

JMHDS: “10 Minute Read”

Killing with Kindness: Military Strategy and the role of Ethics and Public Opinion

Cian Moran

Despite the changes in warfare that have taken place over the centuries, certain key principles remain relevant, especially evident in the work of Sun Tzu and Carl Von Clausewitz. Despite being military strategists in ancient China and Napoleonic era Prussia respectively, their work continues to hold immense value to modern strategists, who still often refer back to their work.¹ Despite this, if military strategy is understood as the art of using military force to achieve political objectives,² it cannot be denied that politics has dramatically changed since the era of both Clausewitz and Sun Tzu. While the impact of mass media on foreign policy is debatable,³ public and press support is critical to continuing wars in all states, but especially liberal democracies.⁴ It is therefore arguable that the rise in democracy and civilian control over militaries ensure that there is greater pressure for militaries to act ethically,⁵ especially as war is not just the business of soldiers but the citizens of their nation.⁶ Furthermore, as Global North militaries turned from conscript armies to professional ones, they gained an increased responsibility to instruct their soldier in ethics.⁷ This article will therefore focus on the [work](#) of Sun Tzu and Von Clausewitz and explore their principles on the role of ethics and public opinion in strategy. The importance of these two areas in modern strategy will be explored and the continued relevance of Clausewitz and Sun Tzu’s [approach](#) will be analysed.

Ethics

It can seem strange to refer to ethics when conducting war, with Clausewitz asserting that moderation in war is an absurdity.⁸ However, as strategy has political goals, strategists must consider social and moral norms, given the political, social and strategic effects on how

¹ Matthijs Pars, ‘Six Strategy Lessons from Clausewitz and Sun Tzu’ (2013) 13 *Journal of Public Affairs*. 329.

² André Beaufre, *Deterrence and Strategy* (Faber and Faber 1965). 156.

³ Piers Robinson, ‘The CNN Effect: Can the News Media Drive Foreign Policy?’ (1999) 25 *Review of International Studies*. 301-309.

⁴ Max Boot, *Invisible Armies: An Epic History of Guerilla Warfare from Ancient Times to the Present* (Liveright 2013). 560.

⁵ Daren Bowyer, ‘The Moral Dimension of Asymmetrical Warfare: Accountability, Culpability and Military Effectiveness’ in Ted van Baarda and Desirée Verweij (eds), *The Moral Dimension of Asymmetrical Warfare: Counter-Terrorism, Democratic Values and Military Ethics* (Brill Nijhoff 2009). 153-154.

⁶ Sidney Axinn, *A Moral Military* (Temple University Press 2009). 194.

⁷ Thomas Franck, ‘Reframing Asymmetrical Warfare: Beyond the Just War Dea’ in Ted van Baarda and Desirée Verweij (eds), *The Moral Dimension of Asymmetrical Warfare: Counter-Terrorism, Democratic Values and Military Ethics* (Brill Nijhoff 2009). 76.

⁸ Carl Von Clausewitz, *On War (Reprint)* (Wordsworth 1997). 6.



conflict is conducted.⁹ Modern strategy appears to take a utilitarian approach to ethics: ethics are arguable only abided by due to states' self interest.¹⁰ Nonetheless, states provide moral justifications for their actions, regardless of how clearly selfish their motivations are.¹¹

Clausewitz appreciated that strategic considerations are constrained given that war exists alongside politics.¹² Self-interest forces states to use restraint and avoid recklessly resorting to war.¹³ The extent of this restraint varies but ultimately, wars fought without regard for ethics escape states' political control.¹⁴ Modern strategy is no different, recognising the political implications that arise from military conduct. If the government and its military are perceived as losing moral integrity then their citizens will have less reason to support them.¹⁵ For this reason, it is necessary for military strategy to consider ethics, especially given the longstanding fear that a good soldier cannot also be a good person.¹⁶ Such ethics are a factor in military honour, which is as much a military weapon as a moral duty, causing contemporary militaries to restrict the methods available to their soldiers and prohibiting actions such as unnecessary suffering or the targeting of non-combatants.¹⁷ For example, the British Army recognises that its values reflect those of British society,¹⁸ and that its military effectiveness requires it to reflect British morality.¹⁹ Overall, British military ethics are perceived as supportive of liberal-democracy, with a focus on liberal peace.²⁰

Likewise, classical strategists recognised limits on how wars can be conducted and were aware of the repercussions that brutality can have. Sun Tzu advised to leave an escape route for besieged armies: while this has an ethical side, it also has strategic value given a cornered enemy will become desperate and will 'fight from the courage of despair'.²¹ Supposing then that ethics are incorporated into strategy and brutality is to be avoided, the question then arises as to what to do with prisoners. This is important given that military strategists seek the enemy's surrender, rather than their total annihilation.²² Indeed, belligerent's breaches of good faith are so dangerous as they risk preventing any sort of negotiated end to the war and instead cause "complete annihilation" to be the end goal.²³

⁹ Justin Morris, 'Law, Politics and the Use of Force' in John Baylis, James Wirth and Colin Gray (eds), *Strategy in the Contemporary World* (4th edn, Oxford University Press 2013). 104.

¹⁰ David Boucher, *The Limits of Ethics in International Relations: Natural Law, Natural Rights, and Human Rights in Transition* (Oxford University Press 2009). 21.

¹¹ Jack Goldsmith and Eric Posner, 'Moral and Legal Rhetoric in International Relations: A Rational Choice Perspective' (2002) 31 *The Journal of Legal Studies*. 118.

¹² Beatrice Heuser, *Reading Clausewitz* (Pimlico 2002). 30.

¹³ Von Clausewitz (n 11). 344-345.

¹⁴ Christopher Coker, *Ethics and War in the Twenty-First Century* (Routledge 2008). 18.

¹⁵ British Army, *British Army Field Manual, Volume 1, Part 10: Countering Insurgency AC 71876* (British Army 2009). B-3-13.

¹⁶ E. Adams, 'The Moral Dilemmas of the Military Profession' (1989) 3 *Public Affairs Quarterly*. 4.

¹⁷ Axinn (n 9). 44-48.

¹⁸ British Army, 'Values and Standards of the British Army AC 64649' (2018). Art.44.

¹⁹ Bowyer (n 8). 155.

²⁰ Steven Deakin, 'Counter-Insurgency Ethics at the Royal Military Academy Sandhurst' in Paul Robinson Don Carrick, James Connelly (ed), *Ethics Education for Irregular Warfare* (Routledge 2016). 126.

²¹ Sun Tzu, *The Art of War* (Project Gutenberg 2005). 49.

²² Axinn (n 9). 188. See also Goldsmith and Posner (n 15). 138.

²³ US Department of the Army, *The Commander's Handbook on the Law of Armed Warfare Field Manual 27-10* (US Department of the Army 2019). 2-24.

Clausewitz appreciated that victory rarely involved military annihilation, highlighting that the aim is to prevent your opponent's continued resistance which can often be achieved by crushing their morale, with prisoners being 'the true trophy of war'.²⁴ Clausewitz seems to be arguing that prisoners should be encouraged to surrender (or at least, not discouraged from doing so).²⁵ Sun Tzu likewise argues for taking prisoners, advising generals to care for prisoners who can then be used to strengthen their own army.²⁶ Likewise, the US Army's Law of Armed Conflict (LOAC) highlights the fact that Sun Tzu laid out rules for treating and caring for captives.²⁷ An example of the utility of this was during the Chinese Civil War when the People's Liberation Army allowed captured Kuomintang soldiers to defect, many of whom became loyal fighters.²⁸

Treating prisoners well can be further seen in modern warfare. World War II shows the result of brutalising prisoners: the USSR and Nazi Germany treated their prisoners horrendously, encouraging both sides' soldiers to fight to the death, rather than risk the brutality of prison camps.²⁹ Likewise, fair-treatment can induce an enemy to surrender: Germany's treatment of French prisoners of war during World War I horrified French High Command; French soldiers frequently surrendered, knowing they would be well treated by Germany.³⁰ Likewise, during the First Gulf War, the US treated Iraqi prisoners well, resulting in large-scale Iraqi surrender.³¹ Essentially, contemporary strategy recognises that soldiers do have a strong incentive to surrender if the choice is between certain death and being fairly treated for surrendering.³² This ties in well with Sun Tzu's philosophy that good strategists will defeat their enemies without having to fight them.³³

Furthermore, there is a high element of reciprocity underpinning the treatment of prisoners which has been common in strategy since the Renaissance era.³⁴ When General Eisenhower was asked by an incredulous Russian general why the US treated German prisoners so well, Eisenhower's response was that not only was the US obligated to do so under international law, but doing so made it more likely that Germany would reciprocate.³⁵ Likewise, John McCain warned "mistreatment of enemy prisoners endangers our own troops, who might someday be held captive".³⁶ Knowing that their comrades are being well-treated eases pressure on governments who might otherwise be forced by domestic pressure to engage in rescue missions. Furthermore, the abuse of prisoners can have serious

²⁴ Von Clausewitz (n 11). 211.

²⁵ Coker (n 18). 20.

²⁶ Sun Tzu *The Art of War* (London, 2002) p.129

²⁷ US Army Judge Advocate General's Legal Centre, *Law of War Deskbook* (US Army Judge Advocate General's Legal Centre 2010). 8.

²⁸ Tao Hanzang, *Sun Tzu's The Art of War: The Modern Chinese Interpretation* (Sterling 1987). 85.

²⁹ Robert Cantrell, *Understanding Sun Tzu on the Art of War* (Center for Advantage 2003). 16.

³⁰ Heather Jones, *Violence Against Prisoners of War in the First World War* (Cambridge University Press 2014). 78-79.

³¹ Cantrell (n 34). 16.

³² Christopher Orr, 'The Difference Between Battle and Torture' (*The New Republic*, 2009)

<<https://newrepublic.com/article/49333/the-difference-between-battle-and-torture>> accessed 21 May 2022.

³³ Sun Tzu (n 25). 29.

³⁴ Neville Wylie, *Barbed Wire Diplomacy: Britain, Germany and the Politics of Prisoners of War 1939-1945* (Oxford University Press 2010).38-39.

³⁵ Dwight D Eisenhower, *Crusade in Europe* (Heinemann 1948). 511-512.

³⁶ John McCain, 'Bin Laden's Death and the Debate over Torture' *Washington Post* (11 May 2011).

consequences for a military's reputation, causing institutional damage, affecting morale and hindering recruitment.³⁷

From the above, it appears that there was recognition of the importance of ethics in classical strategy. While couched in realism, Sun Tzu and Clausewitz demonstrate that strategy can overlap with ethics, while ethics have become essentially internalised by modern militaries in the form of the LOAC,³⁸ which operates as a support to military strategy.³⁹ However, ethics and law must not burden strategy with excessive rules and obligations. Here, a significant development is notable in strategy. Clausewitz referred to international law as "self-imposed restrictions, almost imperceptible and hardly worth mentioning"⁴⁰ and while this was an accurate assessment of international law's relevance at his time, he appreciated politics' impact on war, which is compatible with the role of law on military strategy.⁴¹ As such, contemporary LOAC seeks to provide a rational framework, whereby conflict's worst aspects can be mitigated, while remaining pragmatic.⁴² Strategic ethics is no different in that they must be realistic without compromising military effectiveness. As with LOAC, ethics cannot render war 'humane' but it can avoid strategic disadvantages while mitigating the brutality of war. A key benefit of ethics is preventing the alienation of the public, whose support is critical in maintaining warfare.⁴³

Public Opinion

Clausewitz witnessed the mobilisation of the French nation where *levée en masse* led to a massive army with ideological soldiers who enjoyed domestic support.⁴⁴ Whereas previous militaries were mostly small, professional forces, the French military was only viable due to its support among French citizens.⁴⁵ Clausewitz realised the importance of a nation's 'heart and sentiment [...] to its political and military strength'.⁴⁶ A nation could not ignore the importance of mass-mobilisation, which allowed the use of manpower and resources that was previously unforeseeable. Key in this was public support, which Napoleon noted was a "mysterious and invisible power to which everything must yield. There is nothing more fickle, more vague or more powerful."⁴⁷

Both Sun Tzu and Clausewitz's ideas on public support were relevant for their time but are especially poignant in the era of liberal-democracy. While even autocratic regimes require

³⁷ Bowyer (n 8). 153-154.

³⁸ Axinn (n 9). 3.

³⁹ International Committee of the Red Cross, *Handbook on International Rules Governing Military Operations* (International Committee of the Red Cross 2013). 9.

⁴⁰ Von Clausewitz (n 11). 5.

⁴¹ Kevin Rousseau, 'International Law and Military Strategy: Changes in the Strategic Operating Environment' (2017) 9 *Journal of National Security Law & Policy*. 2.

⁴² Steven Haines, 'The Developing Law of Weapons: Humanity, Distinction, and Precautions in Attack' in Andrew Clapham and Paolo Gaeta (eds), *The Oxford Handbook of International Law in Armed Conflict* (Oxford University Press 2014). 5.

⁴³ Boot (n 7). 560.

⁴⁴ Owen Connelly, *The French Revolution and Napoleonic Era* (Harcourt 2000). 137.

⁴⁵ Willmot, Louise. 'Introduction' in Von Clausewitz (n 11). XII-XIII.

⁴⁶ *ibid.* 194.

⁴⁷ Napoleon, *Political Aphorisms, Moral and Philosophical Thoughts of the Emperor Napoleon* (James Manning and G de Liancourt eds, TC Newby 1848). 194.

public support to engage in conflict,⁴⁸ democratic government's need for electoral support mean they must keep an even closer eye on public opinion, which has a key impact on strategy.⁴⁹ A prime example is the American response to World War II where public opinion strongly supported conscription, wage-controls and the constraint of civil-liberties.⁵⁰ When domestic support allows the government to implement militarily advantageous but politically unpopular policies such as conscription and increased military spending, military strategy is bolstered.⁵¹ Indeed, Mao Zedong's strategy saw public support being as essential for war as water is to a fish.⁵²

While modern warfare still relies heavily on professional armies, the strategic role of the public is indispensable in national crises.⁵³ It can be argued that public opinion can be a hindrance in strategy, as noted by Alexis de Tocqueville who claimed foreign policy is inferior in democratic governments due to ignorant electorates,⁵⁴ but this proved to be a generally unfounded fear in the US.⁵⁵ Nonetheless, public support is a vital factor in when democratic representatives decide to use military force, and parliamentarians are keenly aware of the political costs in ignoring public opinion.⁵⁶

Where public opinion is against war, strategy is weakened. Sun Tzu holds that the civil and military spheres are distinct, with generals given free hand by the state⁵⁷ while Clausewitz highlights militaries must be under political control but policy makers should at least listen to military advisors.⁵⁸ The Vietnam War shows the results of political ignorance of military matters, resulting in a strategy that was ineffective or impossible for the military to complete.⁵⁹ This lack of attainable objectives was marked by American government failure to mobilise public support for the war, which undermined the Clausewitzian trinity of government, public and military roles in war.⁶⁰ While there was initially support for the war, this evaporated over time, causing fissures in American society.⁶¹ The Vietnam war shows the importance of public support before a war can be waged; as Trinquier put it, there is a

⁴⁸ Jon Western, 'Prudence or Outrage? Public Opinion and Humanitarian Intervention in Historical and Comparative Perspective' in Fabian Klose (ed), *The Emergence of Humanitarian Intervention: Ideas and Practice from the Nineteenth Century to the Present* (Cambridge University Press 2018). 166.

⁴⁹ Hew Strachan, 'Strategy in the 21st Century' in Hew Strachan and Sibylle Scheipers (eds), *The Changing Character of War* (Oxford University Press 2011). 509.

⁵⁰ George Gallup, 'How Important Is Public Opinion in Time of War?' (1942) 85 *American Philosophical Journal*. 440-442.

⁵¹ Jan Van Der Meulen, 'The Netherlands: The Final Professionalization of the Military' in Charles Moskos, John Williams and David Segal (eds), *The Postmodern Military: Armed Forces After the Cold War* (Oxford University Press 2000). 113.

⁵² Roger Trinquier, *La Guerre Moderne* (La Table Ronde 1961). 6.

⁵³ Alexander Huang, 'Transformation and Refinement of Chinese Military Doctrine: Reflection and Critique of the PLA's View' in James Mulvenon and Andrew Yang (eds), *Seeking Truth From Facts: A Retrospective on Chinese Military Studies in the Post-Mao Era* (RAND Corporation 2001). 133.

⁵⁴ Alexis de Tocqueville, *Democracy in America* (Pennsylvania State 2002). 261.

⁵⁵ Colin Dueck, *The Obama Doctrine: American Grand Strategy Today* (Oxford University Press 2015). 110-111.

⁵⁶ Tomz, Weeks and Yarhi-Milo (n 5). 120-121.

⁵⁷ Sun Tzu (n 25). 31.

⁵⁸ Von Clausewitz (n 11). 360-361.

⁵⁹ Heuser (n 16). 169.

⁶⁰ *ibid.* 170.

⁶¹ Melvin Small, "'Hey, Hey, LBJ!'" American Domestic Politics and the Vietnam War' in David Anderson (ed), *The Columbia History of the Vietnam War* (Columbia University Press 2010). 342.

pressing need for a public to be convinced of the war aims.⁶² Following the Vietnam War, the US military drastically changed its strategy, incorporating Clausewitz's theory into military policy.⁶³

Likewise, public opinion is often used as a weapon: the American public opinion towards the Vietnam War was driven by mounting casualties, high government spending and no end in sight.⁶⁴ This is what Sun Tzu highlighted when he warned protracted warfare drains state coffers, impoverishes the citizenry and alienates public support.⁶⁵ Clausewitz likewise noted war will be abandoned if the objective proves too costly or drags on too long.⁶⁶ Public opinion is no exception, which was a key problem in the Vietnam conflict: once the protracted war was deemed to outweigh the objectives, the American public exerted pressure to change the strategy.⁶⁷ The impact of public opinion for military strategy is still strikingly relevant: American involvement in Iraq after the overthrow of Saddam Hussein showed marked similarities with Vietnam, with initial support giving way to disenchantment and opposition.⁶⁸

Public opinion can force a state to abandon military objectives but can also force a state to war. Clausewitz highlighted that public opinion can cause an otherwise minor incident to explode into warfare.⁶⁹ This can occur even in an autocracy: Russian public demands to aid Bulgaria forced Tsar Alexander II to declare war on the Ottoman Empire, despite his own personal opposition.⁷⁰ Democracies fared little better with similar mass support for British intervention during the Greek War of Independence due to Ottoman atrocities.⁷¹ The rise of mass-media has made this even more problematic and can force states to devise strategy against their wishes. This is especially evident in counter-insurgency.

Ethics and Public Opinion in Counterinsurgency

One of the greatest strategic challenges facing contemporary states is asymmetric warfare that poses new challenges to contemporary strategy.⁷² However, Clausewitzian strategy requires the consideration of warfare as a whole, including subsets like asymmetrical warfare.⁷³ Likewise, asymmetrical warfare involves strategy itself in choosing optimal tactics.⁷⁴ Insurgency poses a key problem in strategy as no matter how powerful a state is, if it lacks a will to act, its counterinsurgency is doomed to failure.⁷⁵ Therefore, even the

⁶² Trinquier (n 57). 41.

⁶³ Hew Strachan, *Carl Von Clausewitz's On War: A Biography* (Allen and Unwin 2007).1-4.

⁶⁴ William Lunch and Peter Sperlich, 'American Public Opinion and the War in Vietnam' (1979) 32 *The Western Political Quarterly*. 30-31.

⁶⁵ Sun Tzu (n 25). 26.

⁶⁶ Von Clausewitz (n 11). 27-28.

⁶⁷ Michael Plehn, *The Sharpest Sword: Compellance, Clausewitz and Counteinsurgency* (2005) <<https://apps.dtic.mil/sti/pdfs/ADA476995.pdf>>. 53.

⁶⁸ Donald Reed, 'Why Strategy Matters in the War on Terror' (2006) II *Homeland Security Affairs*. 3.

⁶⁹ Von Clausewitz (n 11). 13.

⁷⁰ Gary Jonathan Bass, *Freedom's Battle: The Origins of Humanitarianism* (2008). 294-296.

⁷¹ *ibid.* 113.

⁷² Noriyuki Katagiri, *Adapting to Win: How Insurgents Fight and Defeat Foreign States in War* (University of Pennsylvania Press 2015). 10.

⁷³ Bowyer (n 8). 137.

⁷⁴ Królikowski (n 2). 203.

⁷⁵ Martin Wayne, 'China's Society-Centric Counter Terrorism Approach in Xinjiang' in Paul Rich and Isabelle Duyvesteyn (eds), *The Routledge Handbook of Insurgency and Counterinsurgency* (Routledge 2012). 340.

strongest state can find itself forced to withdraw by militarily inferior opponents who drag it into a war of attrition, which again echoes Sun Tzu's maxim that wars that drag on too long will exhaust a nation's strength, treasury and public support.⁷⁶

Vital in counterinsurgency are the importance of ethics and public opinion, with overlap between the two areas: a key method of insurgents is to induce governmental brutality to garner public sympathy.⁷⁷ The opposite can also occur, with the Omagh bombing by the Real IRA inducing widespread revulsion across the British, Irish and American political spectrum and inducing Irish republicans to support the Good Friday Agreement.⁷⁸ In effect, insurgency's strategy involves encouraging unethical warfare to win public support, both locally, internationally and among their opponent's citizenry. Likewise, insurgents seek to sap their opponents resolve, dragging them into a protracted warfare, with victory often arising from insurgents eroding their enemy's political, rather than military ability to fight.⁷⁹ Creating and sustaining public support is often the largest factor in the long-term effectiveness of an insurgency⁸⁰ while Boot highlights that the biggest development in asymmetrical warfare in recent years is the prominence of public opinion.⁸¹

Clausewitz highlights a reason 'civilised nations' avoid brutalising civilians as 'an unnecessary barbarity which might easily induce reprisals'.⁸² By Clausewitz's time, militaries sought to avoid oppressing civilians for practical reasons: an army cannot afford to alienate them, given military reliance on them for food, labour and intelligence.⁸³ The inadvisability of losing local support was apparent even to the arch-pragmatist Machiavelli who noted that "no matter how powerful one's armies, to enter a conquered territory, one needs the goodwill of the inhabitants."⁸⁴ The importance of the civilian population to strategy is even more vital for counter-insurgency given civilian support is a critical factor in how insurgents address their power imbalance with conventional militaries.⁸⁵ This mindset is visible in contemporary strategy, with Best noting that there are no practical reasons to brutalise non-combatants and a myriad of ethical reasons not to do so.⁸⁶ Meanwhile, insurgents have a key aim in blurring the distinction between their own irregular combatants and the civilian non-combatant population at large, who they hide amongst while inducing their opponents to lose the "moral surety" of targeting only combatants.⁸⁷ Such views are especially vital in counterinsurgency strategy.

⁷⁶ Sun Tzu (n 25). 26.

⁷⁷ Daniel Byman, *Understanding Proto-Insurgencies* (RAND Corporation 2007). 7. See also MLR Smith, *Fighting for Ireland? The Military Strategy of the Irish Republican Movement* (Routledge 2014). 82.

⁷⁸ James Dingley, 'The Bombing of Omagh, 15 August 1998: The Bombers, Their Tactics, Strategy, and Purpose Behind the Incident' (2011) 23 *Studies in Conflict and Terrorism*. 461-462.

⁷⁹ Larisa Deriglazova, *Great Powers, Small Wars: Asymmetric Conflict since 1945* (John Hopkins University Press 2014). 13-14.

⁸⁰ US Army, *Counterinsurgency Field Manual FM 3-24* (Department of the Army 2006). 3:13.

⁸¹ Boot (n 7). 559.

⁸² Von Clausewitz (n 11). 346.

⁸³ Coker (n 18). 20.

⁸⁴ Niccolo Machiavelli, *The Prince* (Penguin 2009). 3.

⁸⁵ Katagiri (n 77). 45.

⁸⁶ Geoffrey Best, *War and Law since 1945* (Oxford University Press 1994). 26.

⁸⁷ Bowyer (n 8). 141.

The British Army highlights that soldiers must act within the law (both domestic and international) at all times,⁸⁸ and embrace British society's core values, with soldiers having to put the rights of others before their own "as a matter of duty".⁸⁹ The Royal Military Academy Sandhurst exemplifies this with 'Exercise Broadsword' forcing officer-cadets to role-play ethical dilemmas while schooling them in military-ethics such as proportionality and restraint,⁹⁰ with such military ethics being seen as vital for counter-insurgency.⁹¹ When the British Army was deployed during to Northern Ireland to take over primary policing duties from the Royal Ulster Constabulary, they were initially welcomed by Catholics.⁹² However, the British Army's heavy-handed tactics alienated Catholics and directly caused the first major influx of recruits into the Provisional IRA.⁹³ The British Army's experience in Northern Ireland showed them the importance in conducting themselves with restraint and within the rule of law. It also showed the British Army that minimum force and good governance is a vital counterinsurgency tactic to deprive the insurgents of local support, while being more effective than killing insurgents.⁹⁴ Ethical treatment of civilians not only stops them aiding the enemy but can lead to them helping friendly forces with intelligence.⁹⁵ This ties in with Sun Tzu's maxim that local spies can be recruited from the enemy's countrymen, with Tu Mu highlighting that by treating the enemy's people kindly, they can be used for espionage.⁹⁶

The US military likewise appreciates the strategic importance of winning local support, seeing it as vital for both ethical and counterinsurgency reasons. To this end, the strategy of 'Winning Hearts and Minds' (WHAM) is vital in American counterinsurgency strategy.⁹⁷

Essentially this acknowledges that military action alone cannot defeat insurgencies, and that security relies on defusing unrest by co-opting local support through good governance.⁹⁸ Senior US military figures highlight the importance of WHAM, with General McChrystal noting "If the people are against us, we cannot be successful" while former US Secretary of Defense Cohen claims that a WHAM strategy is necessary for counterinsurgency.⁹⁹ When soldiers act brutally, it antagonises locals (often leading them to aid the enemy), strengthens the enemy's resolve and weakens military discipline.¹⁰⁰ Ethics is

⁸⁸ British Army (n 22).25.

⁸⁹ *ibid.* 4-5.

⁹⁰ Deakin (n 24). 123.

⁹¹ *ibid.* 121.

⁹² David Charters, "'Have A Go': British Army/MI5 Agent-Running Operations in Northern Ireland, 1970-72" (2013) 28 *Intelligence and National Security*. 210.

⁹³ Smith (n 82). 92.

⁹⁴ Paul Dixon, "'Hearts and Minds'? British Counter-Insurgency Strategy in Northern Ireland" (2009) 32 *Journal of Strategic Studies*. 454.

⁹⁵ *ibid.*

⁹⁶ Sun Tzu (n 25). 86.

⁹⁷ Mark Thompson, 'Playing Checkers in Kabul' *Time* (20 September 2012).

⁹⁸ Ted van Baarda, 'The Moral Dimension of Asymmetrical Warfare' in Ted van Baarda and Desirée Verweij (eds), *The Moral Dimension of Asymmetrical Warfare: Counter-Terrorism, Democratic Values and Military Ethics* (Brill Nijhoff 2009). 14.

⁹⁹ CNN, "U.S Must Win Afghan Hearts and Minds" US Commander Says" (*CNN*, 2009) <<https://edition.cnn.com/2009/POLITICS/09/28/afghanistan.obama/index.html>> accessed 22 May 2022.

¹⁰⁰ Michael Schmitt, 'Military Necessity and Humanity in International Humanitarian Law: Preserving the Delicate Balance' (2010) 50 *Virginia Journal of International Law*. 837.

similarly vital, with the abuse of prisoners in Abu Ghraib offering an effective propaganda technique to insurgents, enabling them to portray the US as brutal.¹⁰¹

While Sun Tzu and Clausewitz recognised the strategic importance of ethics and public opinion, these areas remain relevant. When governmental forces act ethically and with due regard for public opinion, their military effectiveness and strategy is enhanced. By contrast, where a military is seen to act immorally, it hinders support, both domestically and internationally.¹⁰² While targeted counterinsurgency is a relatively recent phenomenon, the principles that Clausewitz and Sun Tzu espouse remain highly applicable.

Conclusion

The conclusion can therefore be drawn that both Sun Tzu and Clausewitz remain influential in modern strategy, with public opinion and ethics continuing to have a key impact. Democracy ensures public opinion has an even greater impact on strategy, forcing governments to keep their citizenry on side whereas the rise of human rights, international law and the media ensures that ethics mitigates military brutality. Where a government acts brutally, it loses the moral high ground, inducing domestic dissent while allowing its enemies to use such atrocities as a recruiting tool.¹⁰³ Where it acts ethically, it maintains the moral high ground and bolsters civilian support, both locally and internationally. There can be little doubt this is of vital strategic importance.

The increase in asymmetrical warfare shows the synthesis of public opinion and ethics in military strategy. Both Sun Tzu and Clausewitz highlighted the importance of winning support among the populace of a conflict zone, which confers a myriad of strategic benefits, particularly given insurgents' reliance on public support and the importance of intelligence and informants in counterinsurgency. The continued relevance of Sun Tzu and Clausewitz is evidenced by the extrapolation of their beliefs into modern counterinsurgency manuals.

The views expressed above are those of the author alone and do not represent those of any other group or organisation.

¹⁰¹ Bowyer (n 8). 150.

¹⁰² *ibid.* 149-153.

¹⁰³ Steve Tsang, 'Frameworks for Combating Terrorism' in Steve Tsang (ed), *Combating transnational terrorism; searching for a new paradigm*. (Praeger Security International 2009). 12.