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## Countermeasures against NORTH KOREA MILITARY Unmanned Aerial Vehicle's Attack

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### Abstract

*The Unmanned Aerial Vehicle(UAV) has emerged as a key factor that determine the flow of war. UAV have merit on holding time, the operational radius, survivability, flight control, and automation capabilities, facts acquired through performance improvement information weapons of sensor systems for obtaining information, rapid communication and flow of information, information as well as to enhance the reliability and accuracy. By reducing the flow to the commander of the situation assessment and mission assigned to perform duties of the individual unit troops. North Korea's UAV power has started to develop publicity for applying for the drone from the early 1990s and reconnaissance drone made major modifications to its' D-4RD 'China' Panghon - I. II 'Russia first' Pchela-1T as "based on that there is a self-developed UAV- 'Panghon - I. II' propellers and is operated by a remote control device equipped with an engine, but is operated primarily reconnaissance purposes, as a way to de-attach the ground after shooting the film, can be equipped with a small explosive charge in need 20~25kg. In March 2013, North Korea publicly revealed unmanned attack aircraft through the Korean Central News Agency. Analysis is intended to be released for the new weapon system for participation in the protest dimension of the South Korean KR / FE duration of the B-52 bombers and nuclear submarines practice, demonstrated the ability to intercept cruise missiles and Tomahawks.*

*North Korean UAV have become a real threat to us, depending on the situation in addition to the reconnaissance of North Korea Discovered in Baengnyeongdo, Paju, three UAV use. As " Panghon - I. II 'is the model that is expected to be placed at the forefront in production imitation after the introduction of China is' D-4' unmanned aircraft in the early. Unmanned attacker North Korea April 15, 2012 after an initial public offering, March 20, 2013 which utilizes a thermal power demonstration over the known similar model of the United States 'MQM-107D Streaker'.*

*It is estimated introduced in the Middle East Syria. It's key feature was an auxiliary rocket attached to the side of the fuselage jet engine, equipped with self-destruct explosives. It need to respond the North Korean UAV attacks.*

*There is a UAV of North Korea that can conduct 50km of operations in two hours. There is possibility of North Korea terror by UAV and foreign troops to commit the UAV attacks on major facilities or large metropolitan areas susceptible near Seoul. It need to take terrorism response measures on the possibility of such an attack before a large loss of life occurs.*

**[Keywords]** Military, Conflict, Military Operation, UAV, Drone

### 1. Introduction

The Unmanned Aerial Vehicle(UAV) has emerged as a key factor that determine the flow

of war. UAV have merit on holding time, the operational radius, survivability, flight control, and automation capabilities, facts ac-

quired through performance improvement information weapons of sensor systems for obtaining information, rapid communication and flow of information, information as well as to enhance the reliability and accuracy. By reducing the flow to the commander of the situation assessment and mission assigned to perform duties of the individual unit troops.

Modern warfare characterized by Network(Centric Warfare). It is very important factor to get a information, monitoring and Reconnaissance Systems(ISR), precision strike system(PGM), command and control systems(C4) such as power system network-centric to overcome the temporal and spatial limitations of the war process by interlocking network.

Unmanned aircraft(UAV: Unmanned Aerial Vehicle) is a remote controlled vehicle(Remotely Piloted Vehicle, RPV), drones(drone), UAVs(pilotless aircraft), including a variety of names known as flying objects, and the pilot on board to do ranges from one trillion kinds and specific duties to perform will be so designed device as, utilization purpose classification, utilization for military, agriculture, aerial photography, home delivery, etc.

Until the Second World War, it was just reconnaissance and surveillance(Intelligence, Surveillance, Reconnaissance: ISR, reconnaissance, focusing on the use of intelligence activities, including surveillance). In the case of the most popular Predator unmanned aircraft developed from the start of 1994 for use by the Pentagon and for CIA reconnaissance purposes.

"A powered aerial vehicle that does not carry human operator, uses aerodynamic forces to provide vehicle lift, can fly autonomously or be piloted remotely, can be expendable or recoverable, and can carry lethal or non-lethal payload. Ballistic or semi-ballistic vehicles, cruise missiles, and artillery projectiles are not considered unmanned aerial vehicles." [1]

## **2. Military use of Unmanned Aircraft Vehicle**

### **2.1. Use of US military UAV**

The US military's 'Pioneer', 'X-drones, 'and 'pointer' unmanned aircraft were operating during the Gulf War and the 'pioneer' drone was the most effective being operated [2].

Unmanned aircraft are mainly being used to provide reconnaissance and targeting information, the US Marines were using the 'Pioneer' to provide real-time target information to the bomber, assisting target selection and operations necessary for aerial bombing and naval gun fire, naval anti-aircraft downed reconnaissance and missile bases, command and control of Iraq facilities. The Navy carried this out in parallel to the base artillery navigation.

The Army used drones for road reconnaissance, assisting AH-64 helicopters, the Apache pilots watching the sent images from drone activity in the area of operations familiar with the terrain and could determine potential attack target sorties into operational areas.

US 'Predator' and 'Hunter', the four countries of the UK's 'Phoenix', Germany's CL-289, France's Crecerelle unmanned aircraft participated mainly in operations during the Kosovo War. NATO operated an Alliance Air Operations Command(Combined Air Operation Center in the province of Vicenza area DalMolin) in Italy.

### **2.2. Use of Israel military UAV**

During The 4th Middle East war, Israel found it difficult to respond to the October 4th attack when Arab SA-6 in the 1973 Institute of Cell unmanned aircraft with ECM drone enemy by anti-aircraft sincere commitment to the Chamber of enemy surface-to-air missile radar. Meanwhile, to conduct electromagnetic interference, Cell Tech unmanned aircraft were passed to the enemy SAM missiles to attack ground-based tanks, especially before and built a large fire on enemy anti-air attack that exposed the serious negative.

In Lebanon, Israel used drone's in Beqaa Valley Chamber on military radar. In order to build a strong air defense base in Syria. The Syrian military radar conducted a strong electromagnetic interference with another drone while capturing the drone.

A Fighter fired a missile at the next location to disturb or neutralize the air defense base by bomb.

Unmanned aircraft equipped with TV cameras per ten thousand and one even sent a reconnaissance screen shot down because the ground station or a repeater 707 or the E-2C type of Electrical Engineering was able to take advantage of its real-time information collected when validated.

In particular, drone's searching for deception can deceive equipped with a device like a real aircraft and collect electronic information and at the same time identifying the SAM seriously.

Israel's UAV are 'Scout(Scout)' and 'Mastiff (Mastiff)' as well as a mission to neutralize artillery, Syrian monitoring of proximity to the Syrian Air Force Base in wire and enemy radar and electronics for wireless communication systems interference and deception perform critical monitoring mission to go to the streetcar wires through reconnaissance flights for the second rendezvous of the Syrian military echelon with reserve power. In addition, the Israeli army artillery unit, conduct rear blocking mission aircraft fire control and close air support for armed helicopters, perform target acquisition and firing artillery missions to modify specifications.

### **3. North Korea's UAV Capability and Use**

#### **3.1. North Korea's UAV capability**

North Korea started to develop publicity for applying drone's from the early 1990s and reconnaissance drone's made major modifications to its' D-4RD 'China' antiglare - I , II 'Russia first' Pchela-1T as "based on that there is a self-developed UAV[3].

'Antiglare - I , II' propellers are operated by a remote control device equipped with an engine, but is operated primarily for reconnaissance purposes, as a way to de-attach the ground after shooting the film, it can be equipped with a small explosive charge of about 20~25kg[4].

In March 2013, North Korea publicly announced unmanned attack aircraft through the Korean Central News Agency. Analysis is intended to be released for the new weapon system's for involvement in the protest dimension of the South Korean KR / FE duration of the B-52 bombers and nuclear submarines practice, demonstrated the ability to intercept cruise missiles and Tomahawks. UAV attacks of the United States 'Streaker' or fly to a turbojet engine after the two take-off assist for takeoff rocket vehicle launchers, and being estimated to within 30m of target accuracy using GPS or GLONASS guidance systems, fly reaches the peninsula Areas and What we believe to be similar to 'Karrar' specifications.

North Korean UAV's have become a reality that is emerging as a real threat to us, depending on the situation in addition to the reconnaissance of North Korea Discovered in Baengnyeongdo, Paju, using three UAV's[5].

As "Panghyon I / II is the model that is expected to be placed at the forefront of production Imitation after the introduction of China's 'D-4' unmanned aircraft in the early 1990s. The main feature is a propeller engine in the front part of the fuselage and it is attached to and operated by radio control devices, when attached to a reconnaissance operation for the optical camera that can be analyzed to recover ground after the shooting. To publicize such things in peacetime exhibits that we should expect it to be operational for use in short-range reconnaissance and ground attack after mounting a small bomb or deception.

After a UAV attacker from North Korea an initial public opened on April 15, March 20, which utilizes a thermal power demonstration on 2013 over the known similar model of the United States 'MQM-107D Streaker'[6].

It estimated being introduced from Syria in the Middle East. Its key feature is an auxiliary rocket attached to the side of the fuselage jet engine, equipped with self-destruct explosives and expected to operate[7].

Figure 1. North Korea's UAV power status.

<b>North Korea's Drones</b>  A look at drones believed to be produced or used by North Korea, according to South Korean intelligence estimates.  "~" indicates estimated value based on original model.	<b>Panghyon-1 Panghyon-2</b>  	<b>Tu-143-based</b>  	<b>Shmel-1-based</b>  
	Wingspan: 4.8 m Length: 3.6 m Mass: ~140 kg Payload: ~30 kg Max speed: 162 km/h Max altitude: 3 km Max range: ~350 km	Wingspan: 2.24 m Length: 8.06 m Mass: ~1230 kg Payload: Unknown Max speed: 950 km/h Max altitude: 5 km Max range: ~180 km	Wingspan: 3.25 m Length: 2.78 m Mass: ~130 kg Payload: Unknown Max speed: 180 km/h Max altitude: 2.5 km Max range: ~280 km
<b>MQM-107D-based</b>  	<b>Sky-09P-based</b>  	<b>UV-10CAM-based</b>  	<b>"Turumi"</b>  
Wingspan: 5.6 m Length: 5.8 m Mass: ~662 kg Payload: Unknown Max speed: 400 km/h Max altitude: 2.5 km Max range: ~800 km	Wingspan: 1.92 m Length: 1.43 m Mass: ~15 kg Payload: ~3 kg Max speed: 200 km/h Max altitude: 1.5 km Max range: 200 km	Wingspan: 2.45 m Length: 1.83 m Mass: ~12.7 kg Payload: 1 kg Max speed: 120 km/h Max altitude: 1.4 km Max range: ~300 km	Wingspan: 3 m Length: 5 m Mass: 35 kg Payload: Unknown Max speed: Unknown Max altitude: Unknown Max range: 350 km

### 3.2. North Korea's UAV capability assessment

While North Korea's UAVs have been the subject of recent media scrutiny, in fact, Pyongyang has had an unsophisticated reconnaissance UAV capability since the 1990s[8].

For the past decade, this force has expanded both in numbers and capabilities. Pyongyang's UAVs force now consists of 300 UAVs and at least 7 types, some of which are manufactured in several versions[9]: 2012 attack / reconnaissance UAV, DR-3, Durumi, Panghyon I and II, Pchela-1T, Sky-09P and an unidentified reconnaissance/target UAV[10]. Investigators of the wreckage from the three crashed UAVs in 2014 have concluded that there have been numerous undetected North Korean UAV flights over South Korea[11].

North Korea's UAV force, while relatively unsophisticated at present, has now reached the point where it could present a security challenge for ROK and US forces on the Korean peninsula. In the future, that threat could grow to include Japan as well as US forces in East Asia if Pyongyang can develop UAVs with greater ranges and payloads, real-time video, electronic countermeasures and stealth capabilities. How rapidly that threat develops could depend on the North's ability to acquire new technologies from China, Iran or elsewhere.

## 4. Implications and Responses of South Korea

### 4.1. Need to respond to the North Korean UAV attacks

There is a drone in the case of North Korea that can conduct 50km of operations in two hours, north of terrorist organizations for the possibility of foreign troops to commit the drone attacks on major facilities or large metropolitan areas susceptible near Seoul terrorism response measures to ensure national security against the possibility of such an attack before a large loss of life occurs, if you think of the possibility of UAV attacks need to consider.

#### **4.2. Suitable measures to the North Korean UAV attacks**

Self-defense in the event of North Korean UAV attacks[12].

If the enemy drone commits airspace intrusion it should be evicted or intercepted in self-defense dimensions, reconnaissance, or performed as a preparatory measure for being followed by surveillance actions and is also a direct blow, made in the middle of the obvious brute force attack, the activation of self-defense. It can be interpreted as an 'armed attack' targeted.

Promoting legislative bills related to unmanned aircraft.

Among terrorism laws includes portions related to drone aircraft, there is a need for detailed legislative provisions for response measures and penalties related to terrorism using unmanned aircraft, to strengthen the unmanned aircraft safety management system pilot qualifications and strengthening background checks, through the UAV airspace control is necessary to prevent a terrorist using unmanned aircraft in advance.

Integrated management of airspace aircraft.

The current airspace management system cannot see, beyond the naked eye, the flight of an undeclared unmanned aircraft If you remove the manned aircraft and unmanned aircraft bars then maybe drone attacks by ground control and adjustment in a tiny unmanned aircraft or abroad the need to integrate airspace management.

Air Traffic Control(ATC) approval through systematic integrated management of the airspace, if you cannot identify and report a drone in advance because you can avoid the possibility of a

potential terrorist legislative complement and detection and avoidance for it, to solve the problem of equipment, we should seek such an integrated management system.

Establish a system to meet future features before.

Enlargement of military unmanned aircraft systems, high performance, diversification, and automation needs, unmanned aircraft.

Improve safety.

Developing unmanned attack aircraft(UCAV).

10. 2012 announced a 'new missile policy declaration' as the main point to enlarge our group, including ballistic missiles with a range limited to 300km 800km. Based on these guidelines, as well as missile capabilities were also limited under the weight of 500kg onboard equipment of unmanned aircraft equipped with this revision to significantly limit the weight of the equipment in 2,500kg 500kg upwards. As a result, the UAV reconnaissance equipment, as well as changing the offensive weapons such as guided missiles to the positive development prospects of unmanned attack aircraft it is possible to mount a drone. With the weight of the Global Hawk introduced in the country in question it is expected to be difficult if this amounts to the introduction of the Global Hawk at 2,250 kg an expensive price so that we can engage in direct negotiations being developed favorable in price. However, we believe that even if you develop a high-altitude unmanned reconnaissance aircraft itself needs to practice being placed in parallel delayed the purchase and development of technology as much as you can enjoy the effects of the previous overseas purchases. Current capacity is also using unmanned aircraft development and is already secured in the domestic outlook for ways to redesign the domestic drone. It has also been used to promote the development Reaper unmanned attack aircraft grade since 2006 it has been fully possible to develop within a few years.

Promote the development of high-altitude unmanned aircraft.

In order to respond to North Korea, who threatens to bury the forward deployment surfactant, such as Labor missiles near the demilitarized zone, we need to improve our ability

to collect military intelligence. Of the most capable replacement for manned reconnaissance aircraft for strategic information in the real world that rely on US forces, altitude of the drone is where there is a significant accomplishment in its own operations and development of information collection systems on North Korea if used as a reconnaissance unit of the Air Force.

Medium-altitude unmanned aircraft are the primary operating concept for Strategic unmanned aircraft is to perform the role of surveillance reconnaissance and early warning, etc. to capture the power arrangement and movement of North Korea by identifying the war signs, by detailed mission requirements during peacetime while flying at high altitude by road south of the DMZ and perform a reconnaissance mission for the 24-hour surveillance of North Korea and far neighbors, equipped with various sensors gathering real-time information on North Korea images plays the role of early detection and early signs of war. Also, you will be able to obtain information on enemy military power status and power moves such as strategic placement into North Korea continuing to target surveillance and reconnaissance.

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## Factors Affecting the KOREA ARMY Soldiers' Perception of Combat Readiness: Multi-Level Analysis

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### Abstract

*The purpose of the study is to identify the factors' affecting the Republic of Korea Army (ROKA) soldiers' perception of combat readiness at individual and platoon levels. This study sampled 753 enlisted soldiers from 32 rifle platoons deployed in the front and rear areas of Gyeonggi and Gwangwon-do provinces. A battery of questionnaires of combat readiness, platoon leader's leadership, cohesion, and training effectiveness was administered to the participants and 686 effective questionnaires (91% response rate) were collected. The data were analyzed in the two-level regression analysis model and the results of the analysis were like these: first, at the individual level, identification to platoon, training effectiveness, and confidence in platoon leader were significant and 19.8% of variance of combat readiness was accounted for by the variables over and above SES and education. Second, at the platoon level, perception of leadership, training effectiveness, and group cohesion were significant and 39.5% of variance of combat readiness was accounted for by the variables. Implications of the results and directions for future research were discussed. The findings of this study have many meaningful implications for military training and personnel management. First, control variables like SES and education had a significant effect on the soldier-level perception of combat readiness, however, it explained negligible amount of variance. Previous researchers who studied the combat readiness also have reported that SES and education's effect on the perception of combat readiness was not noticeable. The result implies for the future study that SES and education need to be statically controlled in the study of combat readiness if they are not independent variables. Second, the identification to platoon demonstrated a significant positive effect on the soldier-level perception of combat readiness. The result indicates that platoon members relate their perception of combat readiness to level of identification to the unit. Social identity theorists argued that people's self-esteem and social image depend largely on the groups and collectives to which they belong. The more they identify with the platoon, the more important it is for them to perceive the platoon as efficacious in the combat. Shils and Janowitz insisted from their study of the German Army that identification of individuals with their units and leaders is the essence of the group cohesion enabling combat units to perform military actions effectively. The result of this study confirms the presumed notions that an individual's sense of belonging and pride to his or her combat unit has positive effect on the perception of combat readiness.*

**[Keywords]** Korea Army, Soldiers, Combat Readiness, Multi-level Analysis, Sense of Belonging

### 1. Introduction

For more than six decades since the end of Korea War, two Korea have been keeping military tensions all over the peninsular. The soldiers deployed in the front line area along with the demilitarized zone (DMZ), especially,

feel the threat of military conflict every day. Recently, for example, North Korea provoked a land mine explosion injuring two ROKA non-commissioned officers and that provocation seriously raised the level of military tension since August 4, 2015. Department of Nation Defense of ROK decided to resume the anti-

North Korea propaganda warfare using loudspeakers that have been deterred since 2004 and North Korea Defense Command, in reaction, proclaimed that they will directly attack the propaganda facility.

In the mean time of the military threat, enlisted soldiers deployed in the front line area are experiencing some level of psychological problems like fear, anger, and depression. Assurance in combat readiness, in that situation, would be the one of the most important components of morale that helps the enlisted men to overcome the potential psychological problems. The perception of combat readiness is a personal and collective belief in the ability to perform military actions in any given combat situation. Gal and Manning defined the combat readiness as the degree of individual and group expectation of performance of military action[1]. The perception of combat readiness has value that one can overcome any psychological threat that could seriously injure the soldiers' will to fight.

Researchers reported some significant variables affecting the perception of combat readiness like leadership, cohesion, identification to the group, soldiers' confidence in the leader, etc. Shamir[2] applied parallel regression analysis to ascertain the individual and group level variance accounted for by the variables. They found out that soldiers' identification to the combat group(company) was the most effective factor accounted for the individual level variance of perception of combat readiness while their confidence in the leader ability accounted for the largest portion of variance of combat readiness at group level. Griffith[3], in addition, advanced the analysis technique from a parallel analysis to hierarchical linear modeling(HLM) analysis which effectively examine at both the individual and group levels[4]. HLM maximize the use of data obtained on individuals who have group membership by generating estimates that individual cases nested within groups. It uses individual-level data to generate estimates, either predicted mean values or slope, for each group considered in the analysis. These estimates are then used as outcomes in the group-level analysis. Thus, HLM provides improved estimation of effects within group

and yields results to examine the cross-level effects(i.e., showing how group-level variables moderate relations between individual-level data observed within groups). Finally, HLM partitions the variance and covariance components among the levels(i.e., decomposes the explained variance by individual- and group-level variables into those within and between components). Therefore, this study employed HLM to identify the individual- and group-level variables' effects on the ROKA soldiers' perception of combat readiness.

## 2. Theoretical Background

Combat readiness is an individual and group belief in the efficacy in performing the military actions. According to the social expectancy theory, an individual has an expectation about his or her group's effort, performance and between performance and reward[5]. In a group situation, the expectations are about not only the relationship between an individual's effort and performance, but also between the group effort and performance. Riggs and Knight[6] suggested that collectivistic motivation depends in part on collective efficacy beliefs, which are the beliefs that individuals hold concerning the ability of their group or unit to successfully perform its tasks. Collective efficacy beliefs, therefore, are an important component of morale and should be regarded as an important ingredient of any model of group or unit performance. Therefore the unit members' perception of combat readiness could be regarded as an indicator of group efficacy. It is assumed that a high level of members' confidence in the combat efficacy of their units is a desirable state due to its expected effects on members' satisfaction, on motivation, and ultimately on unit performance. Perceived combat readiness is sometimes regarded as an indicator of unit effectiveness in its own right. For instance, it was used as a criterion for evaluating cohesion measures in U.S. Army units[7].

Barton and Kirkland[8] suggested that collective efficacy beliefs reflect not only the

abilities, skills, and knowledge of unit members, but also the characteristics of the unit, including its leadership. From the point of view of group or unit development, the leader plays an important role in the various stages of unit development. Because most people tend to believe that leadership is an important determinant of collective performance[9], members' collective efficacy beliefs are likely to be affected by their level of confidence in the leader's abilities and judgment.

In addition, social identification theorists argued that people's self-esteem and social image depend in large part on the groups and collectives to which they belong. Therefore, people attach importance to the ability and prestige of the groups to which they belong. The more they identify with a group, the more important it is for them to perceive this group as efficacious[10]. Therefore, it is expected that the perception of combat readiness among unit members to be related to their level of identification with the unit. The view that collective efficacy is related to identification can be found in the general literature on collective efficacy[11] as well as in the military literature. Thus, Grinker and Spiegel[12] argued that the ability to identify with a group and the past history of such identification are probably the most important components of good motivation for combat.

Group cohesion, in addition, has been investigated as a valuable factor stems from its presumed and demonstrated relation to individual and group performance in social psychology[13] and in relation to combat effectiveness and performance in the military[14]. Cohesion is usually assessed by obtaining individual soldier responses to questionnaire items[3], which are analyzed individually or aggregated to an organizational level, such as the company, platoon, or squad. Many examples exist in the social psychological literature that would suggest cohesion operates on both individual group members and on the group as a whole, and thus would be important to examine both at the individual and group levels.

Above literature review revealed that group variable has been investigated at company level, however, a platoon is the basic combat unit in the DMZ area in ROKA. Therefore, the group level needs to be reduced down to platoon level and platoon-level combat readiness including individual platoon member's perception of combat readiness should be investigated.

#### -Research Questions

Based on the above literature review, two research questions were addressed in this study:

First, what are the significant variables affecting the Korea army soldiers' perceived combat readiness at individual level?

Second, what are the significant variables affecting the Korea army soldiers' perceived combat readiness at platoon level?

### 3. Method

#### 3.1. Sample description and data collection

This study randomly sampled 75 rifle platoons deployed in the front and rear areas in Gyeonggi-do and Gangwon-do provinces. A consent form was sent via ROKA e-mail system. Thirty-two platoon leaders among the 75 targeted platoons agreed to participate in this study and they received the questionnaire via e-mail from June 5, 2015 to July 16, 2015. Most of the platoon members responded the questionnaire(average 92.3%) and collected questionnaire data were returned back to the researcher until August 10, 2015. Total 753 enlisted men responded the survey, however, many of them answered wrong way(e.g., marking the same column) were excluded. Finally, 686 effective questionnaire data were used for the analysis.

#### 3.2. Measures

Combat Readiness Measure(CRM). Seven items commonly used in the Israel Defense Forces(IDF) were used to assess perceptions of individual and collective efficacy in the domain of combat readiness[1]. Griffith[3] also

used the items to measure US army soldiers' perception of combat readiness. Individual combat readiness was assessed with three survey items regarding the soldier's confidence in (a) himself in the event of war, (b) his skills and abilities in operating weapons and equipment, and (c) his fighting ability in the combat action. Perception of group combat readiness was assessed with four survey items. Soldiers rated the survey items regarding (a) their unit's readiness for combat, (b) fellow soldiers' readiness to fight, (c) how well their unit would perform in combat compared with other units, and (d) how much trust the soldier would have in the combat skills of fellow soldiers in the unit. Both individual and group perceived combat readiness scales demonstrated fair internal reliability coefficient (Cronbach's). Based on the results of evaluation of construct validity and internal reliability of the CRM, the researcher decided to use the measure. Soldiers rated on a 5-point Likert-type scale range from 1 (strongly disagree) through 5 (strongly agree).

**Cohesion Measure.** Conceptually, the group cohesion is represented by group members' bonding and support for group task and psychological adaptation [15]. To assess the cohesion of platoon members four items from the measure of cohesion were used for this study. The items of the measure are (a) spending after-duty hours with fellow soldiers in the platoon, (b) having closest friendships in the platoon, (c) seeking help from the fellows in the platoon in the time of troubles, and (d) getting instructions for operating weapons. Soldiers rated on a 5-point Likert-type scale range from 1 (strongly disagree) through 5 (strongly agree) and the measure demonstrated fair internal consistency reliability (Cronbach's).

**Identification to platoon Measure.** Military leaders and military psychologists have long recognized the importance of soldier identification with the unit to ensure effective soldier adjustment [16] and unit performance [2]. In addition, the social psychological literature [17] has increasingly drawn on social identity theory to relate individual cognitions to group identity. Social identity theorists assert that people often develop and

maintain positive self-esteem through their affiliation with groups; that is, people derive feelings of pride and worth from group membership and social interactions among group members. In this study, responses to three items served to assess aspects of soldier identification with their units. The items are (a) sense of pride in his unit, (b) sense of belonging to his unit, and (c) belief about his contribution to his unit. Soldiers rated on a 5-point Likert-type scale range from 1 (strongly disagree) through 5 (strongly agree) and the measure demonstrated fair internal consistency reliability (Cronbach's alpha).

**Perception of Training Effectiveness Measure.** Perception of training effectiveness means a unit member's recognition of training reaction and performance. Twelve items assess the four aspects of training effectiveness was used from training effectiveness measure [18]: training motivation, individual combat skills, group performance, and discipline. First, training motivation was assessed using an expectancy-performance approach that trainee's perceptions of the relation between expectation of training effect and performance. Second, individual combat skills were assessed by each member's self-report evaluation on marksmanship, fitness, surveillance, and Mission-Oriented-Protective-Posture toward Nuclear-Biological-Chemical attack. Third, group performance was assessed by a soldier's self-report evaluation on his platoon's group ability to accomplish the combat mission. Fourth, the discipline was assessed by items of (a) frequency of punishment for rule-violation during training, (b) evasion of training duties, and (c) frequency of award from commanding officers. Soldiers rated on a 5-point Likert-type scale range from 1 (strongly disagree) through 5 (strongly agree) and the measure demonstrated fair internal consistency reliability (Cronbach's).

**Confidence in the Platoon Leader.** This measure was obtained from the Scale of Confidence in the Unit Leader developed by Shamir et al [2]. The scale is consisted of four items of (a) having trust in leader's overall ability, (b) having trust in leader's decision

and judgment, (c)having trust in leader’s ability to accomplish the assigned missions, and (d)showing intention to follow the leader’s command in the time of action. Soldiers rated on a 5-point Liker-type scale range from 1(strongly disagree) thorough 5(strongly agree) and the measure demonstrated fair internal consistency reliability(Cronbach’s alpha).

As all the above measures were translated into Korean, their construct validity was evaluated by an exploratory factor analysis and a confirmatory factor analysis. Principle axis factoring was employed for factor extraction and oblimin was used for factor rotation. The results of the exploratory factor analysis

showed that all the items of the questionnaire were loaded to separate five measures with reasonable factor loadings in the range of .40 ~ .67 and the confirmatory factor analysis showed acceptable fit indices(CFI=.92, TLI=.93).

**Soldier-Level Control Variables.** Two background variables including soldier’s socioeconomic status(SES) and education were used as statistical controls in analyses. For parsimony, soldiers who identified themselves as upper class were labeled “upper class” and soldiers with college registration were labeled “college” and they were coded as 1s. All other soldiers in the category of “lower class” and “non-college” were coded as 0s.

**Table 1.** Analytic equations.

Level	Analytic equation
Soldier level HLM intercept-as-outcomes	$Y_{ij} = B_0j + B_1X_{1ij} + B_2X_{2ij} + \dots + e_{ij}$ In terms of the present study variables: $Y_{ij}(\text{soldier perception of combat readiness}) = B_0(\text{intercept}) + B_1(\text{soldier SES}) + B_2(\text{soldier education}) + B_3(\text{identification to platoon}) + B_4(\text{training effectiveness variables}) + B_5(\text{confidence in platoon leader}) + e_{ij}(\text{random error})$
Platoon level HLM slopes-as-outcomes	$B_1 = G_0 + G_1X_{1j} + G_2X_{2j} + \dots + u_{0j}$ In terms of the present study variables: $B_0j(\text{platoon mean perception of combat readiness}) = G_0(\text{intercept}) + G_1(\text{platoon mean cohesion}) + G_2(\text{platoon mean training effectiveness variables}) + G_3(\text{platoon mean identification to group}) + G_4(\text{platoon mean confidence in platoon leader}) + u_{0j}(\text{random error})$

### 3.3. Analytic approach

To analyze the effects of the variables at the soldier level and platoon level, a multi-level analysis in the framework of HLM[19] was employed for this study. For soldier level analysis, control variables(SES, education), individual identification to platoon, individual training effectiveness, individual confidence in the platoon leader were group-mean centered and entered as predictors of soldier perception of combat readiness. For platoon level analysis, platoon level cohesion, identification to platoon, platoon level identification to group, and platoon level confidence in

the platoon leader were grand-mean centered and entered as predictors of platoon level perception of combat readiness. <Table 1> shows the analytic equations of level 1 and level 2 with predictive variables of each level.

## 4. Results

### 4.1. Correlation matrix and descriptive statistics

<Table 2> presented the number of items of each measure, and their means, standard deviations, and alpha coefficients. <Table 3> demonstrates the intercorrelations among the study variables of each level.

**Table 2.** Number of Items and descriptive statistics of each level variables.

SD	No. of items	M	SD	$\alpha$
Soldier economic status (SES)	1	-	-	-
Soldier education (SE)	1	-	-	-
Soldier identification to platoon (SI)	4	3.76	.23	.88
Soldier training effectiveness (ST)	4	3.11	.16	.87
Soldier confidence in platoon leader (SC)	4	2.98	.28	.89
Soldier combat readiness (SCR)	4	3.02	.26	.90
Platoon cohesion (PC)	3	2.81	.29	.87
Platoon training effectiveness (PT)	3	2.60	.31	.85
Platoon identification to group (PI)	3	2.99	.19	.84
Platoon confidence in leader (PCL)	3	2.74	.20	.87
Platoon combat readiness (PCR)	4	2.99	.23	.89

**Table 3.** Intercorrelations of the soldier-level and platoon-level.

	SES	SE	SI	ST	SC	PC	PT	PI	PCL
SR									
SE	.01								
SI	.47***	.11							
ST	.36**	.10	.23**						
SC	.28**	.09	.27**	.24**					
SCR	.36**	.12*	.33***	.48***	.49***				
PT	.14*	.20**	.21**	.18*	.24**	.24**			
PI	.16*	.21**	.14*	.24**	.15*	.33**	.32**		
PCL	.18*	.19*	.15*	.25**	.20*	.40***	.28**	.40***	
PCR	.19*	.16*	.18*	.16*	.17*	.35**	.46***	.41***	.45***

Note: \*p<.05, \*\*p<.01, \*\*\*p<.001

## 4.2. Fully unconditional model

Before independent variables were entered, an unconditional model without any

predictor was analyzed. The unconditional model accounted for low percentage of variance in the combat readiness at soldier level(2.3%), however, it accounted for relatively higher amount of variance in the combat readiness at platoon level(11.4%). The unconditional model served as a baseline model for calculating additional explanation of the variance in HLM conditional models.

### 4.3. Soldier level model

The first research question addressed the significance of soldier level independent variables for explanation of the variance over and above the unconditional model. The results of the HLM analysis were demonstrated in <Table 4>. Level 1 control variable(SES, education) accounted for minimal amounts of variance(5.57%) in the individual level combat readiness. <Table 4> demonstrates the

control variables' explanation of the variance in individual perception of combat readiness in three categories: total, lower rank(private first & second), and upper rank(corporal & sergeant). First, individual soldiers' SES effect on the perception of combat readiness was not significant and accounted negligible amount of variance(1.93~3.64%) in the dependent variable. Second, individual soldiers' education effect on the perception of combat readiness was statically significant, but accounted for small amount of variance(4.02 ~ 9.36%). There was a significant difference between lower rank and upper rank groups in the education effect on the soldier-level perception of combat readiness that education effect was negligible in the upper rank group while it was noticeable in the lower rank group.

**Table 4.** Soldier-level control variables' explanation.

Variables	Soldier-level	Total (n=678)	Lower rank(n=358)	Upper rank(n=320)
Unconditional model	Variance of combat readiness	.91	1.07	.75
	$\chi^2(26)$	321.44***	336.88***	212.13***
SES	Variance of combat readiness	.90	1.03	.73
	Variance explanation	1.93%	3.64%	2.31%
Education	Variance of combat readiness	.89	.93	.70
	Variance explanation	5.57%	9.36%	4.02%

Note: \*\*p<.01, \*\*\*p<.001

Additional soldier-level variables' effects were analyzed over and above the control variables and the results of the analysis were demonstrated in <Table 4>. All three soldier-level variables had statistically significant effects on the perception of combat readiness and explained substantial amount of variance(19.8%) in the soldier-level perception of combat readiness. Confidence in platoon leader among the three variables showed the

most significant effect on the soldier-level perception of combat readiness( $\beta=.44$ ,  $p<.001$ ) although the magnitude of effect was not consistent across the two rank group. That is, training effectiveness most significantly affected the perception of combat readiness for upper rank group training effectiveness while confidence in platoon leader showed the most significant effect. Chi-square values were still significant across the

three categories although explanatory variable were entered the HLM analyses and that means other variables are needed to explain

the variance in the soldier-level perception of combat readiness( $\chi^2=127.60$ ,  $df=45$ ,  $p<.001$ ).

**Table 5.** Soldier-level variables' explanation.

Variables	$\beta$ (standardized regression coefficients)		
	Total	Lower Rank	Upper Rank
Identification to platoon	.25**	.43***	.26*
Training effectiveness	.37***	.37***	.44***
Confidence in platoon leader	.44***	.54***	.31**
Variance explained	19.8%	24.1%	15.2%
Variance in combat readiness	.63	.68	.59
$\chi^2(45)$	127.60***	106.31***	72.40***

Note: \* $p<.05$ , \*\* $p<.01$ , \*\*\* $p<.001$

#### 4.4. Platoon-level model

The second research question addressed the significance of platoon level independent variables for additional explanation of the variance over and above the unconditional model. The results of the HLM analysis were demonstrated in <Table 6>. The chi-square

values reveal that there are significant differences in the variance among the platoon-level perception of combat readiness( $\chi^2=321.14$ ,  $df=34$ ,  $p<.001$ ) including front area( $\chi^2=336.28$ ,  $df=34$ ,  $p<.001$ ) and rear area( $\chi^2=212.13$ ,  $df=34$ ,  $p<.001$ ). Those chi-square results require HLM analyses to explain the variance in platoon-level perception of combat readiness.

**Table 6.** Platoon-level unconditional model.

Variables	Platoon-level	Total(n=37)	Front Area(n=17)	Rear area(n=20)
Unconditional model	Variance of combat readiness	.87	.79	.95
	$\chi^2(34)$	321.14***	336.28***	212.13***

Note: \*\* $p<.01$ , \*\*\* $p<.001$

Level 2 variables accounted for substantial amounts of variance(29.5%) in the platoon level perception of combat readiness. Table 7 demonstrates the platoon level variables' explanation of the variance in the platoon perception of combat readiness in three categories: total, front area, and rear area. First, platoon cohesion effect on the perception of combat readiness was significant( $\beta=.27$ ,

$p<.01$ ) and accounted for considerable amount of variance(10.93%) in the platoon-level combat readiness. In addition, there was significant difference in the cohesion's effect between front area platoon group( $\beta=.37$ ,  $p<.01$ ) and rear area platoon group( $\beta=.26$ ,  $p<.01$ ). Second, the platoon training effect on the perception of combat



readiness showed the most significant regression coefficient ( $\beta=.53$ ,  $p<.001$ ) and accounted for substantial amount of variance (20.36%) in the dependent variable. The difference in the regression coefficient between front area ( $\beta=.38$ ,  $p<.01$ ) and rear area ( $\beta=.59$ ,  $p<.01$ ) platoon groups was also found. Third, platoon identification to group effect on the perception of combat readiness was significant ( $\beta=.29$ ,  $p<.01$ ), but accounted only negligible amount of variance (4.87%) in the platoon-level combat readiness. In addition, there was significant difference in the cohesion's effect between front area platoon group ( $\beta=.35$ ,  $p<.01$ ) and rear area platoon

group ( $\beta=.28$ ,  $p<.01$ ). Fourth, platoon confidence in leader effect on the perception of combat readiness showed significant regression coefficient ( $\beta=.41$ ,  $p<.001$ ) and accounted for considerable amount of variance (14.06%) in the dependent variable. The difference in the regression coefficient between front area ( $\beta=.50$ ,  $p<.001$ ) and rear area ( $\beta=.33$ ,  $p<.01$ ) platoon groups was also found. The four platoon-level variables collectively accounted substantial amount of variance (39.5%) in the perception of platoon-level combat readiness although there was differences in the variance explanation between the front area (42.1%) and rear area (30.21%) platoon groups.

**Table 7.** Platoon-level variables' explanation.

Variables	$\beta$ (standardized regression coefficients)		
	Total	Front area	Rear area
Platoon cohesion	.27**	.37**	.26*
Platoon training effectiveness	.53***	.38**	.59***
Platoon identification to group	.29**	.35**	.28**
Platoon confidence in leader	.41***	.50***	.33**
Variance explained	39.5%	42.1%	30.21%
Variance in combat readiness	.63	.68	.59
$\chi^2(48)$	63.14*	51.31*	66.32*

Note: \* $p<.05$ , \*\* $p<.01$ , \*\*\* $p<.001$

Chi-square values were still significant across the three categories although explanatory variable were entered the HLM analyses. It means than other variables are needed to explain the variance in the platoon-level perception of combat readiness ( $\chi^2=63.14$ ,  $df=48$ ,  $p<.05$ ).

## 5. Discussion

The purpose of this study is to identify the explanatory variables' effect on the ROKA soldiers' perception of combat readiness at soldier-level and platoon-level. HLM was employed to analyze the individual and group

level variances that individual-level data generate estimates of mean values or slopes and the estimates are then used as outcomes in the group-level analysis. This study conceptualized the perceived combat readiness as an important component of individual and collective efficacy beliefs on the military performance. The significance of this study is that it empirically analyzed the multilevel data on the perception of combat readiness for the first time in the Korean defense studies. The findings of this study have many meaningful implications for military training and personnel management.

First, control variables like SES and education had a significant effect on the soldier-

level perception of combat readiness, however, it explained negligible amount of variance. Previous researchers who studied the combat readiness also have reported that SES and education's effect on the perception of combat readiness was not noticeable. The result implies for the future study that SES and education need to be statically controlled in the study of combat readiness if they are not independent variables.

Second, the identification to platoon demonstrated a significant positive effect on the soldier-level perception of combat readiness. The result indicates that platoon members relate their perception of combat readiness to level of identification to the unit. Social identity theorists[20] argued that people's self-esteem and social image depend largely on the groups and collectives to which they belong. The more they identify with the platoon, the more important it is for them to perceive the platoon as efficacious in the combat. Shils and Janowitz[21] insisted from their study of the German Army that identification of individuals with their units and leaders is the essence of the group cohesion enabling combat units to perform military actions effectively. The result of this study confirms the presumed notions that an individual's sense of belonging and pride to his or her combat unit has positive effect on the perception of combat readiness.

Third, training effectiveness showed the significant positive effect on soldier-level perception of combat readiness. ROKA private soldiers need to meet individual combat skill standards and tactical-duty skill standards in the quarterly test and tactical exercise for two years. The test and exercise outcomes form individual evaluation of the unit's training effectiveness and it affects the soldier-level perception of combat readiness. The result parallels with the study reported by Cannon-Bowers[18] on the perception of the training effectiveness and its effect on combat unit members' morale and group efficacy. Individual and group training enhance not only unit members' combat skills but also their sense of meaning and interdependence in the group[22].

Fourth, confidence in platoon leader demonstrated the significant positive effect on soldier-level and platoon-level perception of combat readiness. The result of the analysis showed that noticeable difference in the magnitude of regression coefficient between upper rank group and lower rank group that the latter relies on the unit leader than the former group. ROK army soldiers, especially in DMZ area units, feel the military tension in which unskilled soldiers want to receive clear directions from their leader. Platoon leaders, therefore, need to demonstrate their ability of decision-making and to make their directions clear and reasonable[23].

Fifth, the results of the group-level analysis proved the platoon cohesion's positive effect on platoon-level perception of combat readiness. This study confirmed the cohesion's value both at the individual-level and group-level on the perception of combat readiness. Previous researchers reported that at the individual level, cohesion provides a sense of belonging and satisfied personal need of social interaction in the unit[24]. This study also articulates that at the group level, cohesion affects group process, such as verbal and non-verbal communication[25], sharing information and social approval[26]. Most of the previous studies were based on individual-level least square regression analysis which failed to statistically confirm the combat unit's aggregated effect. This study, on the other hand, successfully revealed the significance of the group cohesion's positive effect on the aggregated perception of combat readiness with the explained variance caused by the group cohesion.

Sixth, the results of the group-level analysis confirmed the platoon training effectiveness has positive effect on platoon-level perception of combat readiness. Platoon-level training effectiveness was assessed by aggregated mean of each platoon and HLM generated estimates that rely on individual responses nested within group and efficiently analyze the explained variances at each level. The results imply that individual level combat readiness is elevated by the accomplishment and expectation of the individual military training. Previous researchers also suggested

that in the present fiscal constraints the training effectiveness is a key factor to improve the combat readiness[27]. Therefore, military leaders need to remind their unit members of their individual training accomplishment and improvement of combat skill[3].

Seventh, the platoon-level confidence in platoon leader explained the variance in the platoon-level perception of combat readiness. A previous study of combat readiness reported that combat readiness could be a multi-dimensional construct and one of the key factors of human readiness is confidence in the leader ability[18]. Platoon-leader's ability has wide range of influence in motivation, morale, and corporate responsibility. Therefore, military academies need to improve their leadership curriculum to improve the military officers' leadership competencies[28].

## 6. Limitations and Future Research Considerations

This study demonstrated many implications for increasing the individual and platoon level combat readiness for the first time in ROKA hiring multilevel analysis. However, it has several shortcomings in the area of measure, sample size, and level of aggregation. First, the small contribution of individual-level combat readiness may be explained by needed improvements in operational definitions and measurements of concepts. Consideration might be given to deriving reliable behavioral measures of the concepts of individual combat readiness(e.g., soldier performance on common training tasks, marksmanship, etc.) and group combat training(e.g., unit performance at the Korea Combat Training Center). Second, participants of individual soldiers and platoons of this study were relatively small for multilevel analysis and that small sample size might limit the generalization of the results. Therefore, larger sample size at individual and unit level is needed for future study. Third, this study aggregated at platoon as the unit level combat readiness, however, many military analysts has documented how relations among soldiers and

their identification with organizational units have varied considerably depending on the operations[29]. In the larger operations like World War II, soldiers identified predominately with their company while they are increasingly bond themselves with smaller units like platoon, squad, or team in recent days. This study was limited in that it examined only at platoon level, therefore, aggregated data of combat readiness at other levels of unit need to be examined for future study.

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## The Justification of WAR Viewed from Ethical Perspectives

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### Abstract

*This article aims to explore whether war can be justified through some ethical criteria and perspectives or not. Here the meaning of war connotes both the concept in substantive meaning and military terminology in the real world. In spite of the facts that war is a kind of social phenomenon and that the principal agent of war is human. We are typically apt to think that war is irrelevant to some sound social norms such as ethics or moral. War would be, in fact, perceived as the matter being contradictory to ethics, or being on the opposite side of moral, since none of norms of ethics either encourages evil doing in the world or aggravates detrimental environment surrounded human by forcing them to destroy. In general most people believe that human can help someone be happy and safe without doing drastic and destructive things. Nevertheless we continues to break out wars in this world in which we are living, regarding it the best way to solve some problems that we cannot deal with despite all of diplomatic efforts. To some, a cause of war is an event, condition, act, or personality involved only in a particular war: to others, it is a general proposition applicable to many wars. To some, it is a class of human motives, ideals, or values; to others, it is a class of impersonal forces, conditions, processes, patterns, or relations. To some, it is the entrance or injection of a disturbing factor into a stable situation: to others, it is the lack of essential conditions of stability in the situation itself or the human failure to realize potentialities. It is definitely certain that, as long as human nature has something aggressive, no one deny the utility of military actions. There are three points of views that recognize a war with ethical perspective. The first point of view, ethical pessimism at war such as absolute pacifism takes the position regarded war as an ultimate evil, claiming that war must be eliminated on earth. The second point of view, the stream of thought on war irrelevant to ethics called a realism claims that the war has nothing to do with morality, being only political object and purpose. Those who are in this position believe a war to be a political problem, and not an ethical one. The third point of view, ethical optimism to war which is called either pragmatic pacifism or just war theory allows us to identify that some war may be morally justified. If we're at a third position of view, the matter raises how to justify a war. It is important for us to morally justify a war since justification of the war makes a military conduct standing up for its own service and taking pride in the values of its work. Of these opinions on war, two former ones may aggravate evil of war by ruling the room for ethics out from the field on war, while latter one covers a war as ethical problem dealing with it in the domain of ethics due to the fact that in reality human being cannot help breaking out it anytime.*

**[Keywords]** War, Peace, Ethics, Human, Ethical Justification

### 1. Introduction

In case we select war as the subject of an article, we can approach the subject from two perspectives. One thing of the perspectives is

that we approach on the moral issue of war, being based on the meaning of the nature of war itself, and other thing is that being based on the meaning of a war which we are empirically able to recognize in the real world. The

former perspective will be discussed the subject of a war by analyzing the meaning which the word 'war' connotes in itself, and the matters which involve or derive from the causes of war and the end of war. While the latter will be covered a war as the matter we cannot help bring in reality, considering the fact that it would be inevitable for us to bring about a war. This discrimination between the concepts of war may be compared to the utilization of framing a definition of war. In particular, the standpoints to actual war are categorized into three types, ethical pessimism as an idealism, ethical irrelevance as a realism, and ethical optimism as a pragmatic pacifism called as a just war theory, taking ethical perception on a war into account. In other words, the purpose of this paper is to provide not merely the ethical standpoints to a war through studying the essential meaning of itself but the point of view to morally justify some war in the real world. I have applied structuralism as well as phenomenological approach to this paper in respect that a war must be understood in terms of its relationship to a larger, overarching system of structure connected with it. In addition, a war as a social reality can be understood analyzing the meaning of its intrinsic concept not because it exists as an object beyond human being but because it is achieved by inter-subjective of consciousness, thought, language, and concept etc.

## **2. Ethical Reflection on the Nature of War**

### **2.1. War through ethical perspective**

The term 'war' can be generally applied to violent conflicts among individuals, as in Hobbes' idea that the state of nature is a state of war. War is also perceived as the matter being contradictory to ethics, or being on the opposite side of moral. Can a war be addressed with ethical language or described in the category of moral? Most people acknowledge a strong presumption against the moral permissibility of killing others, but nevertheless believe that in some circumstances this presumption is overridden by other moral considerations.

War is usually thought of as violence between states or, more broadly speaking, political communities. What the concept of war connotes in itself is not the only meaning of war, but it also is symbolic of the nature of war. Cicero defined war as a contending by force. He says, "Rashly to engage in line of battle and hand to hand to fight with an enemy is somehow monstrous, and like the actions of wild beasts"[1]. Grotius said that war is the condition of those contending by force. Clausewitz defines the concept of a war as follows. "Each strives by physical force to compel the other to submit to his will: his first object is to throw his adversary, and thus to render him incapable of further resistance. War therefore is an act of violence to compel our opponent to fulfill our will"[2].

Wright defines war as a legal condition which equally permits two or more hostile groups to carry on a conflict by armed force, elaborating on characteristics of war that the historical events which have been called wars have been characterized by 1)military activity, 2)high tension level, 3)abnormal law, and 4)intense political integration. He argued that the analysis of the military, psychological, legal, and sociological manifestations of war suggests that all may be regarded as variables which reach a certain threshold of intensity in actual war. War may therefore be regarded from standpoint of each belligerent as an extreme intensification of military activity, psychological tension, legal power, and social integration-an intensification which is not likely to result unless the enemy is approximately equal in material power. From the standpoint of all belligerents war may be considered a simultaneous conflict of armed forces, popular feelings, jurial dogmas, and national cultures so nearly equal as to lead to an extreme intensification of each[3].

The war which cannot help perpetrating wrongdoing such as killing others and destruction apparently must be a brutal violence. No matter how we try to defend or plead war, it is shown that human doesn't away with attributes of animal as ever. We have to understand war in different way with other disasters like earthquake, typhoon, deluge and plague etc. While other disasters

happen to occur or rise by natural factors which human can be inevitable, war would break out, be waged and accomplish by human being, militating by human's will. Above all, war is distinguished from the other catastrophes in that the beginning and the end of war is determined by the human. Therefore in that the principal agent of war is ultimately human being, it can be fully recognized as a matter of moral value judgments.

## 2.2. Ethical perception for the causes of war

Ever since war became part of man's life, a big question has been raised: why do wars happen? Or more accurately, where do the causes of war lie? The need to find that particular answer is based on a basic assumption. Since war is associated with devastating results for the well-being of men, a solution for eradicating it should be found. The first and most decisive step towards finding such a solution is to identify the fundamental factors that lead to war.

Cicero said that just war should be undertaken with cause. The proper reason for war in his view is a purpose to punish wrong or to beat back an attacking enemy. In his own words, "Now since there are two ways of contesting for a decision, one by discussion, the other by force, and since the former is proper for man, the latter for beasts, one should have recourse to the latter only if it is impossible to use the former. Wars then are indeed to be waged for this reason, that without wrong life may be lived in peace. Those wars are unjust which are undertaken without cause. no just war can be waged[4]."

But the best way that we can universally recognized for the causes of war is to approach them without consideration for the reason of a war varying from time to time in accordance with the change of the times. Though a war happened to be waged because of various causes, we need to universalize the causes by synthetically analyzing many reasons that induce a war to contemplate whether we can prevent from war or not[5].

To determine the causes of war it is, therefore, necessary to investigate possible changes in the meaning of the concepts by

which war has been defined and also to investigate probable changes in the circumstances denoted at the present time by these concepts. The most probable hypotheses on the causes of war may be ascertained by comparing propositions which appear in the literature with propositions resulting from an analysis of the history of actual wars. According to the analysis of the history, actual wars will be considered first. The historians of each of actual wars have usually distinguished idealistic, psychological, political, and juridical elements in their causation. They have frequently referred to changes in climate, resources, economy, technology, and other material conditions, but they have usually assumed that such changes can cause war only in so far as they influence one or more of these socio-psychological patterns[6].

To some a cause of war is an event, condition, act, or personality involved only in a particular war: to others it is a general proposition applicable to many wars. To some it is a class of human motives, ideals, or values; to others it is a class of impersonal forces, conditions, processes, patterns, or relations. To some it is the entrance or injection of a disturbing factor into a stable situation: to others it is the lack of essential conditions of stability in the situation itself or the human failure to realize potentialities. These differences of opinion reflect different meanings of the word 'cause'.

In the historic sense a cause of war is any event or condition figuring in the description of the relevant antecedents of an effect. Such a description is usually called a history and is confined to events within a time or space sufficiently near to the effect to be presumably related to it.

The definitions of war in the literature were compared with those suggested by a study of the actual phenomena of war. Wars occur because there is nothing to prevent them[7] The complexity of this issue can be easily understood by the fact that there is still no consensus on what the essential causes of war are. More precisely, it will be examined whether the anarchic structure of the international system constitutes an actual cause of war or just a permissive condition which



greatly facilitates the occurrence of war but does not necessarily generate the bellicose behavior of states. Scholars preoccupied with this phenomenon have traditionally found the causes of war in different starting points: human nature, the nature of particular types of states and the nature of the state system.

Waltz had two main goals in his book *Man, the State and War*: firstly, to classify the diverse positions on the causes of war in three broad groups or 'three images'. The first image representing approaches based on human nature, the second those based on the state level and the third those arguing about the qualities of the anarchic state system. Secondly, he aimed to stress the significance of the third image as the major source of the causes of war. He was not of course the first one to think about these three broad variations[8]. He introduced the term 'image' for each level. 'The first image' finds the major cause of war in the first level of analysis; 'within man'. 'The second image' in the second level; 'within the structure of separate states' and 'the third image' in the third; 'within the state system[9]'.

Waltz argued that the first two images fail to account for the recurrence of war, while the third one, deriving from the inescapable anarchic nature of the international system, can. Waltz renounced the idea that war was a result of the 'fixed nature of man'. A position which directly challenged the argumentation of Niebuhr and Morgenthau, who both concluded that the root of all evil, meaning the source of human conflict, is hidden within man, either as the original sin (Niebuhr) or the animus dominandi(Morgenthau). In accordance with Durkheim's reasoning, he supports that human nature mono-causal explanations are inefficient because they fail to explain anything when they strive to cover a multitude of political phenomena[10]. If an issue at stake is important enough to a state, it can achieve a satisfactory outcome only by using its power to impose its will on another state. The realization that, at any point in time any state can resort to armed force, forces each state always be prepared for that contingency. As a result, whether we can ethically evaluate on a war depends on the third

image in that, under the international system with anarchic nature, a war is occurred by volition of political leaders to represent the will of people.

### **2.3. Moral constituents inherent in the purpose of a war**

John Rawls has explained the stability of well-ordered democratic states as follows: "There is true peace among them because all societies are satisfied with the status quo for the right reasons"[11]. The idea of the purpose of war is unsettling because we do not like to admit to ourselves that going to war is something we choose to do. We prefer to say, as political leaders so often do when going to war, that "we have no choice". But going to war is always a deliberate choice, as is the use of organised lethal violence on a large scale to achieve what might be called, using the word in its broadest sense, a "political" purpose. The purpose is indeed essential to the nature of war, because this is what distinguishes war from other forms of violence. Without political purpose, violence is not war but violence for its own sake, or mere piracy or plunder[12].

If war is only a mean used to achieve the political objectives, the moral justification of war cannot choose but depend on the morality of political purpose of the war which forced to wage it. According to Aristotle, not only a political society is ethical community, but an ultimate goal of human life is his moral life. His political ideals are not different from moral ideals. The catholic tradition, initiated by Augustine in the fourth century, qualified this position by a more realistic consideration of the need of police in actual human societies and the need of defending Christendom from its external enemies. It asserted that war was permissible to promote peace, that is, order and justice, provided the war was initiated by a proper authority and provided that authority had found peaceful procedures inadequate in the situation and had assured himself that the injustices arising from the war would not be greater than the injustices which the war was to remedy. Further elaboration made it clear that war would not promote peace unless there was a 'just cause'

and unless this cause constituted the actual motive, not a mere pretext, of the initiating authority. This thesis was supported by biblical exegesis to show that the New Testament tolerated just war and permitted soldiers and citizens to give the ruler the benefit of the doubt in respect to a particular war[13].

In fact, the aim of the action in war is merely to impose one's own will to his enemy by disarming the enemy or forcing the enemy to yield. War, namely, must never be seen as having any purpose in itself, but should be seen as an instrument of policy and politics: "War is not merely a political act, but also a real political instrument, a continuation of political commerce, a carrying out of the same by other means." The military objectives in war that support one's political objectives fall into two broad types: "war to achieve limited aims" and war to 'disarm' the enemy: "to render him politically helpless or militarily impotent"[14].

As Clausewitz said, we see that war is not merely a political act, but also a real political instrument, a continuation of political commerce, a carrying out of the same by other means. All beyond this which is strictly peculiar to war relates merely to the peculiar nature of the means which it uses. The tendencies and views of policy shall not be incompatible with these means, the art of war in general and the commander in each particular case may demand, and this claim is truly not a trifling one. But however powerfully this may react on political views in particular cases, still it must always be regarded as only a modification of them; for the political view is the object, war is the means, and the means must always include the object in our conception[15]. As the purpose of the war is only to defeat enemy initiative, there is nothing to find any factors concerning the morality of war or to constitute it in the purpose of war which is nothing more than the political means. Therefore the morality of war must depend on not the purpose of war but political ends.

However as Wright argued, conflict of armed force figures in both definitions. The conflict of popular feeling is hostility. The conflict of jurial dogmas is a legal condition

characterized by equality of the parties. The conflict of national cultures is a conflict of human groups[16]. This means that the moral evaluation on a war is liable to be relative, since the political objectives has relatively legitimacy. Nothing changes one's opinion of the righteousness of a state which had been in a war so surely as a successful war, taking many historical instances into consideration and adducing them.

### **3. Ethical Spectrum on Actual War**

Perspectives on actual wars are varied through ethical spectrum being typed into three aspects. They may be described as ethical pessimism on war, ethical nihilism which war is of irrelevance with respect to ethics, and ethical optimism on war. The criterion of these perspectives is based on whether war would be positively conducted or negatively.

#### **3.1. Ethical pessimism on war: absolute pacifism**

Ethical pessimism on war may be called as 'idealism' or 'absolute pacifism'. Absolute pacifism is grounded in the moral principle that some kinds of killing(whether all homicides or only wars) are never morally permissible. The absolute pacifist's answer is clear to the fundamental questions such as "Under what circumstances does one have a right to go to war?". That answer, of course, is 'No'. Absolute pacifism rejects war in an a priori fashion: one of the first principles of absolute pacifism is that war(or violence more generally) is always wrong. Thus absolute pacifism will claim that any judgment that leads to the justification of war is wrong.

Pacifism has thus been described simply as anti-warism or as commitment to nonviolence. One conceptual difficulty here is that when peace is defined negatively, pacifism appears as a reactionary response to war and violence. Discussions of peace thus often employ negative terms and creative neologisms to express the concept of peace: 'nonviolence', 'nonwar', 'nonkilling', 'nonconflict', or 'nonwar'. Peace advocates will however insist that peace should be understood as a primary concept connected to cooperation, harmony,

and positive human relations and that it is a mistake to understand peace in merely negative terms[17].

When pacifism is defined as anti-warism, we encounter the difficulty of defining war. Although peace is usually thought of as a political condition of amicable relations between states, terms like 'peace' or 'peaceful' can also be used to describe a relation between individuals or even a person's state of mind. Fox argues that war is inconsistent with morality and with human well-being. He concludes by asserting a 'very strong form of pacifism' and admits that this results in some uncomfortable conclusions, such as that "even military action aimed at protecting people against acute and systematic human-rights violations cannot be justified." Fox explains that pacifism results in a difficult dilemma that is reminiscent of the question of whether two wrongs can make a right. Fox asks, "Should immoral actions be used to stop other(perhaps gravely more) immoral actions?" He answers 'No,' and maintains that this shows us that we have to work to find ways to move beyond our reliance on war as the solution to social and political problems[18].

Absolute pacifism is often connected with a religious standpoint in which nonviolence is seen as a religious commandment. Thomas Merton explains that Gandhi and most other absolute pacifists have a larger metaphysical view: "as Gandhi saw, the fully consistent practice of nonviolence demands a solid metaphysical basis both in being and in God[19]. In the West, absolute pacifism is often derived from the Christian ideal of nonresistance to evil as required by Jesus' pronouncements about nonresistance in the Sermon on the Mount(in Matthew) or the Sermon on the Plain(in Luke). In Indian traditions, it is grounded in the commitment to ahimsa or nonviolence that is derived from a larger metaphysical picture which emphasizes karmic interdependence, ascetic self-abnegation, and compassion. The religious foundation of absolute pacifism is often tied to the idea that there is merit in suffering violence without retaliating. So absolute pacifism is an ideal. Some versions of absolute pacifism go so far

as to abjure the idea of personal self-defense. Other absolute pacifists may allow for personal self-defense while rejecting the impersonal and political violence of war. Almost every defender of absolute pacifism recognizes the difficulty of attaining to the absolute idea.

The absolute ideal is nearly impossible to achieve because we must harm other beings in order to survive: we must kill in order to eat. And the world often presents us with difficult "kill or be killed" choices as in the question of self-defense or war. Absolute pacifists may hold that it is better to be killed than to kill. But such a choice may be impossible for many of us to make. Pacifists will often argue that this way of describing a situation—as one where the choice is "kill or be killed"—usually presents us with a false dilemma: often there are other nonviolent alternatives to either killing or being killed. But when presented with such a stark choice, absolute pacifism may require self-sacrifice. The reason that we cannot universally accept absolute pacifism is that it is not easy that everyone is willing to put self-sacrifice into practice despite the selfishness of people without conscience[20].

### **3.2. Ethical nihilism on war: realism**

The question is sometimes raised whether moral principles can even be applied to war. The Roman proverb *inter arma silent leges* (in time of war, the law falls silent) and its English counterpart "All's fair in love and war" both suggest that they cannot. Wasserstrom calls this view moral nihilism with respect to war. Such a view might be defended on the grounds that morality is concerned with evaluating choices whereas war is a matter not of choice, but of necessity. But, as Walzer points out, any particular decision to go to war is necessary only in the sense of being indispensable to previously chosen ends[17].

The realism as permissivism with respect to war might be drawn from the writings of Karl von Clausewitz or Thomas Hobbes. Since neither author addressed himself directly to the questions asked here, the attributions are conjectural. In the opening chapter of *On War*, Clausewitz presents his understanding of the

nature of war[21]. The argument that he accepts the doctrine of *staatsraison* is an argument from silence. In one famous passage, he says: "War is therefore a continuation of policy by other means. It is not merely a political act but a real political instrument .... What still remains peculiar to war relates merely to the peculiar character of the means it employs." If the peculiar character of the means employed had anything to do with moral limitations on the right to go to war, this would surely be the place to say so, but Clausewitz does not. His support of the doctrine of *Kriegsraison* is more explicit: "Philanthropic souls may imagine that there is a way to disarm or overthrow our adversary without much bloodshed .... Agreeable as it may sound, this is a false idea which must be demolished. We can never introduce a modifying principle into the philosophy of war without committing an absurdity."

Hobbes offers what might serve as a theoretical ground for these views. He declares that nations are in a State of Nature relative to one another. In this condition: (1)"There is ... no mine and thine distinct; but only that to be every man's that he can get; and for so long as he can keep it," and (2)"Force and fraud are ... the two cardinal virtues"(chaps. 13-14). The first branch of Hobbes's Fundamental Law of Nature requires that those in a State of Nature "seek peace, and follow it," which would seem to require efforts to set up a world government, rather than to permit waging war at will. But Hobbes concedes that sometimes peace will be unattainable. In those cases, the other branch of the same Fundamental Law says that the person(or ruler) in the State of Nature "may seek, and use, all helps, and advantages of war." Such a view of war will stand or fall with the soundness of Hobbes's general moral theory.

The second version of permissivism accepts the doctrine of *Kriegsraison* but not that of *Staatsraison*. It is thus permissive with respect to military means, but not with respect to political ends. This is, perhaps, the view held by Gen. Douglas MacArthur, whose 19 April 1951 speech to Congress includes the following remarks: "I know war as few other men now living know it, and nothing to me is

more revolting. I have long advocated its complete abolition. But once war is forced upon us, there is no other alternative than to apply every available means to bring it to a swift end. In war, indeed, there can be no substitute for victory."

In this view, war is hell. Waging war at all thus requires strong moral justification. Thus the doctrine of *Staatsraison* is rejected. Those who force another nation to go to war by treating it unjustly are to be condemned. But from the fact that war is hell, it also follows that justice should be done and peace reestablished as quickly as possible. If certain means(say, the burning of Atlanta or the destruction of Hiroshima by the atomic bomb) contribute to victory, then they are permissible(if not required). Refusal to use means that would hasten victory is irresponsible since it leaves everyone in the hell of war longer than necessary.

Accepting this view presupposes two things. First, it presupposes the dubious factual claim that the awfulness of war is more closely tied to the length of the war than to the nature of the means used. Second, it presupposes the controversial moral claim that worthy ends(whether in the sense of objectives or consequences) sometimes justify, morally abhorrent means.

The final version of permissivism accepts war as a morally unproblematic means of achieving political ends, but does insist that war is a rule-governed activity. War, in this view, is like a duel or a jousting tournament. It is not like a brawl, where there are no rules; and it is not like law enforcement, where one side(the police) claims an exclusive right to the use of force. Perhaps this is the view of war that would have been taken by a Renaissance condottiere.

This view is plausible only when wars are fought by soldiers who enlist, not because they feel obligated to defend their country, but either because they enjoy war for its own sake or have made an unconstrained choice of it as a means to some other end. Otherwise, wars initiated at the whim of the attacking nation will involve unjust killing(either of conscripts who do not want to fight at all or of

volunteers who are merely acting on their obligation to protect their community against harm). Even when all the soldiers on both sides are people who have freely chosen to be soldiers, political permissivism is only plausible if consent of the victim makes homicide permissible. The maxim *scientietvolentinulla fit iniuria*(no injustice is done to a willing victim) to the contrary, notwithstanding, neither the law nor common morality accepts consent as exculpating homicide. Political permissivism cannot, in the final analysis, be justified[22]. Furthermore this realism as political permissivism has a possibility that unlimited evil doing may be committed during the wartime by excluding any ethical judgment from battlefield.

### **3.3. Ethical optimism on war: pragmatic pacifism**

Non-absolute pacifism may be called ethical optimism on war. Ethical optimism on war embraces not only contingent pacifism but particular pacifism such as pragmatic pacifism called just war theory. While absolute pacifism admits no exceptions to the rejection of war and violence, contingent pacifism is usually understood as a principled rejection of a particular war. A different version of contingent pacifism can also be understood to hold that pacifism is only an obligation for a particular group of individuals and not for everyone. Contingent pacifism can also be a principled rejection of a particular military system or set of military policies. Contingent pacifists may accept the permissibility or even necessity of war in some circumstances and reject it in others, while absolute pacifists will always and everywhere reject war and violence[21]. Contingent or conditional pacifism qualifies such an uncompromising condemnation of violence and warfare. Albert Einstein and Bertrand Russell, for example, were both supporters of the war against Nazi Germany, despite the fact that each considered himself to be a pacifist.

This distinction has to do with the issue of whether everyone is required to be a pacifist or whether pacifism can be a moral choice of some particular individuals. This is related to the question of whether pacifism is a duty for

all or whether it supererogatory. While the distinction between universal and particular pacifism is related to the distinction between absolute and contingent pacifism, it is primarily focused on the question of who is obligated by pacifism. Universalism in thinking about pacifism will hold that if war is wrong, it is wrong for everyone and thus that soldiers who fight are wrong, as are those who support the war system that encourages them to fight. Particular pacifists articulate their position as merely personal and do not condemn the war system or soldiers who choose to fight. Universal pacifism is closely connected with absolute and maximal versions of pacifism; particular pacifism is related to contingent and minimal pacifism.

One way that this distinction between universal and particular pacifism has been enacted in history is through the idea of vocational pacifism discussed. Vocational pacifism holds that pacifism is a special obligation of a particular vocational service; but that it is not required of all. In this sense, pacifism is a supererogatory obligation. Religious clerics may thus be required to renounce violence, while ordinary members of their congregations may not be so obliged. Particular pacifism is thus connected to contingent pacifism: the moral demand of pacifism may be contingent upon one's social position.

This distinction can be understood by considering whether pacifism is morally necessary or whether it is merely morally permitted. The universalist answer to this question is: if war and violence are wrong, then pacifism is morally necessary and those who fight are wrong. But some pacifist appear to hold that it is not wrong to fight(or that some persons are permitted to fight), even though the pacifists herself may choose(or is obliged by some vocational commitment) not to fight. A conscientious objector may thus choose not to fight while not condemning those who do. Conscientious refusal may be articulated as a personal belief about pacifism that does not apply to others. This is one way pacifists who refuse to fight may avoid the charge that they are traitors who are opposed to their compatriots who fight: they may deny that their refusal has any universal moral significance or

application. One way of understanding this is to connect it with the idea of tolerance. A personal pacifist may believe that pacifism is the right choice; but she may choose to tolerate others who do not make the same choice. A personal pacifist may also espouse a sort of relativism that holds that a commitment to pacifism is merely a personal commitment that cannot be used to condemn others who make different commitments.

This idea of particular pacifism is a subtle one. And critics will argue that it is incoherent, especially if it is understood as a sort of relativism. Those who claim that conscientious objectors are traitors may argue that pacifism cannot be a particular or personal choice. Critics of pacifism will argue that pacifism is morally wrong because they think that patriotism or justice requires fighting or at least supporting the war effort. This objection would hold that if a war is justified, then conscientious objectors are wrong to reject it. Particularists may reply by claiming that their rejection of war is a personal choice without universal significance.

What might be called the permissivist account of the *ius ad bellum* holds that a state has a right to go to war whenever it chooses to do so. This is the doctrine of *Staatsraison* (or, *raison d'état*). Namely, just war theory was developed for when a nation-state attacks another nation-state. A permissivist account of the *ius in bello* would grant belligerent powers (or individual combatants) the right to do whatever is required to win a war. This doctrine has been called the doctrine of *Kriegsraison* (or, *raison de guerre*). These doctrines are logically independent. That produces three possible positions:

1. A state may go to war whenever it wants and is entitled to do anything that would help it win the war.
2. There are only certain conditions that would justify going to war, but once those conditions are met, a nation is entitled to do anything that would help it win the war.
3. A nation may go to war whenever it wants to do so, but there are moral limits on what it may do to win the war.

The rejection of absolute pacifism is usually based on the claim that homicide is permissible when, but only when, the use of force is made necessary by the wrongful acts of others. It is justified insofar as it is the only practical or expeditious way of avoiding or righting those wrongs. It is justified because there is nothing unjust about making it the case that the one who suffers harm in an unjust attack is the aggressor himself rather than the intended victim. After all, were it not for the actions of the aggressor, no one would need to suffer any harm at all, and, if he cared that much about not being harmed himself, he could always avoid the harm by breaking off his attack. This is why just war theory is called pragmatic pacifism. Pragmatic pacifism may be as permissive as moral nihilism with respect to war, since it espouses or advocates war in the duty of justice. Some maximalist just war theorists codify a set of strict criteria for determining when war is justified. The problem with this position is that the criteria are too inflexible to deal with the war, which is unlike the types of wars that just war theory was developed to address.

Even the position about the war of pragmatic pacifism is positive, it is not as active as that of realism such as moral nihilism. Modern-war pacifism claims only that the current historical situation is of such destruction that no war could in fact meet the criteria which a defensible just-war theory would have to set. Modern-war pacifism, sometimes known as 'just-war pacifism' or 'nuclear pacifism' is a moral position that holds that modern war can never be morally justified. In the view of modern-war pacifism, the destructive potential of modern (especially nuclear) weapons makes it impossible for any modern war to meet the proportionality criterion of the just war theory. It is distinct however from other forms of pacifism in that it recognizes that, in certain historical contexts, wars might have been capable of being justified, and thus it presupposes the validity of the just war theory.

There are two fundamental questions which must be answered by any adequate account of morality and war: (1) is it ever morally permissible to go to war?, and (2) what is

it morally permissible to do in war? The answers to these two questions have received the names *jus ad bellum* and *jus in bello*, respectively. A war is justified if it is characterized by *jus ad bellum*: if, that is, the conditions constituting justice in the resort to war are met. Traditionally one had to have legitimate authority and a right intention as well, with various other requirements often added, such as that the war be a last resort, have a likelihood of success, that the use of force be restrained, and that there be proportionality in the resultant good and evil. A justified war, however, is not necessarily a just war. To be fully just a war must be characterized by both *jus ad bellum* and *jus in bello*.

Consequentialist pacifism is usually grounded in some sort of rule-utilitarianism. A utilitarian pacifist may argue that a rule against war or other sorts of violence will tend to promote the greatest happiness for the greatest number. A broader prohibition against violence other than war can extend the 'greatest happiness' concept to take into account the happiness of sentient beings other than humans.

Deontological prohibitions against war are usually absolute, while consequentialist prohibitions against war are for the most part contingent. The most famous theory of deontological ethics is Kant's. Kant's categorical imperative is formulated as follows: "Act according to that maxim by which you can at the same time will that it should become a universal law". It is difficult to supply content to this imperative. Thus, it is not clear that the Kantian imperative can be used to rule out war. Indeed, Kant is a defender of a version of the just war theory, in part because he believes that states have a duty to defend their citizens. Although Kant is not himself a pacifist, one might be able to ground pacifism in Kant's alternative version of the moral law: "Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only".

The just war theory in its historical and contemporary forms fails to do justice to the central moral problems in war's justification. Each state is bound to insist on justice of each

because pursuing national interests is the absolute good to each. The fact that a certain type of war turns out to be unjust does not show that the just war theory is inapplicable to it; it shows only that it yields a certain outcome when applied to that type of war. The problem of just war theory is that it sows justice and then reap death.

#### 4. Conclusion

In war situation which men must be compelled to do such action as are harmful to others, it remains to be seen whether they would act with the sense of ethics by himself or not. We have no choice but to accept the fact that war criminal may be perpetrated in the battle field. Nonetheless we don't have to blow combat action in battle field out of proportion regarding as one's immoral and inhumane act. The right and wrong for one's behavior in war situation is not different from it in peace. Greater love has no one than this that one lay down his life for his family, friends, and neighbors.

It is close to impossible to induce mankind to live without war. War is an ancient institution which has existed for at least six thousand years. It always wicked and unusually foolish, but in the past the human race managed to live with it. Even though modern ingenuity has changed this, it also remains the fact that one will abolish other. For the present, it is nuclear weapons that cause the greatest danger, but bacteriological or chemical weapons may, before long, offer an even greater threat.

As I mentioned above, the moral evaluation on a war is liable to be relative, since the political objectives is relatively justified. Many adduced historical instances showed that victory of a state which had been in a war made the righteousness of a state rationalize. In a sense just war theory may be nothing more than self-justification of the state to obtain victory. Therefore to make a judgment or a decision a war which a state would conduct, we need the universal moral principles to justify the war.

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## RUSSIAN MILITARY Transformation: Trends and Implications for EAST ASIA

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### Abstract

*Russia's interventions in the Ukraine crisis and the Syrian conflict have refocused attention on the Russian military. Compared to the 2008 Georgian War, the Russian military revealed significant improvement in its capabilities. Russia waged a 'hybrid war' against Ukraine with success. Then, during Russia's Syria operation, in which Russia used its armed forces beyond the borders of the former Soviet Union for the first time since the end of the Cold War, demonstrated advanced military capabilities. These Russian military operations provide a great opportunity for assessing the outcomes of Russia's military transformation.*

*This article reviews the current conditions and limitations of the Russian military, and to understand their impacts. With the 2008 military reform, including a change in the military structure and command system as well as military professionalization and weapons modernization, this article presents the new look of Russian armed forces on the battlefield. The Russian military has been revamped into a force that is better equipped and more professional and combat-ready. This strengthened Russian force has some significant implications for international security. Although it is not meant to be superior to current Western forces, a strengthened Russian military might bring about instabilities in the current international order. Moscow has urged its armed forces to serve as a security policy instrument for Russia's return to great power status.*

*Russia's military had achieved multiple aims through the Ukraine crisis and the intervention in Syria. Russia could expand its areas of influence, preventing former Soviet Union states from becoming NATO members. Moreover, Moscow revealed its ambition to play a global role on the international stage through its strengthened military power. Apart from the political objectives, Russia military could have opportunities to test its war-fighting capabilities and new weapons systems resulting from its military reform in the Syrian battlefield.*

*However, Russia also faces significant obstacles: Much of its military equipment and weaponry is outdated and rearmament has been a slow process. The Russian military, which has relative weakness in terms of its conventional military capability, is not yet strong enough to threaten the U.S. and NATO; The buildup of Russian military power is likely to bring about the reinforcement NATO's military presence in Eastern Europe. It has the possibility of triggering a new arms race; What is worse, Russia's economy has been declining due to low oil prices and the Western economic sanctions against Russia over the Ukraine crisis; The Russian defense industry also has weaknesses in its production capabilities and high-tech fields such as electronics. Consequently, it is uncertain whether Russia will be able to carry out its military transformation successfully. Nevertheless, the Russian military will strengthen its capabilities, even if Russia will not be able to overcome its various problems.*

**[Keywords]** *Military, Russian Military Reform, Military Reorganization, Arms Modernization, Ukraine Crisis*

## 1. Introduction

The Russian military revealed significant improvement in its capabilities. It implemented a 'hybrid war' with success in

Ukraine[1]. Then, Russia's Syria operation, in which Russia used military force beyond the borders of the former Soviet Union for the first time since the post-Cold War, demonstrated advanced military capabilities[2].

Russia's military interventions in Ukraine and Syria prove that Moscow has a willingness to use military force for achieving diplomatic aims and that military strength as an element of national power is built up. While these moves have raised serious concerns, it is necessary to assess the current conditions and limitations of the Russian military, and to understand what they mean.

Current Russian military transformation is based on Serdyukov's military reform beginning in 2008. Shortly after the 2008 Georgia war, Russia embarked on military reform led by Defense Minister Anatoly Serdyukov[3]. Moreover, Moscow has carried out weapons modernization through the "2011-2020 State Arms Procurement Program('GPV 2011-2020')," under which a total of 20 trillion rubles is invested. As a result, Moscow could send soldiers to Crimea and provide the pro-Russian separatists with various means of support including weaponry, intelligence and military power demonstration near the border. Then, in September of 2015, Russia projected its air and naval forces during the operation in Syria.

This article reviews the overall direction and scale of transformation that the Russian military has implemented since the 2008 military reform. With a new look of the Russian armed forces, this article presents what this means for the current security situation and the limitation of military transformation and implications, especially, for East Asia.

## 2. 2008 Russian Military Reform

### 2.1. Background

Since the collapse of the Soviet Union in 1991, the Russian military has suffered through many hardships. Despite several attempts of military reform, the Russian military had not improved its capabilities[4]. The

2008 war in Georgia triggered the more radical reform of the Russian military. Although the war resulted in a victory for Russia, it exposed severe deficiencies in military capability. With shortcomings with its command structure, the command and control system(C2) was too inefficient. During the war commands came through three different levels of headquarters: the General Staff, the Military District headquarters and the 58th Army headquarters[5]. The Russian Armed Forces suffered from a lack of precision and high-tech weapons in its operations. The lack of trained and combat ready troops was obvious. At the beginning of 2008 only 13% of the armed forces were combat ready. Moreover, Russian Air Force lost 4 aircraft because of the lack of coordination between the Air Force and the Army on the ground. Consequently, they were not a modern and effective fighting force and Russia's military had to wage an outdated war. Russian military faced the need of renewed reform.

### 2.2. Main contents of reform

Shortly after the 2008 Georgian war, Russia carried out its military reform with the aims of military restructuring, weapons modernization, and armed forces professionalization. Despite the multiple instances of failure of the previous Russian military reforms, Serdyukov's 2008 reform transformed the military in ways that improved its combat capabilities in the long term.

The military reform as a core national defense policy has resulted in the following major advances for Russia's military: First, the military was restructured to enhance its capacity for combat response. The six Military Districts were realigned into four Districts to cover the Western, Southern, Central and Eastern regions, with each district playing the role of Operational Strategic Commands(OSC). Each Military District gained operational control over the Army, Navy, Air Forces, and other corps in order to reinforce a joint ness for organic unity among armed services. Moreover, the division system optimized for the full-scale war was dismantled and reorganized into much smaller, mobile, and inde-

pendent system of brigades to ensure flexibility and mobility. The combat readiness and jointness were reinforced by changing the division into a brigade system and rearranging the four-phase into the three-phase command structures: military district - army - division - regiment into strategic commands(military district) - operative command(armies) - brigade. In addition, the number of military drills was substantially increased and large-scale “snatch exercises” were continuously conducted, testing their combat-readiness.

Second, to enhance professionalism in its military, Russia has reduced its previously excessive number of high-rank officers while increasing the number of contract-based military personnel. While difficulties in achieving this goal are anticipated due to the shortage of financial resources, the effort to professionalize the Russian military has been pushed ahead.

Third, the large-scale State Arms Procurement Program 2011-2020, established in late 2010 and requiring a total of 20 trillion rubles and planning to increase the proportion of advanced weapons to 70% by the year 2020, is under way. It is the top priority of the Russian Defense Ministry. Although there have been some setbacks in execution due to financial issues arising from decreasing oil prices, corruption, and problem plaguing the Russian defense industry, the modernization of weaponry has been vigorously implemented.

### **3. The New Look of Russia's Military**

Views differ on the extent of improvements in Russian military capability that resulted from the military reform since 2008. Although some analysts estimated that the military reform failed and has only produced a paper tiger[6], it seems that the Russian military has been revamped into a force that is well equipped and more capable of implementing modern military operations[7][8]. Reform backed by increasing the defense budgets has transformed the Russian military. At the same time, Russia has identified NATO as military threat(danger) in Russian Military

Doctrine of 2010 and the current Doctrine of 2014[9]. Putin determined to use armed force for keeping vital national interests.

#### **3.1. Operation in Ukraine**

The Russian military demonstrated a great success in the Russia's Crimean annexation and the ongoing conflict in Eastern Ukraine. The Operation in Ukraine was an interesting example of irregular warfare. The operation for Crimean annexation in early 2014 was conducted by Russian Spetsnaz special forces, unmarked “little green men.” These special forces should not be taken as representative of the condition of the Russian military overall. However, there was virtually no fighting in Crimea and the warfare capacities of Russian armed forces were little known without irregular tactics[10]. Moreover, the involvement of the Russian army in combat in eastern Ukraine was also restricted when it comes to examine their military capabilities.

However, Russia mobilized over 55,000 troops at its border with Ukraine during the Ukraine crisis. Meanwhile, Russia denied its intervention in eastern Ukraine and resorted to various irregular tactics known a ‘hybrid warfare,’ including training Ukrainian separatists and employing mercenary soldiers and providing them with special military arms and equipment instead of deploying its own forces. Although Russian troops operated sometimes, a large number of them in eastern Ukraine was composed of volunteers. The military operations included psychological and political operations as well[11]. And yet, the Russian Armed Forces have demonstrated their military power and undertook military exercises near the Ukrainian border to contain Kiev’s advance. The deployment of large numbers of well-equipped, combat-ready troops has proved useful, for intimidation and to provide psychological support for the destabilization of eastern Ukraine by pro-Russian separatists.

#### **3.2. Operation in Syria**

Russia's intervention during its military operation in Syria obtained some important results. President Putin decided to launch air

strikes on Syria in September 2015. The Russian operation in Syria demonstrated improvements in many aspects of its military capability. Compared to the Ukraine crisis, in which the Russian military resorted to various irregular tactics, the Russian military in Syria appeared to improve in operational intensity and inter-service coordination with advanced weapons and equipment[12].

The first trend observed was to increase the speed of Russian air activity. The operation speed of Russian Air Forces in Syria was quite fast. The number of air sorties per month came to around 1,000~1,600. The Tu-160 supersonic bombers, Tu-95 strategic bombers, Tu-22M3 bombers, and Su-34 fighter-bombers appeared frequently over Syria. The frequent appearance of the Su-34 over Syria suggests that Russian forces conducted air-to-air refueling and used guided weapons[13]. The Russian Air Forces would provide a momentum for modifications to new advanced Su-34 and Su-35S's flight controls and engines as a result of their combat experience[14].

The operations in Syria were to highlight the combat readiness of the aircraft. Russia's initial air strike in Syria attacked the targets of the opposition forces successfully. Furthermore, Russia's campaign in Syria was a testing ground for Russian weaponry as well as network-centric warfare capability. The Su-34, equipped with a new-generation warfare(EW) system, was certainly at the forefront of testing network-centric operations[15]. Russian forces in Syria have used a mix of precision-guided munitions and unguided weapons[16]. The Russian military also demonstrated new naval strike capabilities. Russia's Navy launched land-attack cruise missiles(LACMs) at targets from ships and submarines in the Caspian Sea and Mediterranean Sea. These naval strikes required close cooperation with the Russian Air Force, which conducted long-range strikes. In addition, the Russian military deployed the S-400 "Triumph" air defense system to Syria in late November. Russia's intervention in Syria has shown that it has sufficient sea and airlift capability to project power and carry out overseas military operations.

#### 4. Prospects for the Russian Military Transformation

Russia's military achieved multiple aims through the Ukraine crisis and the intervention in Syria. Russia has pushed an ambitious course of military restructuring and rearmament. This strengthened Russian force has several implications for international security. The modernized Russian military is not meant to be superior to the current Western forces. However, it might bring about instabilities in the international order. Moscow revealed its ambition to play a global role on the international stage through its strengthened military power. Apart from the political objectives, Russia military could have opportunities to test its war-fighting capabilities and new weapons systems resulting from its military reform in the Syrian battlefield.

Amid expanding its area of influence and preventing former Soviet Union countries from becoming NATO member states, Russia government could use its armed forces for protecting vital national interests. Although it is unlikely to become as powerful as the US military, the Russian military will continue to concentrate on the build-up of military power with the objectives of developing the state-of-the-art weapons and restoring long-distance power projection. In addition, the Russian strategic nuclear power seems to be improved qualitatively for keeping the military balance with the U.S. and compensating the inferiority in conventional forces through the arms modernization program.

However, Russia has also the obstacles: First, much of the military equipment and weaponry is still outdated and rearmament has been slow. Indeed, the Russian military, which has relative weaknesses in its conventional military capability, is not strong enough to threaten the U.S. and NATO. Furthermore, the rising defense budget may lead to a weakening economy. Second, the buildup of Russian military power will be likely to strengthen its military forces by substantially increasing the size of its Rapid Reaction Forces and the number of military exercises. NATO has also augmented its military power in Eastern Europe. This has the possibility of triggering a new arms race.

What is worse, Russia's economy has been declining due to low oil prices and Western economic sanctions on Russia caused by its military intervention in the Ukraine crisis. A slowdown in Russia's economy is a potential threat to the development of its military power. Meanwhile, the defense budget should be increased for implementing the weapon modernization. Admiral Vladimir Komoyedov, the head of the Duma Committee on Defense, said that the national defense budget for 2015 would be about 3.3 trillion rubles, which accounts for as much as 4.2% of the GDP[17]. This is an increase of 812 billion rubles(20 billion USD) from the budget in 2014. With the economy experiencing negative growth, this inevitably puts an enormous burden on the national economy. The Russian defense industry also has weaknesses in high-tech fields such as electronics. A number of political, financial, industrial obstacles could affect the build-up of military power. Consequently, it is uncertain whether Russia will be able to carry out its military transformation successfully. Nevertheless, the Russian military will be strengthened in its capability, even if Russia will not be able to accomplish its ambitious aims of the weapon modernization program by 2020.

## 5. Conclusion: Implications for East Asia

Russia has implemented military reform to create a small-sized, more effective, high mobile armed force for achieving its national interests. Russia's military capabilities demonstrated in the Ukraine crisis and operations in Syria are surprising. The fact is that Russia is capable of defending itself, deterring any other great power, and conducting overseas military operations. Moreover, Russia has predominant military power in the post-Soviet area. Russia's current diverse strategies are based on this Russian military strength. What happens around 2020 if Russia continues to carry out the arms modernization program?

While for right now Russian military action is very limited, its strengthened military power may lead to instability in the international order. It has also influence on East Asia

in which the U.S and China have competing for dominance. Pursuing a "New 'Look East' policy," which emphasizes developing Siberia and the Russian Far East for the nation's growth, president Putin has already placed greater emphasis on East Asia. Russia has emerged as a strategic player in East Asia. Furthermore, Western economic sanctions against Russia have pushed Russia to seek the economic partners in East Asia. Russia and China are developing bilateral ties while standing jointly against the US. Russia is in conflict with the US in Eastern Europe, whereas China is confronting the US in the South China Sea. It also could affect the Korean peninsula. Therefore, we should assess the current status and limitations of Russia's military carefully, and to understand how Russia's leaders plan to use its military force through its recent military conflicts.

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## A Study on Regulation of Private MILITARY Company(PMC) under International Laws in KOREAN

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### Abstract

*Countries like Africa where cease fire has not held firm since 1990s are maintaining security through alternative military power. Alternative military power used in those countries was manifested in private sector, not in public sector. In other words, public goods called 'national defense' have become substitutable with private goods based on economic strength.*

*These countries are hiring military with money, not maintaining military for national defense. PMC refers to military agency carrying out military service and has a meaning different from that of existing mercenary. Against this backdrop, this study was intended to examine difference between existing mercenaries and PMC and to look into the efforts of international community to resolve problems arising from PMC and regulate PMC.*

*Countries like Africa where cease fire has not held firm since 1990s are maintaining security through alternative military power. Alternative military power used in those countries was manifested in private sector, not in public sector. In other words, their national defense is carried out by private military company, PMC, rather than the military of home country. A question arises as to whether the military activities of the PMC and its troops are subjects covered under international laws. In addition, PMC shows difference from existing mercenaries.*

*The purpose of this study was to examine difference between existing mercenaries and PMC and to look into the efforts of international community to resolve problems arising from PMC and regulate PMC.*

*Existence of PMC became known in Korea when Kim Seon-il was slaughtered in Iraq War. The U.S.-based PMCs entered Korean en masse while relocation of U.S. base in Pyeongtaek was pushed forward.*

*Some claim that the existence of company called 'PMC' is problematic. However, it would be necessary to focus on seeking a way to properly discipline PMC that is already existent and on what ground of laws PMC can be held responsible.*

*If corporations are held responsible under international law, firstly, multinational companies should be recognized as entities subject to international laws. Secondly, provisions related to reparation under international laws should be set forth. Thirdly, procedures need to be established for holding the PMC responsible under criminal law.*

*In addition, PMC should be required to provide education to its officials/employees and fulfill its obligations in respect of compliance with Geneva Convention and International Humanitarian Law.*

**[Keywords]** Military, Law of War, Private Military, Mercenary, International Humanitarian Law

### 1. Introduction

Countries like Africa where cease fire has not held firm since 1990s are maintaining security through alternative military power. Al-

ternative military power used in those countries was manifested in private sector, not in public sector[1]. In other words, public goods called 'national defense' have become substitutable with private goods based on economic strength.



These countries are hiring military with money, not maintaining military for national defense. PMC refers to military agency carrying out military service and has a meaning different from that of existing mercenary. Against this backdrop, this study was intended to examine difference between existing mercenaries and PMC and to look into the efforts of international community to resolve problems arising from PMC and regulate PMC.

## 2. Theoretical Background of PMC

### 2.1. Definition of terms

#### 2.1.1. Private military company(PMC)

In the United States, PMC collectively refers to companies supplying various goods and sources, excluding weaponry, to the Defense Ministry[2]. PMC, a corporate entity, provides services related to military and national security for purposes different from those of mercenaries.

Although PMC hires mercenaries occasionally, PMC concludes contracts with legal governments which provide security, a public goods, for provision of military services. In that respect, mercenaries hired by PMC differ from those hired by anti-state groups ruling certain regions. The scope of services provided by PMC covers ①support for combats and operations, ②military advice and training, ③purchase of weapons, ④military logistics supply, ⑤security service, ⑥information gathering, ⑦ crime prevention, etc.

PMCs, formed after 1990s, are carrying on business only in the areas approved internationally to justify their usefulness and specialization due to negative perception towards mercenaries, etc[3].

Those PMCs are corporations requiring large-scale funding for infrastructures, purchase of military supplies, and manpower with military specialization, and are formed as military headquarters bound by military discipline recognized by the Law of War and other laws.

Headquarters or commanders consist of former military officers, and sometimes, freelancers, which raises controversy that mercenaries hired by PMC are not different from traditional mercenaries.

#### 2.1.2. Mercenaries

Traditionally, mercenaries are defined as those participating in wars in return for payment or other benefits, not carrying out wars as parties to conflict. However, definition of mercenary is ambiguous internationally. Mercenaries are not considered illegal even under the War of Law and International Humanitarian Law[4].

Article 47of the Revision of Annex I to Protocol I additional to the Geneva Conventions signed in 1977 defines mercenary as ① those conscripted specially domestically or internationally for combat in armed conflict, ② those involved practically in hostile behaviors, ③ those involved in hostile behaviors fundamentally for private benefits and those given the promise by countries in conflict for material reward practically in excess of material reward to combat troops with status and functions similar to those of countries in armed conflict, ④ those who are not the people of the countries in conflict, those who are not residents living in territories ruled by the countries in conflict, ⑤ those who are not members of troops of countries in conflict, and ⑥ those who were not members of troops of countries in conflict and were not sent by same countries in conflict to carry out public mission. Moreover, Clause 1, Article 47 of the Revision of Annex I to Protocol I additional to the Geneva Conventions denies the status of prisoner for mercenaries. Therefore, mercenaries are not given protection within the scope of the International Humanitarian Law[5].

#### 2.1.3. Difference between PMC and mercenaries

Fundamental difference between PMC and mercenaries lies in the background that led to their creation.

To clarify legal definition, it is necessary to understand Article 47 of the Revision of An-

nex I to Protocol I additional to the Geneva Conventions clearly. Article 47 is divided largely into 2 sections. Clause (a) through (c) specify provisions related to mercenaries, while Clause (d) through (f) do not specify provisions pertaining to mercenaries[6].

Comprehensive definition in sub-clause a, Subparagraph 2 of Article 47 is related to exclusive definition in sub-clause d. As a result, mercenaries are those hired to carry out combat in the area of armed conflict and it does not matter whether they are residents or nonresidents in regions of armed conflict.

PMC can hire foreigners, but are not allowed to hire foreign mercenaries.

For such prohibition, strict restriction is imposed on hiring and training by PMC within countries with which it signed contracts[1]. The definition under sub-clause d of Article 47 of the Revision of Annex I to Protocol I additional to the Geneva Conventions is consistent with exclusive definition under sub-clause e and f which stipulated mercenaries who are not members of troops of countries in armed conflict.

The provisions set forth in B, which apply to mercenaries, are not applicable to PMC. PMC activities, which participate in combats by leading organizations formed officially, correspond to official activities for national security.

## **2.2. PMC operation status**

### **2.2.1. Internal factors**

The reason behind using PMC is the vulnerability of national security in concerned country. Those countries relieve domestic anxiety over security by leveraging the power of twin super powers, i.e., the United States and the Soviet Union, during the Cold War. However, they have remained powerless to mitigate security anxiety after the breakup of the Cold War.

Those countries can benefit from PMC that helps enable substitution of power. By hiring PMC to alleviate inadequacy of military power, they can integrate the highly-trained

elite troops of PMC into their domestic military, thereby buying time to build up their domestic military strength.

Furthermore, use of PMC can lower reliance on powerful countries so as to curtail political costs incurred from support for military[7]. While receiving military support from powerful countries, they can become free from domestic problems and resultantly respond less sensitively to pressures of international community.

### **2.2.2. External factors**

The primary external factor leading to the use of PMC is the breakup of the Cold War. Powerful countries have faced difficulty with management of conflicts since the breakup of the Cold War, unlike the period of the Cold War when conflicts in countries divided into two camps led by the United States and the Soviet Union could be suppressed to maintain the system.

Particularly, outbreak of civil wars which involve ethnic independence, racial conflicts, etc., has soared. The breakup of the Cold War has led to disarmament of conventional weapons and troop reduction. Conventional weapons that were curtailed began to be purchased by PMC at low prices for recycling. Moreover, troops which were reduced began to act as combatants or armed security guards for PMC.

## **3. International Laws/Regulations Pertaining to PMC, Responsibilities Under International Laws and Cases**

### **3.1. Laws/regulations pertaining to PMC**

#### **3.1.1. Regulation by the U.N.**

No pacts have been adopted in normative systems which regulate private military companies based on consensus of international community despite serious and direct infringement by private military companies upon human rights in constant and systematic manners.

However, private military companies may be also regulated within the scope applicable to ordinary multinational companies.

The U.N. Human Rights Committee recently had a discussion on independent responsibilities of corporation apart from those of the members of corporation in connection with PMC.

The working group of the U.N. Human Rights Committee, firstly, observed the involvement of private corporations assisting military activities in compliance with human rights norms, and secondly, prepared draft of a document urging such corporations to observe human rights norms.

The report published by this working group in 2006 drew a conclusion that the norms adopted by UN Human Rights Sub-committee in 2003 with respect to responsibilities of multinational companies and other corporations could be applicable to activities of private military corporations.

### 3.1.2. Regulations in respective countries

#### ① The United States

##### i ) The Neutrality Act 1794

The Neutrality Act was enacted during George Washington Administration in 1794 to prevent U.S. citizens from being involved in the war between Angola and France so as to preclude entanglement of United States in that war amid the prospects for U.S. citizens joining enemy troops during the period when the United States maintained neutrality[8].

##### ii ) The Foreign Agents Act

The Foreign Agents Act regulates the activities of the people which undermine the benefits of the U.S. foreign policy.

Article 959 of same Act prohibits any person in the United States from being conscripted or leaving the U.S. territory with certain qualification to provide services to foreign groups or agents conscripting soldiers, which is primary purpose of this Act.

Under this Act, it constitutes a crime that a U.S. citizen to leave the area subject to the U.S. jurisdiction to provide services to military. However, the U.S. Federal Supreme Court ruled that the U.S. government should have no right to prevent any U.S. citizens from participation for foreign military if such

activities occurred outside the area subject to the U.S. jurisdiction[9].

##### iii ) The Foreign Agents Registration Act

The Foreign Agents Registration Act was enacted to allow foreign agents, including domestic agents, to register incorporation with the U.S. Federal Government.

Under this Act, any corporation that is not registered properly is suspected of crime. Hence, this Act allows the government to control conscription of the U.S. citizens residing abroad.

However, this Act is not proper for restricting conscription of mercenaries or participation in PMC by interest groups or individuals intending to cause conflicts in foreign countries.

This Act was not enacted to prohibit individuals from leaving the country for the purpose of joining foreign military. Rather, this Act aims to prevent the U.S. citizens from being involved in unfair wars. That is because such unfair activities may lead to unintended division of the people or retaliatory measures against entire country[10].

#### ② U.K.

The Privacy Advisory Committee had a discussion on flaws of Foreign Enlistment Act and limitations of international laws in restricting PMC and mercenaries in 1976. The Foreign Enlistment Act(1870) prohibits participation or conscription into foreign military.

Under this Act, it constituted a crime to leave home country or territory with an intention to commit illegal acts. Only U.K. citizens could be summoned for the acts committed in the area subject to U.K. jurisdiction.

Diplock Report stated that definition of mercenary was unclear and that mercenary activities per se did not constitute breach of international laws and it was infringement upon freedom of job selection to ban mercenary activities. Along with that, Diplock Report stated that PMC activities would be permitted[11].

#### ③ South Africa

Article 44 of the Provisions of South African Defense Act(1957) regulate PMC activities within South Africa, but did not preclude restriction on PMC activities such as EO. Since then, South African government amended the laws to regulate EO.

South African government adopted Chapter 11 of Constitution in May 1996 which regulated domestic military service industry. According to Chapter 11 of Constitution, Defense Corps within South Africa represents the only legal military and military service nationwide and military service is regulated by domestic laws.

In addition, PMC employees observe the laws of South Africa, as well as international common laws, and acting only within the scope of such laws. South African government requires approval of government before PMC send troops to foreign countries.

### 3.2. Responsibilities of individual corporations under international laws

International laws were enforced for country-to-country regulations. However, non-country entities have also increased amid development of transportation and expansion of exchanges. It would be reasonable to consider multinational companies as non-country entities, too.

The Preamble in the Universal Declaration of Human Rights mentions “all individuals and various organizations in society” and Article 1 of the ‘International Convention on Suppression and Punishment of the Crime of Apartheid Crime and Discrimination’s specifies racial discrimination against organizations or individuals.

Additionally, Basel Convention specifies that countries and all persons were responsible for fulfilling obligations. Person refers to corporations and natural person. The United Nations Convention against Transnational Organized Crime, adopted by the U.N. General Assembly in 2000, regulates the behaviors of multinational corporations[12].

## 4. Conclusion

Existence of PMC became known in Korea when Kim Seon-il was slaughtered in Iraq War. The U.S.-based PMCs entered Korean en masse while relocation of U.S. base in Pyeongtaek was pushed forward.

Some claim that the existence of company called ‘PMC’ is problematic. However, it would be necessary to focus on seeking a way to properly discipline PMC that is already existent and on what ground of laws PMC can be held responsible.

If corporations are held responsible under international law, firstly, multinational companies should be recognized as entities subject to international laws. Secondly, provisions related to reparation under international laws should be set forth. Thirdly, procedures need to be established for holding the PMC responsible under criminal law.

Domestic and international norms would need to be refurbished to regulate the PMC, going beyond responsibility related to infringement upon human rights. To regulate PMC, the requirements for incorporation and maintenance should be set forth in a manner accommodating to current times, and furthermore, monitoring systems should be put in place to keep track of exports and imports of weapons.

In addition, PMC should be required to provide education to its officials/employees and fulfill its obligations in respect of compliance with Geneva Convention and International Humanitarian Law.

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