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Review Essay

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REVIEW ESSAY

WHAT IS VICTORY?

John B. Hattendorf

The Verdict of Battle: The Law of Victory and the Making of Modern War, by James Q. Whitman. Cambridge, MA: Harvard Univ. Press, 2012. 336 pages. \$19.95 (paperback; e-book \$29.95).

Understanding Victory: Naval Operations from Trafalgar to the Falklands, by Geoffrey Till. Santa Barbara, CA: Praeger, 2014. 248 pages. \$60 (e-book \$60).

How does one measure victory in combat operations? Is there a difference between victory ashore and victory at sea? These are certainly two fundamental questions about the nature and character of war that are worthy of careful reflection, but too often they become lost among vague assumptions. The two scholars who have taken up the challenge in these two volumes represent different academic disciplines and each looks at the subject through quite a different lens. While each volume makes a substantial contribution to the literature by itself, when read together they provide an even more interesting and provocative basis for the readers of this journal to think about victory, both in the past and in the future.

Dr. John B. Hattendorf is the Ernest J. King Professor Emeritus of Maritime History at the Naval War College. He joined the Navy in 1964 and served in uniform at the Naval War College in 1972–73 before returning as a civilian faculty member in 1977. He retired from the civilian faculty in September 2016. He is the author, coauthor, editor, or coeditor of more than forty books on British and American maritime history and naval warfare.

James Q. Whitman is Ford Foundation Professor of Comparative and Foreign Law at the Yale Law School. His book focuses mainly on the great land wars of the eighteenth century in Europe and in European colonies around the globe, and does not include naval warfare. In contrast, Geoffrey Till is professor emeritus of maritime studies at King's College London, and a distinguished naval

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historian and historian of modern strategic thought. His book is a set of four case studies from naval history that focus on single-warship operations in the context of four major naval events: the battle of Trafalgar in 1805, the battle of Jutland in 1916, the battle of Malaya in 1941, and the Falklands campaign in 1982.

It is useful to start with Whitman's book. Harvard University Press provocatively describes his volume as "an iconoclastic tour de force." Whitman shows that the concept of victory in battle has changed dramatically over time. He introduces his topic by quoting the description of the aftermath of the 1859 battle of Solferino written by Henri Dunant, the founder of the Red Cross and recipient of the first Nobel Peace Prize: "Anyone crossing the vast theatre of the previous day's fighting could see at every step, in the midst of chaotic disorder, despair unspeakable and misery of every kind" (p. 2).

Whitman then goes on to show that this mid-nineteenth-century pacifist's view of the pointless slaughter and misery of battle contrasts sharply with the view more widely held in history: that death in battle was a profoundly meaningful sacrifice in the process of larger contexts and struggles. Such efforts included maintaining principles of religion or law and order, redrawing borders, preserving hereditary legal rights, overthrowing regimes, or maintaining national or imperial survival. Whitman reminds his readers that in the past many writers described a pitched battle as a type of trial or legal proceeding—a lawful way to settle disagreements. In ancient times, battles could be fought separately from society—a farmer could be tending his fields peacefully while a battle took place nearby. In European medieval history, the result of a battle was seen as the judgment of God. Battle was viewed as a kind of legal ordeal staged to summon God to judge cases that humans were incapable of deciding on their own. This, Whitman points out, now seems utterly bizarre, when in the modern world we have come to view legal proceedings as a means to avoid violence. By the eighteenth century, the medieval view had developed into a concept of contractual settlement: solving international differences through the chance outcome that battle involved. Under this interpretation, a pitched battle was a way of limiting violence in war and preventing warfare from spilling over into the broader aspects of society. Although pitched battles involved the savage slaughter of hundreds or thousands of young men, limiting conflict to such crucibles of violence protected societies from worse forms of unlimited warfare. In this way, pitched battles avoided the attacks on general society involved in the indiscriminate violence of systematic pillaging, scorched-earth campaigns, carpet bombing, terrorist attacks, guerrilla warfare, and the like. The concept of the pitched battle, Whitman argues, was a more effective means of civilizing warfare than what is available to

us today, when lawyers argue about *jus ad bellum* and *jus in bello*. While these modern concepts are intended to humanize warfare, they strictly forbid limiting war by consensual battle, providing for the use of war only in cases of self-defense and extreme necessity.

Whitman deals with his subject in six chapters.

- In “Why Battles Matter,” he establishes that eighteenth-century pitched battles were a meaningful and lawful means of establishing rights and settling disputes. This concept broke down in the mid-nineteenth century in the American Civil War and the Franco-Prussian War, when its eighteenth-century legal meaning became lost.
- In “Accepting the Wager of Battle,” he argues that the eighteenth-century concept had nothing to do with Clausewitzian concepts of battle or with the culture of dueling, but rather with the minds of eighteenth-century kings—a battle could gain or lose a kingdom.
- In “Laying Just Claim to the Profits of War,” Whitman shows that warfare in the eighteenth century, as in earlier times, was about dividing up claims to territory in the tradition of the ancient just war theorists and insisting that a legal pretext be given for war. What was different in the eighteenth century was that only kings retained the practical power to go to war to settle their differences.
- In “The Monarchical Monopolization of Military Violence,” Whitman explains that often in history wars have been waged to assert or deny legitimacy to political powers. Agreeing with Max Weber, Whitman writes that “the sovereign is one who can succeed in claiming the right to exercise unrestrained violence” (p. 171).
- In “Were There Really Rules?,” Whitman agrees that the eighteenth century was an era of exceptionally restrained warfare, although it saw actions such as the unusually bloody battle of Malplaquet in 1709 during the War of the Spanish Succession; the clash produced some 32,000 casualties. Although the Duke of Marlborough and his allies lost nearly twice as many men as the French, contemporaries judged the former the victors because they retained possession and full control of the battlefield, which their enemies ceded.

In making his point, Whitman points out that the analogy of wars to games, while an attractive one, is highly misleading. Games have rules that must be obeyed; war does not. In looking at the eighteenth century, Whitman concludes that the practice of limited warfare in that era showed that victory in warfare succeeded in shaping the conduct of war and its results in a way

that the simple implementation of force did not. The law of victory is seen in battles such as Chotusitz in 1742 and Yorktown in 1781, making warfare more controlled and decisive than what came before or after.

- In Whitman's final chapter, "The Death of Pitched Battle," leading up to his conclusion, he discusses the rise of the "great battle" theory and the way in which it eclipsed the earlier idea that God, fortune, or chance ruled human events. In the romantic era of the early nineteenth century, chance became a factor that a genius could control, rather than being the basis for a legal doctrine of war. In this context, the idea of battles as grandiose pivotal events in world history gained traction, eclipsing the concept at work during the eighteenth century.

There is much to learn from understanding the changed conceptions of victory in warfare. Today it is not victories in battle that are seen as world-changing events; instead, change is created by broader underlying structural forces, such as economics. Pitched battles do not often occur in the modern world; but as a result, Whitman notes, it has become hard to bring our wars to an accepted conclusion. The modern victors tend to make claims to limitless rights. Reflecting on the issues of our time, Whitman concludes: "We need a law of victory that can help us cut deals and end wars without insisting that every victory must end in a great triumph for the historic cause of democracy" (p. 260). At the same time, he cautions: "Wars enter their most dangerous territory when they aim to remake the world, and the same is true of lawyers" (p. 262).

Geoffrey Till takes a completely different approach to understanding naval victory. His objective is to analyze what has changed and what has not changed in the successful conduct of naval warfare over the past two hundred years. In examining his four chosen naval battles or campaigns, he concentrates on the role of a particular ship in each campaign, purposefully selecting a ship that does not come to mind immediately when one recalls the battle. In doing so, he is well aware that a superficial glance at his book might lead an observer to conclude that his focus on battle and little-known individual ships might be considered *passé* or even perversely antiquarian.

For that reason, he takes time to explain that his approach is a multilayered one that presents his subject in a manner that provides an unusual, but highly effective, light on the changing character of naval warfare. In doing this, Till points out factors that are very useful for modern naval planners to consider regarding what generally has worked and what has not worked out over time and in differing technological circumstances. To make his point, he systematically applies

a set of eleven perspectives to use in evaluating each of the cases: (1) strategic design, (2) technological advantage, (3) command and leadership, (4) organizational efficiency, (5) training, (6) intelligence, (7) concept of operations, (8) battle awareness, (9) maneuverability, (10) firepower, and (11) resilience.

Using these criteria, Till produces a set of superb, detailed analyses of the actions. The four studies vary in length from thirty-four to fifty pages and are based on careful examination of the detailed literature on each topic. Each study stands alone as a separate battle analysis. “On the face of it, these four ship battles were very different because of their unique circumstances, their very different technologies, and their disparate geographic and chronological settings. But they did have things in common, most obviously, in that they *mattered*. . . . [They] conveyed important messages and had important consequences. These battles had decisive effects, for good or ill” (p. 189).

In a most interesting section of his conclusions, the author reveals that the book had its origins in the late-1990s era of “transformation” and the concept of the revolution in military affairs that went along with it. He reminds readers that the most vocal proponents of that concept often gave the impression that nothing in the past held any relevance for the future; however, their own statement in *Joint Vision 2020* suggested that there was much more to transformation and to the ability to prevail in combat than mere technological advantage. Till agrees that naval operations are much more complicated than a matter of mere technological advantage, and this explains the long gestation period for this book.

With the thought in mind that naval operations are so highly complex, Till modestly hesitates to make any simple generalization about the factors that led to naval victory in the four cases at hand; he leaves it up to his readers to reach their own conclusions. But he does offer great insight.

While each battle encounter is unique in its own way, two general factors must be kept in mind. Technological advantage is important, but faulty strategic design clearly can shift the balance and lead to operational and tactical defeat. At the level of operational enablers, technological advantage also plays a role, but at this level it can also be undercut by faulty command and leadership capacity; while styles in leadership may differ, clarity in aim and in relative responsibility is essential. There is also a critical need to strike a balance between centralized direction and delegated control. In this, modern communications need to ensure that subordinates in the thick of a fight can make their needs known to their superiors. Furthermore, military success is dependent on effective organization and efficient supply, which, in turn, are reflections of national economic strength, industrial capacity, and military support systems. Effective training for combat operations is always a critical factor, but the historical examples studied here lead

one to wonder why training levels can vary so much, even within a fleet. A reader may well conclude that this turns on both leadership and the opportunities that are made available at the individual ship and unit level.

Till points out that a “commander’s concept of operations translates strategic enablers into battle deliverables. To be effective, the concept needs to be consistent with, and supportive of, national aims; realistic in terms of means available . . . and effectively implementable by the commander’s subordinates” (p. 194). Battle awareness, he points out, is simply the tactical expression of strategic and operational intelligence, but intelligence is the key element in achieving surprise, whether it be tactical, operational, or strategic. Thus, an effective concept of operations is an essential precondition to success in naval warfare.

In his final analysis, Till concludes that, among his eleven perspectives, no single one is paramount in importance; all contribute to and are affected by the others in varying degrees that depend on the situation.

These books by James Whitman and Geoffrey Till look at different issues in their examination of the meaning of victory and military success, but both are very fine examples of the varying ways in which the study of history can bring enormous insight and understanding to the changing nature and character of war while also being a corrective to an overreliance on new technology. Both provide us with a balanced understanding based on a deeper perspective on what has changed and what has not changed in warfare. As Till eloquently concludes his volume, “To be useful, history needs to be accurate, objective, dispassionate, and scientific in its pursuit of truth, rather than merely a past invented to provide cohesiveness and purpose to its inheritors” (p. 199). This reviewer wholeheartedly agrees.