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Case Analysis on Cyberconflict

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When Donald J. Trump assumed the presidency of the United States on January 23, 2016, he inherited a plethora of ongoing conflicts, one of which was the enduring cyberwar raging throughout the world. The question remains, was the cyberwar that Trump inherited a “just” war to begin with. Cyberwar is not fought on a traditional battlefield and is not fought with traditional weapons. Instead, the war resides in cyberspace. The cyberwar is similar to traditional war in the fact that there are threats made, and measures taken to nullify these threats. However, in traditional war, a country may bomb an enemy country’s facility that is engaging in the development of weapons of mass destruction to hinder the development process, the war fought in cyberspace is more discreet. We must weigh the actions taken against the threats posed to determine the justification of any war. In this case analysis, I will argue that the ethical tool of Confucianism shows us that the cyber war Trump inherited was just, because it demonstrates the idea of “staying on a path” to make moral choices based on the consideration of the full situation and the people involved in it.

What is required for a cyber war to be just? Before we can determine what makes a cyber war just, we need to determine what justifies traditional war. We will look at an article by Michael Boylan titled "Can there be a Just Cyber War?". In this article traditional acts that would justify war are defined. Boylan states,

“Under the traditional paradigm, war is thought to be an aggressive act by one state against the territory or sovereignty of another state for the purposes of gaining land, resources, or strategic tactical advantage according to internationally recognized rules and constraints”. (Boylan, 2013)

Cyber war can follow along this same mindset. Countries can show an aggressive act in the cyber world by attacking vital infrastructure of a country to weaken that country either financially, physically, or both. That being said, some acts in the cyber world are done out of fear and assumption. It would be rare to call an act of war just if one country only feared that another country was going to attack it, and preemptively attacked that country. This would not be justified warfare. Instead, If a country made aggressive threats against another country and afterwards started producing weapons of mass destruction, the threatened country would have every right to defend itself by acting preemptively. Confucianism states that the way to “stay on the path”, and therefore to do good things, is to consider fully the situation and people involved in it. Also, that what is right for one person may not be right for another. There is no doubt that the citizens of North Korea think that they are following the path of Confucianism. Most are under the misconception that their leader can do nothing wrong, so every decision that is made by the “great leader” is the “right” and “just” thing to do. If both countries believe that their actions follow the teachings of Confucianism, why would trumps inherited cyber war be considered just? For this answer we simply need to look back at what Boylan says about traditional war. North Korea tends to make threats towards America and parade their military strength around for the world to see. This constitutes an aggressive act. The American military takes these threats seriously and thus, have the right to defend the country from such threats.

Confucianism talks about making the decisions that keep you on the path of doing good things. It also talks about respect and helping others act within their role. America’s actions against North Korea are a way of forcing North Korea to act within its role. Its role is that of a sovereign nation. Sovereign nation’s “role” should be one that is working for the betterment of the world, and America’s actions in the cyber war are attempting to make North Korea comply to this role. Boylan’s definition of what justifies a war and the actions of a nation in retaliation to such acts, place America’s actions, and by proxy, Trump’s inheritance of the cyber war justifiable.

To delve a little further into what makes cyber war justifiable we look at an article by Mariarosario Taddeo titled "An Analysis of Just Cyber Warfare". Taddeo explains cyber warfare as such,

“[Cyber] Warfare is [the warfare grounded on certain] uses of ICTs (information and communication technologies) within an offensive or defensive military strategy endorsed by a state and aiming at the immediate disruption or control of the enemy’s resources, and which is waged within the informational environment, with agents and targets ranging both on the physical and non-physical domains and whose level of violence may vary upon circumstances”, (Taddeo 2012)

Here, Taddeo mentions a defensive military strategy aimed at disruption of enemy’s resources as a main defining point of cyber warfare. One can look at America’s actions of attacking North Korea’s missile program as a necessary act of cyber warfare that is justifiable in the sense that, if America did not intervene and attack the missile program, the outcome would be more detrimental to the world than if they were left to their own devices. Thus, America’s actions are not only just, but they also follow along with the principles of Confucianism in that America is “helping” North Korea to be better on the world stage. Where North Koreans may not see that they need help being better, the general consensus of the world is that North Koreans military actions are not what is best for the world, so they may need help in seeing the error of their ways. Not only is America doing the right thing by attacking North Korea’s military operations in the cyber space, but they also have an obligation, if they are acting with Confucianism in mind, to the rest of the world to act in opposition to a threat that could potentially cause harm to other countries and be bad for the world.

Taddeo goes on to discuss Just War Theory and cyber war, citing three issues that deserve attention. One of the three is the idea of “more good than harm”. Confucianism also uses this idea in developing its principles. If an action by an actor would end up causing more harm than good, it is

necessary for another Confucius minded actor to take actions to steer the entity towards the correct path. We see that in the cyber war inherited by Trump.

Another Just War Theory principal Taddeo is “war as last resort”. Taddeo explains,

“The principle of ‘war as last resort’ prescribes that a state may resort to war only if it has exhausted all plausible, peaceful alternatives to resolve the conflict in question, in particular diplomatic negotiations.” (Taddeo 2012)

We have seen over the years that negotiations with North Korea have failed. We have used harsh military dialog along with sanctions to no avail. America’s cyber war tends to be the last resort to disabling the threat by causing the least amount of collateral damage. Again, America is acting justly in its cyber war efforts, and using the ethical tool of Confucianism by doing what is best for the whole of the world by forcing North Korea down the path of betterment.

In conclusion, Donald Trump inherited a tough situation with North Korea. He also inherited a tough resolution to the problem in the cyber war. When looking at the justification of the cyber war, we can see that the policies of America go hand-in-hand with traditional ideas of Just War Theory, in that America had exhausted all other options to a peaceful resolution, and that their offensive actions would cause more good than harm to the world. We also looked at the ethical tool of Confucianism that show us that America is taking its role in the world as one that would steer North Korea towards the correct path of “more good than bad” on the world stage. In this, American’s can rest assured that their offensive actions in the cyber war waged against North Korea and its missile program are just and necessary. However, it is yet to be seen if North Korea will turn to the right path and join the majority of the world in following the “good” path.

Works Cited

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