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## Ethical War? Do the Good Guys Finish First?

By EMILY EAKIN

President Bill Clinton sent American troops into Haiti in 1994, declaring that his goals were “to stop the brutal atrocities” of a dictatorial regime and to bring democracy to the Haitian people. Capt. Lawrence P. Rockwood, an intelligence officer in the United States Army, took the president at his word.

After arriving in Haiti with his unit, he received reports of human rights abuses at the local jails. Political prisoners were being starved, tortured and — as Raoul Cedras’s regime entered its desperate final days — murdered.

Captain Rockwood appealed to his superiors for permission to inspect the jails. His superiors turned him down. His job, they said, was to protect American troops, not local civilians. After nearly a week spent futilely trying to press his case, the captain filed a formal complaint with an army inspector general. He accused eight superiors of failing to pursue the president’s directives and of indifference to human rights violations. Then he [...] set off to inspect the National Penitentiary in Port-au-Prince alone.

By the next day, the captain was on a plane headed back to the United States, where he was tried by court-martial, convicted of several charges (one, conduct unbecoming an officer, was later dismissed) and discharged from military service.

Pondering such morally complex incidents from the annals of modern combat and debating the lessons they provide for the current crop of military leaders and foot soldiers is the aim of a new scholarly publication, the Journal of Military Ethics.

“I think something like this could happen in Iraq”, said Stephen D. Wrage, a professor of political science at the United States Naval Academy in Annapolis, who presents Captain Rockwood’s story as a case study in the journal’s inaugural issue. “What we were concerned about in Haiti, we’re concerned about now.”

As Mr. Wrage tells it, the captain’s tale is an open-ended thought problem about the moral dilemmas of war: do soldiers owe their commanders unquestioned obedience at all times? Do they have a moral duty to uphold human rights? And what happens when military orders and the demands of conscience come into conflict?

At his trial, Captain Rockwood quoted his father, a soldier who had helped liberate the Nazi concentration camps and who told him such places were the “result of cynicism and blind obedience to authority.” The captain also said he admired Count von Stauffenberg, the German Army

officer who was executed for trying to assassinate Hitler, and Hugh C. Thompson, the American helicopter pilot who, seeing the My Lai massacre in progress, ordered his door gunner to aim his weapon at United States troops.

Those facts don't excuse the captain's conduct, Mr. Wrage suggests, but they help make his case rich fodder for ethics classes at American military academies, where it is routinely taught.

[...]

The immediate impetus for the journal, which made its debut last spring, was the 1999 NATO intervention in Kosovo. Observing the ethics controversy that the NATO bombing provoked, Bard Maeland, a chaplain in the Norwegian army, decided that a scholarly forum for such debate was urgently needed. "I found there was nothing like a journal of military ethics in English," said Dr. Maeland [...].

The first two issues — a third has just been published — are awash in references to ancient [Greek philosophers and aristocrats.] [...]

Occasionally, Greek terminology gives the journal an archaic air. [...]

"We are consciously committed to showing the moral tradition relating to war is very old and embedded in Western culture," explained James Turner Johnson, a professor of religion and political science at Rutgers University and the journal's co-editor. Among armies operating today, he said, the United States has led the way in making ethical concerns a priority, and not just in cadet classrooms.

"It's pretty clear if you look around at the various militaries," Mr.

Johnson said. "People think war is mainly about the technology, but the point is that it's not the technology that determines whether a particular war is discriminate or indiscriminate. It's the strategy and tactics behind that, and the training aimed at discriminating between combatants and noncombatants. The U.S. military has always said we do not directly target noncombatants."

Consider, for example, the protocol surrounding target selection, a topic covered at length in the journal's second issue. American military policy requires legal advisers to approve combat targets in advance. As a consequence, soldiers can find themselves within range of enemy forces but without permission to strike. This situation occurred repeatedly during the war in Afghanistan, where, according to American Air Force officials, clearance delays and denials allowed important Taliban and Qaeda members to escape unscathed.

The problem, the officials complained at the time, was that the military's Central Command was overly concerned about killing civilians. "The whole issue of collateral damage pervaded every level of the operation," The Washington Post quoted one officer saying in November 2001. "It is shocking, the degree to which collateral damage hamstrung the campaign."

But in the journal, scholars defended the policy, arguing that its ethical advantages outweighed its tactical costs. [...]