

WE ARE THE WORLD: OUR RESPONSIBILITY TO PREVENT MASS
ATROCITIES

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MASTER OF MILITARY ART AND SCIENCE
Strategic Studies

by

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

WE ARE THE WORLD: OUR RESPONSIBILITY TO PREVENT MASS ATROCITIES, by Major Alexandra Rivera, 84 pages.

Images of bloodied and orphaned children, scattered and mutilated bodies, and pure terror around the world have been haunting humanity for decades. The international community has made the promise of “never again,” but a quick look around the globe today reveals a significant portion of the world living in a continued nightmare that we would not wish to our worst enemy. But whose responsibility is it to honor and ensure we live by this promise? What does the United States Army have to do with preventing mass atrocities? The responsibility to protect falls on our shoulders—all of us—as individuals, as governments, as armies. It is the profound moral and ethical obligation that each person has to protect innocent people from what is indisputably wrong, regardless of the viewing angle. Preventing mass atrocities appears to be simple logic, but the complexity of the environment surely does not make it as clear cut as it appears. In many instances, ethical decisions must be made between very difficult and often grim “right vs. right” choices. Recognizing this complexity, we must not discount the global consequences of mass atrocities and uphold our role in prevention.

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ACRONYMS

CAS	Close Air Support
DoD	Department of Defense
FAR	Forces Armées Rwandaises
LDRSHIP	Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, Personal Courage
MARO	Mass Atrocity Response Operations
NMS	National Military Strategy
NSS	National Security Strategy
OP	Observation Post
PSD	Presidential Study Directive
QDR	Quadrennial Defense Review
R2P	Responsibility to Protect
RPF	Rwanda Patriotic Front
UNAMIR	United Nations Assistance Mission to Rwanda
UNPROFOR	United Nations Protection Force

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CHAPTER 1

INTRODUCTION

Chapter Introduction

We must tell our children. But more than that, we must teach them. Because remembrance without resolve is a hollow gesture. Awareness without action changes nothing. In this sense, ‘never again’ is a challenge to us all—to pause and to look within.

— US President Barack Obama

Mass atrocities have been and are being committed around the world, and in many instances the world simply watches from the sidelines. Throughout history, many atrocity events could have been prevented, but no one took the responsibility of stepping in and doing so. Many watched as crimes were being committed in front of them, but hid behind a dozen excuses, and did nothing. The horrific images haunt us to this day; images of terror from incidents like the Armenian genocide that took place in the WWI era, the Holocaust as a result of WWII, the Cambodian “re-education” campaign in the 1970s, the civil war in Rwanda and the war in Bosnia in the 1990s, and the genocide in Darfur in the early 2000s (United to End Genocide 2017a). Why did these incidents happen, what was the response, and whose responsibility is it to prevent them from happening?

The obligation to protect falls on our shoulders—all of us—as individuals, as governments, as armies. It is the profound moral and ethical obligation that each person has to protect innocent people from what is indisputably wrong, regardless of the viewing angle. The international community has recognized that there is a necessity of international action. The “never again” promise as a result of the genocide in Rwanda in 1994, is an international responsibility. The United States, as the largest global power,

has a greater responsibility and role in the international community. All instruments of national power must be used in preventing mass atrocities, to include the military. The United States Army is the largest branch of the military and has a large presence around the world. As such, there is a likelihood of the Army being in areas where either mass atrocities are being committed or there is an imminent danger of it happening. What is an Army unit to do if confronted with a “crimes against humanity” situation or a circumstance where mass atrocities are being committed? Preventing mass atrocities may appear to be simple logic to some people – people who believe we must always help out those in need, might simply say that it is our inherent responsibility to help when we can. The complexity of the environment of this inter-connected world; however, does not make it as clear cut as it appears. The effects of one’s actions for example, may have second and third order effects that achieve the opposite of what he or she intended to do in the first place. This thesis will explore that complexity, ethical implications, legal requirements, and the role of the U.S. Army in preventing mass atrocities.

Primary Research Question

The founding document of the United States of America establishes an equality of mankind and decries the usurpations of rights and liberties by oppressive powers: “that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness” (Jefferson 1776). From the beginning of the nation’s founding to the codification in the 2015 *National Security Strategy* (NSS), the U.S. supports the responsibility to protect civilians from mass atrocities and the obligation to step in when governments clearly fail to protect their populations (Obama 2015). The Department of Defense, and by extension the U.S. Army

as the military instrument of national power, are required to implement these policies and ideals. This thesis addresses the question “should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” The logical response would be simply, yes. However, this is a significant ethical dilemma that the U.S. would have to face each time there is an atrocity happening in the world, and as such it requires a proper and thorough analysis before responding. Such a response would have to be weighed against ethical considerations such as existing principles or rules, consequences to include second and third order effects, and simply concepts such as what a virtuous person or nation would do. The complexity of the environment complicates that answer and begs several other questions.

Secondary Research Questions

In order to answer the primary question of “should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective,” several other questions must be answered first. The answers to these questions will guide this thesis through the roles of the Army in preventing mass atrocities, the ethical implications of its role or absence thereof, and finally to the end state that is the answer to the primary question.

The secondary questions that will be explored in this thesis are:

1. What are the ethical considerations the U.S. Army must take when facing an ethical dilemma?
2. What are the current policies and procedures of the U.S. Army that relate to mass atrocities?
3. What is the U.S. Army’s role and responsibilities in preventing mass atrocities?

4. What are the second and third order effects of a military involvement or lack of involvement?
5. What are the ethical obligations for the U.S. Army to address mass atrocities?

These secondary questions will help frame the scope and guide the thesis research. In determining the Army's role and responsibilities in the prevention of mass atrocities, this thesis will explore historical cases of mass atrocities through an ethical lens and examine ethical implications in the Army's involvement or lack thereof. Although this research is focused on the roles of the Army, the conclusions can be applied to all sister services and the Department of Defense (DoD) in its entirety. The ethical responsibilities are similar across all services of the DoD and the implications of military involvement would be similar regardless of service component.

Assumptions

While exploring the primary and secondary questions, this study makes some fundamental assumptions. Assumptions are those things that are accepted as true, even without proof, and are used in this study as a foundation to build upon (Google 2016a). First there is an assumption that U.S. leaders, from the President to senior military leaders, are vested in preventing mass atrocities. Another assumption is that the majority of the international community recognizes the importance of and the global security risks associated with mass atrocities, and want the U.S. to be a major contributor in this effort. Lastly, it is assumed that any involvement from the Army, when it comes to the responsibility to protect, does not require additional resources. Likewise, the researcher assumes that prevention of mass atrocities would be conducted by the Army during ongoing operations and routinely embedded within daily operations.

Definitions and Terms

There are several key terms used in this thesis that are fundamental to understanding the context of the thesis. The international community defines mass atrocities or ‘atrocities crimes’ as an overall term that encompasses the following three crimes: genocide, crimes against humanity and war crimes. The definitions of these crimes can be found in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the 1949 Geneva Conventions and their 1977 Additional Protocols, and the 1998 Rome Statute of the International Criminal Court (United Nations 2014).

The definition of genocide according to Article II of the Convention on the Prevention and Punishment of the Crime of Genocide (General Assembly of the United Nations 1948) states:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Article 7 of the Rome Statute of the International Criminal Court (International Criminal Court 1998, 3) defines crimes against humanity:

For the purpose of this Statute, ‘crime against humanity’ means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- (f) Torture;
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- (i) Enforced disappearance of persons;
- (j) The crime of apartheid;
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

Article 8 of the Rome Statute of the International Criminal Court (International Criminal Court 1998, 5), states the following, in part, about war crimes:

For the purpose of this Statute, ‘war crimes’ means:

- (a) Grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention:
 - (i) Willful killing;
 - (ii) Torture or inhuman treatment, including biological experiments;
 - (iii) Willfully causing great suffering, or serious injury to body or health;
 - (iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;

- (v) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;
- (vi) Willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;
- (vii) Unlawful deportation or transfer or unlawful confinement;
- (viii) Taking of hostages.

The Responsibility to Protect (R2P) came about at the 2005 world summit during which the member states made a commitment to protect their own populations against genocide, war crimes, ethnic cleansing, and crimes against humanity.

The three pillars of the responsibility to protect, as stipulated in the Outcome Document of the 2005 United Nations World Summit (A/RES/60/1, para. 138-140) and formulated in the Secretary-General's 2009 Report (A/63/677) on Implementing the Responsibility to Protect are:

1. The State carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement;
2. The international community has a responsibility to encourage and assist States in fulfilling this responsibility;
3. The international community has a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from these crimes. If a State is manifestly failing to protect its populations, the international community must be prepared to take collective action to protect populations, in accordance with the Charter of the United Nations. (United Nations 2010)

Limitations

Limitations are imposed by constraints and or restrictions beyond the researcher's control. The most significant limitation of this study is possible investigator bias due to personal beliefs on ethical obligations. Other limitations include the time constraint established by the institution, and accessibility of certain relevant information. Lastly, all research performed is from material that was published on or before 31 January 2017.

Scope and Delimitations

The scope defines the boundaries that the study will stay within, and delimitations are constraints imposed on the scope to keep the study feasible. The scope of this study is limited only to the responsibility to protect and is further narrowed down to the role of the U.S. Army. Although the responsibility to protect refers to the responsibility of a nation, this study will look at the responsibility of the “unit” and the “individual” as part of that unit. The responsibility to prosecute is not within the scope of the study, except to say that it is another way of prevention. This study will further focus on no more than three widely recognized mass atrocity cases within the last 100 years, and will use policies published up until January 2017.

Chapter Conclusion

The international community has made a promise to protect humankind against atrocity crimes, based on the imperative to preserve human life. Prevention of such crimes contributes to regional and international peace and stability, and it is codified in international humanitarian law and documents bound by the authority of the United Nations. The U.S. as a global power and member of the United Nations, has voiced and confirmed its commitment to that promise through several means, including the most recently published National Security Strategy. The U.S. Army as a major branch of the military instrument of national power has a nested purpose, which should include a role in the effort and responsibility to protect. The next chapter, chapter 2, will examine available literature on the subjects of ethics and mass atrocities. An effort is made to explore the questions of this thesis and ultimately answer the question: “Should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?”

CHAPTER 2

LITERATURE REVIEW

Chapter Introduction

The primary research question of the thesis is: “Should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” In order to answer this question, we must first discuss ethics, ethical and moral responsibilities, current laws and policies, and lastly the effects of not living up to those ethical or moral obligations. Although our latest National Security Strategy identifies atrocity prevention as a core security strategy, some might argue the extent to which preventing mass atrocities is actually a core national security issue and a core moral responsibility of the United States (Thrall 2012). A counter-argument can be made that mass atrocities largely contribute to instability within the nation that they occur in and consequently around the world, due to the inter-connections that we enjoy today.

The Responsibility to Protect falls on each individual nation and in its inherent responsibility to protect their populations from crimes against humanity. But when that nation fails to protect its people, the responsibility falls on the international community. Is that an ethical or legal responsibility? What does that mean for the U.S. and in turn for the Army?

Ethical Considerations

In order to answer the secondary question “What are the ethical considerations the U.S. Army must take when facing an ethical dilemma?,” we need to examine ethics and current doctrine relating to the subject. Ethics is a “set of moral principles that govern a

person's behavior or the conducting of an activity" (Google 2016b). The Army uses the acronym LDRSHIP as the Army Values that all members must develop: Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, and Personal Courage. Honor provides the moral compass for character and personal conduct, holds the Army Values together and is based on the requirement that a person understands what is right (Department of the Army 2012c, 3-2). "Leaders of integrity do the right thing because their character permits nothing less" (Department of the Army 2012c, 3-3). Personal courage takes both physical and moral forms. "Moral courage is the willingness to stand firm on values, principles, and convictions. It enables all leaders to stand up for what they believe is right, regardless of the consequences" (Department of the Army 2012c, 3-3).

The Army leadership doctrine continues by stating that adhering to the Army values is vital to upholding high ethical standards:

3-37. To be an ethical leader requires more than knowing the Army Values. Leaders must be able to apply them to find moral solutions to diverse problems. Ethical reasoning must occur during the operations process. Leaders consider ethics in planning, preparing, executing, and assessing operations.

3-38. Ethical choices may be between right and wrong, shades of gray, or two rights. Some problems center on an issue requiring special consideration of what is most ethical. Leaders use multiple perspectives to think about ethical concerns, applying the following perspectives to determine the most ethical choice. One perspective comes from the view that desirable virtues such as courage, justice, and benevolence define ethical outcomes. A second perspective comes from the set of agreed-upon values or rules, such as the Army Values or Constitutional rights. A third perspective bases the consequences of the decision on whatever produces the greatest good for the greatest number as most favorable. (Department of the Army 2012c, 3-7)

These three perspectives form Dr. Jack Kem's "ethical triangle" that guides us through three different criteria for ethical decision making. The three approaches of the "ethical triangle" include the rules or principles-based approach, the utilitarian or

consequences-based approach, and the virtues-based approach (Kem 2016, 3). Each one provides a different view point in decision making, and delivers “distinct filters that reveal different aspects of a situation requiring an ethical choice” (Kem 2016, 4).

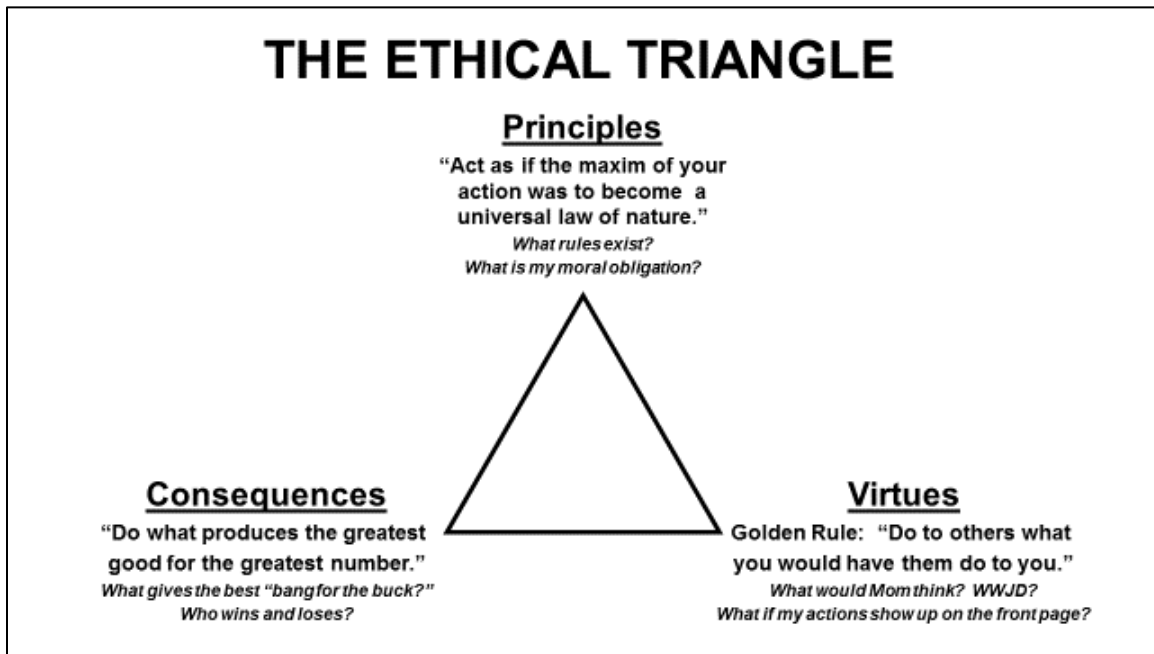


Figure 1. The “Ethical Triangle”

Source: Dr. Jack D. Kem, “Ethical Decision Making: Using the ‘Ethical Triangle’” (L100, Command and General Staff College Course, August 2016), 4.

The principles-based approach looks at what rules exist or should exist, and what are one’s moral obligations. The consequences of the actions are not of consideration when using this approach, only the principles that relate to the actions one makes. Immanuel Kant states “act as if the maxim of your action was to become a universal law of nature,” which can help focus the decisions one makes to the ethical dilemma (Kem 2016, 5).

The consequences-based approach provides a method by which ethical decisions are made based on the results the actions produce. This approach considers what produces the greatest good for the greatest number, according to John Stuart Mill. Georg W.F. Hegel said to “judge an act by its consequences, and make them the standard of what is right and good,” which provides the basis for law (Kem 2016, 5).

The virtues-based approach, founded on principles traced back to Plato and Aristotle, provides a method focused primarily on what kind of person one should be. According to Plato, a person is taught what is good throughout a lifetime and should be provided with the right instruction. A good character is the foundation of the virtues-based approach, and is rooted on the goodness of the soul as learned from others. In the virtues-based approach, consideration is given on what a virtuous person would do in the situation. The Golden Rule, “do to others what you want them to do to you”, is a way to focus the decision making using the virtues-based approach. As Dr. Kem suggests, key questions to ask in this approach are “what would my mom think?,” “what if my actions showed up on the front page of the newspaper?,” or for some Christians “what would Jesus do?” (Kem 2016, 6).

The Army leadership doctrine goes on to discuss the complexity and importance of ethical decision making:

3-39. Army leaders are expected to do the right things for the right reasons. It is why followers count on their leaders to be more than just technically and tactically proficient. They rely on them to make ethical decisions. Determining what is right and ethical can be difficult.

3-40. Ethical concerns are not new for leaders. Leaders should not intentionally issue vague or ambiguous orders or instructions to avoid responsibility in the event a subordinate commits misconduct. Vague orders may foster a climate of indiscipline, permitting subordinates to act outside the framework of the Army Values in pursuit of mission accomplishment. Nothing is more dangerous from an

ethical perspective and could do more harm to the reputation of the Army and its mission. Leaders have a responsibility to research relevant orders, rules, and regulations and to demand clarification of orders that could lead to criminal misinterpretation or abuse. Ultimately, Army leaders must accept responsibility for the consequences of their actions.

3-41. Ethical reasoning is complex in practice. If time allows in particularly ill-defined situations, using concepts from the Army Design Methodology (see ADRP 5-0) can help to frame the right problem and consider ethical implications in detail. Resolving ethical problems requires critical thinking based on the Army Values. No formula will work every time. By embracing the Army Values to govern personal actions, developing an understanding of regulations and orders, learning from experiences, and applying ethical reasoning, leaders will be better prepared to face tough decisions. (Department of the Army 2012c, 3-7)

Understanding the importance and complexity of ethical decision making, Dr. Kem provides us with a step-by-step approach to ethical decision making through the ethical triangle:

- Define the problem (ethical dilemma) in terms of right vs. right
- Consider alternative courses of action or action choices
- Test the courses of action against the “ethical triangle”
 1. Principles-based ethics
 2. Consequences-based ethics
 3. Virtues-based ethics
- Consider additional alternative courses of action (such as ‘win-win’ possibilities or no decision)
- Choose the course of action or action choice
- Implement the course of action

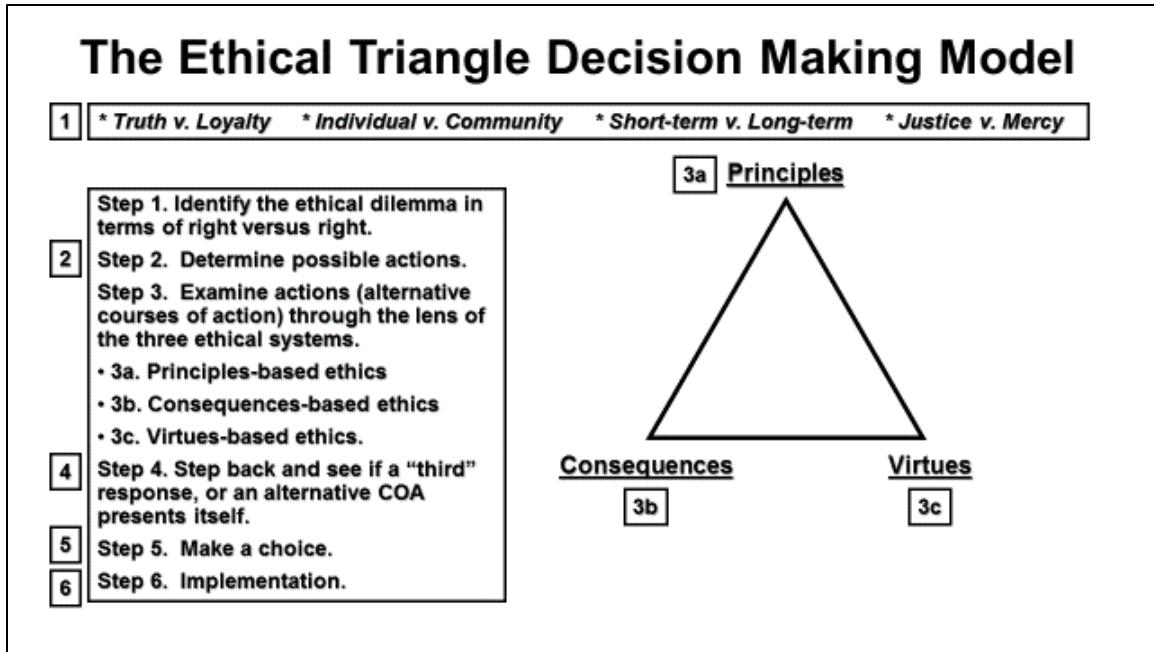


Figure 2. The “Ethical Triangle” Ethical Decision Making Model with Steps

Source: Dr. Jack D. Kem, “Ethical Decision Making: Using the ‘Ethical Triangle’” (L100, Command and General Staff College Course, August 2016), 7.

The step by step process of the ethical decision making model is explained in more detail below:

The first step is to identify the problem, the ethical dilemma, in terms of right versus right. Again, this is necessary to provide clarity to the dilemma while ensuring that a predetermined decision is not made . . . Stating the problem in this format will help to test the actions that should be taken.

The second step, as mentioned earlier, is to determine the possible actions. There will probably be two obvious responses—to do or not do some action. Of course this is not the dilemma—these courses of actions are responses to the dilemma. It is important during this step to realize and even hope for a possible alternative third response to the dilemma.

The third step is to examine the two most apparent alternative courses of action through the lens of the three ethical systems. The most methodical means to do that is to first look through principles-based ethics, then consequences-based ethics, and finally through virtues-based ethics. Generally, the principles will be relatively easy, while the consequences will not be as easy—particularly when you

look at all of the potential second- and third-order effects of actions. Because virtues-based ethics uses discretion to determine the “golden mean,” it can serve as the integrating approach to ethics.

The fourth step is to step back and see if a “third” response, or an alternative course of action has presented itself (such as ‘win-win’ possibilities or no decision at all). Going through the process may indicate that there is another answer rather than the two courses of action initially determined. This will not always be true, but it’s best to step back and see if there is another alternative.

The fifth step is that a choice has to be made. That choice should be made based upon an analysis using all three of the ethical systems—but, in the end, the choice is also made in the context of the organizational climate and culture, as well as the professional values of the organization.

The final step is implementation. This is where the rubber meets the road. By this time, the choice should be well thought out. The judgments that military leaders at all ranks make on a daily basis—especially in combat—imply a necessary level of discretion in determining the “right thing to do” in ethical decision making. Military leaders are more than implementers of policy, but are also charged with “support for the realization of democratic principles” and commitment to obeying the law. This is particularly true when decisions need to be made quickly and involve lives—and when there is no “top cover” guaranteed for the decisions made. Due to the nature of warfare today, the high level of discretion for ethical choices will be made by leaders at all levels (officers and non-commissioned officers) of military leadership. Putting ethical decisions into action requires moral character. (Kem 2016, 7)

Dr. Kem’s ethical triangle provides us with a methodology to work through an ethical dilemma, although it is a process that requires understanding and practice, and should not be taken without thorough critical thinking. Applying and testing the model against ethical dilemmas can help “master the necessary “ethical fitness” for application in the real world” (Kem 2016, 10). It is through this methodology that the researcher will analyze the ethical dilemmas faced during the Armenian genocide, and the incidents in Rwanda and Srebrenica.

Strategy, Policy, and Doctrine

In addition to the ethical considerations, this thesis will review the current strategies, policies, and doctrine, from the national level to the Army level, in order to answer the first secondary question: “What are the current policies and procedures of the U.S. Army that relate to mass atrocities? There are several documents, starting from national strategy all the way down to Army doctrine, that emphasize the need for mass atrocity prevention as essential in maintaining global security.

The 2014 *Quadrennial Defense Review* (QDR) builds on the 2012 Defense Strategic Guidance with part of the focus being “building security globally by projecting U.S. influence and deterring aggression” (Department of Defense 2014, I). A global presence by the U.S. is essential in projecting power and ensuring a strong influence wherever it is crucial for our national security interests. The QDR also recognizes that multilateral peace operations are vital in maintaining and restoring international security, including through prevention of mass atrocities.

Any successful strategy to ensure the safety of the American people and advance our national security interests must begin with an undeniable truth – America must lead. Strong and sustained American leadership is essential to a rules-based international order that promotes global security and prosperity as well as the dignity and human rights of all peoples. The question is never whether America should lead, but how we lead. (Obama 2015)

The 2015 *National Security Strategy* “positions the United States to safeguard our national interests through strong and sustainable leadership” (Obama 2015, 1). The introduction goes on to say that “we will lead with all the instruments of U.S. power,” and that “our military will remain ready to defend our enduring national interests while providing essential leverage for our diplomacy” (Obama 2015, 4). The 2015 NSS outlines four major focus areas: security, prosperity, values, and international order. Each of these

focus areas has specific goals including ‘Build Capacity to Prevent Conflict’ and ‘Prevent Mass Atrocities’ that are closely related to this study.

In addition to the NSS, President Barack Obama issued the Presidential Study Directive on Mass Atrocities (PSD-10) on August 4th, 2011, to establish an interagency Atrocities Prevention Board that “coordinates a whole of government approach to preventing mass atrocities and genocide” (Obama 2011). The PSD states:

Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.

Our security is affected when masses of civilians are slaughtered, refugees flow across borders, and murderers wreak havoc on regional stability and livelihoods...

Governmental engagement on atrocities and genocide too often arrives too late, when opportunities for prevention or low-cost, low-risk action have been missed. By the time these issues have commanded the attention of senior policy makers, the menu of options has shrunk considerably and the costs of action have risen.

In the face of a potential mass atrocity, our options are never limited to either sending in the military or standing by and doing nothing. The actions that can be taken are many – they range from economic to diplomatic interventions, and from non-combat military actions to outright intervention. But ensuring that the full range of options is available requires a level of governmental organization that matches the methodical organization characteristic of mass killings.

Sixty six years since the Holocaust and 17 years after Rwanda, the United States still lacks a comprehensive policy framework and a corresponding interagency mechanism for preventing and responding to mass atrocities and genocide. This has left us ill prepared to engage early, proactively, and decisively to prevent threats from evolving into large scale civilian atrocities. (Obama 2011)

The 2015 *National Military Strategy* supports the objectives of the National Security Strategy and has derived National Security Interests (NSIs) to prioritize its missions: “the security, confidence, and reliability of our allies . . . and the prevention and extension of universal values” (Joint Chiefs of Staff 2015, 5). The National Military Objectives include disrupting, degrading and defeating violent extremist organizations

(VEOs), and strengthening our global network of allies and partners. As part of these efforts the U.S. military “contributes to humanitarian assistance and disaster relief efforts aimed at alleviating suffering and restoring hope,” (Joint Chiefs of Staff 2015, 8) and “maintains a global stabilizing presence, and conducts training, exercises, security cooperation activities, and military-to-military engagement. Such activities increase the capabilities and capacity of partners, thereby enhancing our collective ability to deter aggression and defeat extremists” (Joint Chiefs of Staff 2015, 9).

Nested in the *National Military Strategy* is the U.S. Army’s mission to “fight and win the Nation’s wars. . . . Accomplishing all missions assigned by the President, Secretary of Defense” (Department of the Army 2012a, 1-8). PSD-10 further directs:

By institutionalizing the coordination of atrocity prevention, we can ensure: (1) that our national security apparatus recognizes and is responsive to early indicators of potential atrocities; (2) that departments and agencies develop and implement comprehensive atrocity prevention and response strategies in a manner that allows "red flags" and dissent to be raised to decision makers; (3) that we increase the capacity and develop doctrine for our foreign service, armed services, development professionals, and other actors to engage in the full spectrum of smart prevention activities; and (4) that we are optimally positioned to work with our allies in order to ensure that the burdens of atrocity prevention and response are appropriately shared. (Obama 2011)

Joint Publication (JP) 3-07.3, *Peace Operations*, begins to address the requirements of PSD-10 with appendix B, *Mass Atrocity Response Operations* (MARO). MARO refers to military operations to prevent or halt mass atrocities and should be incorporated in planning considerations of operations where the threat of mass atrocities exists. Mass atrocity crimes are events that are reportable under the DOD Law of War Program, CJCSI 5810.01D, *Implementation of the DOD Law of War Program* (Joint Chiefs of Staff 2012, B-2). This document instructs the Director of Intelligence (J-2) to “establish priority intelligence requirements (PIR) for all law of war violations alleged to

have been . . . committed by or against other persons during a conflict to which the United States . . . is involved (such as peace keeping operations)” (Chairman of the Joint Chiefs of Staff 2010, 2). ADRP 3-07, *Stability*, lays out the stability framework and the stability tasks the Army can take across the range of military operations. The figure that follows showcases how Army primary stability tasks integrate with joint functions and contribute to end state conditions that support our *National Security Strategy*.

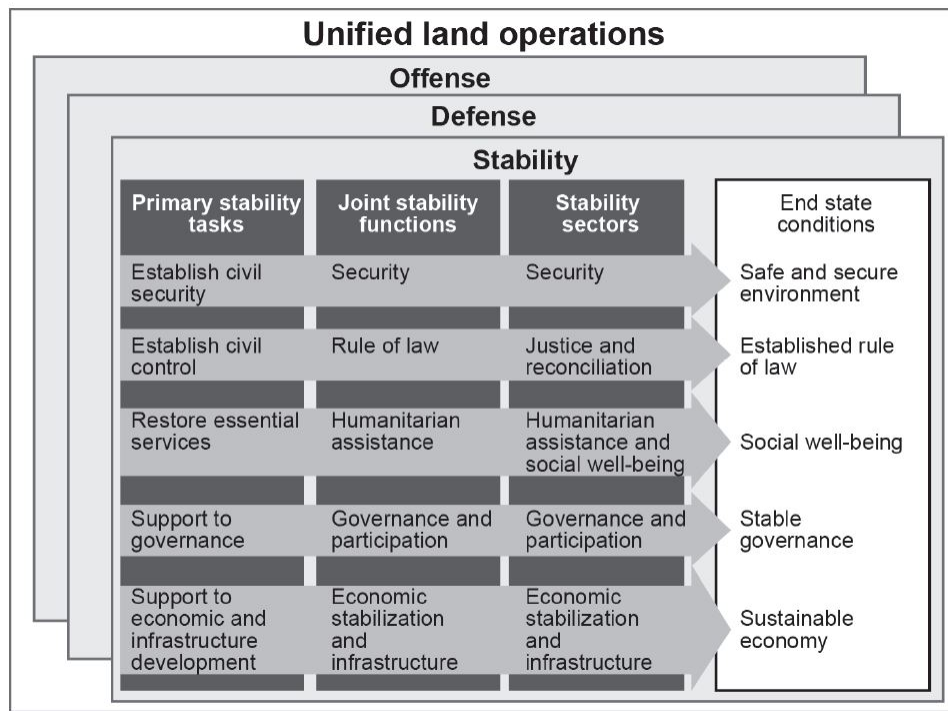


Figure 3. An Integrated Approach to Stability Tasks

Source: Department of the Army, Army Doctrine Reference Publication 3-07, *Stability* (Washington, DC: Government Printing Office, 2012).

The current doctrine lays out the Army's role and responsibilities in preventing mass atrocities and answers the secondary question: "What is the U.S. Army's role and responsibilities in preventing mass atrocities?"

Armenian Genocide

I have issued the command -- and I'll have anybody who utters but one word of criticism executed by a firing squad -- that our war aim does not consist in reaching certain lines, but in the physical destruction of the enemy. Accordingly, I have placed my death-head formations in readiness -- for the present only in the East -- with orders to them to send to death mercilessly and without compassion, men, women, and children of Polish derivation and language. Only thus shall we gain the living space (*Lebensraum*) which we need. Who, after all, speaks today of the annihilation of the Armenians? (Armenian-Genocide 2017a)

Hitler refers to what is known as the Armenian Genocide, although the slaughter extended to all Christians that lived in Asia Minor between 1912 and 1922. The Armenian people who had inhabited eastern and central Anatolia since the sixth century BC, suffered about 1.5 million deaths, carried out by the actions of two successive Turkish governments. Another 1.5 million deaths of Greek and Assyrian Christians was added to that number in what resulted in the first religious and ethnic cleansing of modern times (Ureneck 2015, 9). By many witness accounts, the genocide that took place in Smyrna was horrific and demonstrated the failure of intervention. Metropolitan Chrysostom, the Greek Orthodox metropolitan bishop in Smyrna was lynched and killed in front of French soldiers under orders not to intervene. The French soldiers describe the following:

The mob took possession of Metropolitan Chrysostom and carried him away... a little further on, in front of an Italian hairdresser named Ismail... they stopped and the Metropolitan was slipped into a white hairdresser's overall. They began to beat him with their fists and sticks and to spit on his face. They riddled him with stabs. They tore his beard off, they gouged his eyes out, they cut off his nose and ears. (Milton 2008, 269)

Countless witness records exist that describe the horror and extend of the Armenian Genocide. One such witness account is from a Turkish army officer, Lieutenant Sayied Ahmed Moukhtar Baas:

When the first batches of Armenians arrived at Gumush-Khana all able-bodied men were sorted out with the excuse that they were going to be given work. The women and children were sent ahead under escort with the assurance by the Turkish authorities that their final destination was Mosul and that no harm will befall them. The men kept behind, were taken out of town in batches of 15 and 20, lined up on the edge of ditches prepared beforehand, shot and thrown into the ditches. Hundreds of men were shot every day in a similar manner. The women and children were attacked on their way by the ("Shotas") the armed bands organised by the Turkish Government who attacked them and seized a certain number. After plundering and committing the most dastardly outrages on the women and children they massacred them in cold blood. These attacks were a daily occurrence until every woman and child had been got rid of. The military escorts had strict orders not to interfere with the "Shotas". (Armenian-Genocide 2017b)

In an article published by the *New York Times* on October 9, 1922, Dr. Esther Lovejoy describes her eyewitness account of the horrors in Smyrna. The article opens by setting the scene of “an ugly picture of the cruelty of the Turks in forcing the evacuation of Greeks and Armenians from Smyrna,” as described by Dr. Lovejoy:

The Smyrna horror is beyond the conception of the imagination and the power of words. It is a crime for which the whole world is responsible in not having through the civilized ages built up some means to prevent such orders as that of the evacuation of a city and the means with which it was carried out. It is a crime for the world to stand by through a sense of neutrality and permit this outrage against 200,000 women.

Under the order to remain neutral I saw the launch of an American warship pick up two male refugees who were trying to swim to a merchant ship under the Turkish rifle fire and return them to the hands of the waiting Turk soldiers on the beach for what must have been certain death. And under orders to remain neutral I saw soldiers and officers of all nationalities stand by while Turk soldiers beat with their rifles women trying to reach children who were crying just beyond the fence. (The New York Times 1922)

Srebrenica

On November 16, 1995 the International Criminal Tribunal for the former Yugoslavia indicted Radovan Karadzic and Ratko Mladic for their role in the atrocities committed in July 1995 against the Bosnian Muslim population of Srebrenica. Judge Fouad Riad confirmed the indictment of Karadzic and Mladic and stated:

After Srebrenica fell to besieging Serbian forces in July, 1995, a truly terrible massacre of the Muslim population appears to have taken place. The evidence tendered by the Prosecutor describes scenes of unimaginable savagery: thousands of men executed and buried in mass graves, hundreds of men buried alive, men and women mutilated and slaughtered, children killed before their mothers' eyes, a grandfather forced to eat the liver of his own grandson. These are truly scenes from hell, written on the darkest pages of human history. (The Hague 1995)

Srebrenica had been designated as a safe area in 1993 and was under the protection of United Nations' peacekeeping Dutch soldiers. But that did not stop the atrocities that occurred against the Bosnian Muslims during and after the Bosnian War, and that culminated with the genocide in Srebrenica that alone claimed the lives of approximately 8,000 people.

Ms. Bianca Jagger, member of the Executive Director's Leadership Council of Amnesty International USA and a human rights advocate, presented compelling testimony at a hearing before the subcommittee on international operations and human rights. She described accounts from many eye witnesses of the gruesome events that occurred between 11 July and 14 July 1995 in the area around Srebrenica. The people who fled the advancing Serb army on the night of the 11th of July, 1995, and on the morning of the 12th of July, 1995, were ambushed by Bosnian Serb soldiers with attacks that caused a massive loss of life. "Many were driven bezerk by the assault and eye witness accounts described how people were so horrified that they committed suicide to

avoid capture” (U.S. Congress 1998, 14). Ms. Jagger described many more eye witness accounts, such as the one about how more than 100 people, including women and children, were slowly killed by Serbian soldiers using knives, and how thousands of men were taken away and executed (U.S. Congress 1998, 14).

Mr. Hasan Nuhanovic, a former translator for the U.N. peacekeeping force in Srebrenica, also gave testimony on the events that took place between 11 July and 13 July. Mr. Nuhanovic, along with his father, mother, brother and approximately 6,000 other refugees were taking shelter inside the Dutch camp in Potocari, while another approximately 19,000 refugees remained outside the camp. On 12 July, the Bosnia Serb Army (BSA) commander, General Ratko Mladic, met with the Dutchbat commander and local representatives, including Mr. Nuhanovic’s father, Ibro Nuhanovic. When Ibro Nuhanovic returned to the camp, he told his family that General Mladic had assured them and the Dutch that they would not harm the refugees in Potocari. On 13 July, the Dutch ordered the refugees to leave the camp, and although Mr. Nuhanovic was allowed to stay, he watched his parents and brother leave with the Serbs, never to be seen again (U.S. Congress 1998, 18).

There are numerous eye-witness accounts of the horrific events that took place near Srebrenica in July of 1995. Some sources cite the inability of the Dutch soldiers to protect the victims was because they were not properly equipped against the heavily armed Serb soldiers and their air support request was ignored by the United Nations Protection Force (UNPROFOR). Opinions of who is at fault for this failure to protect innocent victims range from the UN, to the Dutch soldiers on ground, to a “secret agreement” between France, the UK and the U.S. to stop the air strikes on Serb targets

(Pieters 2015). Finding fault; however, will not change what happened or how we should respond in a similar situation in the future. In chapter 4 this thesis will examine the situation through the “ethical triangle” in an attempt evaluate the response actions based on ethical considerations.

Rwanda

“Approximately 800,000 Tutsis and Hutu moderates were slaughtered in a carefully organized program of genocide over 100 days, making history as the quickest killing spree the world has ever seen” (United to End Genocide 2017b). The civil war in Rwanda started in 1990, when a group of exiles formed a group comprised of mostly Tutsis, called the Rwandan Patriotic Front (RPF) and attacked from Uganda. The RPF blamed the government for not addressing the Tutsi refugees, and as a result of their actions, all Tutsis in Rwanda were considered accomplices of the RPF and all opposition Hutus were considered traitors. Although the opposition forces reached a peace agreement in 1992, tensions between the Tutsis and the Hutus continued. The death of the Rwandan President Juvenal Habyarimana on 6 April 1994, enabled a violent campaign against the Tutsis and moderate Hutus throughout the country. In a matter of hours, Hutu rebels had taken over the streets of the capital, Kigali and within a day they were able to eliminate the country’s moderate leadership. In the weeks that followed, hundreds of thousands of Tutsis and anyone suspected to have ties to Tutsis, were killed (United to End Genocide 2017b).

United Nations Security Council Resolution 955, adopted on 8 November 1994, established the International Tribunal for Rwanda for the sole purpose of prosecuting those responsible for genocide and violating other humanitarian laws in Rwanda in 1994

(United Nations 1994). The tribunal indicted 93 individuals and sentenced 62 of them for their involvement in the Rwandan genocide. One example is that of the conviction of Jean Paul Akayesu, the *bourgmestre* of the Taba commune. Rwanda is divided in 11 prefectures and further subdivided in communes, governed by the authority of *bourgmestres*. *Bourgmestres* are appointed by the President of the Republic with the recommendation of the Minister of the Interior. “In Rwanda, the *bourgmestre* is the most powerful figure in the commune. His *de facto* authority in the area is significantly greater than that which is conferred upon him *de jure*” (International Criminal Tribunal for Rwanda 1998, 5).

Jean Paul Akayesu was accused and charged with several counts of genocide, crimes against humanity, and other inhumane acts. Approximately 2,000 Tutsis were openly killed in Akayesu’s Taba commune in a matter of 3 months. Many female refugees were subjected to multiple acts of sexual violence by local police and militia, and often by more than one assailant. Akayesu was aware of the sexual violence, beatings, and murders, and was often present when they occurred. On 19 April 1994 Jean Paul Akayesu led a meeting at which he urged the population to eliminate accomplices of the RPF, which was understood to mean Tutsis. The Tutsi killings in the Taba commune began shortly after that meeting. Around the same day, Akayesu also ordered the killings of intellectual and influential people. As a result, five school teachers were killed by the militia and local people, using machetes and agricultural tools (International Criminal Tribunal for Rwanda 1998, 8). These events are only a few examples of the horrors in Rwanda committed only by one man and his accomplices. There are dozens more cases like this that were tried by the International Tribunal for Rwanda.

Chapter Conclusion

The review of the literature provides insight into the secondary research questions. The first secondary research question, “What are the ethical considerations the U.S. Army must take when facing an ethical dilemma?,” was answered in the second sub-section of this chapter “Ethical Considerations.” The U.S. Army and any individual member of the organization can face very difficult ethical dilemmas that require tough decisions. The ethical triangle provides a framework for ethical decision making, to help make those tough decisions. The next two secondary research questions, “What are the current policies and procedures of the U.S. Army that relate to mass atrocities?” and “What is the U.S. Army’s role and responsibilities in preventing mass atrocities?” were answered under the sub-section “Strategy, Policy, and Doctrine.” The answers to the remaining secondary research questions will be presented in the course of chapter 4 and chapter 5. The next chapter, chapter 3, will outline the research methodology for this study.

CHAPTER 3

RESEARCH METHODOLOGY

Chapter Introduction

This chapter, introduces the research methodology used throughout this thesis. In order to answer the primary research question, “should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” along with the secondary questions, this study conducted a thorough review of the applicable literature. The resulting answers to the secondary research questions, after aggregation, led to answering the primary research question. Additionally, the researcher reviewed three cases of mass atrocities through an ethical lens, examined any military response to those atrocities, and determined how that response measured against the evaluation criteria used.

Research Methodology

The following is the step-by-step approach for the research in this thesis:

Step 1: The research begins with a qualitative review of literature on the topic of ethics, and the applicability of ethics in Army operations and individuals, while beginning to answer the secondary questions. Next, it reviews current strategy from the national level down to joint and Army doctrine. The literature review concludes with an examination of three known cases of mass atrocities occurring in the last 100 years. During the course of this step the researcher studied information that seek to answer the primary question: “Should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” Additionally, the literature review assisted in providing answers to the following three secondary questions:

1. What are the ethical considerations the U.S. Army must take when facing an ethical dilemma?
2. What are the current policies and procedures of the U.S. Army that relate to mass atrocities?
3. What is the U.S. Army's role and responsibilities in preventing mass atrocities?

Step 2: Chapter 4 presents a set of evaluation criteria by which each of the mass atrocity cases was examined, to determine the level of a military response on an ethical scale. This chapter analyzed the military response to those mass atrocity cases, and discussed response possibilities based on three different ethical criteria. The review and analysis of these cases assisted with answering the following secondary questions:

4. What are the second and third order effects of a military involvement or lack of involvement?
5. What are the ethical obligations for the U.S. Army to address mass atrocities?

Step 3: Chapter 5 presented conclusions that helped answer the primary research question. It also provided insight into the complexity of ethics and how a military response alone cannot provide a permanent solution. Lastly, the researcher made recommendations for future research.

Evaluation Criteria

In addition to answering the primary and secondary research questions, the researcher reviewed three cases of mass atrocities through an ethical lens. The evaluation criteria used determined if there was sufficient military response to the mass atrocities

that occurred as viewed by each of the three ethical approaches. The ethical approach method also assisted in further discussion of what the response should have been in certain circumstances from an ethical perspective. The conclusions drawn from this assisted in answering the primary research question: “Should the Army have an obligation to respond to mass atrocities from an ethical perspective?” Table 1 depicts the set of criteria that was applied to the mass atrocity cases, leading to a determination of whether the military response to each atrocity was ethically “optimal,” “moderately desirable,” or “undesirable.”

Table 1. Response Evaluation Criteria

	Principles-Based Ethics	Consequences-Based Ethics	Virtues-Based Ethics	Total
Armenian Genocide				
Srebrenica				
Rwanda				

Source: Developed by author.

As each atrocity case was reviewed, an evaluation was made as to the ethical level of military response: undesirable (one point), moderate (two points), or optimal (three points). An undesirable rating meant that the response to the atrocity was ethically against principles, had bad consequences, or was against virtues. A moderate rating meant that ethically there was a grey line, but there was more benefit than not. An optimal response meant that there was no doubt the response was ethical regardless of the viewpoint. The

resulting determination for each of the cases was tallied for a total ethical score, with the higher score the better, indicative of a more ethical response. This comparative ethical score was discussed in chapter 4 as the research led to answering the primary research question.

Threats to Validity and Biases

“A study is valid if its measures actually measure what they claim to, and if there are no logical errors in drawing conclusions from the data” (Garson 2016). There are threats to validity and biases in this research that should be identified, such as how material is interpreted, personal bias, and information that supports a particular viewpoint. All of these threats can affect the results of the thesis. The subjective nature of the primary question along with some of the secondary questions, can be vulnerable to personal bias and internal validity issues. A significant issue is maintaining objectivity while drawing conclusions to answer the primary question. The researcher’s personal bias in this study is the strong belief that people should help other people in need. In order to mitigate the bias, the ethical triangle is used as a methodology to assist in drawing conclusions. Additionally, evaluation criteria is determined ahead of time before applying them to assist in bias mitigation. Lastly, there is potential for selection bias as only three cases of mass atrocities were selected for review that may or may not be representative of all available and documented atrocity cases.

Chapter Conclusion

This chapter focused on the methodology utilized to conduct the research and evaluate the material for this thesis. It presented the step by step approach that was used

in order to answer the primary and secondary questions, while maintaining awareness of biases that can affect the results of the study. The review of the literature and the application of the evaluation criteria, shaped and informed the answer to the primary research question, “Should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” The next chapter, chapter 4, provides an analysis of the information presented in the literature review.

CHAPTER 4

DATA PRESENTATION AND ANALYSIS

Chapter Introduction

It is absolutely the responsibility of every U.S. service member if they see inhumane treatment being conducted, to intervene, to stop it.

—General Peter Pace

This chapter presents the analysis conducted in answering the primary research question, “Should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” In order to answer the primary question, this study examines several secondary questions that guide the research and inform the thesis. Questions that address current policy and doctrine, and attempt to examine the Army’s role in responding to mass atrocities. Mass atrocity response operations (MARO) refers to military operations specifically conducted in response to or aimed at preventing mass atrocities. The military, however, may face atrocity situations outside of a MARO, and military personnel can then be faced with difficult decisions.

What should a commander, an Army unit or an individual soldier do when the protection of civilians is in jeopardy? The Army Techniques Publication, 3-07.6 *Protection of Civilians* says that the “Protection of civilians is a moral, political, and legal priority for most Army operations . . . Failure to do so jeopardizes the credibility and legitimacy of the operation and undermines other objectives” (Department of the Army 2015, 1-6). Nevertheless, there are second and third order effects that should be considered when deciding on a response. Military intervention in an atrocity act might keep people alive, or it might contribute to more people being killed. Protecting civilians

in a conflict sector, where a capability to help exists, might preserve the life of those civilians and simultaneously contribute to the deaths of many more civilians elsewhere in the conflict area. An unstable environment is a highly complex system, and making decisions of intervention is not an easy task. This thesis explores these challenges through an ethical analysis of previous cases of mass atrocities in an effort to make the myriad of conundrums a little clearer.

Results of the Literature Review

Ethical Considerations

The first secondary question “What are the ethical considerations the U.S. Army must take when facing an ethical dilemma?,” is easily answered after a review of ethical principles, and Dr. Kem’s “ethical triangle” and methodology. This methodology will also be used later in this chapter to examine past mass atrocity events through an ethical lens. The intent for the ethical analysis of these events is to clear up the murky waters of such situations, enough to shed light on considerations that come along with them. This thesis certainly does not provide a formula or a one-size fits all solution. It rather seeks to provide an insight of the complex systems that the Army operates within as it relates to mass atrocities, and an ethical methodology to work with.

Doctrine tells us that “ethical reasoning is complex in practice”, and “resolving ethical problems requires critical thinking . . . No formula will work every time” (Department of the Army 2012c, 3-7). To better prepare our leaders and soldiers, we must have a foundational understanding of ethical dilemmas. Dr. Kem states that ethical dilemmas are between two right choices of competing virtues that we cannot honor at the same time (Kem 2016). Four common right versus right ethical dilemmas are truth versus

loyalty, individual versus community, short term versus long term, and justice versus mercy (Kidder 1996, 18). Framing an ethical dilemma in the appropriate form provides the basis for thinking through an appropriate response to the dilemma. Identifying and defining the correct problem is the first step of many decision-making models, and it also proves helpful in ethical decision making.

Once the problem is identified, one is faced with the choice of whether to do something or not, but Dr. Kem advises that consideration should be given to possible alternatives. The process then is to examine the ethical dilemma through each of the ethical systems: principles-based, consequences-based, and virtues-based ethics (Kem 2016). The considerations are many and the choices are difficult, but an informed and aware army can be better prepared to face such decisions. Army units, leaders, and individual soldiers alike should be informed of these ethical considerations, because ignorance could prove catastrophic.

Strategy, Policy, and Doctrine

An examination of current strategy, policies, and doctrine provides answers to the subsequent question, “What are the current policies and procedures of the U.S. Army that relate to mass atrocities?” Carl von Clausewitz described war as an extension of policy, and if we transcribe that to any military intervention, then the Army has an obligation to act based upon the country’s political interests (Clausewitz 1989, 87). The current NSS states that “defending democracy and human rights is related to every enduring national interest” (Obama 2015, 19). Mass atrocities are a threat to our common security, because they destabilize countries or entire regions even. Prevention is often less costly than responding to large crisis situations and their long term effects. As such, and according to

the NSS, “We affirm our support for the international consensus that governments have the responsibility to protect civilians from mass atrocities and that this responsibility passes to the broader international community when those governments manifestly fail to protect their populations” (Obama 2015, 22).

As members of a larger complex system of an interconnected world, our National Security Strategy decries atrocity acts that place our common security interests in jeopardy. Doing the right thing often requires that the interests of the community are placed higher than the interests of the individual, whether that is an individual person or an individual state. There is an inherent moral obligation on those that have the capability, to protect those that are not capable of defending themselves. Although it is generally agreed upon that military intervention should only be used as a last resort, the military must be ready to encounter such atrocities.

The 2014 *Quadrennial Defense Review* focuses on our ability to build global security through our influence and ability to deter aggression (Department of Defense 2014, I). The 2015 *National Military Strategy* specifies our support in extending universal values (Joint Chiefs of Staff 2015, 5). The U.S. Army does that through peace operations, MARO, and stability operations. As figures 4 and 5 illustrate, stability operations are an element of military activities that take place across all phases of military operations. As such, the Army has to be prepared to conduct stability operations during any operational phase. Stability functions, as described in *Joint Publication 3-0*, include security, foreign humanitarian assistance, economic stabilization and infrastructure, rule of law, and governance and participation (Joint Chiefs of Staff 2017, III-1).

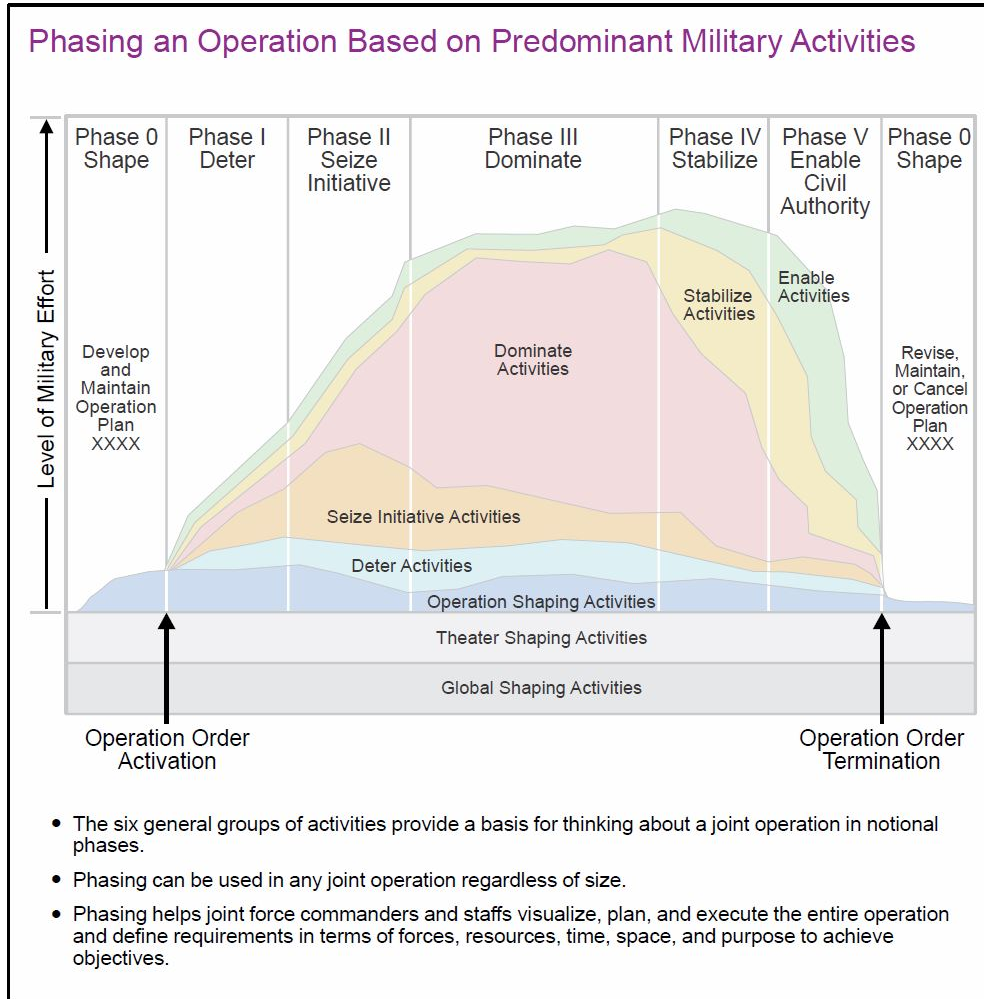


Figure 4. Stability Activities by Phase

Source: Joint Chiefs of Staff. Joint Publication 3-0, *Joint Operations* (Washington, DC: Government Printing Office, 2017), V13.

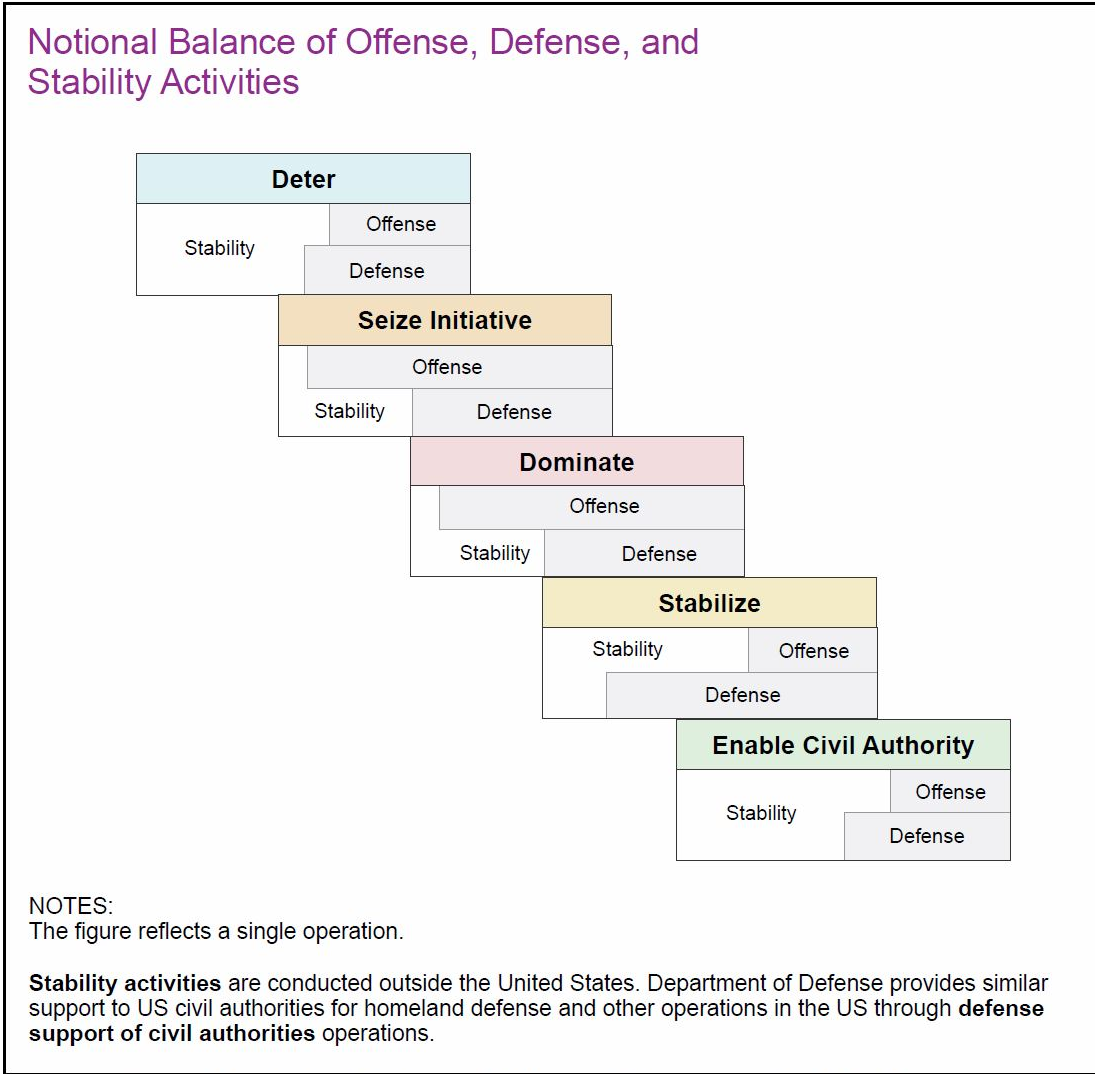


Figure 5. Balance of Offense, Defense, and Stability Activities

Source: Joint Chiefs of Staff. Joint Publication 3-0, *Joint Operations* (Washington, DC: Government Printing Office, 2017), V15.

Security activities are designed to protect and control civil populations in addition to other physical assets, including territory and infrastructure. Such activities may be conducted at any time during an operation, and may also be performed during offensive or defensive operations. “They seek to reassure rather than compel the civil population,

while communicating a clear, credible threat of force to opportunists or potential adversaries” (Joint Chiefs of Staff 2016, III-4). The U.S. Army conducts unified land operations to “seize, retain, and exploit the initiative to gain and maintain a position of relative advantage . . . through simultaneous combinations of offensive, defensive, and stability tasks” (Department of the Army 2012b, 2-1). U.S. Army forces use all three elements during operations to achieve desired results. While offensive and defensive tasks focus on destructive effects, and stability tasks focus on building capacity and capability, “no single element is more important than another” (Department of the Army 2012b, 2-1). The figure below displays a graphical representation of how offensive, defensive, and stability tasks can be weighed according to the different missions.

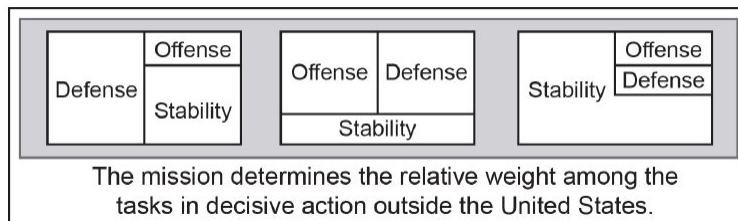


Figure 6. Unified Land Operations

Source: Department of the Army, Army Doctrine Reference Publication 3-07, *Stability* (Washington, DC: Government Printing Office, 2012).

“The simultaneous combinations of the elements, constantly adapted to the dynamic conditions of an operational environment, are key to successful operations” (Department of the Army 2012b, 2-1). The U.S. Army conducts stability tasks as a key component of unified land operations, throughout the range of military operations. In peacetime, stability tasks are primarily preventative in nature; however, during conflict

they help to set the post-conflict conditions. Providing security helps stabilize the Area of Operations (AO) and lay the foundation for transitioning operations to civil and host nation authorities (Department of the Army 2012b, 2-2).

ADRP 3-07 states that “all operations morally and legally require forces to conduct minimal-essential stability tasks to provide for the protection and well-being of the civilian populations” (Department of the Army 2012b, 2-5). It also specifies commanders’ requirements to provide minimum levels of security food, water, shelter, and medical treatment when there is “no civilian or host-nation agency present, capable, and willing” to do so (Department of the Army 2012b, 2-6). Mass atrocities are large-scale attacks against civilians that generally happen in unstable environments, and can happen during or in the absence of armed conflict. The perpetrators can be state agents or non-state actors, and targeted groups can be based on religion, ethnicity, race, or sex. The U.S. Army undoubtedly has a role in preventing mass atrocities, as prescribed by the national security strategy and defense doctrine.

Application of the Evaluation Criteria

In addition to answering the primary and secondary research questions, the research reviews three historical cases of mass atrocities through an ethical lens. The response evaluation criteria examine the military response to each of these atrocities distinctly through each of the three ethical approaches: principles-based, consequences-based, and ethics-based. An analysis of each response, coupled with literature review findings, should provide a basis to draw conclusions in answering the primary research question: “Should the Army have an obligation to respond to mass atrocities from an ethical perspective?”

Armenian Genocide

Although largely known as the Armenian Genocide, the atrocity acts of the Turks were against the Armenian, Greek, and Assyrian Christians that lived in Anatolia, which culminated with the great fire of Smyrna in 1922. Leading up to the great fire, there were several years of war starting with the First Balkan War, World War I, the Greco-Turkish war, along with a rising nationalist movement in the Ottoman Empire, that contributed to the events of what is now known as the Armenian Genocide. Atrocities that targeted the Christian populations happened throughout 1914-1922, but for the purpose of this analysis the study focuses on the events that occurred in Smyrna starting with the entrance of the Turkish army on 9 September 1922.

Smyrna was a cosmopolitan city comprised of a majority Christian population that included Greeks, Armenians, Levantines, Europeans, and Americans (Milton 2008, 4). Additionally, Smyrna had a Jewish quarter and a Turkish quarter. The city was home predominantly to several thousands of Greeks and a few thousand Armenians as the two largest Christian ethnic groups in Smyrna. As opposed to other areas within the Ottoman Empire, Smyrna had managed for the most part to continue their normal cosmopolitan lives throughout the conflict period with a few exceptions. The defeat of the Greek army by the Turks, in 1922, was signaled in Smyrna with the withdrawal of the Greek troops by 8 September and the entrance of the Turkish Army on 9 September.

Although there was some anxiety about the Turkish army arrival among some of Smyrna's residents, many felt that the city would be spared from any aggression. The harbor was full of no less than 25 battleships including British, French and Italian, along with three American destroyers (Milton 2008, 5). The previous Greek administration had

already left Smyrna, and the city woke up on Friday, 8 September without a government or a police force (Milton 2008, 240). The American consul in Smyrna at the time, George Horton, did not want to create panic; however, he knew he had to be prepared in case there was a need (Milton 2008, 242). Horton sent a request to Admiral Mark L. Bristol in Constantinople, and also to Washington for more warships, but the request fell on deaf ears (Milton 2008, 244). Lieutenant Commander Rhodes of the USS Lawrence that had recently arrived on the harbor, was under direct orders by Bristol to ensure that American troops did not appear to be operating along with the Allies (Milton 2008, 246).

Admiral Bristol, the U.S. High Commissioner in Constantinople, understood America's need for oil and was an advocate of American commerce. He was for America first, but also he was against its competitors, primarily Britain and by extension the Greeks and Armenians they did business with. He viewed the relationship with Turkey as very important for America's oil interests, and continued to assure American businessmen of the safety of their properties in Smyrna. Bristol, as the American decision maker in Constantinople, would make the early decisions of how to respond to the situation in Smyrna (Ureneck 2015, 249).

On 9 September, three days after the USS Litchfield arrived at Smyrna, Bristol sent his first cable to Washington. His message did not mention anything about the refugees that were coming to the city nor of any fears of trouble for the Christians in the city (Ureneck 2015, 252). On the same morning, the first battalion of Mustafa Kemal's army arrived in Smyrna. The cavalry unit and the rest of the Turkish troops that started pouring into the city, proceeded without any major incidents to the Turkish quarter, telling the residents not to fear. By 3 p.m., 1,500 local Greek and Armenian inhabitants

had taken refuge at the American International College. At the same time the British had decided to enforce the departure of all British citizens in the city, even though the Turkish troops had so far behaved impeccably (Milton 2008, 257). By dusk, things had started to change with several homes getting broken into and pillaged by the Turkish. Captain Arthur Hepburn's notes in his diary that night referenced the "terror in the air," but his report to Admiral Bristol stated that "everything is quiet [and] peaceful" (Milton 2008, 260).

The next day, 10 September, Hovekim Uregian described what he saw as "a real picture of hell" (Milton 2008, 261). The Turkish troops had been breaking into the homes through the Armenian quarter, looting, raping and killing. In another instance, the Turkish troops threw grenades and followed with machine gun fire inside the prelacy where several Armenian families had taken refuge (Milton 2008, 262-263). Mustafa Kemal arrived in Smyrna that day and appointed General Nouredin, a cruel individual who disliked foreigners, as the military governor of the city. His first order was for everyone to go about their business, but his telegram to the League of Nations stated that the government "would not be responsible for massacres" (Milton 2008, 266). It was on this day that Metropolitan Chrysostom was cruelly killed by a mob, while French troops stood by on the orders and the revolver of their commanding officer to stay neutral. On their way back to the European quarter, the French troops witnessed monsieur Jurukdoglou being dragged behind a car with his head striking the cobblestones. Further down, past the Armenian church of Saint Stephen, "they saw the headless corpses of three young children" (Milton 2008, 269). The Levantines were not spared either and also suffered break-ins into their homes, physical attacks, and killings.

The shootings and pillaging continued through the night and into the next day, 11 September and had affected churches and even cemeteries. Alexander MacLachlan, the president of the American college, requested troops to guard the college from Nouredin who immediately agreed. But when he returned to the college, MacLachlan was robbed and attacked by Turkish *chettes*, which were irregular force soldiers (Milton 2008, 276). By mid-afternoon, the Turkish commanders had lost most of their authority over their men as their discipline diminished. British mariners witnessed atrocity crimes that were taking place in full public view, such as that of two young women that were raped by the Turks and then had their breasts cut off and laid on the roadway (Milton 2008, 285).

As thousands of refugees were already camped out on the quay and vulnerable to the Turkish troops, the concern of further humanitarian disaster was high among senior American officials. Major Claflin Davis of the American Red Cross was among a group of Americans that demanded General Nouredin restore order and help the refugees return to their homes on the interior. Nouredin's response to Major Davis was to tell him to bring ships and take the refugees out of the country as the only solution (Milton 2008, 285). Consequently, Major Davis wrote a memo to Admiral Bristol informing him that Nouredin would not guarantee the safety of the refugees. That night, George Horton, went aboard the USS Litchfield and heard the two American journalists discuss the horrific events of the day. However, since Admiral Bristol had allowed their passage to Smyrna under the condition of protecting American interests, they wrote instead about what excellent discipline the Turkish troops had. Reverend Charles Dobson witnessed something far from that report on that same night—carts full of bodies of women, babies, and young girls who had been clearly violated before being killed (Milton 2008, 287).

By the next morning, 12 September, there were as many as 150,000 refugees in Smyrna and continued to arrive in the tens of thousands (Milton 2008, 291). The atrocities continued throughout the day and into the next day, 13 September. By this time, Sir Harry Lamb decided that it was time to evacuate the British nationals from the city. By noon, George Horton decided to evacuate the Americans although he was still under orders by Admiral Bristol not to (Milton 2008, 305). Krikor Baghdjian, a teacher, was hiding on the roof of the Armenian Club, where he witnessed Turkish soldiers bringing what appeared to be several large barrels of petroleum. Once the soldiers started spraying the buildings with a liquid, which fell on Krikor, he knew it was petroleum (Milton 2008, 306). Fires started shortly thereafter in the Armenian quarter, and many reliable witnesses would later testify of the Turkish soldiers' involvement in starting the fires.

Most of the Armenian quarter was on fire by mid afternoon, and thousands of people were making their way to the quay between the city and the bay. George Horton initiated the evacuation of Americans from the American Collegiate Institute, but the refugees that were housed there pleaded to be rescued. The marines, torn between obeying orders and their consciences, moved the Americans by truck to the bay and tried to escort the refugees by foot (Milton 2008, 312). The French consulate was evacuated due to its proximity to the fire and everyone inside was moved to a building by the quay. By nightfall, the fire had moved to the waterfront and it was so strong that all the vessels moved out another 250 yards. The theater and the American consulate were already on fire. "There was a choice of three kinds of death: the fire behind, the Turks waiting at the side streets and the ocean in front . . . in modern chronicles, there has probably been nothing to compare with the night of September 13 in Smyrna" (Milton 2008, 319).

As British and American nationals were now in safety on their respective country's vessels, they could still see the fire at the bay and hear the screams of the people. On the *Iron Duke* Major Arthur Maxwell, watched with his binoculars as Turkish soldiers poured liquid on the refugees and lit up a fire. On the *Litchfield*, Claflin Davis of the Red Cross requested two large lighters for rescuing some of the refugees. Captain Hepburn informed him that only the British and French had them and allowed him to row over to their vessels for help. The British admiral Brock informed Davis that he could not take part in the rescue of Greeks and Armenians, as he had assured General Nouredin of Britain's neutrality (Milton 2008, 322).

By midnight, the British admiral decided on providing help and sent all their available boats to the bay. The night progressed with more than 2,000 Greeks and Armenians taken on the *Iron Duke*, and another 2,000 on the American *Winona* (Milton 2008, 324). John Clayton, the Chicago reporter, finally realized that he could not continue writing the lies that Admiral Bristol expected, and reported: "The loss of life is impossible to compute. The streets are littered with dead . . . Except for the squalid Turkish quarter, Smyrna has ceased to exist" (Milton 2008, 325). Ward Price of the *Daily Mail* wrote: "without exaggeration, tonight's holocaust is one of the biggest fires in the world's history...many thousands of refugees [are] huddled on the narrow quay, between the advancing fiery death behind and the deep water in front, [and there] comes continuously such frantic screaming of sheer terror as can be heard miles away" (Milton 2008, 325).

The fire continued through the next day, 14 September, while several thousands of refugees remained in the city. By evening time, approximately 20,000 refugees had

been rescued from Smyrna (Milton 2008, 336). The fire continued through to the next day while more rescues took place by people who chose to take significant risk to save the refugees in Smyrna. The rescues; however, did not even start until it was already too late and hundreds or thousands even had already been killed. All remaining Christians, approximately 250,000 of them were ordered out of Turkey by 1 October or they would be shipped to the interior were many had died before (Ureneck 2015, 270).

The horror that occurred in Smyrna was felt and witnessed by hundreds of thousands of people. The response and relief efforts were slow, but the study examines them through the three ethical systems and assigns a numerical value according to the desirability of the response. Table 2 below depicts the individual scores under each ethical system, and the overall score for the Armenian genocide. The total, as compared to the other three cases, only provides a comparison.

Table 2. Armenian Genocide Response Evaluation Criteria

	Principles-Based Ethics	Consequences-Based Ethics	Virtues-Based Ethics	Total
Armenian Genocide	1	1	2	4
1 Point – Undesirable Response 2 Points – Moderately Desirable Response 3 Points – Optimal Response				

Source: Developed by author.

The Smyrna case presents an overall individual versus community dilemma as experienced by many of the actors involved. Each actor was faced with a choice to do or not to do something that could save another person, a few individuals or a community,

likely against their own safety. Examining this dilemma through the principles-based ethics, one must look at what principles or rules existed at that time and during that specific situation. International laws that exist now in regard to genocide and atrocity crimes, did not exist in 1922. Nations were not charged with the responsibility to protect and had no statutory obligation to intervene in Smyrna. Only a couple of years prior, the Treaty of Versailles had created the League of Nations to partly serve as a transnational body ensuring international security, which proved very powerless and ineffective.

Looking at it from the perspective of the many representatives from the U.S., the UK, France, and Italy that were present at the onset of the Smyrna catastrophe, a similar result is evident. It appears that most of the representatives in Smyrna were under orders not to intervene and to focus only on the rescue of their own country's citizens, if such action became necessary. Taking as an example Lieutenant Commander Rhodes, as previously described, he was under direct orders by Bristol to ensure that American troops did not appear to be operating along with the Allies (Milton 2008, 246). The rules he was operating under were those of his superior officer, and as far as principles-based ethics is concerned in this case, he was following the rules regardless of any other consequences.

However, principles-based ethics thought is focused on what rules exist or what the rules should be, as if the actions that one takes become the universal rule for everyone. In that aspect, the inaction by many to intervene before or as the events were unfolding in Smyrna, can be assessed as an undesirable response. Would it be a desirable universal law, that everyone from that point forward and to the end of humanity, chose to ignore horrific events such as this one and do nothing? Many would likely argue that

such a universal law would not be acceptable. As such, the research leads to an assessment of undesirable from the aspect of a principles-based ethics thought.

Consequences-based ethics is used to derive decisions based on the likely results and “what produces the greatest good for the greatest number” (Kem 2016, 4). Admiral Mark L. Bristol, the U.S. High Commissioner in Constantinople, acted under his personal assumptions and understanding for the better good of America. He viewed the relationship with Turkey as important for America’s oil interests and continuously acted in ways that he thought would protect that relationship. He gave orders to his subordinates to not help anyone outside of American citizens, and even dictated to the two reporters he allowed to go to Smyrna the type of news he wanted told to the world. From Admiral Bristol’s point of view he may have been doing what produced the greatest good for the greatest number, his country.

From the point of view of those that were actually in Smyrna and witnessed the horrible atrocities that were being committed by the Turkish, it would have been clear that the greatest good would be to save the thousands that were at risk. Lieutenant Commander Rhodes knew that his career would probably be over if he did not follow Admiral Bristol’s orders and warned his men of the admiral’s orders. Similarly, afraid of the consequences on his career, Captain Hepburn wrote his daily report to Admiral Bristol telling him that all was quiet, while in his diary he wrote that “the terror is in the air” (Milton 2008, 259). Likewise, the British naval officers were reluctant to bring their troops to Smyrna in fear of getting in battles with the Turks and giving Mustafa Kemal any excuse to advance on Constantinople (Milton 2008, 240).

Those that could help the people of Smyrna and the thousands of refugees that had arrived from the interior, weighed the consequences and chose themselves. It was not until the situation was already out of control when some decided to help, although hesitantly. By that point, thousands of people had already suffered from hideous crimes and had died. For those that remained, it was almost impossible to save them all without additional ships. Early on in the events of Smyrna, there was opportunity and ability to provide the much-needed help. However, in the case of U.S. involvement, the personal opinion and actions of Admiral Bristol, significantly contributed to a delayed response and the demise of thousands of people. Although many eventually tried to help, it was simply too late. The consequences for the helpless thousands were brutal rapes, hangings, beatings, being set on fire, starvation, and various other ways of death. For these reasons the research indicates an undesirable response as viewed by the consequences-based ethics lens.

Virtues-based ethics uses the Golden Rule as its principle consideration; “do to others what you want them to do to you.” A person of good character would do what he or she would expect others to do if they were in the same situation. A person of good character would put himself or herself in the shoes of the other person in the situation. In that case, one would expect that a witness to a horrible crime against a person would do what they could to prevent, intervene, or simply care for that person. In the Smyrna case, there were individuals who did what the virtuous person would do, and risked their lives to help others.

Overall, the Smyrna case presented a picture where most of the witnesses wanted to do something to help. In some cases, fear of the consequences prevented them initially

to respond in a virtuous manner. In other cases, many did not anticipate the terrible turn of events and believed that Smyrna would be spared by the Turks. In the case of Admiral Bristol, he simply did not present a virtuous character and was more concerned about his idea of economic gains for America than the fate of the Smyrna people. Many others allowed their virtuous characters to prevail and stepped in to help, although their intervention was simply too late for the thousands that had perished already.

Even though there were many people of good character in Smyrna who tried to do the best they could, the character of one, Admiral Bristol, sealed the fate for several thousand people. Based on the case examples of the many individuals who followed their heart and did the right thing, versus the one individual who could have made a real difference, the research suggests a moderately desirable response.

The case of Smyrna presented a scenario of an individual versus community ethical dilemma, as confronted by several of the actors involved. The overall response to the catastrophe as viewed through the ethical lenses of principles-based, consequences-based, and virtues-based ethics, was not desirable.

Srebrenica

Srebrenica is a town in the current Bosnia-Herzegovina where the worst mass atrocities after WWII occurred. Once part of Yugoslavia, residents of Srebrenica, including Bosnian Muslims, Serbs and Croats, lived and worked together. These three groups are racially identical and speak Serbo-Croatian, with the only difference being their religious faith (Rohde 1997, XI). After the death of Josip Broz Tito in May 1980, nationalist movements spread across the country and on 25 June 1991 both Croatia and Slovenia declared independence, and by 1992 fighting broke out in Srebrenica (Rohde

1997, XIV). In 1993, the UN commander in Bosnia declared the protection of Srebrenica, and on April 16 the UN Security Council passed Resolution 819 that declared Srebrenica and the surrounding area the first United Nations safe area (Rohde 1997, XV). Fighting, atrocities and thousands of deaths occurred from the early nineties until the Srebrenica massacre. This analysis will focus on the events that started on 6 July 1995.

The two Dutch soldiers, Privates First Class Marc Klaver and Raviv van Renssen, at Observation Post (OP) Foxtrot that was also nicknamed OP Holiday and OP Relax, were suddenly faced with mortars launched by the Serbs (Rohde 1997, 3). The Bosnian Muslims had turned over the protection of Srebrenica and surrounding area to the UN and had been largely disarmed although some fighting continued. “Klaver had known that his 750-man battalion couldn’t defend Srebrenica with the limited weapons and equipment they had” (Rohde 1997, 5). The rockets and shelling continued into the next evening and although NATO Close Air Support (CAS) had been requested, none arrived. When the shelling continued on Saturday, 8 July, and the OP was directly hit, there was still no sign of air support. The Chief of Staff of UN forces in Bosnia, Brigadier General Cees Nicolai had denied requests on both days on the premise that a NATO attack could disrupt a new European Union peace initiative (Rohde 1997, 23). That same day, the Serbs took over the southern part of the enclave from the Dutch, and a Bosnian Muslim had killed one of the Dutch soldiers. The UN commander of the enclave, Lieutenant Colonel Karremans concluded that the Serbs only wanted the southern part of the enclave to open a new route to Serbia. Other UN commanders agreed with that assessment as it fit the pattern of limited Serb attacks. “It would be illogical for the Serbs to take the entire safe area and risk facing the wrath of the international community” (Rohde 1997, 44).

By Sunday, 9 July, Karremans' assessment was that the Serbs would move west toward Mount Kak to secure their control of the southern part of the enclave. Unaware of their push to the north, Karremans concluded that although the conquest of the entire safe area was probable, it was not going to happen in the short term (Rohde 1997, 76). As far as NATO air strikes, Karremans had "decided that unless you had the power to definitively stop the Serbs, it was better not to confront them" (Rohde 1997, 77). By 4:30 p.m., the Dutch withdrew from the last OPs in the southern part of the enclave. "By sundown, the Serbs had thirty Dutch hostages, were a half mile south of Srebrenica and controlled the entire southern half of the enclave" (Rohde 1997, 87). General Nicolai, the Chief of Staff of UNPROFOR in Sarajevo informed Karremans of an order to create a blocking position for the Serbs. This was intended to test the Serb intentions and force the UN to use Close Air Support in defense (Rohde 1997, 85).

On Monday, 10 July, the Dutch positioned at the blocking position but due to confusion they missed a couple of opportunities to call in for CAS. Shelling and explosions continued throughout the day with more casualties, and now with angered Bosnian Muslims that thought the Dutch were not protecting them. That same evening by 6:30 p.m., the Serbs started advancing towards the blocking position. The Dutch started firing over their heads but the Serbs continued their advance, and Karremans requested Close Air Support (Rohde 1997, 118). The request reached Colonel De Jonge in Zagreb by 7:30 pm, and he in turn immediately informed the Force Commander Janvier. Janvier, however, hesitated and called a meeting of his Crisis Action Team. It was not until 9:40 p.m., after several conversations with different actors, and after the Dutch Defense Minister Joris Voorhoeve had agreed to use CAS, that Janvier finally decided to allow the

CAS to take place. By that time, they were informed that the fighting in Srebrenica had stopped and that the Serbs gave their own ultimatum at 9 p.m. “If the UN and all aid organizations surrendered all their weapons and equipment, they would be free to leave the enclave the next morning. All Muslims would be free to leave within forty-eight hours” (Rohde 1997, 123). If they did not surrender, the Serb attack would continue. Janvier’s final instructions for the night were that if there were any attacks on the town or anyone moved toward it during the night, he would approve the use of CAS (Rohde 1997, 133).

Karremans came into town that night to meet with the town’s leadership and assured them that if the Serbs did not withdraw, there would be massive air strikes around 6 a.m. in the morning (Rohde 1997, 132). The next morning, 11 July, the Dutch verified that the Serbs had not withdrawn and re-verified the target positions. By 9 a.m. there were no planes in sight, and the Dutch deputy commander, Major Franken called Tuzla to check on the status of the 8 a.m. CAS request. He was told that the request had been rejected because it was filed as a request for air strikes and not CAS. At 9:45 a.m. another request for CAS was submitted, which had to be resubmitted twice because it did not have a proper targeting list. A correct CAS request was finally received by 10:45 a.m., by which time the UN planes that had been circling over the Adriatic since 6 a.m. returned to their bases for refuel and would be unavailable for two hours (Rohde 1997, 144).

The town of Srebrenica began to evacuate towards the Dutch base in Potocari, including the residents and the Dutch peacekeepers. The first planes finally appeared at around 2:30 p.m., “six and a half hours after that morning’s initial request and six days after the first Dutch request” (Rohde 1997, 154). After a handful of air strikes, a Serb

translator was heard on the radio in the operations room in Potocari: “If the NATO attacks do not stop immediately, all Dutch peacekeepers in Serb custody will be killed,” and “the Dutch compound in Potocari, where civilians are gathering, will also be shelled” (Rohde 1997, 162). By 4:15 p.m. Serb forces had taken over the first United Nations safe area, with a resulting approximately 150 casualties from all sides (Rohde 1997, 166). As thousands of refugees made their way to Potocari, back at the UN headquarters in Zagreb, the leadership was weighing their options. The only option left was to begin negotiations with the Serbs (Rohde 1997, 173).

Karremans initially met with Ratko Mladic, the Bosnian Serb Army commander at around 8:30 p.m. and explained to him that he needed food and medical supplies for the refugees. He was told to return at 11:30 p.m. with a representative from the refugees and a representative from the municipal government. Karremans returned with Nesib Mandzic, who was the director of Srebrenica’s high school, and again explained the need for water, food and medical supplies. Mladic told them that the Muslims have to surrender their weapons over, and agreed to a cease-fire until 10 a.m. the next morning when another meeting was to occur (Rohde 1997, 178).

The next day, 12 July, Karremans and several representatives from the refugees met with Mladic again. He told them that whoever surrenders their weapons will not be harmed. Mladic also said that he will assist with the evacuation and that no one will be harmed as long as there were no further NATO attacks in Bosnia (Rohde 1997, 187). Mladic told them that the evacuations will start in a few hours and he suggested that they be taken to Kladanj, which was a Muslim-held town between Bosnian Muslim and Bosnian Serb territory (Rohde 1997, 191). That afternoon several Serb soldiers arrived

and positioned throughout the crowds. Later on, Serb TV crews arrived and recorded as Serbs threw bread at the Muslims, and after Mladic arrived, he told the people that no one will be harmed.

Dutch lieutenant Eelco Koster approached Mladic and told him that he had to speak to Karremans first. Mladic told him that he was in charge and that he would do whatever he wanted. Koster explained that the Dutch would not cooperate and that the refugees cannot be moved without Dutch permission. Buses were already at the location and once the Serbs broke through the Dutch human wall that was holding back the refugee crowds, the refugees started fighting their way to the buses. Koster tried to send his men on the buses, but they were turned away by the Serbs (Rohde 1997, 205). As families moved towards the buses, the men started being separated and sent to a nearby building. Several of the refugees were transported to a checkpoint and then made to walk the four miles towards a Muslim held town. That same night a Serb ambush killed dozens of men who were fleeing through the woods, several wounded were beaten and others blocked from receiving necessary medical treatment, several men were taken away from the refugee crowd never to return again, and several women were raped by Serb soldiers.

By the next day, Thursday, 13 July, several people had committed suicide, including a 14-year old girl that was raped the night before by several Serb soldiers (Rohde 1997, 242). At the same time, approximately 7,000 Muslims were trapped in the woods and surrounded by Serbs, many hurt from the continuous ambushes conducted. A couple of thousand men that had been captured, were now taken to empty warehouses. The Serbs opened fire and threw grenades in the warehouses full of Muslim prisoners (Rohde 1997, 264). The refugees outside the base continued to be evacuated followed by

those inside the base, and by 7 p.m. there were only 200 Muslim refugees left inside (Rohde 1997, 268). Approximately 300 Muslim men who were being kept at a house, were now being prepared to be transported. Lieutenant Leen van Duijn noticed that all their papers and passports were being abandoned and knew that they were all going to be killed. He radioed the operations room and asked for a vehicle to escort the buses that were transporting the refugees, but no vehicle arrived (Rohde 1997, 277). Meanwhile, the Dutch that escorted the buses of refugees also became victims of the Serbs, as they stole their vehicles and personal belongings (Rohde 1997, 278). The Muslim killings continued throughout the night both in the woods, and in several areas where they were being held.

Mass executions continued all day on Friday, 14 July, while two men laid alive under the corpses, witnesses to the thousands that died (Rohde 1997, 303). The same killing spree continued through Sunday. The Dutch peacekeepers were unable to do anything, having been mostly disarmed and far outnumbered by the Serbs. With their own lives in danger, they simply recorded what they could and just waited to be evacuated themselves.

The case of Srebrenica is as horrible as any other genocide case. The response efforts differ than that of the Armenian genocide in that those that were present were mostly unable to provide protection without air strikes or additional manpower and firepower. From an ethical stand point, the table below depicts the overall score of the response efforts.

Table 3. Srebrenica Genocide Response Evaluation Criteria

	Principles-Based Ethics	Consequences-Based Ethics	Virtues-Based Ethics	Total
Srebrenica Genocide	2	1	2	5
1 Point – Undesirable Response 2 Points – Moderately Desirable Response 3 Points – Optimal Response				

Source: Developed by author.

The Srebrenica case presents an overall individual versus community dilemma as experienced by the peacekeepers that were there. From the perspective of the international community this situation presented both an individual versus community dilemma as well as a short-term versus long-term dilemma. Examining this dilemma through the principles-based ethics, one must look at what principles or rules existed at that time and during that specific situation. The peacekeepers had been sent to Srebrenica to protect their residents, and act as a neutral force for peacekeeping purposes. In that aspect, they had an obligation to protect the people of Srebrenica. The efforts of the peacekeepers was mostly hindered by the lack of support above them, especially when it came to air support. For that reason, and from the perspective of the peacekeepers who tried everything they could to carry out their duties, the research suggests that they provided a moderately desirable response.

Consequences-based ethics is primarily based on what produces the most good for the greater number. In the case of Srebrenica, the greatest good for the greater number would be to protect the victims. From the perspective of the peacekeepers; however, it would have been impossible to do so without additional support by airpower, manpower,

and firepower. Even if they had risked their own lives, they would not have been able to produce the most good for the greater number because they were simply outnumbered and out powered. From the perspective of the chain of command all the way to the UN decision makers, it could have been possible with proper air power support.

Unfortunately, the air support failed on numerous occasions due to wrong assumptions, faulty communication, leader indecisiveness, and faulty processes among other reasons. Other considerations also include the potential second and third order effects, a more targeted reaction could have had. There were several other areas in the country that could be in danger if an attack was carried out against the Serbs in Srebrenica, including danger for both other Bosnian Muslims and other peacekeepers. As it is very difficult to predict all possibilities, the research focuses on Srebrenica alone where additional air strikes could have deterred the Serbs. Based on these reasons, the research suggests that the response from a consequences-based ethics perspective was undesirable.

Lastly, as viewed from a virtues-based ethics perspective the research looks at what a person of good character would do. The problem with the Srebrenica case is that the peacekeepers were almost incapable of doing anything that would produce any desirable results. As previously mentioned, they were both outnumbered and outpowered, and even though they stepped in where they could, none of their actions alone would have prevented any of this from happening. From their perspective alone, they provided a moderately desirable response. From the perspective of the chain of command and the international community, there could have been additional help provided to the peacekeepers by ways of reinforcement, or additional international pressure on the Serbs. Many people of good character were involved that showcased their good virtues, but the

situation was an impossible one to resolve on virtue principles alone. Even if the peacekeepers wanted to do the virtuous act, their efforts would likely provide no benefit to anyone. There is no evidence from the research that there was anyone that did not want to do what a virtuous person would do. For the reasons described above, the research suggests that there was a moderately desirable response from a virtues-based perspective.

The Srebrenica case presented an ethical dilemma of an individual versus community, as well as short-term versus long-term. The overall response as viewed through the ethical lenses of principles-based, consequences-based, and virtues-based ethics, was moderately desirable at best.

Rwanda

Years of civil war and ethnic tensions between the Tutsis and Hutus led to the Rwanda genocide. A peace agreement in 1992 and a small peacekeeping force were not enough to stop the extremely violent massacres that occurred throughout the country. The events in Rwanda led to the slaughter of approximately 800,000 Tutsis and Hutu moderates in a matter of 100 days (United to End Genocide 2017b). The signs of an upcoming genocide were there, but the international community took very little action in preventing it from occurring.

The Arusha Peace Accords were signed on August 4, 1993 between the Rwandan government and the RPF. The agreement provided that a Broad Based Transitional Government (BBTG), comprised of members of several opposition parties, would hold temporary power until elections occurred (Grunfeld and Huijboom 2007, 35). The Arusha Peace Accords consisted of several components including a mandate for a Neutral International Force, through Article 54, that described its mission as assisting in the

implementation of the Peace Agreement (Grunfeld and Huijboom 2007, 38). More specifically, it included the security mission to guarantee the overall security of the country, and assisting in the tracking of arms caches (Grunfeld and Huijboom 2007, 39). On 5 October 1993, the UN Security Council decided on the establishment of the UN Assistance Mission to Rwanda (UNAMIR) (Grunfeld and Huijboom 2007, 40). The Security Council's resolution; however, stated that the UNAMIR would contribute to the security of the city, and omitted other specifications of the Arusha Peace Accords (Grunfeld and Huijboom 2007, 42).

The Rules of Engagement (ROE), as drafted by the Canadian Force Commander Lieutenant General Romeo Dallaire, included the use of force in cases of crimes against humanity. "Ethically or politically motivated criminal acts . . . will morally and legally require UNAMIR to use all available means to put an end to them" (Grunfeld and Huijboom 2007, 44). Once the UN approved the mission and a force of approximately 2,500, Belgium was the only country that was willing to provide troops (Grunfeld and Huijboom 2007, 51).

On 3 December, Dallaire received a letter from a number of senior Forces Armées Rwandaises (FAR) officials who remained anonymous (Grunfeld and Huijboom 2007, 86). The FAR or Rwandan Government Forces (RGF) was the army of the Rwandan government that was heavily involved in the genocide (Grunfeld and Huijboom 2007, xix). The letter warned of the ideas and plans of President Habyarimana, and warned of certain massacres that were being planned across the country against the Tutsi population (Grunfeld and Huijboom 2007, 86). On 10 January 1994, Faustin Twagiramungu, the Prime Minister designate, requested a meeting with Dallaire and told him of an informant

with important intelligence. The informant met with Colonel Luc Marchal and explained that he was asked to identify all the Tutsi in Kigali (Grunfeld and Huijboom 2007, 95). Dallaire, upon being informed by Marchal, decided to send a fax directly to General Baril, the Military Adviser to the Secretary General of the United Nations and head of the military division of the Department of Peace-Keeping Operations (DPKO).

In what is known as the genocide fax, Dallaire explained that the demonstrators hoped to provoke the RPF into firing on them and starting a civil war. Additionally, deputies were to be assassinated and Belgian troops killed, ensuring their withdrawal from Rwanda (Grunfeld and Huijboom 2007, 96). As soon as Baril received the fax, he immediately shared the information Kofi Annan, Iqbal Riza, and with Hedi Anabi. However, Annan and Riza did not inform the Secretary-General nor the Security Council. The UN response was that no action should be taken without their guidance, and that President Habyarimana should be informed and presumed unaware of such activities. Dallaire made several attempts to convince headquarters of the need for military action; however, they all proved fruitless (Grunfeld and Huijboom 2007, 101).

On 6 April 1994, the plane that was carrying the Rwandan President Juvenal Habyarimana was shot down, and within an hour, the Presidential Guard had set up roadblocks throughout the city. The Prime Minister, Madame Agathe was now the head of the government, but was unable to assemble her cabinet because most ministers had either evacuated or were in hiding already. She decided to stay at home with her family and speak on the national radio the next day (Grunfeld and Huijboom 2007, 157). At 10:00 p.m., Dallaire was invited to attend a Crisis Committee meeting at the FAR headquarters. Because both the president and the army's chief of staff were dead, Colonel

Bagosora, the Chef de Cabinet of the Ministry of Defense, ran the meeting. Bagosora argued that the military should take control of the government, to which Dallaire replied that such action would result in the withdrawal of UNAMIR. Dallaire also reminded him that Madam Agathe was the legitimate head of government (Grunfeld and Huijboom 2007, 157). However, by early morning, Rwandan soldiers attacked her house and killed both her and her husband. They also killed the ten Belgian soldiers that were there to protect her and brought them to Camp Kigali where they were killed.

Among the first people to be killed were the President of the Constitutional Court, Joseph Kavaruganda, a number of priests that supported the democratic transition, Charles Shamukiga, a businessman and civil rights activist, and the leader of the democratic fraction of the Parti Libéral, Landwald Ndasingwa along with his Canadian wife and two children (Prunier 1995, 230). Tutsi continued to be killed simply because they were Tutsi, along with several moderate Hutu. Approximately 800,000 people were killed in Rwanda suffering horrible deaths. At the campus of the Butare University, most of the students and teachers were massacred although they were Hutu (Prunier 1995, 249). A Hutu teacher saw his Tutsi wife being disembowelled and the fetus “pushed in the face while the killers shouted ‘Here! Eat your bastard!’ (Prunier 1995, 256). The killings were very gruesome as most of them were done with the use of machetes that resulted in long and painful agony (Prunier 1995, 255). Women were sexually abused and then brutally killed, babies were often smashed against a rock, and mutilations were common including in children (Prunier 1995, 256).

Meanwhile, the UN prohibited the use of force by UNAMIR and focused on the safety of foreigners in Rwanda (Grunfeld and Huijboom 2007, 166). The United States

and France arranged evacuations for their people within a couple of days of the plane being shot down, and Belgium followed approximately ten days later (Grunfeld and Huijboom 2007, 169). On 21 April, the Security Council voted for a withdrawal from Rwanda by the majority of peacekeepers, with approximately 270 staying to “mediate between the two parties and facilitate human relief” (Grunfeld and Huijboom 2007, 215). But on 17 May, the Security Council unanimously adopted a resolution for UNAMIR II that included an enhanced mission of 5,500 troops (Grunfeld and Huijboom 2007, 216).

The genocide of Rwanda was one that was preceded by many signs leading up to the genocide, although one unexpected event put it in motion faster than anyone could have expected. The UN had several opportunities to take further action and stop the horrific massacres from continuing, but chose not to. After the genocide, the International Criminal Tribunal for Rwanda (ICTR) was established for the prosecution of those responsible. By December 2012, the Tribunal had indicted 93 persons for genocide, crimes against humanity and war crimes, of which 65 were found guilty and convicted (International Criminal Tribunal for Rwanda 2017).

The Rwanda genocide presented with an overall individual versus community ethical dilemma for the international community. It was about the few thousand Rwanda victims versus the community of the United Nations. From an ethical stand point this case presents with a largely undesirable response by the international community as depicted at the table below.

Table 4. Rwanda Genocide Response Evaluation Criteria

	Principles-Based Ethics	Consequences-Based Ethics	Virtues-Based Ethics	Total
Rwanda Genocide	1	1	1	3
1 Point – Undesirable Response 2 Points – Moderately Desirable Response 3 Points – Optimal Response				

Source: Developed by author.

From a principles-based ethical perspective the international community, as represented by the United Nations, should have operated under Resolution 260 (III) A of the United Nations General Assembly that was passed on 9 December 1948. Under Article 8, “Any Contracting Party may call upon the competent organs of the United Nations to take such action . . . for the prevention and suppression of acts of genocide” (Grinfeld and Huijboom 2007, 18). The Security Council met several times and each time, they were hesitant to discuss military force options, and instead focused on cease-fire talks. The international community chose to ignore the horrific killings against the people of Rwanda and enabled such an atrocity to happen. Based on principles that existed at the time and the capability of other nations to help, the research suggests that the response to this atrocity was undesirable.

From a consequences-based ethical perspective, the international community had the capability to provide forces to assist in stopping the genocide. The only consequence of importance is that failure to do so, would ultimately result in the cruel death of approximately 800,000 innocent people. Other considerations for the governments involved may have been the associated costs or the opinions of their people. But the lives

of 800,000 innocent men, women, and children far outweigh any associated costs. The response of the international community from a consequences-based ethical perspective was completely undesirable.

There is no question that a virtuous person would do all he or she could to stop such awful atrocities from happening. The international community had the capability and knew what was happening in Rwanda, but chose to do nothing. As a result, the research concluded that the response from a virtues-based ethical perspective was undesirable.

Chapter Conclusion

The research and analysis of the relative literature along with the three genocide cases, provided an insight to answering the primary research question, “Should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” The answer as we see it from an ethical lens is yes. The three cases reviewed in this chapter showcased some of the horrible atrocities that happened over the last 100 years. In each case, a stronger military force could have deterred or stopped the atrocities from happening. Although each case and the situations surrounding it were very different, one theme stood out in all of them. Those that could help make a difference in the lives of thousands of people, chose not to intervene, or were simply too late in their efforts. In each case, however, the military could have made a significant difference. Unfortunately, such large-scale atrocities can only be stopped by the intervention of military powers, as the perpetrators prey on defenseless victims. The lack of military intervention cost the lives of hundreds of thousands of people in just the three cases described in this research.

Consequently, the military and by extension the Army, has an ethical obligation to respond to mass atrocities, specifically when already present and capable of doing so.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

Chapter Introduction

This research explored the question, “Should the U.S. Army have an obligation to respond to mass atrocities from an ethical perspective?” The answer from a purely ethical perspective is yes; however, in reality a military response to a mass atrocity does not depend solely on ethical principles. Even if it did, there are different schools of thought within the realm of ethics, which when taken into consideration individually can produce a different result. Additionally, consideration must be given to the desired result of such an intervention and whether or not the intervention alone is capable of producing the desired result.

Conclusions

Ethical dilemmas can present difficult choices in people’s everyday lives. The magnitude of the difficulty of such choices in a complex international environment and when faced with great personal danger, can be exponentially greater. The Army has an important mission to accomplish, and each individual that belongs to the Army unit has a role in that mission. Each individual member also has personal moral and ethical values and beliefs, and each person can be faced with difficult ethical dilemmas in the course of a mission. Ultimately, a service member may have to make an ethical choice that although it stands on strong ethical ground, can cause legal ramifications. As a unit, the U.S. Army is expected to act ethically and follow the internationally accepted rule of law.

Many states abide by the principles of international rule of law, but many others do not. Furthermore, the conflicts that we face today are also largely against non-state actors that appear to have very different moral principles. In such circumstances, we must consider what the right thing to do is. Any intervention, however, can provide temporary relief but produce long term negative effects. The U.S. Army's involvement is more temporal, aimed at preventing atrocities from happening or stopping atrocities in action. A more permanent solution is required if we wish to minimize such occurrences from happening, but that certainly requires an international effort.

In all three cases reviewed in this research, it was evident that a military response could have provided temporary relief. A military response could have prevented the horrific death of millions of people, but for how long? A military response cannot be sustained long term, and underlying issues must be resolved by other means in order to prevent future atrocities. Other means available can include both diplomatic and economic efforts, but require the involvement of the international community. One state cannot unilaterally provide a long-term solution.

Recommendations

The U.S. Army alone cannot provide permanent solutions to mass atrocity situations or other crimes against humanity. They can provide, however, temporary relief that prevents or halts the suffering of many innocent people. Any permanent solution requires a plan that is meaningful and thought through the end. Such a solution depends not only on a whole of government approach, but also on international cooperation.

Future research should focus on how to gain and integrate international cooperation in achieving global stability. How can nations promote international stability

and the expansion of democracy? What should nations do when they are witnesses to mass atrocities? How can we bring the international community together to respond to mass atrocities when they occur at a part of the world that no one has direct interests? What is ultimately best for all of us? What is the value of human life? All these questions came to mind through one point or another of this research, but went beyond the scope of the study. The search for answers in the international community's responsibility to protect, is not an easy one. Many factors come to play, and a proper response has to consider desirable outcomes.

Final Thoughts

The important thing to remember is that we cannot compromise our ethical values because of others' unethical actions. We, as individuals, as an army, as a nation have a moral and ethical obligation to uphold high moral and ethical principles, and help those that have fallen victims to the harsh struggle of power around the world. And just because we cannot save them all, it does not mean that we have to stop trying. It is vital to our interests that international order is maintained and many U.S. presidents have agreed that our own prosperity and security depends largely on the expansion of freedom around the world.

A coalition for democracy—it's good for America. Democracies, after all, are more likely to be stable, less likely to wage war. They strengthen civil society. They can provide people with the economic opportunities to build their own homes, not to flee their borders. Our efforts to help build democracies will make us all more secure, more prosperous, and more successful as we try to make this era of terrific change our friend and not our enemy.

— President William J. Clinton, Remarks to the 49th Session of the UN General Assembly, September 26, 1994

The survival of liberty in our land increasingly depends on the success of liberty in other lands. The best hope for peace in our world is the expansion of freedom

in all the world. America's vital interests and our deepest beliefs are now one . . .
So it is the policy of the United States to seek and support the growth of
democratic movements and institutions in every nation and culture, with the
ultimate goal of ending tyranny in our world.

— President George W. Bush, Second Inaugural Address, Washington, D.C.,
January 20, 2005

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