

Ethics in Operations:  
A Historian's Perspective

By

David J. Bercuson,  
Professor of History and Director,  
Centre for Military and Strategic Studies,  
University of Calgary

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On four fateful nights at the end of July and the beginning of August 1943, the Royal Air Force's Bomber Command attacked the major German port and industrial city of Hamburg. Hamburg was home to the Bloem and Voss shipyards which had given birth to the German battleship Bismarck and dozens of other German warships, not to mention hundreds of U-boats. The British bombers – with several squadrons of the newly formed No.6 Group (RCAF) among them – did not, however, aim specifically at the shipyards or indeed at any other key military target within the city. They aimed instead at Hamburg's working class neighbourhoods, at the very center of the city, and at the fire stations and main water lines, and emergency rescue centers that might have saved lives. The bombers came only after careful planning by Bomber Command to determine, for example, which parts of the city might burn more easily, or what mix of high explosives and incendiary bombs would prove most effective in the attack. For

the first time in the war they brought bundles of strips of tin foil to throw from their aircraft to render enemy radar useless. The first waves of attackers dropped mainly high explosive bombs to disable the water lines, hinder fire and rescue efforts, and to blow the roofs off the mainly brick tenements so as to leave those buildings open to the sky for the cascade of incendiaries that followed.

The British were not the only ones to attack the city over that four day stretch, the American heavy bombers came by daylight in a coordinated effort to bomb “around the clock” as its proponents put it. The daytime destruction paled in comparison to that wrought by the great fires set at night, but when the last bomber flew away on 2 August, 1943, well over 50,000 residents had been killed while hundreds of thousands of others were injured, or homeless, or had become refugees in their own country.

Although the attack on Hamburg – Operation Gomorrah – was one of the deadliest assaults of the war by the Allies on cities in Germany and Japan, it was certainly not an isolated attack. In fact it was just one chapter in what the Allies dubbed the Combined Bomber Offensive, intended by British and American air force commanders to win the war from the air. In the end, they failed to do so. Millions of ground troops ended the dark era of European fascism and Japanese militarism, but it wasn't for lack of trying. In the course of the air offensive, virtually every major German and Japanese city was laid waste, including Hiroshima and Nagasaki, destroyed by the first – and last – air/atomic attacks in human history.

The air campaign against the Axis troubled some citizens of the democracies during the Second World War, but not enough to cause any real fuss. It was only after the fighting ended – and in most cases long after – that serious moral objections were heard. Now, they are all the rage. Indeed, even the Official History of the Royal Canadian Air Force, Volume III – The Crucible of War – raises questions about the morality of that campaign. In the US, the debate over the atomic bombing of Hiroshima and Nagasaki still rages.

Here then is a problem in “ethics in operations.” Which was the greater moral responsibility of the Second World War’s Allied leaders: to desist from deliberately targeting enemy civilians, or to take all necessary measures to defeat a great evil? Bear in mind that the technology of aerial bombardment in the Second World War was far more primitive than today – and thus that large numbers of civilian casualties were going to be inevitable even if Allied air force chiefs tried to avoid them. Bear in mind also that the intense and deadly aerial bombardment of both Germany and Japan went a long way to convince Germans and Japanese that war was a bad business and ought not to be tried again. In some ways, the Bomber Offensive created conditions out of which a democratic, modern Japan and the European Union eventually emerged.

As far as I am aware, neither Roosevelt nor Churchill had ethicists on their war staffs. Nor did Arthur “Bomber” Harris of the RAF or Hap Arnold of the United States Army Air Force. Formal concern with ethics as part of what ought to be a democratic nation’s military doctrine is a rather new phenomenon. It has come into its own largely in the last fifteen years or so even though some

philosophers and some theologians have no doubt grappled with the acute ethical questions raised by war ever since war began.

A combination of circumstances which began to accumulate towards the end of the Cold War have served to put ethical considerations front and center for militaries here in Canada and in democracies world wide. Let me list a few:

- raised educational levels in the democratic world
  - In general, better education -> diminished bias
- the development of an all-pervasive media
  - by nature, a free press is a "liberal" institution
- changing demographics produced by immigration
  - Multicultural democracies seek human rights-based societies
- a serious effort to tackle female inequality
  - Women are seen as a minority (tho they are not)
- greater sensitivity to human rights issues
  - militaries of democracies must reflect social values to some extent
- greater awareness of the overall state of peoples globally
  - global disadvantages resonate locally
- greater awareness of global disparity
  - awareness of the link between economic disadvantages and human rights disadvantages
- the spread of all-volunteer militaries
  - changes to the demographic profile of the military
- the nature of much post-Cold War conflict: tribal, ethnic, failed state,

intra-state.

-attempted genocide on 24 hour cable news

In Canada all these factors have combined to produce a greater awareness among Canadians about the role that ethical conduct does play in both domestic and international affairs and the role that it ought to play. As one important non-military example, a growing number of democratic governments have outlawed bribes and kickbacks as means of doing business even in societies where such conduct is tolerated, if not encouraged. Even more germane is that a growing number of corporations have themselves adopted codes of conduct which outlaw such behaviour. These practices are also being made more and more to apply to discrimination practiced in countries where, for example, women or particular ethnic or religious groups are discriminated against.

The Canadian military had its own traumatic encounter with changed public ethical standards during the Somalia Affair of the mid-1990s. The aftermath of that sad series of events saw a growing concern with ethics within the Canadian Forces and a mad search not only for yardsticks by which ethical values could be measured, but also how they could be taught to the “rank and file”, as it were, of the Canadian military. This is not to say that the CF suddenly discovered “ethics” as an important part of a soldier’s education and training, but that ethics moved to the front rank of important non-operational stuff that Canadian soldiers were supposed to learn.

Within the past half decade or so, there has been an increase in the importance of ethics as a field of necessary preparation of the Canadian soldier both in the general process of soldier socialization, and in mission-specific training. At some point or another, for example, all CF members are expected to master CF doctrine regarding the laws of war. The standard training text on that subject combines history, domestic law, international law and accepted ethical norms to guide Canadian soldiers in deciding what is lawful in the waging of war and what is not. Canada is not alone in this approach to ethical training for missions, but Canada is almost alone among the western democratic nations in not having had its soldiers severely tested through trial by fire, at least since the end of the Bosnian civil war, which largely coincided with the increase in emphasis on ethical training. Since 1995 Britain, France, the United States, even Australia (in East Timor), have placed their ground forces in harm's way more often than Canada has and have thus had more experience in dealing with the very difficult problem of maintaining democratic standards of ethical conduct in the midst of the uncontrolled violence which war inevitably is.

The one case that has come to the attention of the Canadian public since Canada's troops went into Afghanistan – that of a sniper who desecrated an enemy corpse – seems to indicate that our military will try to apply a policy of “zero tolerance” when the laws of war are violated. Most of us may agree that that is commendable, and reflects Canadian values, but as a historian with a long perspective on warfare, I question how practical a “zero tolerance” policy may be should Canada ever again face a prolonged and bloody conflict. The very last

time Canada went to a sustained war – Korea – this nation and its military were not so in tune with human rights or ethics in operation as it is now. Work done by military historian Dr. Chris Madsen on Canadian military justice in Korea, for example, clearly demonstrates that although Canadian soldiers were regularly court martialled, and convicted, for serious offences against Korean civilians (such as rape or murder), sentences in such cases were always commuted. In cases where Canadian soldiers were convicted of crimes against other Canadian soldiers, they were not.

To my knowledge, no charges have ever been brought against Canadian soldiers who fought Germans, or Italians, or Japanese, or North Koreans, or Chinese. That may, of course, reflect continuing high moral and lawful conduct on the part of Canada's soldiers through two world wars and Korea. But that is unlikely given the nature of mankind and the terrible stresses war puts on ethical values even among people who may normally be both ethical and God worshipping. I am quite safe, I think, in my belief that the shooting of prisoners by Canadian soldiers was never ordered or even encouraged by higher Canadian formation commanders. But I am not so certain that it never came to pass over the thirteen years of Canada's combined fighting in the wars of the twentieth century that, say, a section patrol or even a platoon advance was never carried out with an understanding that the taking of prisoners was not desirable in a specific circumstance and for whatever reason.

As for the much less serious crime of desecrating enemy corpses, there is anecdotal evidence that it was done with some frequency by Canadian soldiers

in Korea, though less so in Europe. Is that really unexpected to any of us? The desecration of enemy corpses is as old as warfare itself, a means of striking terror into the enemy, one of the oldest forms of psychological warfare. Have Canadian soldiers always been such “goody two shoes” that they can confidently claim that never did a Canadian violate an enemy corpse and thus break accepted norms of behaviour, let alone the laws of war and Judeo-Christian Ethical standards? To ask the question is to answer it. An army reflects the society it grows out of and all societies have members whose standards of ethical behaviour are low or non-existent.

This points to the nub of the challenge to ethics in operations. Militaries by their very nature are not nurseries of abstract thinking. Yet the greatest challenges to maintaining pre-ordained norms of ethical behaviour occur in the gray zone between what civilized people would never countenance, such as mass murder, and what they aspire to, such as a high standard in the treatment of conventional prisoners of war. And that gray zone is precisely where abstract reasoning is so necessary either in determining what is ethical conduct or how unethical conduct is to be treated.

Because militaries abhor abstractions they attempt to quantify, codify, or otherwise define the abstract into orders, or regulations, or ROE cards. What were meant as statements of a world view, or of cultural norms, or of religiously-based values are transformed thereby into hard and fast rules, a body of stricture. In this way, it is thought, ethics can be taught to soldiers in the same way as they might learn other things, like how to strip a C7 or how to perform

routine maintenance on an Ittis. In large measure there is nothing wrong with this. If we can transfer abstract rules of engagement on to a small plastic card, maybe we can do the same for rules of ethical behaviour. Except that it is always the in-between areas, the extrapolations and the interpolations – the gray areas – in which human action often takes place and here, no plastic card will help. This reality poses the greatest challenge to ethics in operations. Once we have taught ethics as a military subject, once we have even codified ethical behaviour and maybe even written it down in some convenient fashion for the soldier, and once we have chosen the people for our operations with great care, to weed out the Rambos, how should we respond when something goes wrong, as it invariably will? How much allowance should we make for the hard realities of war?

In real life, by its very nature, war is as unpredictable as it is brutal and frightening. Even in the most carefully selected and best trained soldiers, battle brings inhuman behaviour forward in many human beings. After all, war itself is both a very human activity and an activity that demands a radical departure from normalcy. War has a normalcy of its own, a looking glass quality of conduct, behaviour, and rules that are very different from non-war. The hard task for those who must try to formulate norms of ethical conduct that will survive the transition from non-war to war, is to do so in some fashion that the essence of those rules will survive the transition and still make sense.

It is impossible to do this in any one dimensional way. For example, if a society is governed in an unethical way, if it is administered in an unethical way,

if it teaches unethical behaviour, if it countenances unethical behaviour, no one can be surprised when its soldiers act in unethical ways. That is why we are surprised, shocked even, when we run across examples of acts of civility or kindness in the conduct of operations by the German armed forces in the Second World War. But even when the opposite is true, unethical behaviour will still occur because war is war. The challenge when that happens is how to respond to the transgressor, and that is usually a matter of law and not a matter of philosophy. I can only suggest that our treatment of those who transgress should be as ethical as the standards of behaviour they have departed from, taking into consideration not just the religious or philosophical roots of our ethical values, but also the particular circumstances of the act and its context.

A concluding word: the establishment and maintenance of ethical standards in operations is not, and must never be, an exercise in political correctness. Nor should it be done from outside the chain of command. It should reflect not only what society expects from its soldiers, but also what its soldiers expect from society. That should also apply within the military itself; everyone in the chain of command must be held accountable to the same norms of ethical behaviour, both up the chain and down it. And enforcement, when necessary, should be tempered by reality.

For the most part, our military has passed through the past decade without truly being tested by combat. We have developed and applied concepts of ethical behaviour on the only basis that we could have done so – theory, a reading of history, an understanding of what our society demands of our military.

With few exceptions, these standards have not been tested by war. But that could also have been said of those men and women who went to Afghanistan last winter to take part in a just war against as vicious an enemy as ever faced by Canadians in battle. They certainly proved themselves when the time of testing came. Let us all hope our rules do not fail our soldiers when it is the rules themselves that are tested by the vagaries of war.