Understanding the Psychology of Combat in the Law of War

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Purpose and Scope

Purpose: The purpose of this briefing is to inform cadets of the Wildcat Battalion and others about the psychology of combat in the law of war. At the conclusion of this briefing the audience will have a better understanding of the topic allowing them to be more competent military leaders and members of society.

Scope: This informational briefing will be conducted in three sections. Each of which will contain information to facilitate the understanding of the psychology of engaging the enemy in combat, in accordance with the rules of engagement (ROE) to uphold the laws and regulations of war.
Agenda

Section 1: The Psychology of Combat
- Fight-or-Flight
- Training vs. Conditioning
- Proximity
- Results

Section 2: The Law of War
- Origins
- League of Nations & United Nations
- Nuremberg Trials & Geneva Conventions
- Rules of Engagement
- Law of Armed Conflict

Section 3: Making Connections
- Authority & Milgram
- Obedience to Powers
- My Lai Massacre & UCMJ

- Conclusion
- References
Section 1:
The Psychology of Combat
Stress Responses

Fight-or-Flight

Stress response through the Sympathetic Nervous System
Secretion of epinephrine, norepinephrine, and cortisol
Increase of strength, speed, and power
Freeze

Posture-or-Submit

The Soldier's Options

Flight
Posture
Submit
Training vs. Conditioning

Learning-
A systematic, relatively permanent change in behavior that occurs through experience.

Connections or associations between events

- Classical Conditioning
- Association between an involuntary response
- Conditioning of neutral stimuli
- Operant Conditioning
- A form of associative learning in which the consequences of a behavior change the probability of the behaviors occurrence
- Rewards and Punishments
- Strengthening or weakening voluntary behaviors
The No. 1 [gunner] was 17 years old – I knew him. His No. 2 [assistant gunner] lay on the left side, beside him, his head toward the enemy, a loaded magazine in his hand ready to whip onto the gun the moment the No. 1 said “Change!” The No. 1 started firing, and a Japanese machine gun engaged them at close range. The No. 1 got the first burst through the face and neck, which killed him instantly. But he did not die where he lay, behind the gun. He rolled over to tap his No. 2 on the shoulder in the signal that means Take over. The No. 2 did not have to push the corpse away from the gun. It was already clear.
Proximity

An individual's resistance to killing increases as the distance from the target decreases.
Results of Stress

- Experiencing the traumatic event through thoughts, memories, dreams, flashbacks
- Avoidance of activities that remind of event, or related thoughts, feelings, conversations
- Reduced responsiveness or separation from their environment, people, or loss of interest in activities that were once enjoyed
- Increased arousal, negative emotions, guilt resulting in trouble concentrating, sleep problems, anxiety, anger, or depression

The Killing Response Stages
Section 2:
Law of War
Origins of the Law of War

- Developed from:
  - Religion
  - Culture
  - Policy
  - Traditions
  - Events

  "For example, in the Bible, Goliath suggested that a contest between two champions would be used instead of using two armies. Thus: ‘If he be able to fight with me, and kill me, then we will be your servants, but if I prevail against him, and kill him, then ye shall be our servants and serve us’" (Gillespie, 2011).
League of Nations & United Nations

First international organization whose principal goal was to maintain and enforce world peace

Established at the end of the First World War

The League of Nations resolved some territorial disputes and minor conflicts

One of its primary tasks was to enforce the disarmament of countries whose militaries were getting too large

- Established 24 October 1945
- Objectives:
  - Maintaining international peace and security
  - Promoting human rights
  - Fostering social and economic development
  - Protecting the environment
  - Providing humanitarian aid in famine, natural disasters, and armed conflict
Nuremberg Trials & Geneva Conventions

International Military Tribunal (IMT) tried individuals for Crimes against peace, War crimes, Crimes against humanity.

Four separate conventions with additional protocols introduced over time

International Criminal Court (ICC) jurisdiction over war crimes, crimes against humanity, and genocide

• Treatment for:
  • the wounded and sick in armed forces in the field
  • the wounded, sick and shipwrecked of armed forces at sea
  • prisoners of war
  • rights of civilians
Rules of Engagement

International ROE via NATO

Standing Rules of Engagement (SROE)
  • Inherent right of self-defense
    • National, Collective, Mission Accomplishment v. Self-Defense
  • Declared Hostile Force
  • Hostile Acts
  • Hostile Intent
  • Imminent Use of Force

Mission-specific ROE
  • ROE Cards

Change over time
KFOR RULES OF ENGAGEMENT FOR USE IN KOSOVO

SOLDIER’S CARD

To be carried at all times.

MISSION. Your mission is to assist in the implementation of and to help ensure compliance with a Military Technical Agreement (MTA) in Kosovo.

SELF DEFENSE.

1. You have the right to use necessary and proportional force in self-defense.
2. Use only the minimum force necessary to defend yourself.

GENERAL RULES.

1. Use the minimum force necessary to accomplish your mission.
2. Hostile forces/belligerents who want to surrender will not be harmed. Disarm them and turn them over to your superiors.
3. Treat everyone, including civilians and detained hostile forces/belligerents, humanely.
4. Collect and care for the wounded, whether friend or foe.
5. Respect private property. Do not steal. Do not take "war trophies".
6. Prevent and report all suspected violations of the Law of Armed Conflict to superiors.

CHALLENGING AND WARNING SHOTS.

1. If the situation permits, issue a challenge:
   - In English: "NATO! STOP OR I WILL FIRE!"
   - Or in Serbo-Croat: "NATO! STANTI LI PUTSAM!"
   - (Pronounced as: "NATO! STANTI LI PUTSAM!"
   - Or in Albanian: "NATO! NDAL OSE UNE DO TE QELLO!"
   - (Pronounced as: "NATO! NDAL OSE UNE DO TE QELLO!")

2. If the person fails to halt, you may be authorized by the on-scene commander or by standing orders to fire a warning shot.

OPENING FIRE.

a. You may open fire only if you, friendly forces or persons or property under your protection are threatened with deadly force. This means:

   1. You may open fire against an individual who fires or aims his weapon at, or otherwise demonstrates an intent to imminently attack, you, friendly forces, or persons with Designated Special Status (PDSS) or property with designated special status under your protection.

   2. You may open fire against an individual who plants, throws, or prepares to throw, an explosive or incendiary device at, or otherwise demonstrates an intent to imminently attack you, friendly forces, PDSS or property with designated special status under your protection.

   3. You may open fire against an individual deliberately driving a vehicle at you, friendly forces, or PDSS or property with designated special status.

b. You may also fire against an individual who attempts to take possession of friendly force weapons, ammunition, or property with designated special status, and there is no way of avoiding this.

c. You may use minimum force, including opening fire, against an individual who unlawfully commits or is about to commit an act which endangers life, in circumstances where there is no other way to prevent the act.

MINIMUM FORCE.

a. If you have to open fire, you must:
   - Fire only aimed shots; and
   - Fire no more rounds than necessary; and
   - Take all reasonable efforts not to unnecessarily destroy property; and
   - Stop firing as soon as the situation permits.

b. You may not intentionally attack civilians, or property that is exclusively civilian or religious in character, except if the property is being used for military purposes or engagement is authorized by the commander.
Law of Armed Conflict (LOAC)

Four principles are used to help govern the actions of soldiers:

- Military Necessity
- Distinction
- Avoid Unnecessary Suffering
- Proportionality
Section 3:
Making Connections
Authority & Milgram

1961 experiment to test obedience
Influenced by the authority figure, proximity of the victim, & the experimental procedure

[Graph showing levels of voltage]

Source: Milgram (1974)
Obedience to Powers

Corrosive Power
Reward Power
Expert Power
Legitimate Power
Referent Power
My Lai Massacre & UCMJ

Tet Offensive in 1968
Lt. Calley followed orders of Cpt. Medina
Defense of obedience
Legally obligated to disobey
Diffusion of Responsibility

- Proximity of Authority
  - Respect for Authority

- Demand for Kill
  - Proximity of Authority

- Authority
  - Identification with Group
  - Proximity of Group

- Predisposition of Killer
  - Physical Distance
  - Emotional Distance
    - Cultural
    - Moral
    - Social
    - Mechanical

- Total Distance from Victim
  - Relevance of Available Strategies
  - Relevance of Victim
  - Payoff
    - Killer’s Gain
    - Enemy’s Loss

- Target Attractiveness of Victim

- Group Absolution
  - Guilt

- Authority Absolution
  - Guilt

- Killer
  - Guilt

- Group
  - Guilt

- Diffusion thru Distance

- Victim
Conclusion & Questions


References Continued


