



Law of War Measures of Effectiveness

Getting Marines to Do the Right Thing

Major J. A. Lore, USMC
Professional Development Division, Marine Corps
University



Our Ethos

- ... it is the individual Marine who is responsible for winning on the battlefield and upholding the values of the Corps.
- Our most critical task is to make Marines who are ready to accomplish the mission and embody the qualities associated with the title “United States Marine.”

The Way Forward

James T. Conway

General, U.S. Marine Corps

Commandant of the Marine Corps



Why the Law of War still matters



- Then:

1-17 In small wars ... the goal is to gain decisive results with the least application of force and the consequent minimum loss of life.

In small wars, tolerance, sympathy, and kindness should be the keynote of our relationship with the mass of the population.

FMFRP 12-15 Small Wars Manual



Why the Law of War still matters



- Now:

7-37. Proportionality and discrimination applied in COIN require leaders to ensure that their units employ the right tools correctly with mature discernment, good judgment and moral resolve.

MCWP 3-33.5, *Counterinsurgency*



The Challenge

- “In the contemporary combat arena, the combat is far more complicated, complex and ambiguous than in traditional warfare ... combat will occur in urban centers and not on a battlefield, and civilians will be very much present.”

Amos N. Guiora

“Teaching Morality in Armed Conflict – The Israeli Defence Forces Model”

Case Western Reserve University, Working Paper 05-24, Aug 2005



The Reality

- “Having the mere rules isn’t sufficient. You have to have the leadership to back them up ...”

W. Hays Parks quoted in the book,
Facing My Lai



Assumptions

- Getting Marines/Sailors do to the right thing
 - Tangible (what do they know?) & Intangible (will they apply it?)
 - Can we isolate a causal link between quality/quantity of training and education and application?
 - knowing & applying are two distinct things
- Need a dedicated capability focused on processing MOE results & developing solutions
 - Marine Corps currently lacks deliberate assessment process beyond entry-level training
 - Missing a feedback loop to leverage the training & education systems
 - Make corrections/adjustments
 - In the schoolhouse
 - In-stride for deployed units



The Methodology

- Individual & Unit Measures of Effectiveness
- Provide feedback to commanders
 - Pre deployment
 - During deployment



Data Sources

- **Knowledge**
 - Written tests (multiple choice)
 - Performance at school house events
 - Targeted Surveys

- **Application**
 - Training & exercises
 - After Action Reports
 - Marine Corps Center for Lessons Learned
 - Certification (MEUSOC)
 - Evaluator Assessments (PTP, Mojave Viper, Desert Talon)
 - Commanding General's Inspection Program results

 - **Operations**
 - AARs
 - MCCLLs
 - Investigations (JAGMAN, Criminal, Detainee abuse mistreatment list (HQMC))
 - News reports
 - Law of War violation reporting requirement



Individual MOEs

- Web-based survey (multiple choice questions)
 - Near-term to establish baseline
- Pre-training and post-training multiple choice questions at various times during PTP
 - Include post BLOCK I & II training
 - Mojave Viper or MEUSOC certification
- Evaluator assessments during practical application (i.e., demonstrate detainee handling SOP during Mojave Viper or MEUSOC certification)



Unit Level MOEs

- Review Commander's Intent, Command Philosophy, operations orders, annexes and SOPs for law of war compliance
- Significant act reporting to HHQ
- Survey/evaluations of cross-section of personnel for knowledge/comprehension (CGIP-type item)
- Practical application (i.e., demonstrate detainee handling SOP during Mojave Viper, Desert Talon, or MEUSOC certification)