Introduction: The Civilianization of War and the Changing Civil–Military Divide, 1914–2014

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International and intra-state conflicts have become more deadly for civilians over the past 120 years. This ascending arc of civilian fatalities since 1900 forms part of a larger twentieth- and twenty-first-century phenomenon increasingly identified as the 'civilianization of war'.[1] Wars between states as well as civil conflicts within them have seen non-combatants systematically targeted. It is civilians who suffer a large proportion of security force violence, insurgent attacks and counter-insurgent repression. At the time of writing, affording better protections to the most vulnerable population groups, including women, adolescent males, ethno-religious minorities and displaced persons, remains the most difficult task in conflict limitation and peace enforcement. A first step in pursuit of these objectives is to study this 'civilianization of war', in which civilians are often not just the principal victims of intra-state conflict but its foremost targets as well. The aim of this study is thus to demonstrate the ways in which the distinction between civilians and military forces – what we call the civil–military divide – has changed, whether in thought or in practice.

What does the distinction between civilians and soldiers, combatants and non-combatants, amount to in theory or in practice? The increasing complexity of this question quickly becomes clear when one looks at the debate over the ratio of civilian to military losses in various conflicts over the last century. A 2009 study by Adam Roberts showed the ratio for the war in Bosnia Herzegovina (1991–95) to be roughly 2:3, while in Iraq (beginning in 2003) it was

[1] Andreas Wegner and Simon J. A. Mason, 'The Civilianization of Armed Conflict: Trends and Implications', *International Review of the Red Cross*, 90 (2008): 835–52. For the question's inherent complexity and contradictions see Helen M. Kinsella, *The Image before the Weapon: A Critical History of the Distinction between the Combatant and the Civilian* (Ithaca, NY: Cornell University Press, 2011).

5:1 or possibly as low as 3:1.[2] Similarly, over the last century, high levels of internal displacement and forced population removal have been recurrent features of intra- and interstate conflict. From the traumatic population exchanges that accompanied the Greco-Turkish War (1919–22) to the displacement of European populations in the aftermath of the Second World War, civilians have been compelled to move under threat of violence or discrimination as a direct consequence of prior conflict.[3] So, too, the territorial partitions triggered by the end of European colonial dominion in the Indian sub-continent, in Palestine and elsewhere were accompanied by systematic targeting of refugee populations by security forces and sectarian vigilante groups.[4] What do such instances of mass violence against civilians imply? While civilian casualties have risen markedly relative to military ones, that does not signify the inevitable failure of protections in place for civilian populations, or an inexorable shift towards new forms of conflict in which all risk being targeted. As important as the methodological debates around these calculations and the growing complexity of this phenomenon are, it is the tremendous variation in the proportion of civilian casualties that captures the reader's attention and is the focus of this work. It draws on case studies from conflicts in diverse regions and settings over the last century to investigate why, during this period of rising civilian casualties, the civil–military distinction is so dynamic and unpredictable.[5]

The extent to which civilians are protected in war depends substantially on that divide's local forms and practices, a phenomenon analysed by the chapters in the book's first section. As the chapters demonstrate, the nature of armed conflicts is closely related to the extent to which civilian

[2] Adam Roberts, 'The Civilian in Modern War', *Yearbook of International Humanitarian Law*, 12 (2009): 19–33.

[3] See, for example, Bruce Clark, *Twice a Stranger: How Mass Expulsion Forged Modern Greece and Turkey* (London: Granta, 2007); Richard Bessel and Claudia B. Haake (eds.), *Removing Peoples: Forced Removal in the Modern World* (Oxford: Oxford University Press, 2011); Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013).

[4] For contrasting viewpoints: Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited* (Cambridge: Cambridge University Press, 2004); Ilan Pappé, *The Ethnic Cleansing of Palestine* (London: One World, 2007); Joya Chatterji, *The Spoils of Partition: Bengal and India, 1947–1967* (Cambridge: Cambridge University Press, 2007); Haimanti Roy, *Partitioned Lives: Migrants, Refugees, Citizens in India and Pakistan, 1947–1965* (New Delhi: Oxford University Press, 2013); Panikos Panayi and Pippa Virdee (eds.), *Refugees and the End of Empire: Imperial Collapse and Forced Migration in the Twentieth Century* (Basingstoke: Palgrave Macmillan, 2011).

[5] Some of these challenges are discussed in Alex J. Bellamy, 'Supreme Emergencies and the Protection of Non-Combatants in War', *International Affairs*, 80 (2004): 829–50.

populations are mobilized, becoming integral to combatants' war efforts. This theme runs throughout the chapters but is especially prominent in the book's second section, which is devoted to aerial bombing. The development of long-range bombing aircraft was made possible by new technologies that arose at the beginning of the twentieth century, and their devastating strategic objective, directly attacking the home front, threated to collapse the distinction between combatants and civilians. A third theme is the matter of civilian protections and their enforcement. The aim here is to explain whether – and why – systems of laws, treaties, the work of international organizations (IOs) and non-governmental organizations (NGOs), and other factors favouring the respect of normative standards hold any sway once conflicts break out. Highlighting interactions between these three themes, the chapters thus help identify what lies behind the tremendous variations in the treatment of civilians in conflict.

Our study of the civilianization of war begins with the First World War's outbreak in 1914, a point of departure for fundamental changes in the way wars were fought and, in consequence, for the reconceptualization of the distinction between civilians and soldiers. Modern industrial war, conducted by intra-continental alliances based in the global 'north' (primarily Eurasia, North America and their imperial peripheries), demanded unprecedented sacrifices from all social strata. Political systems and societies of every stripe were pushed to the breaking point. Never before had industrialized nations invested and mobilized so much of their human, financial and material resources in the service of war.[6]

These transitions signified the emergence of 'Total War', a form of inter-societal conflict that implicated civilians more directly as economic producers, as cultural embodiments of an idealized home front, and, most pertinent to us here, as targets for attack, notably through the development of strategic blockade and bombing.[7] Nor did 'total war' end neatly alongside armistice agreements and treaty settlements. Violence persisted, much of it internecine and inter-ethnic, in what some scholars describe as the 'Greater War' that encompasses the conflict's unsettling

[6] An indispensable one-volume study of the Great War is David Stevenson, *Cataclysm: The First World War as Political Tragedy* (New York, NY: Basic Books, 2005).

[7] The subject of total war is exhaustively analysed in five Cambridge University Press volumes, including Roger Chickering and Stig Förster (eds.), *Great War, Total War: Combat and Mobilization on the Western Front, 1914–1918* (Cambridge: Cambridge University Press, 2000). Also see the arguments about the nature of total war in Talbot Imlay, 'Total War', *Journal of Strategic Studies*, 30 (2007), 547–70; Andrew Barros, 'Strategic Bombing and Restraint in "Total War", 1915–1918', *Historical Journal*, 52 (2009), 413–31.

aftermath. Their efforts brought little immediate reward. For many, the First World War lingered on in smaller regional conflicts, in revolutionary upsurges and counter-revolutionary backlashes, and in more widespread paramilitarism.[8] Others reacted by spurning state violence altogether. Transnational movements, many of them internationalist in inspiration, strove to ensure that such global conflict would never recur. Diplomatic efforts were even made to restrict, outlaw or eliminate war altogether, the Kellogg–Briand Treaty of 1928 foremost among them. Disarmament, albeit fleetingly, became a shared political goal and a popular rallying cry. The infant League of Nations, meanwhile, represented a new form of standing IO, one that made fostering peace and protecting civilians (particularly threatened ethnic minority groups) central to its global mission.[9]

Many recent studies have also argued that the interwar period signified the arrival of NGOs on the international scene, notably the panoply of lobby groups campaigning against armaments and their indiscriminate use. The impetus behind this turn to disarmament was, in part, a matter of ethical judgement and ideological preference; in part, a matter of economic and strategic calculation. Whichever was the case, while the distinction between the military and the civilian was badly eroded by the war, its innate value was debated and publicly defended by a growing number of states and organizations during the 1920s and beyond.[10]

The advent of another global conflict unleashed an even greater transformation in the codification of civilians, refugee populations, displaced persons and other victim groups. Informed by the failings of the League of Nations and the collapse of the post-1919 peace, the victors in this Second World War endorsed stronger collective security systems

[8] Robert Gerwarth and John Horne (eds), *War in Peace; Paramilitary Violence in Europe after the Great War* (Oxford: Oxford University Press, 2012); Robert Gerwarth, *The Vanquished* (London: Allen Lane, 2016).

[9] Eric D. Weitz, 'From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions', *American Historical Review*, 113:5 (2008), 1313–43; Susan Pedersen, 'Back to the League of Nations', *American Historical Review*, 112:4 (2007), 1091–117; Carole Fink, *Defending the Rights of Others; The Great Powers, the Jews, and International Minority Protection, 1878–1938* (Cambridge: Cambridge University Press, 2004); Bruno Cabanes, *The Great War and the Origins of Humanitarianism, 1918–1924* (Cambridge: Cambridge University Press, 2014). For a revisionist view of the Kellogg-Briand Treaty see Oona A. Hathaway and Scott J. Shapiro, *The Internationalists; How a Radical Plan to Outlaw War Remade the World* (New York: Simon & Schuster, 2017).

[10] See the seminal studies by Zara Steiner, *Lights that Failed; European International History, 1919–1933* (Oxford: Oxford University Press, 2007) and *The Triumph of the Dark; European International History, 1933–1939* (Oxford: Oxford University Press, 2013) and Susan Pedersen, 'Back to the League'.

and a United Nations organization (UN) invested with greater powers than its predecessor. Much of the UN's initial workload involved the rehabilitation and relief of civilian populations in occupied territories.[11] But even as these tasks of social reconstruction proceeded, the collective security arrangements outlined by the wartime Allies were refashioned into the Cold War's adversarial alliance blocs. Hidebound by the dominant powers within its executive Security Council, the UN mirrored these Cold War divisions. At the same time, the geopolitical focus of conventional warfare in the second half of the twentieth century was shifting south and eastward. Nuclear weapons raised the stakes involved in a direct conflict between the superpowers. Less so elsewhere: both the use of the atomic bomb and subsequent plans to drop further 'field' weapons occurred in Asia. This reflected more than US and European strategic thinking about East Asian regional flashpoints from Korea to Vietnam; it carried ugly racial undertones as well.[12]

Set against this fraught atomic peace, the spectacular late twentieth-century collapse of European colonialism ushered in an era of tremendous violence in the developing world. From South East Asia to the Caribbean, formal colonial empire disintegrated in the thirty years after 1945. Even in dependent territories in which open warfare was averted, labour coercion, racial discrimination and consequent human rights abuses were endemic. In other colonial regions – among them Indonesia, Indochina, and much of North, East and Southern Africa – wars of decolonization were characterized by a massive mobilization of colonized populations but relatively little mobilization by Europe's declining colonial powers.[13] Europeans may have been less directly affected by the end of the empires built in their name, but decolonization, its partitions, its violence and its bitter legacies wrought as much global geopolitical change to the international system as the twentieth century's world wars.[14] Although slow to register at first, decolonization also

[11] See, for instance, Gerard Daniel Cohen, *In War's Wake: Europe's Displaced Persons on the Postwar Order* (New York: Oxford University Press, 2012); Tara Zahra, *The Lost Children: Reconstructing Europe's Families after World War II* (Cambridge, MA: Harvard University Press, 2011); Jessica Reinisch, *The Perils of Peace: The Public Health Crisis in Occupied Germany* (Oxford: Oxford University Press, 2013).

[12] Matthew Jones, *After Hiroshima: The United, States, Race, and Nuclear Weapons in Asia, 1945–1965* (Cambridge: Cambridge University Press, 2010).

[13] Differences in the level of colonial state violence perpetrated by differing imperial powers are assessed by Benjamin E. Goldsmith and Baogang He, 'Letting Go without a Fight: Decolonization, Democracy and War, 1900–94', *Journal of Peace Research*, 45:5 (2008), 587–611.

[14] Martin Thomas and Andrew S. Thompson, 'Empire and Globalisation: From "High Imperialism" to Decolonisation', *International History Review*, 36:1 (2014), 153–65.

changed the operational focus and juridical basis of the UN and its affiliate aid agencies.[15]

Despite the Cold War stasis, the post-1945 period witnessed significant advances in international humanitarian law, some of them related to the belated recognition of developing world societies as actors within an international system whose parameters were defined not by the end of empire but by the preceding Second World War.[16] From the Holocaust to the horrors of Rwanda in 1994, the past century's genocides also fuelled efforts – tragically, always *after* the fact – to criminalize the targeting of communities on the basis of ethnicity or other presumed cultural attachment. From the 1948 Genocide Convention to the codification of the UN's 'Responsibility to Protect' doctrine in the early 2000s, 'humanitarian interventionism', its impulse well captured in the phrase 'saving strangers', has tested the limits of international cooperation and, with it, the ethical standards of states and societies.[17]

This era was marked at its 1945 opening by the arrival of nuclear weapons. Although their use has been threatened on several occasions, they have not been used since, and thus fall outside the scope of this study. Equally, the proliferation and use of weapons of mass destruction has become an extremely important issue, but is marginal to the violence witnessed over the last century and, therefore, to the approach adopted here.[18]

By investigating these critical transitions in the nature and practice of war over the last century, this chapter offers an alternative perspective on current, twenty-first-century conflicts. The turmoil in Afghanistan evinces factors often seen as 'northern' (modern forces relatively well

[15] Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia, PA: Pennsylvania University Press, 2013); Carol Anderson, *Eyes off the Prize: The United Nations and the African American Struggle for Human Rights, 1944–1955* (Cambridge: Cambridge University Press, 2003); Meredith Terretta, '"We had been fooled into thinking that the UN watches over the entire world": human rights, UN Trust Territories, and Africa's decolonization', *Human Rights Quarterly*, 34:2 (2012), 329–60.

[16] Christopher J. Lee (ed.), *Making a World after Empire: The Bandung Moment and Its Political Afterlives* (Athens, OH: Ohio University Press, 2010); Martin Thomas, *Fight or Flight: Britain, France, and Their Roads from Empire* (Oxford: Oxford University Press, 2014).

[17] Useful introductions to the issues are Nicholas J. Wheeler, *Saving Strangers: Humanitarian Interventionism in International Society* (Oxford: Oxford University Press, 2002); Cristina J. Badescu, 'Authorizing Humanitarian Intervention: Hard Choices in Saving Strangers', *Canadian Journal of Political Science*, 40:1 (2007), 51–78; Virginia Page Fortna, 'Does Peacekeeping Keep Peace? International Intervention and the Duration of Peace after Civil War', *International Studies Quarterly*, 48:2 (2004), 269–92.

[18] For non-use of nuclear weapons since 1945 see Nina Tannenwald, *The Nuclear Taboo; The United States and the Non-Use of Nuclear Weapons since 1945* (Cambridge: Cambridge University Press, 2008). For the greater risk of the use of nuclear weapons in Asia see Jones, *After Hiroshima*.

sensitized to international norms yet often inflicting high civilian casualties) alongside factors often seen as 'southern' (highly mobilized insurgent forces making use of technology and international norms as weapons in their campaign). If these asymmetries are relatively well known,[19] this chapter pinpoints something else. When contemporary conflicts are framed in the setting of their twentieth-century antecedents, the essential continuity between them lies in the highly dynamic manner in which the changing nature of war, belligerent mobilizations and international norms reshape each conflict's civil–military divide.

To understand how the changing nature of war expanded and contracted the division between civilians and soldiers, one next needs to explore its connections with two related factors. The first is the relationship between the military and home fronts, a connection most easily understood in terms of mobilization. As the experiences of 1914–18 illustrated with dreadful clarity, forms of inter- and intra-state conflict are to a large extent determined by the resources that are mobilized for them.[20] Regimes, be they democratic or authoritarian, integrate the domestic population, the home front, into their calculations when planning or engaging in conflict.[21] The economic potential and cultural integrity of a civilian population must be upheld. Conversely, the same calculation pertains for all warring parties, making a nation's mobilization a key target for its enemies, one that modern technology has often made all the easier to strike.[22]

There is another aspect of mobilization that adds to its significance in a study of civil–military divides. The greater wartime demands imposed on home front civilians strained social cohesion, imposing the need for countervailing efforts to ensure that communities did not crack under the burdens they were forced to shoulder. Monitoring the home front in order to better sustain it thus became a crucial element in a belligerent's strategy. The conflict's objectives and the means and costs that came with

[19] Thoughtful assessments include Michael L. Gross, 'Asymmetric War, Symmetrical Intentions: Killing Civilians in Modern Armed Conflict', *Global Crime*, 10:4 (2009), 320–36; Victor Asal *et al.*, 'Killing Civilians or Holding Territory? How to Think about Terrorism', *International Studies Review*, 14 (2012), 475–97. For the changing nature of war see Hew Strachan and Sibylle Scheipers (eds), *The Changing Character of War* (Oxford: Oxford University Press, 2011).

[20] John Horne, 'Introduction: Mobilizing for Total War, 1914–1918', in John Horne (ed.), *State, Society and Mobilization during the First World War* (Cambridge: Cambridge University Press, 1997), 1–17.

[21] See, for example, Pierre Grosser, *Traiter avec le diable ? Les vrais enjeux de la diplomatie au XXIe siècle* (Paris: Odile Jacob, 2013).

[22] An important example of this dynamic of escalation at work is the Allied blockade of the Central Powers during the First World War. See, for example, Stevenson, *Cataclysm* and the chapter herein by John Ferris.

their attainment have increasingly been subjected to the test of popular support. While efforts to sustain national or communal unity can be largely matters of rhetoric and propaganda, the greater need to justify decisions for war carries over into the wartime requirement to explain the suffering being endured. It bears emphasis that the creation of the League of Nations and the UN owed much to wartime calculations by the Allies regarding the need to legitimize the immense sacrifices being demanded of their populations.[23] Moving into the late twentieth century, a crucial policy lesson of the war in Vietnam for many in Washington was that in an age of mass communication, public opinion would tolerate only so much sacrifice. Public sufferance tended to diminish when the conflict lacked the existential significance to the United States of, say, the Second World War.[24] Stirring or sustaining popular support or mobilizing human and material resources for a conflict judged by many to be not only inessential, but indefensible, proved near impossible. Mobilization also provides a link to the third and most recent factor in the civilianization of war: international norms.

The very notion that civilians deserve different protections in armed conflict from those afforded to combatants raises difficult ethical questions. For, as Maja Zehfuss reminds us, the implication behind this distinction is that certain forms of killing remain permissible while others do not. Recognizing civilians' special claims to protection might be taken to imply that non-combatants do not contribute to the war efforts conducted in their name. Conversely, suggesting that the violence to which civilians are frequently exposed in war should somehow be 'proportionate' to the strategic objectives sought by their attackers risks putting civilian populations at even greater risk.[25] These considerations have become increasingly important over the past century as a system of international protections for civilians has widened.

The late nineteenth century witnessed something of a golden age in international law, although the capstone legislative instruments of the day – the Hague Conventions of 1899 and 1907 – focused primarily

[23] See Steiner, *The Lights that Failed*; Mark Mazower, *Governing the World; The History of an Idea* (New York, NY: Penguin, 2012); Grosser, *Traiter*.

[24] The legal ramifications of the public's sufferance are explored by John Hart Ely, *War and Responsibility: Constitutional Lessons of Vietnam and Its Aftermath* (Princeton, NJ: Princeton University Press, 1995). The opposite phenomenon of 'compassion fatigue' within societies subjected to repeated war imagery is examined in Liam Kennedy and Caitlin Patrick (eds), *The Violence of the Image: Photography and International Conflict* (London: I.B. Tauris, 2014). For the Vietnam War's 'lessons', see Grosser, *Traiter*, chapter 2.

[25] Maja Zehfuss, 'Killing Civilians: Thinking the Practice of War', *British Journal of Politics and International Relations*, 14 (2012), 423–40.

on regulating the violence done to combatants rather than civilians. The international reach of the Hague Conventions was a significant departure, even so. This impulse to extend legal regulation beyond national frontiers owed much to the quickening pace of globalization. As states became increasingly interdependent, their need for a functioning and efficient system of international laws to regulate their commercial, cultural and political interactions increased. As with the changing nature of warfare and the importance of mobilization, the First World War's advent marked a watershed for international law, testing its parameters, applicability and global potential.[26] The subsequent century has seen an institutionalization of international norms concerning the treatment of combatants and non-combatants, the accelerated development of which is traceable to this first global conflict of the twentieth century. Numerous international conventions regarding civilians, prisoners of war, nuclear and chemical weapons, genocide and other facets of armed conflict have since been signed. With them has come a variety of IOs, including tribunals and specialist monitoring groups. The result is that even states that disregard international norms paradoxically remain attentive to the reach of this increasingly visible arm of the international system. Indeed, the actions of such rule-breakers have set the agenda for recalibrations and extensions of international law. Clearly, then, the civil–military divide cannot be properly understood without an examination of the role of norms, their influence on how conflicts are pursued, and their success or failure in protecting civilians.

This collection's case studies into the civilianization of war use the interaction of these three factors – the ways in which wars are fought, the mobilization of home fronts and the growing role of international norms – to elucidate the civil–military divide's constantly shifting form. Before turning to an assessment of each chapter's contribution, it is worth saying a little more about the three disciplines from which they are drawn. The following chapters bring together case studies written by scholars from international history, political science and international law. Each discipline illuminates important aspects of the civil–military divide, and yet they are rarely brought together, as here, in a sustained collaboration. To fully appreciate the interdisciplinary nature of this enterprise, and the extent to which it is able to become something greater than the sum of these three parts, it is necessary to examine each discipline's approach to the civil–military divide.

[26] For the First World War's impact on international law, and vice versa, see Isabel V. Hull, *A Scrap of Paper; Breaking and Making International Law during the Great War* (Ithaca, NY: Cornell University Press, 2014).

Sharp fluctuations in the civil–military divide suggest a need to revaluate the two views that dominate current scholarly debates over this issue. Each of these interpretative approaches might be loosely defined around two terms derived from political science. The first springs from realist assessments of necessity and the logic behind it. The second is 'constructivism'. The former emphasizes the importance of states, the competition intrinsic to international systems and the considerations of material power and strategic advantage that determine interstate rivalries. Viewed from that perspective, any normative distinction between civilians and soldiers gains traction only to the extent that it serves the interests of powerful states. The more global a compact is, the greater the agreement between states it requires. Conversely, states may deem it essential to defend their civilians and/or target those of their opponents by threatening to retaliate or otherwise resort to force. While necessity can be used to explain the spectrum of possible state actions, it does not offer any insight into why nations move so quickly and frequently along it. When the conflict involves non-state actors, it also assumes they operate using a similar logic of necessity and, underlying that, rationality.[27] Yet, in cases of irregular warfare wherein the interconnections between civilian populations and military forces blur the distinctions between the two, the necessity argument becomes harder to sustain, and its predictive power is greatly diminished.

The constructivist perspective stresses the power of ideas relative to the material factors central to realism. The ideas it sees as mattering are related to issues of attitude formation, knowledge construction and consequent cultural outlook. This suggests that it is these more intangible factors that shape the behaviour of individuals, organizations, governments and, ultimately, the international system. While acknowledging the inadequacies of international norms and juridical protections of civilian status, constructivists point to a slowly emerging transnational network of controls, signified by a growing system of international laws, a proliferation of regulatory institutions and NGOs, and critical shifts in global opinion, particularly since 1945. The combined weight of these elements, it is averred, imposes limits on what state and non-state actors can do in situations of conflict. Seen from this vantage point, the civil–military divide not only retains its relevance but is gradually widening as more laws, advocacy groups and other opinion-makers work to uphold it.[28] This linear perspective is somewhat at odds with the marked

[27] See, for example, Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York, NY: Basic Books, 4th edition, 2006).

[28] Wesley W. Widmaier and Susan Park, 'Differences beyond Theory: Structural, Strategic, and Sentimental Approaches to Normative Change', *International Studies Perspectives*, 32