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CAN THERE BE ANY 'JUST WAR' IF WE DO NOT DOCUMENT THE DEAD AND INJURED?

John Sloboda

1) Introduction

On 17 March 2008, ORG's Executive Director, John Sloboda, spoke at a conference held at Cumberland Lodge on "Is a Just War Possible?".¹ The event was designed for people who are professionally engaged in the study of warfare, involved in the operation of war, or active within a peace initiative and was chaired by Sir Stephen Wall. Other speakers included Sir Malcolm Rifkind, Kate Adie, Melanie Phillips and Professor Andrew Rigby.

Plenary sessions covered the following:

- Where the concept of a Just War has come from and where it might be going.
- Realism and ethics in modern warfare; dilemmas and paradoxes.
- The media; propaganda, neutrality or criticism?
- Is pacifism the prevailing morality of our time?

This report is based on the presentation given by John Sloboda on the documentation and recording of every victim of violent conflict.

2) The lack of knowledge about the fate of one's loved ones is a wound that never heals.

The Air Forces Memorial at Runnymede stands majestically on a hilltop overlooking the Thames. Opened by Her Majesty the Queen in 1953, it commemorates by name the 20,335 airmen who were lost in the Second World War during operations from bases in the United Kingdom and North and Western Europe, and who have no known graves. It is a profoundly moving tribute

If you go there today, you will still find the alcoves and benches strewn with flowers, photographs and recently dated handwritten notes. They have been placed there by family members who, 60 years later, are still hoping against hope for some final and certain knowledge of what happened to their beloved husbands, fathers or brothers.

In more recent times, America could not and did not rest until it had identified each and every victim of 9/11. The 9/11 memorial is a complete list of the 2,973 identified victims, with names, biographical details and, where available, a photograph.

No expense was spared, and the commitment to identify every victim was open ended; it went on till the job was done. As *The New York Times* of 29 October 2003 explained:

*"The mission to specify the number of victims has been a necessary one: partly for history, partly for the distribution of death benefits – and partly to satisfy a communal desire for a number whose exactness might bring some comprehension to the incomprehensible."*²

John Sloboda is the Executive Director of Oxford Research Group (ORG). He is also Professor of Psychology at the University of Keele, and an Honorary Research Fellow in Keele's School of Politics, International Relations and the Environment. Together with Hamit Dardagan, ORG's Consultant on the Civilian Casualties of War, he directs ORG's project on Recording Casualties in Armed Conflict (RCAC).

3) Accounting for the casualties of war is a moral imperative.

What do these examples tell us about the prevailing morality of our civilisation? They tell us that violent deaths caused by conflict are given great moral weight. They are tragedies which overwhelm our awareness and haunt our memory. We can never truly recover from them, but all over the world people express in their different ways a universal impulse to achieve some form of closure through memorial acts which honour each life so brutally snuffed out. These acts are inadequate, but necessary, ways of saying, to the victims, their families, and those who share responsibility for their killing, “we shall never forget the price you paid”.

Yet this moral imperative is imperfectly and impartially realised.

Western nations meticulously document the deaths of their own. Other deaths, equally tragic, equally unjust, are given scant official attention. In conflict areas round the world civilians as well as combatants die in their thousands with no proper record or acknowledgment of their passing. There is no list, no memorial for those who have died this century in Somalia, the DRC, Afghanistan or Iraq, to name but a few.

The cases of Afghanistan and Iraq are qualitatively different from the others, and it is on the justness of such wars of intervention and of choice (rather than wars of self defence) that I would like to especially concentrate. If we are to embark on a war that is proposed to be just and is therefore about saving lives, we need to have clear, advanced ideas of how many lives might be lost in the process. Similarly, when the intervention is under way we need to keep track of how many are actually killed.

4) How many people have died in Iraq since the 2003 invasion?

No-one knows how many have died in Iraq, not even the governments concerned, because their efforts to find out have ranged from half-hearted to non-existent. Then Prime Minister Tony Blair stated over and over again that it was his belief that the Iraq War was a just war, fought to save lives. Indeed, on 19 March 2003, the eve of war, Blair announced in Parliament that:

“[Saddam Hussein] will be responsible for many, many more deaths even in one year than we will be in any conflict.”³

This was a claim for the proportionality of the proposed intervention. Yet it became immediately apparent that he had no real interest in gathering the evidence which would allow proportionality to be assessed. Even during the time when the UK was mandated by the UN as an occupying power, government spokespersons repeatedly went on the record with the statement that not only was Britain *not* going to record Iraqi civilian casualties, but it saw no *need* to do so.

This callous position horrified many, as was eloquently expressed in an open letter to the Prime Minister from fifty-three former British diplomats, dated 26 April 2004, which rightly stated that:

“It is a disgrace that the Coalition forces themselves seem to have no estimate [of the Iraqis killed by Coalition forces].”⁴

It has been largely left to citizen initiatives to enact the moral imperative here implied, such as the volunteer Iraq Body Count (IBC) project, which has accumulated details on nearly 90,000 publicly documented deaths to date. Last week (beginning 9 March), another 352 were added to that meticulously compiled total, built from day-by-day scanning of the outputs of hundreds of press and media sources.

More imprecise, sample-based surveys carried out in different ways and at different times have provided estimates ranging all the way up to 1.2 million.

The sheer weight of numbers overwhelms and numbs us. As Joseph Stalin is believed to have said, "One death is a tragedy; a million is a statistic". Losing the details of individual victims behind anonymous and easily disputed "expert estimates" dehumanises them, and contributes to a growing indifference to the truth. Iraqi dead have simply "ceased to count" for many of us.

5) Is there a legal requirement?

It is deeply shocking that there appears to be no requirement in any national or international law to establish a list of the dead, even when a country considers itself bound by the Geneva Conventions, which prioritise the protection of civilians and prohibits the targeting of them.

6) What can already be known?

Is the fulfilment of any such requirement feasible or practicable? This is not really the right question. If you *ought* to do something, then you *should* do something – whatever you can – regardless of how hard it is to accomplish. If the public and political will exists, then the resources can be found to do whatever it is possible to do.

But in fact the job is more feasible than it ever has been. Information gathering and information transfer has been transformed by modern technology, such as mobile phones, satellite, cheap PCs and the internet. Detailed data from the site of an atrocity can be on the other side of the world within minutes of the event happening. Powerful computer-based data-organisation systems can collate and systematise this data, compare different data sources and re-present it, analysed by time, place, category of victim or nature of weapon.

In fact, the web-based information already provided by the handful of IBC volunteers, with less than £20,000 per year in cash resources, already far exceeds the power, detail and immediacy of any casualty data available for many of the wars waged throughout history. Imagine what would be possible if even one government had devoted even modest resources to the task, perhaps instead of buying yet more cruise missiles.

7) It has been done!

For those who remain sceptical, there already exists remarkable proof of what can be accomplished. As of July 2007, there now exists a complete documentary list of every person killed in the Bosnian War of 1992-95. For each individual, this includes their name, biographical details, circumstances of their death, photographs, media reports, data from cemeteries, morgues and family records, all electronically linked and cross-referred. This is the *Bosnian Book of the Dead*, listing 97,207 individuals, civilian and military, Muslim and Christian, adult and child, killed during this three year conflict.

How did it come into existence? Primarily through the persistence and vision of one man, Mirsad Tokaca, a former war-crimes prosecutor, who founded an NGO called the Research and Documentation Centre of Sarajevo, and spent several years building the political and technical support for the task. With the help of a major grant from the Norwegian Government in 2004, he recruited a team of 150 researchers, who then spent three years visiting every home in the country, every church, every cemetery, every hospital, every newspaper and media network, gathering and collating all available documentation on the dead, to finally produce a list which has been accepted by the entire Bosnian people, of all ethnicities and backgrounds, as the one true, definitive list of the dead.

This is no dusty archive which will sit in a forgotten library. This is a resource for truth and reconciliation, which puts to an end the politicisation and corruption of casualty estimates by extremist elements using contested figures to foment hatred.

Tokaca and his team have travelled the country, giving presentations in village halls and community centres. These presentations have drawn communities together with profound cathartic effect. Grieving relatives have said that now, at last, others have recognised their loss and their story has been recorded. This is profound and necessary conflict resolution and conflict prevention work. There is no substitute for the detailed, person by person, truth.

8) This is needed for every conflict

In collaboration with a growing number of international partners (including the Bosnian Institute), Oxford Research Group started a new project in early-2007. Our goal is simple:

The identification and documentation of every individual killed or injured in armed conflict, universally and without exception, until a full, final and locally verified record of human losses is achieved.

We believe this is a concept whose time has come and which can command universal acceptance. Is there anyone who can stand up and say, "no, this shouldn't be done"? If they do say it, then they have to be proposing that their own loved ones lost in war do not deserve memorialising – because each human being is equal.

So the questions are primarily practical ones. How is it to be done? And how do we create the necessary political will? Our project has devised a strategy for doing this, which is outlined on our website at http://www.oxfordresearchgroup.org.uk/work/global_security/casualties.php.

For current purposes, however, the reason to share all this with you is to suggest that this growing realisation that such work must be done, for all, without exception, reflects a prevailing moral climate. A climate which actively embraces truth, justice, equality and, above all, peace. It is the same moral climate that generates abhorrence of global poverty and a realisation that if we use more of the world's resources than can be replaced, we are robbing our own brothers, sisters, children and grandchildren.

I do not really mind whether this is called pacifism or given some other label. Maybe it is better that it is not branded in such a way, for the term carries too much baggage from earlier times. Rather, it perhaps represents a slowly dawning but sure realisation that everyone on this earth is part of one nation, one family, and that the untimely violent death of one of that family diminishes us all. If we cannot stop this happening then the very least we can do is record it, so that for all time our ultimate failings may stare us in the face and hopefully stop some of us, some of the time, from resorting to the violence which exacts from others in the human family the ultimate price.

9) Notes and References

¹ More information on the conference is available at http://www.bbk.ac.uk/law/current/undergraduate/cumberland_1day_17march08.

² Dan Barry, "About New York; A New Account of Sept. 11 Loss, With 40 Fewer Souls to Mourn", *The New York Times* (29 October 2003), <http://www.nytimes.com/2003/10/29/nyregion/29ABOU.html?ex=1382763600&en=7dffe9bd896fcf16&ei=5007&partner=USERLAND>.

³ Hansard, 19 March 2003: Column 934, <http://www.publications.parliament.uk/pa/cm200203/cmhansrd/vo030319/debtext/30319-03.htm>

⁴ Graham Boyce et al, "Doomed to Failure in the Middle East", *The Guardian* (27 April 2004), <http://www.guardian.co.uk/politics/2004/apr/27/foreignpolicy.world>.

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