysics. However, since many accounts of objective morality are not naturalistic, it is only appropriate that we consider the metaphysical argument next.

The Second Argument for Objectivity: A Metaphysical Argument

One motivation for an argument for objective moral values that admits metaphysical entities is that it fully addresses Enoch’s criticism against the Kantian constructivists. Largely, it is motivated by a principle which is found as far back as Plotinus (and is perhaps implicit within Plato and Aristotle’s writings) that what grounds an explanation for something must be different than and prior to (either in time or being) the thing being explained.¹⁴

This principle is important to recognize from the beginning. If one does not accept it, then there is nothing wrong with the Kantian constructivist response to Enoch’s objection.

And if one does not accept it, there is nothing wrong with the notion often advanced in the 20th Century that the Universe is self-creating and, therefore, needs no external Creator. But if one *does* accept it, then Enoch's objection to Kantian constructivism holds, and the Universe must either be uncreated, unordered and indeterminate (in which case the physical laws of the sciences will turn out to all be false in their universal forms), or else it is brought forth by an external First Cause. In the case of the Universe, the argument might flow something like this: "Your science seems to demonstrate that the universe is ordered in accordance with objective rules of some kind, though you are still seeking to discover and understand all of them. If this is the case, then the best explanation is that there exists an Order to the universe. Since this Order includes the laws of space-time, it would have to be external to space-time (since what grounds an explanation for something must be different than the thing explained). Therefore, the Order is not physical, but metaphysical, and ultimately contains the basis of Being or existence or what could be called the ontological laws, thus giving order and determination to reality itself."

The argument from traditional metaphysics regarding morality parallels this move from immanent principles to a single, transcendent Order. Beginning where we left off with Enoch's objection to the Kantian constructivist, the new argument for objective values might go:

Premise 1: People are capable of rationality.

Premise 2: If people are capable of rationality, then rationality, when achieved, would be the same in each.

Premise 3: If rationality, when achieved, is the same in each, then it must be because there exists a Reason Itself that is the same and present within each across space and time.

Premise 4: If there exists Reason Itself that

is the same and present in each across space and time, then it must be because Reason Itself is beyond space and time (i.e. eternal).

Premise 5: All things that are eternal are unified as One.

Premise 6: Being Itself is also eternal.

Conclusion 1: If Reason Itself is eternal and Being Itself is eternal, then they are unified as One.

Conclusion 2: For a rational person to reject Reason Itself therefore entails also rejecting Being Itself.

...what grounds an explanation for something must be different than the thing explained...

This might, of course, seem a rather odd argument to a contemporary person. However, this strives to show the way groups like the Neo-Platonists and ancient Christians thought about morality. This is, of course, exactly the sort of argument that Nietzsche especially was famous for trying to discredit and even mock.¹⁵ Nevertheless, this gives a very strong answer to Enoch's question of, "why not be a shmagent?" Namely, when people act irrationally and immorally, then they act against the order of the universe and are attempting to bring into being something which is not (i.e. non-being). And creating intentions within their very person toward non-being, they are introducing non-being into the innermost part of themselves. Whether one looks in the Hindu Vedas, Jewish and Christian Scripture, or in Plotinus, this theme reoccurs in some form.

There is very much to work out in this account as I have presented it. Due to the scope of this paper, I will have to skip why most of these thinkers seem to agree on Premise 5, for instance. And, of course, I have already admitted

that many intelligent people are skeptical about accounts like this. However, a person saying, “I don’t buy the arguments for God or the existence of other metaphysical entities,” does not constitute a counterargument, so I will move to considering one of the most serious objections to this view: the problem of evil.

A full statement and answer to the problem of evil would take the scope of an entire book to investigate; therefore, I will have to abbreviate the problem, recognizing my coverage is insufficient. As I have expressed the argument above, one could present the problem this way. If evil and non-being are the same, how is it possible that evil exists?

...if every culture “creates its own reality,” then it would create its own mathematics, physics, and geography as well.

If the only thing that existed that could determine things was Reason Itself, then it would not be logically possible for this contradiction to exist since it could not exist within Reason Itself. However, since there exists created things with free will, they can self-determine themselves as other than Reason Itself by being irrational. Since their free will exists as being founded in Being Itself, but the existing free will rejects its own freedom and rationality and chooses irrationality instead. Thus, through the mediation of autonomy, creating beings can bring about evil even though it goes against the eternal Order. This provides a short answer to the narrow version of the objection discussed. Even if this is acceptable, however, I have still not had time to try and present answers to the skeptic.

I have brought forward for your examination four distinct lines of argument: two against objective moral values and two very different ones for objective moral values. Which one is correct? This is the crux of the problem, and

it cannot be simply overlooked through an appeal to culture. If human beings have any capacity for rationality or rational action at all, then these questions matter. And the arguments presented here are about the existence of something, placing it in the same realm as other questions about existence, such as, “Are there such things as platypuses?” or “Are there such things as quarks?” One might wish to simply advance that “truth” or “reality” is dependent on culture as well. But, if every culture “creates its own reality,” then it would create its own mathematics, physics, and geography as well. By these I do not mean the sciences which study them, but the things which the sciences are attempting to study. I do not think that anyone is seriously advancing that physics are different in Syria than in America or the United Kingdom. And the answer to “are there such things as objective moral values?” does not change from location to location either.

Towards an Overlapping Consensus on Values

So far, I have shown that there are significant arguments from both sides of the debate on the objectivity of values. Taken outside of a total set of premises advanced by one’s world view, it will be impossible to come to a full determination of which of these arguments one should reject and which one should accept (or if a different argument beyond the scope of this paper is needed). So, does this mean that even if there are objective values, there is no hope for a basis of agreement regarding values, especially when it comes to a morality of war? I am going to argue that there *is* a basis for agreement available, though it is of course highly unlikely that an actual agreement will ever occur so long as some statesmen desire to undermine it.¹⁶

To effectively examine the hope of a basis of agreement from which various cultures could proceed in an ethical dialogue, one must consider first what things all human beings have

in common—namely, things wholly independent of culture. There seem to be several possible answers here: one might say a common human psychology, another might say the capacity for reason, still others might say human nature. These commonalities often lead to a lot of common norms between cultures, even if these norms begin with basic attitudes. To pick one of these, I argue that one overlapping value that all should endorse is respect for human life and physical integrity of the person.

This value needs to be able to be accepted by both camps: both subjectivists and objectivists about moral values. Objectivists will need to accept it from within their individual ethical theory, but the subjectivist camp seems harder to get on board. Since they deny there are any objective moral reasons, I will argue that each ought rationally to be willing to endorse the basis personally. I shall do this by arguing that it is individually within each person's self-interest to endorse this as the basis for a norm for both their local society and international society, thus making it a plausible starting point for military ethics. This sort of argument is representative. Other overlapping norms are entirely possible and likely.

One of the factors of human psychology seems to be that we all seem to be at least somewhat sensitive to questions of self-interest. It seems that we each have personal preferences and desires that we want to realize. When each of these desires or preferences is about what one believes is for your individual good or benefit, as opposed to the benefits of others, this would be self-interest in the narrow sense: egoism. However, most of us also seem to care about at least some other people, so that we have desires for their good as well as our own. Since human beings are social animals, this seems a natural part of our human experience. We care about our children, our conjugal partners, our parents, and our friends. Usually we desire their good, sometimes even enough to sacrifice our own

good for them. When our desires and personal preferences are considered as including not only those that are about our own good, but also about what we think is good for the others that we care about, this is self-interest in the broad sense of claiming that each of us wish to realize our own personal desires and preferences.

...one overlapping value that all should endorse is respect for human life and physical integrity of the person.

Starting from self-interest in this broad sense, I propose the following argument, based roughly on the views of Thomas Hobbes:

Premise 1: If each of us attempt to realize our goals without restriction, then this will lead to a state of conflict in which many or most of us will fail to be secure in our lives and health.

Premise 2: If we are not secure in our lives or health, then we will be unable to continue to pursue our goals or less effective at doing so.

Premise 3: If and only if all agree to the restriction of not harming others in their lives or health, we would be secure.

Premise 4: Because it would be more likely we would realize more goals safely, we should prefer a limited freedom with some security to absolute freedom without security.

Conclusion: Each of us should be willing agree on the restriction of not harming other in their lives or health.¹⁷

The purpose of this argument is to demonstrate that we should rationally prefer to give up some freedom for the sake of our security. Of course, this willingness will only hold insofar as we think it will make us more

secure. If we adopt a reasonable set of international laws of conflict that would make all of us more secure, it would be rational to do so. From a soldier's perspective, I should be willing to give up my liberty to, say, torture prisoners of war for information for the guarantee that I am much less likely to be tortured if I become a prisoner of war. From the civilian perspective, the same reciprocal notion would apply in terms of each giving up our liberty to bomb others. While such an ethic might justify reprisals on a small scale (to enforce the law), the fact that most of us care about our relatives, children, and others from our culture in future generations would give us each a strong reason not to throw off the military ethic entirely—we would want to preserve it for future wars. Thus, it remains constantly in each of our best interests, especially at the level of the society, to endorse a norm for respecting the lives and health of others.

Could objective moral theorists also accept, from their various ethical theories, a value respecting other persons in their lives and health? Frankly, although religions and ethical systems might differ on when they allow exceptions, every ethical system or religion has some tenet or value that corresponds to not murdering or injuring another without sufficient justification. For Kantians, this derives automatically from the Categorical Imperative. For consequentialists, life and health are foundational goods for all other goods, leading any maximization of human good to lead to a respect for life. Christians, Jews, and Muslims all accept this as part of the Ten Commandments. It is implied by the love one ought to show for the Self within every other person in Hinduism. It is one of the tenets of the Buddhist Noble Eightfold Path.

Because many questions within military ethics do fall under questions of killing or injuring another, this norm provides, from all different ethical perspectives, an overlapping consensus from which an ethical dialogue can begin. What this means is that when we dismiss ethical dialogue between cultures and societies, we do each other as persons an injustice by not considering what we have in common. Our human experiences are indeed close enough to one another that cultures do overlap and develop similar norms.

Conclusion

In this paper, I have tried to demonstrate two things. The first is that when one argues that each culture is equally right within their own culture, one is usually missing the most important arguments in the dialogue about objective values. The second is that even given the differences in views (subjectivist v. objectivist) and cultures, the human experience overlaps enough that most people agree that life is good and death is bad. This means that international society really *does* have a place to effectively begin the dialogue, and it is in individual self-interest to want to accept norms limiting violence. However, uncovering a foundation for a dialogue does not mean that the dialogue will occur. What it does mean is that there is so often an overlap between cultures that members of cultures can almost always find a common ground from which to begin the dialogue. Thus, when soldiers find themselves in cultures with different norms or customs, we should often look for what we have in common as opposed to emphasizing only our differences. **IAJ**

NOTES

- 1 Herodotus, *The History of Herodotus*, trans. George Rawlinson, (Cambridge: The Internet Classics Library), Book III, accessed 19 March 2018, <http://classics.mit.edu/Herodotus/history.3.iii.html>.
- 2 I here defer questions of truth (is correspondence theory correct or one of its alternatives, such as coherence theory?) and reality/existence (what exist or what is “all that is” in Wittgenstein’s terminology) to the favorite theory epistemology and ontology of the reader. Nevertheless, one might try to ask, but what if anything that is true, real, or exists only is so insofar it is in the perception or opinion of the observer? Such universal subjectivism is at least as old as Protagoras (or at least Plato’s treatment of his theory in *Theaetetus*). I do not take it on universal subjectivism in detail here, but there are at least two common issues advanced with this view that make many think that it is untenable in its radical form that would be problematic here: first, because if it is true, it must be true only subjectively—which means if I hold it to be false then it is false for me, leading it to be both universally true and false for me at the same time; second, because something about reality seems to be determinate (by which I mean not necessarily unchanging, but at least ontologically holding to the Principle of Identity)—and even if only my opinions are determinate (or self-determined), insofar as they are they are *objectively* determinate.
- 3 J. L. Mackie, *Ethics: Inventing Right and Wrong* (London: Penguin Books, 1990), 36-38.
- 4 Mackie, 36-41. The version of the argument from queerness which Mackie considers the epistemic version is where I take the premise that objective ethics would require a special form of intuition from. The rest is based on the argument from cultural relativism.
- 5 Plato, *The Republic*, trans. G.M.A. Grube, C.D.C. Reeve, (Indianapolis: Hackett Publishing Company, 1992), 181-185.
- 6 *Ibid.*, 186-191. Plato illustrates this point through his famous Allegory of the Cave. Only a few people will succeed in being “turned around” and led out of the cave into the eternal world of the forms.
- 7 Friedrich Nietzsche, “Beyond Good and Evil” in *Basic Writings of Nietzsche*, ed. and trans. Walter Kaufmann (New York: Random House, 2000), §21, 218-219. This version of Nietzsche’s argument is based on comments made in Brian Leiter, “Nietzsche’s Moral and Political Philosophy”, in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Winter 2015 Edition), §1.2, accessed 21 April 2018, <https://plato.stanford.edu/archives/win2015/entries/nietzsche-moral-political>.
- 8 John Stuart Mill, “Utilitarianism,” in *On Liberty and Other Essays*, ed. John Gray (Oxford: Oxford University Press, 2008), 137.
- 9 Cf. Christine Korsgaard, *The Sources of Normativity*, ed. Onora O’Neill (New York: Cambridge University Press, 1996), 92-100, 104-107.
- 10 Korsgaard, 92-100. In this paragraph, I summarize the key points of Korsgaard’s thought process to understand how the Kantian constructivist view understands the reflective process of recognizing its own autonomy and rationality. Because this is a self-reflective strategy, a dialectic approach is more appropriate than a logical summary.
- 11 Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (New York: HarperCollins Books, 2009), 96 (429).
- 12 David Enoch, “Agency, Shmagency: Why Normativity Won’t Come from What Is Constitutive of Action,” *The Philosophical Review* 115, no. 2 (Apr., 2006): 179.
- 13 Immanuel Kant, *The Critique of Practical Reason*, trans. Lewis White Beck (Upper Saddle River: Prentice Hall, 1993), 100-112. This interpretation of Kant is based on the work Paul Guyer, “The Value of



Reason and the Value of Freedom,” *Ethics* 109, no. 1 (October 1998), 22–35.

14 Plotinus, *Ennead V*, trans. A. H. Armstrong (Cambridge: Harvard University Press, 1984), 141 (V. 4. 1).

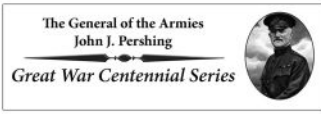
15 Nietzsche, 209-217, 250-253.

16 One can, of course, only reasonably criticize their unwillingness to cooperate in a moral dialogue if there is a basis for a moral dialogue in the first place.


17 Thomas Hobbes, *Leviathan* (Salt Lake City: Project Gutenberg, 2013), Ch. 14, accessed 24 April 2018, <https://www.gutenberg.org/files/3207/3207-h/3207-h.htm>. The difference between my reasoning and Hobbes’ is that whereas I both of us are looking first for an individual norm that each individual (Hobbes’ fundamental law of nature), I am attempting to use it as a basis for social norms (and criticizing existing social norms) while Hobbes is using it as part of his argument for endorsing the Sovereign.

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The Proliferation of Decentralized Trust Technology

by Alexander G. Mullin

We will use sophisticated investigative tools to disrupt the ability of criminals to use online marketplaces, crypto-currencies, and other tools or illicit activities.

– U.S. National Security Strategy, December 2017

The inclusion of the quote referenced above on page 12 made the December 2017 National Security Strategy (NSS) the first United States strategic level document to acknowledge the powerful technology underpinning cryptocurrencies – blockchain. This excerpt from the NSS is particularly important because it acknowledges the illicit use of cryptocurrencies, like bitcoin, but it fails to mention anywhere else in the document the landscape altering potential of blockchain technology.¹ This shows a fundamental misunderstanding of blockchain technology at the strategic level, with a failure to grasp the potential applications and threats of the rapidly evolving *decentralized trust technologies* emerging throughout the world.

Decentralized trust technology (DTT) has characteristics utilizing cryptography and consensus algorithms across dispersed network participants to create verifiable relationships. DTT is a term coined in this paper to represent the current and future collection of ideas, applications, and protocols created using, or inspired by, blockchain technology. In this ecosystem there is currently much debate over terminology ranging from trust vs. trustless, what decentralized and distributed each really mean, and the varied use of “distributed ledger technology” (DLT), “shared ledger technology,” “consensus ledger technology,” and “mutual distributed ledger technology” as descriptions for blockchain technology.² The most popular, DLT, is conveniently used interchangeably with the term blockchain, but in reality blockchain is a subset of DLT, while DLT is an umbrella term to describe applications that distribute data in consensus.³ Challengers to blockchain structure, such as Directed

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Acyclic Graph (DAG), utilize “directed” nodes without loops to achieve superior characteristics, with which blockchain struggles, like scalability.⁴ In this case, blockchain would be considered a chain-shape version of a DAG, and both blockchain and DAG receive a DLT classification.⁵ This terminology can be very confusing, and the ecosystem is only going to continue to innovate at a blinding pace as user adoption increases, and huge sums of currency are invested into research and development for novel technology. These yet unknown novel technologies will continue to challenge the fundamental ideas of blockchain and DLT, as they attempt to push limits and improve upon weaknesses. It can be expected that new technology inspired by blockchain could move away from fundamental characteristics or create “hybrid” technologies. In this light, DTT, as a new term, descriptively represents blockchain, DLT, DAG, bitcoin, ethereum, cryptocurrency, and any other innovations in this space. DTT captures the essence of what this ecosystem represents, both now and in the future.

In this paper, I will explore how DTT presents significant opportunities and potential threats through the study of a current use case. I will apply a primary perspective, considering the United States National Security point of view, with a secondary lens for ethical considerations. This brief study will produce a set of recommendations for the United States to utilize when developing a strategy for the evolving DTT ecosystem.

Background

Satoshi Nakamoto altered the landscape of modern technology after introducing bitcoin in 2008. He described his new payment, in his own words, as “based on cryptographic proof instead of trust, allowing any two willing parties to transact directly with each other without the need for a trusted third party.”⁶ The idea that transactions do not require trust is the ground

breaking technology behind bitcoin. Blockchain is a distributed ledger that records every transaction across a decentralized system. This system allows anyone to verify transactions that are unchangeable (immutable) and requires no central authority as a trusted actor. Blockchain allows market participants to execute costless verification, while largely eliminating the costs of auditing within a system.⁷ Bitcoin, a cryptocurrency, is presently the center of attention, instead of blockchain as a whole, but it is just the beginning of a long line of industry disrupting uses.

Innovative use case: Syrian refugees in Jordan receive aid through a retina authenticated blockchain

As of January 2018, the World Food Programme has delivered aid using their ethereum-based blockchain application to more than 100,000 refugee camp residents.⁸ Through a partnership with Irisguard, a biometrics technology company, refugees are able to access World Food Programme assistance in refugee grocery markets through a retina scan.⁹ This use-case leverages many of the hallmark factors that make blockchain a disruptive technology. Most importantly, aid is tracked and verified until it reaches the hands of those in dire need of help.

The pilot application, Building Blocks, was launched in May 2017 at the Azraq Refugee Camp for Syrian refugees.¹⁰ The World Food Programme estimates that the ability to eliminate bank transactions through their blockchain application will save in excess of \$150,000 monthly in bank fees.¹¹ In the humanitarian aid sector, questions about how much aid is lost to corruption, and verifying if aid is actually applied to a desired outcome, are constant concerns. In addition, humanitarian aid organizations often lack the personnel to have oversight over aid distribution. The Building Blocks application abruptly ends these concerns with straight-to-refugee disbursement of aid, eliminating

corruption and providing a costless verification of the aid delivery. There are psychological benefits as well. Refugees are empowered through their own utilization of aid in the refugee grocery stores, rather than lining up for food handouts in the traditional distribution model.¹² This example also provides a window into the future of digital identity applications, since The World Bank estimates that more than one billion people are unable to prove their identity, which means biometric authenticated blockchain technology provides a way for un-verified people to create a digital identity.¹³

United States National Security Perspective

From a United States National Security perspective, there are vast opportunities for this use-case. The United States' efforts in Afghanistan, over a fourteen-year period, funded \$68 billion for Afghan security forces.¹⁴

“Corruption undermined the U.S. mission in Afghanistan by fueling grievances against the Afghan government and channeling material support to the insurgency.”

– Special Inspector General for Afghanistan Reconstruction¹⁵

A report by the Special Inspector General for Afghanistan Reconstruction (SIGAR) highlighted deeply troubling concerns over the complete lack of information the United States had about the Afghan National Security Forces, despite the billions of dollars in funding they received.¹⁶ Inconsistent self reporting of Afghan National Security Forces introduced the possibility that the United States funded “ghost soldiers.”¹⁷ An April 2015, the SIGAR report found that the Department of Defense (DoD) could only provide financial documents for 40 percent of the \$2.2 billion dollars of distributed Commander's Emergency Response Program funds.¹⁸ Another SIGAR report found that over \$154 million worth of fuel had been stolen in

Afghanistan, and was likely fueling Taliban efforts.¹⁹ This fuel theft was easily conducted through a mixture of corruption and poor record keeping.²⁰ All of these facts present a struggle between competing cultures in a war zone, and failing to reliably create accurate transactions with massive amounts of resources.

Beneficial DTT applications can help to solve these types of reoccurring problems the United States faced in Afghanistan. Afghanistan presents a unique opportunity for implementation of technology unrestricted by a low-technology economy. The issue for a potential DTT solution would be overcoming the adoption and education phases.

Applying a similar blockchain solution to the Building Blocks application in the Azraq Refugee Camp, the Afghan National Security Forces could eradicate accountability issues and erroneous personnel information. On a daily basis, simple biometric authentication at the troop level would instantly provide accurate data on each soldier, squad, company, and battalion. The leadership of the Afghan National Security Forces could know, in great detail, their true troop strength. This immutable and biometrically authenticated data trail would eliminate the ability for bad actors in the system to exercise corruptive tactics, like reporting “ghost soldiers.”

The path to increasing the functionality of a blockchain solution for the Afghan National Security Forces is clear, with the assumption that adoption and education are successful, and that technology becomes part of everyday processes. The benefits of creating digital identities for each soldier is an opportunity to obtain accurate training data that senior leadership have previously desired. The preceding question, of how the \$68 billion dollars of funding was truly utilized, becomes a simple review of accurate budgeting data stored within the blockchain. Individual soldier training, medical, equipment, and accountability records on an immutable data trail become a force multiplier.

A blockchain solution achieves accountability for the 60 percent of funds missing from the \$2.2 billion Commander's Emergency Response Projects fund, while altering how funds can be utilized. Currently, many contracting entities achieve "middlemen" roles in the process for issuance of project funds, and they act as trusted intermediaries to ensure funds are utilized to complete projects. This system rewards those that receive a cut, while fund accountability is lost down the line, and end states remain potentially unknown. As previously explained, a core function of blockchain is the costless verification of two parties executing a transaction. In this case, only required "middlemen" in the project funding process would be allowed to continue their services, and each transaction for every project, down to the cent, could be easily audited. This accountability would fundamentally change the behavior of actors within the projects system. The review of how project funds meet desired end-states and affect the local economy would no longer be an abstract exercise.

Ethical Considerations

Significant ethical dilemmas should be considered when implementing DTT for innovative solutions. The dramatic results of the successful blockchain application in Jordan masks potential ethical issues. Similarly, ethical dilemmas are present in the theoretical case for blockchain use by the Afghan National Security Forces. Each case creates an immutable trail of personal data that increasingly promotes adding additional services for end-user functionality. This thought process eventually leads to a desire to create a full suite of services for end users.

An example of this grand vision is currently being utilized by the Estonian government, which has pioneered the country-as-a-service model with blockchain. Some experts believe that this has made it the world's most digitally advanced society.²¹ Estonia began implementing

operational blockchain solutions in 2012 for national health, judicial, legislative, security and commercial code systems.²² Their e-Residency program is a transnational digital identity that allows anyone on earth to apply for a government issued ID with full access to Estonia's public e-services.²³ All of these pioneering efforts are supported by Guardtime's keyless signature infrastructure blockchain technology, which ensures stored data is immutable and 100 percent private.²⁴

This example of a full suite of services utilizing blockchain seems like a natural continuation of the successful use-cases we see in Jordan and, theoretically, in Afghanistan. An ethical dilemma arises in the collection of an immutable trail of personal data within a digital identity. The temptation to analyze user financial data or health records is an exposure of private information. Further, private blockchains, similar to the one utilized in Jordan, are more exposed to cyber attacks than public, permissionless blockchains, like bitcoin. While this exposure is no different, in a sense, than data exposed from a conventional database, the immutability and verified nature of data on a private blockchain provides attackers a much higher degree of accuracy with stolen data.

United States Strategy Recommendations

Section 1646 in the National Defense Authorization Act for Fiscal Year 2018, outlines the current plan for a required briefing on blockchain technology. H.R.2810 was initially introduced on June 7, 2017, and became public law on December 12, 2017. The excerpt of Section 1646 is in Figure 1.

Recommendation #1

The United States must construct a strategy to ensure the domestic development of public and private sector innovation in the global DTT

H.R. 2810 – National Defense Authorization Act for Fiscal Year 2018

Subtitle C – Cyberspace-Related Matters

PART I – GENERAL CYBER MATTERS

Sec. 1646. Briefing on cyber applications of blockchain technology.

(a) Briefing Required – Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the heads of such other departments and agencies of the Federal Government as the Secretary considers appropriate, shall provide to the appropriate committees of Congress a briefing on the cyber applications of blockchain technology.

(b) Elements. – The briefing under subsection (a) shall include:

(1) a description of potential offensive and defensive cyber applications of blockchain technology and other distributed database technologies;

(2) as assessment of efforts by foreign powers, extremist organizations, and criminal networks to utilize such technologies;

(3) an assessment of the use or planned use of such technologies by the Federal Government and critical infrastructure networks; and

(4) an assessment of the vulnerabilities of critical infrastructure networks to cyber attacks.

(c) Form of Briefing – The briefing under subsection (a) shall be provided in unclassified form, but may include a classified supplement.

(d) Appropriate Committees of Congress Defined – In this section, the term “appropriate committees of Congress” means –

(1) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Financial Services, and the Committee on Homeland Security of the House of Representatives.

Figure 1. Excerpt of Section 1646 of H.R. 2810.

ecosystem. Domestic innovation development ensures that learning and idea creation from new research and development flows through the public and private sectors in unison. This flow of information places the United States in a position of strategic initiative within the DTT ecosystem.

This should be the first priority in any required briefings and discussions on strategy development. The present priority in required briefings is a description of potential offensive and defensive cyber applications of blockchain technology and other distributed database technologies. This fails to promote a true understanding of the implications of blockchain technology. This also leans on a common dualistic perspective on anything cyber security,

which is an immediate emphasis to adversaries and bad actors.

Cyber solutions are created through a deep understanding of advanced technology, with a focus on proactive actions guided by regimented frameworks. Adversaries and bad actors will always identify cyber vulnerabilities. Outside of the most complex threats, many of the cyber solutions available are open source fixes to identified vulnerabilities, which implies the vulnerability is already exposed. This logic will always keep adversaries and bad actors in a positive position with the initiative. This is why a focus on deep understanding of advanced technology is imperative. This knowledge base is the foundation for providing clarity on why

domestic development of innovative DTT is essential.

Within the National Security Strategy to “Promote American Prosperity” is the guideline to “lead in research, technology, invention, and innovation.”²⁵ A strategy to develop innovative DTT accomplishes the prioritization of “emerging technologies critical to economic growth and security.”²⁶ This is more important than ever as nations like Venezuela are creating initial country offerings as a means to access liquidity to bypass United States’ sanctions. DTT applications are already testing the effectiveness of economic levers we have long relied on as a policy tool.

Recommendation #2

Streamline the implementation of public and private partnerships in the DTT ecosystem. There are two key priority actions outlined in the National Security Strategy to implement this recommendation: First, leverage private capital and expertise to build and innovate; and second, rapidly field inventions and innovations.²⁷

Leveraging private sector expertise is paramount. This must be a true partnership with real alignment of resources and incentives. Currently, the U.S. government is organizationally encumbered with layers of stacked and outdated technology. This is a symptom of a culture attempting to utilize innovative technology while still resisting change. This is not an easy dilemma to solve, but a step in the right direction is true partnerships with the private sector. Government agencies will gain a far-sighted vision for emerging technologies from true public-private partnerships. This long-term vision can initiate the planning and resources necessary to adopt innovative technology at tempo, while shedding older technology layers. The current known use cases for blockchain are enough to disrupt processes within agencies across the government. However, it is the true public-private partnerships

that will dismiss hype and ineffective blockchain use ideas so real innovation can be implemented.

Rapidly fielding inventions and innovation is a known weakness for interagency government organizations. Processes designed to ensure proper fielding are now encumbrances on emerging technology ready for government utilization. The DTT ecosystem presents a unique dilemma in that most of the innovation is happening with extremely low barriers to entry. This means that rapid fielding is necessary to even begin to match the pace of current innovations. Reliance on crypto-exchanges as the point of contact for government regulation is a pertinent example of how quickly the environment is evolving. In a recent conference, a crypto-exchange expert commented on a question that non-state actors or terrorist organizations do not have the ability to properly launch or list an initial coin offering because exchanges would never list such an endeavor knowing government interference could follow. However, in a short period of time, this comment may be viewed as irrelevant if decentralized exchanges operating as decentralized autonomous organizations become operable. These exchanges can act free of any ethical standards and could allow any currency or medium of value to be exchanged free of interference. This would allow terrorist organizations to move from illicit cryptocurrency transactions, that the government is currently concerned with, into their own initial coin offerings. Coupling this with a blockchain application that produces true anonymity would open avenues for unethical behavior without consequences. The key here is that public-private partnerships with rapid fielding of innovative technology provides the environment for strategic initiative.

Recommendation #3

In unison with recommendations one and two, the United States must embrace DTT and take global leadership in the promotion of legal,

regulatory, compliance, and standards advancement. At present, there is a general lack of guidance or clear legal standards in the DTT ecosystem.²⁸ There have certainly been intensive, domestic efforts in the financial sector to provide guidance and standards. Europe is by-and-large taking a progressive stance towards DTTs and small pockets like the “crypto valley” in Switzerland are taking leadership on the development of guidance and standards.²⁹

Perhaps the most important aspect of the United States taking leadership in the legal, regulatory, compliance, and standards environment is the application of ethics. Many DTT applications and ideas have discussion points surrounding ethical implications. Interesting systems and protocols are designed in different DTTs to promote good user behavior. However, these actions do not ensure users will always act in accordance with encouraged norms. There is no question that clear guidance and standards promote ethical behavior. Future technology in this space will create ideas that have yet be conceived. The United States can have a positive ethical effect on these future technologies by providing fair and clear guidance that embraces innovation. **IAJ**

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Worth Noting

Ninth annual ethics symposium report

The 2018 Fort Leavenworth Ethics Symposium was conducted April 30-May 1, 2018. This year's theme was "The Impact of Diverse Worldviews on Military Conflict."

This ninth annual symposium featured a variety of guest speakers, panel presentations and breakout topics. CGSC Deputy Commandant Brig. Gen. Scott L. Efflandt delivered welcoming remarks on the morning of April 30, followed by the opening keynote speaker, Dr. George R. Lucas, Jr., Professor of Ethics (Emeritus), U.S. Naval Academy. The closing guest speaker on May 1 was Dr. Shannon E. French, CGSC's General Hugh Shelton Distinguished Visiting Chair of Ethics, and director of the Inamori International Center for Ethics and Excellence.

More than 1,000 members of the Command and General Staff Officers Course (CGSOC) along with guests and visitors participated in the ethics conference that featured a variety of guest speakers, three panel presentations and over thirty breakout topics. More than 50 papers were submitted for discussion at the symposium, of which 34 were selected to be presented during breakout sessions.

The Fort Leavenworth Ethics Symposium is an annual symposium co-sponsored and hosted by the U.S. Army Command and General Staff College (CGSC) and the Command and General Staff College Foundation, Inc., through a generous grant by the Perot Foundation. More information about the event, including links to photos and video from the symposium, can be found at <http://www.cgscfoundation.org/ninth-annual-ethics-symposium-report>.

- CGSC Foundation, Inc.

Stabilization Assistance Review released

Recently, the U.S. Agency for International Development (USAID) and the Departments of Defense (DoD) and State published the Stabilization Assistance Review (SAR). The SAR was announced in April of this year and examines past challenges the U.S. government has faced in previous stabilization efforts.

The SAR aims to streamline U.S. government stabilization efforts and provide a framework for USAID, DoD, and State to better work together in the future. According to the SAR, going forward, the U.S. government will avoid "large-scale reconstruction efforts." Instead, short-term missions that last between one and five years will be the goal, though the SAR states "There is no single set time frame for stabilization that is generalizable to all cases, but in no case should it be open-ended."

The SAR also notes that there are a growing number of conflicts around the world that effect U.S. national security and economic interests, and incorporates eight case studies of past U.S. stabilization engagements, including Iraq, Afghanistan, Somalia, and Kosovo.

- U.S. Agency for International Development

2018 Trafficking in Persons report released

On June 28, the Department of State released the 2018 Trafficking in Persons (TIP) Report. Secretary of State Michael R. Pompeo spoke at the launch ceremony for the TIP Report, speaking about the reach of human trafficking and recognizing the 2018 TIP Report Heroes.

Each TIP Report focuses on a specific theme, with previous reports highlighting the responsibility of governments to criminalize human trafficking in all its forms and strategies to prevent human trafficking around the globe. The 2018 TIP Report focuses on the critical work of local communities to stop traffickers and provide support to victims. In his remarks, Pompeo stated that trafficking is not only a global problem, but a local one. “Human trafficking can be found in a favorite restaurant, a hotel, downtown, a farm, or in their neighbor’s home,” said Pompeo.

Pompeo also recognized the efforts of the State Department’s many partners, saying “We are grateful for the many federal agencies, individuals, nongovernmental organizations, and international organizations who continue to help us better understand the many manifestations of human trafficking and the most effective ways to combat it.”

- U.S. Department of State

‘Hands, Head, and Heart’ vital to effective leadership

Dr. Ted Thomas, the director of the U.S. Army Command and General Staff College’s (CGSC) Department of Command and Leadership, led the tenth and final presentation for academic year 2018 of the InterAgency Brown-Bag Lecture Series on June 6.

Dr. Thomas, discussed how leading in an interagency-dominated contemporary environment requires a more nuanced approach than “because I said so.” Using leadership examples from his own experience and clips from a popular D-Day movie, Dr. Thomas explained how we might traverse various leadership obstacles by aligning our approach with the situation at hand (...head or heart). He amplified his hands, head, and heart model of leadership by applying other leadership concepts such as the Army’s old “Be, Know, Do” and an understanding that leaders must consider whether “the led” perceive their role to be a calling, a career, or just a job.

Dr. Thomas graduated from the United States Military Academy in 1978 and served 20 years in various command and staff positions before retiring as a lieutenant colonel with his last assignment as battalion commander of the 554th Engineer Battalion. He received a master’s in Civil Engineering (1986) from the University of Illinois, and a doctorate in Engineering Management (1998) from Missouri University of Science and Technology. He joined the CGSC faculty in 2005 and has served as the director of the department since 2007.

The InterAgency Brown-Bag Lecture Series is co-hosted by the CGSC Foundation’s Simons Center with the U.S. Army Command and General Staff School (CGSS). The lecture series is an extracurricular, interagency topic-focused series that is intended to help enrich the CGSS curriculum. The CGSC Foundation and the Simons Center have received support for all brown-bag lectures in academic year 2018 from First Command Financial Services in Leavenworth, Kansas. The presentations are scheduled each month, and a schedule for InterAgency Brown-Bag Lectures for academic year 2019 will be available in the near future.

- Simons Center

DHS publishes updated Northern Border Strategy

On June 12, the Department of Homeland Security (DHS) published an updated Northern Border Strategy. The Northern Border Strategy establishes a clear vision and discrete actions that will collectively improve DHS's efforts to safeguard the Northern Border against terrorist and criminal threats, facilitate the flow of lawful cross-border trade and travel, and strengthen cross-border community resilience.

The strategy enhances border security operations through better information sharing, improved domain awareness, and integrated operations, while also facilitating and safeguarding lawful trade and travel by enhancing rapid inspection and screening, enforcing a fair trade environment, and bolstering border infrastructure. The Northern Border Security also promotes cross-border resilience by supporting response and recovery capabilities between federal, state, local, tribal, and Canadian partners.

The new Northern Border Strategy supersedes the 2012 Northern Border Strategy, and draws upon the findings from the Northern Border Threat Analysis Report delivered to Congress in summer 2017.

- Department of Homeland Security

K-State professor guest lectures at CGSC

Dr. David A. Graff, professor of history at Kansas State University, recently guest lectured at the U.S. Army Command and General Staff College (CGSC). On May 31, Dr. Graff spoke on Chinese military history at an elective course in the Department of Military History. According to Department of Military History instructor Dr. Geoff Babb, Dr. Graff has previously lectured at the College, sharing his expertise on the subject with several CGSC classes over the years.

Dr. Graff began his lecture with an overview of Chinese military history and dynastic rule, providing a background on military victories and summarizing ancient Chinese military texts that have been used to teach military strategy for ages. Graff also warned students against relying too heavily on historic Chinese military texts to inform them on how the modern Chinese military functions and thinks.

Graff then opened the lecture to the students, resulting in a long discussion on China-Korea relations from the Han dyansty through the present day.

The Simons Center and the CGSC Foundation are pleased to be able to sponsor speakers that enhance the curriculum of the U.S. Army Command and General Staff College.

- Simons Center

Former acting Administrator proud of USAID accomplishments

In a new interview, Wade Warren, former acting U.S. Agency for International Development (USAID) Administrator, discussed his 27 years at USAID. Current Administrator Mark Green spoke at Warren's farewell, calling Warren a "walking encyclopedia of the agency, and crediting Warren with helping him understand USAID and its challenges.

During the interview, Warren discussed his proudest accomplishments and greatest challenges while with USAID. According to Warren, USAID operated primarily on its own prior to the 1990s, when more U.S. government agencies began working overseas. Since that time, USAID has found its place in "the interagency," allowing for greater success in global health and development operations

for all agencies involved. “The U.S. government is actually stronger if the whole resources and expertise of the interagency are brought to bear. [USAID] is an important part of that, but we’re not the only part,” said Warren.

When discussing USAID’s role in the response to the 2014 Ebola epidemic, Warren said “I think if it had come 20 years earlier when we were less used to working in the interagency we would have struggled more.” Instead, Warren counts the agency’s role in the response effort among his most notable experiences with USAID.

Warren served as acting Administrator for several months prior to Administrator Green’s confirmation. He also served in missions in Zimbabwe and Botswana, and held senior management positions in the Bureau for Global Health and the Bureau for Policy, Planning and Learning.

- DevEx

DHS releases new cyber strategy

In May the Department of Homeland Security (DHS) released their new cybersecurity strategy. The new cyber addresses the growing number of cyber threats and security risks, and provides DHS with a framework to execute their cybersecurity responsibilities during the next five years.

The new cyber strategy will focus on coordinating departmental cybersecurity activities to ensure a unity of effort, and outlines how DHS will leverage its unique capabilities to defend American networks and get ahead of emerging cyber threats. “The cyber threat landscape is shifting in real-time, and we have reached a historic turning point,” said DHS Secretary Kirstjen Nielsen.

DHS’s cyber strategy lays out a five-part approach to manage national cyber risk that fosters innovation, efficiency, communication, and economic prosperity.

- **Risk Identification:** Assess the evolving national cybersecurity risk posture to inform and prioritize risk management activities.
- **Vulnerability Reduction:** Protect federal government information systems by reducing the vulnerabilities of federal agencies to ensure they achieve an adequate level of cybersecurity.
- **Threat Reduction:** Reduce national cyber threats by countering transnational criminal organizations and sophisticated cyber criminals.
- **Consequence Mitigation:** Respond effectively to cyber incidents to thereby minimize consequences from potentially significant cyber incidents through coordinated community-wide response efforts.
- **Enable Cybersecurity Outcomes:** Strengthen the security and reliability of the cyber ecosystem by supporting policies and activities that enable improved global cybersecurity risk management and execute departmental cybersecurity efforts in an integrated and prioritized way.

- Department of Homeland Security

Space domain topic of InterAgency Brown-Bag Lecture

Mr. Thomas A. Gray, the U.S. Army Space and Missile Defense Command Liaison to the Combined Arms Center and Army University, spoke at the latest InterAgency Brown-Bag Lecture at U.S. Army Command and General Staff College on May 8. His presentation was entitled “The Domain of Space and National Security.”

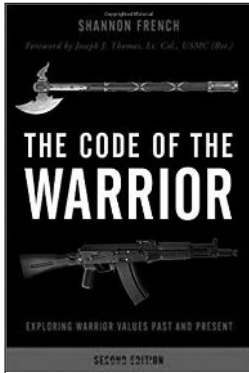
Mr. Gray’s presentation began with a simple question without a simple answer. – Which agency for the United States is in charge of space and the domain of space for our national security? No one U.S. agency is “in charge” of space, though most agencies are involved in space in one way or another. Gray went on to review the history and use of the space domain from the launch of the first satellite (Sputnik 1) in 1957 to the United States’ 2017 National Space Policy.

Thomas A. Gray serves as the U.S. Army Space and Missile Defense Command’s liaison officer to the U.S. Army Combined Arms Center and Army University with responsibility for the integration of space knowledge and education across various U.S. Army Training and Doctrine Command (TRADOC), Joint, and other service schools, to include the U.S. Army Command and General Staff College. A retired U.S. Army officer, Mr. Gray was one of the first officers selected and designated as a space operations officer. He served in Army Space Command, the Space and Missile Defense Lab, and the U.S. Army Space and Missile Defense Command (SMDC) Directorate of Combat Development. He is qualified as a Level 3 Space Professional of the U.S. Army Civilian Space Cadre, holds the space operations officer designation 3Y, and has earned the U.S. Army Master Space Badge.

This was the ninth presentation in the series, which is co-hosted by the CGSC Foundation’s Simons Center with the U.S. Army Command and General Staff School (CGSS). The InterAgency Brown-Bag Lecture Series is an extracurricular, interagency topic-focused series that is intended to help enrich the CGSS curriculum. The CGSC Foundation and the Simons Center have received support for all brown-bag lectures in academic year 2018 from First Command Financial Services in Leavenworth, Kansas

- Simons Center

Book Review



The Code of the Warrior: Exploring Warrior Values Past and Present. (Second Edition)

Shannon E. French

Rowman & Littlefield, 2017, 298 pp.

Reviewed by John Mark Mattox

*Center for the Study of Weapons of Mass Destruction,
National Defense University, Washington, D.C.*

In contemporary America, the word “profession” no longer is confined to the classically acknowledged professions: medicine, law, the clergy, and the profession of arms. Rather, one frequently hears of “professional” golfers, “professional” carpet cleaners, “professional” musicians—and on and on. Indeed, the word “profession” has come to be associated with anyone who holds full-time employment. However, if everything is a “profession”, then nothing is a profession; the concept loses its semantic content. That is not to say that anyone should object to clean carpets, uplifting music, or even golf. But a true “profession” is distinguished, inter alia, by its practitioner’s observance of a code of conduct, the violation of which has a decidedly corrosive effect on the proper and essential function of society. In her newly revised second edition of *The Code of the Warrior*, Professor French reminds the reader that the professional status of “warrior” is vouchsafed by the fact that those worthy of that title are bound by a code of conduct that circumscribes their choices and their conduct. While dozens of books argue this point, French’s unique and important contribution is to demonstrate that warriors worth the title have always been thus bound; and that this is true whether they are products of western or eastern, ancient or modern, primitive or developed cultures.

French draws important examples from Homeric heroes, Roman legionnaires, Arthurian knights, Vikings, aboriginal Americans, Chinese warrior monks, Japanese samurai, and the warriors of classical Islam. In each case, she identifies both warriors and murderers—both ostensibly belonging to the profession of arms—and effectively argues for what distinguishes warriors (the true professionals) from murderers (the worst kind of armed impostor). Her historical survey reveals that codes of honor seem “to hold the warrior to a higher ethical standard than that required for an ordinary citizen within the general population of the society the warrior serves”. (This may explain, not completely but in part, why, according to the U.S. government’s own 2013 study, less than 1/3 of the nation’s youth are qualified for military service. Perhaps it also should give pause to an electorate

thoroughly conditioned by the charade of so-called political correctness and bombarded with phony arguments about absolute equality as it considers whether it really wants an armed warrior class that exactly mirrors society at large.)

“[T]he essential element of a warrior’s code”, says French, “is that it must set definite limits on what warriors can and cannot do if they want to be regarded as warriors, not murderers, cowards, or monsters”. While “[a] warrior’s code may cover everything from the treatment of prisoners of war to oath keeping to table etiquette, . . . its primary purpose is to grant nobility to the warriors’ profession”, thus enabling “warriors to retain both their self-respect and the respect of those they guard” (and, it may be added, the respect of those warriors whom they fight). Thus, French makes clear that nobility does not arise from claims of membership in the profession of arms but from strict, undeviating adherence to the codified standards expected of members of the profession. While these standards surely include the competent performance of the technical and tactical tasks of warriorship, they far transcend these visible tokens of professional practice. Indeed, the task–condition–standard model that works so well to hone technical and tactical proficiency is far from adequate to every situation. For, sooner or later, the true warrior (as for the true practitioner of any profession) is certain to encounter unforeseen, unforeseeable, and unavoidable choices of moral import. It is at these junctures that, if the warrior has not internalized a principle-based code of conduct, right will give way to expediency, courage will give way to fear, and self-sacrifice will give way to self-security if not outright self-aggrandizement. French demonstrates that the risk of missteps like these is so high precisely because the line between them is so thin (in a way that it simply is not for the golfer, the carpet cleaner, or the musician). Indeed, warriors may have to choose between death and dishonor in circumstances for which no plausible golfing, carpet-cleaning, or music-performing corollary can be found. French provides case study-length examples of Greek and Roman stoics, knights of King Arthur’s Round Table, and Japanese samurai faced with such choices. These and similar case studies reveal that moral success or failure often hinges on something not accounted for by rules of engagement drawn up by the legal office. The innumerable permutations of war and the nuances therein require a subtle sense, nurtured by introspection and moral reflection, for what is right and what is wrong. As a result, warrior codes throughout history are not quite as “codified” as one might suppose. Sometimes, as French observes, they must be teased out of traditions and legends or reversed-engineered from examples of professional practice and malpractice: The rules, as St. Paul notes and as French echoes, are not always written “in tables of stone, but in fleshy tables of the heart”.

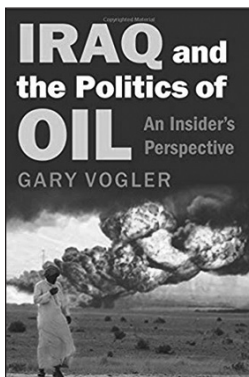
Because of this, the Golden Rule is a lot more golden than sometimes acknowledged in practice: “Perhaps your enemy tortures”, French notes. “This does not mean that you can with moral impunity torture him. The reasons for you not to torture are tied to your values, not his. The issue is not what the enemy does or does not do, but what your own code demands.” This imperative is not lessened by asymmetric warfare: “It is easier to remain a warrior when fighting other warriors. When warriors fight murderers they may be tempted to become the mirror image of the evil they hoped to destroy. Their only protection is their code of honor”. That protection is literal: The code may be the only thing standing between the warrior and a choice that will leave him or her with a life-long burden of PTSD or life-shortening ideations of suicide. These codes focus one’s attention not on the myriad exceptional cases but on the invariants that one finds—in morals as in mathematics—when one is perceptive enough to see through the clouds of exceptions.

Finally, French argues that emerging disruptive technologies “do not disrupt the traditional

ethics of war at all. As long as death and destruction are occurring, regardless of the means, the same questions arise—such as, whom can you kill, what can you destroy, where, why, and when?” Hence, what is needed is not a new warrior code but rather, warriors committed to acting properly with respect to these timeless questions.

French imparts a fresh reality to her discussion of always difficult and sometimes esoteric questions by inviting us into her own classroom to witness interactions with her U.S. Naval Academy students, hear their discussions, and read their written responses. As the students wrestle with what it means to be a warrior worthy of the title, the reader may indeed feel himself or herself cheering on those students—and hoping that both that they will get the hard questions right and that, when push comes to shove, they will find the right balance between courage and restraint.

In sum, *The Code of the Warrior* is in its second edition because it is an enduringly valuable work that can be profitably read by thoughtful, reflective members of the profession of arms and by other true professionals as well. **IAJ**



Iraq and the Politics of Oil: An Insider's Perspective

Gary Vogler

University Press of Kansas, 2017, 318 pp.

Reviewed by Courtney M. Rittgers

Lieutenant Colonel, Retired
U.S. Army

Just when you thought you had a handle on the Middle East crisis, with all its permutations, along comes a chronicle of political intrigue, danger, and the gutsy resolve of dedicated Americans showing another side to the conflict that had our country's best fighting units engaged in combat for eight years.

In author Gary Vogler's latest book, *Iraq and the Politics of Oil*, we learn that in late 2002, a small group of U.S. government officials, senior retired military officers and private sector experts, gathered in Washington, D.C. to do contingency planning for the rehabilitation of Iraq's collapsed oil industry. Vogler was included in the planning group because of his having a highly desirable combination of qualifications: a retired U.S. Army Reserve lieutenant colonel, and a 1973 West Point graduate, with 21 years' experience in the oil industry.

Later, when a coalition of allied forces attacked Iraq, Vogler saw another opportunity to serve our country by volunteering to deploy in Iraq with the first contingent of civilians. While most of his allied colleagues served short tours, Vogler was to become the longest serving member.

Overview

His book is based upon that extensive experience, his family's personal sacrifices, and his ultimate conclusions about the justification for the entire enterprise. So, it's not just a trip down memory lane, it is a well-documented, fully-footnoted account of the triumphs and tragedies of the

coalition's Iraq experience from his point of view. It includes the unsuccessful search for Weapons of Mass Destruction, the folly of de-Baathification, the military surge, and a 2015 re-examination of the story with the benefit of hindsight.

The book's graphics are exceptional: a glossy color photo spread; black and white, relevant pictures throughout – many taken by the author; supporting tables, graphs and maps, including an abbreviation chart to facilitate reading the many acronyms used.

While the author's principal focus was initially upon the mandate given him, as a Department of Defense (DoD) independent contractor, he tells about the remarkable flexibility he was given to interact with Iraqi officials at the highest levels, and his frequent liaisons with U.S. military leaders familiar to most historians.

Consequently, his book is a reliable reference for those wishing to gain a thorough grasp of the parallel fight to re-establish a stable Iraqi government amidst sectarian violence and tribal favoritism.

The author's knack for developing strong personal contacts among Iraq's political aristocracy and coalition leaders, including American ambassadors to Iraq, is central to his maintaining his mission's momentum. And he interjects anecdotes to lighten things up.

For example: His transition from DoD independent contractor to temporary Iraqi Oil Minister, an astonishing role enhancement; even if only possible in the process of re-vamping the political structure of a defeated nation, is fun to read about.

Some Somber Issues

We learn a lot about each player in an extraordinarily dizzying rotation of leaders within the coalition and Iraq's infrastructure. Vogler, habitually, gleans their principal biographies, adding that salient, fascinating information to his story.

Some readers may view these biographies as a tedious diversion from the story; others will be grateful for the deep perspective they provide.

Also, the casual reader may have difficulty tracking Vogler's employment arrangements, which admittedly were complex, highlighting the author's ingenuity and ability to carry on despite insidious attempts to sideline him from significant involvement in the oil team's mission.

His having sought and landed subcontractor positions with companies contracted through the U.S. Army Corps of Engineers, kept him in the game for five years beyond his original DoD mandate.

The careful reader will notice a secondary theme of repetitious references to an operative, who becomes the source of disharmony between Vogler and members of the Office of the Secretary of Defense he refers to as "neocons." Vogler is bedeviled by "black-listers," from that department that have him in their sights when they fear he suspects an oil-to-Israel gambit, occasionally speculated by the press. He is denied important job opportunities, as a result, which is why he is forced to look beyond DoD for another contract.

After reading what amounts to his detractor's dossier though, readers won't be able to resist joining the author's team, in spirit, to help him celebrate the comeuppance of his neocon naysayers at the end of the story.

Operations

Meanwhile, there was plenty of action in his areas of operation, which the author seems almost reluctant to record, since he was mindful of coalition casualties among coalition military units

struggling to deal with the insurgency spawned by de-Baathification.

Oil field pipelines, pumping stations and refineries were frequent dissident targets.

His operations' enemies were the same as those of the coalition, but his operatives lacked the capacity to do more than defend and take the hits.

Even elaborate security measures could not stop rocket and mortar attacks that delayed and set back oil industry rehabilitation progress, according to Vogler. The author frequently relates his involvement in operations to repair damaged facilities and was often accompanied by coalition units that provided security. Even so, he tells us, the entire coalition civilian force was constantly at risk.

Anxious to keep readers in touch with that danger, the author describes the assassination of a prominent Iraqi official at a bus stop, while seeing his child off to school, and the death of an American colleague during a rocket attack, both of whom were the author's friends. Throughout this story, security from insurgent attacks is a constant need. Even Vogler starts packing a weapon, and occasionally dives into a bunker or under a bed to stay alive. This for a man who earlier tells the reader that "the active Army was not for me!"

While the author is somewhat self-effacing, and heaps credit upon others, the reader becomes aware that Vogler has exceptional courage, and instills that valuable quality in others. An example is his having overcome the fear and discouragement felt by a refinery manager being blamed for power failure in the surrounding area:

"Mr. Gary, those people at the gate want to kill me. They have threatened me and my family. I can't do this anymore, I quit, Mr. Gary."

By the time Vogler leaves him, the manager's confidence has returned, and through Vogler's extraordinary connections, power is soon restored.

A Powerful Presence

It becomes apparent that in the end, Vogler's sheer determination to prevail, his penetrating intellect and his powerful ability to influence important people shores up the entire oil industry rehabilitation effort.

Even in chapters devoted, primarily, to derailing Iraqi political two-stepping and Washington, D.C. foot-dragging, Vogler's role is central to the inexorable drive toward achieving the ultimate success. There is never a paucity of purpose.

His concluding chapters and his epilogue are explosive: in them the author calls into question the integrity and the patriotism of those closest to the president as well as the Office of the Secretary of Defense. He also, introspectively and rhetorically examines his own. Clearly, Vogler is a man who refuses to accept the unacceptable; he is also a man of uncommon integrity.

A Valuable Resource

Recent events in Iraq make Vogler's book vital to Middle East observers and shouldn't be missed by any. Moreover, this book will enhance enormously any military or foreign affairs reference library. **IAJ**

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