

May the IHL be with You...  
*Star Wars* vs. Real Wars-The Rebellion vs. Guerrilla Movements  
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**Introduction:**

Pop-culture often reflects interpretations (often misconceptions) of reality, be it in a fantasy setting or in the streets of New York. Pop-culture also depicts institutions such as war, its representation varying in content and scope. The original *Star Wars* trilogy is at the height of globally influential media and thus its representation of war can be analyzed towards the goal of whether the films' Rebel forces either adhere or diverge from the rules of war in reality. Millions are exposed to the idea of "Rebel forces" as being "just" in their conflict against the "Empire" in *Star Wars*, overcoming the Empire's exponentially large military and tyrannical weapons that they deploy, such as the Death Star<sup>1</sup>. In reality, rebels take the form of guerrilla groups, often fighting in intrastate warfare, and are held accountable to war law. While the question of just methods of war is never debated in the films, analyzing the *Star Wars* films along with real world examples of guerrilla and rebel actions can be done to better understand war law in the context of pop-culture and societal discourse.

The question of this research is important due to the fact that *Star Wars*' mass amount of fandom and popularity makes it an ideal choice to explore war in pop-culture in comparison to reality. Popular among all ages across the globe, *Star Wars* is highly influential with its rich cast of characters, mythology, and ground breaking cinema technology. Many also associate the films representations of groups and characters as either "good" or "evil," epitomized by the entire conflict of the Originals centered on "The Empire" vs. "The Rebels", a rag-tag group of do-gooders facing insurmountable odds against a full-fledged galactic military might. Hence Rebel conduct in warfare can be interpreted by the viewer as "good", an example of just combat compared to the evils of the Empire. While such a mindset is understandable in the science fiction genre, the idea of the "Good Rebellion" also trickles down into public perceptions where "Rebel" can often be associated being part of a noble cause. Yet one doesn't see such positivity contained in "guerrilla" or "insurgency," currently used to term rebel groups and their fighting styles. Such ideas on guerrilla/rebel warfare in intrastate conflict are significant in a time when such wars are extremely common compared to the international wars before the late 20<sup>th</sup> century. Exploring war law in the context of *Star Wars* and the level to which it holds in terms of Rebel conduct is essential in understanding how rebels/guerrillas and war are perceived in public discourse.

The main method of data gathering for this paper was through viewing the three films and obtaining the screenplays for coding. Scenes depicting potential interactions and subsequent actions that were either in compliance or refusal of relevant war law was specified in the coding, along with noting the frequency of the interactions and action codes, done to fully analyze the extent to which the depictions of Rebel forces in *Star Wars*.

My analysis shows that the Rebels in *Star Wars* abide to war law in some cases but not all, including certain tactics that would be considered grave violations. While

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<sup>1</sup> Kevin S. Decker, "By Any Means Necessary," *Star Wars and Philosophy* (Chicago, Open Court, 2005), 169

Rebels would generally follow law dictating accepted uniform and bearing of arms, the Rebels would frequently harm civilians in the majority interactions as well as show disregard towards civilian property that would be deemed culturally or religiously significant, violations specifically of Articles 13 and 16 of the Additional Protocol II<sup>23</sup>. The data from the films is then compared and contrasted to the actual conduct seen in reality of how rebel movements pursue their combat goals and how these goals either infringe or stay within the bounds of war law.

The structure of this paper includes an introduction, noting the focus of the paper as well as its significance. The paper delves into the background of both guerrilla/irregular combatants and their relations to war law as well as how popular discourse can be greatly shaped by pop-culture. A section discussing the research findings and implications for popular understanding and real world consequences regarding rebel combatants is also included. The methodology of the research done is explained and its significance to the research, the codebook and its results available in Appendix I. The following section is then devoted to discussing the findings of the coding and its real world implications, for both actual irregular/guerrilla combatants and popular discourse. Finally there is a conclusion summarizing the findings of the paper along with lasting issues and further research that could be done to improve the research question being addressed in this paper.

### **Background and Significance:**

Important to this paper is the role that pop-culture plays in popular discourse regarding political topics, especially that of war. Previous studies regarding the impact of television shows on popular discourse have shown that there is a clear correlation that the topics depicted on screen have a significant influence on the audience, displayed prominently in a study where viewers of the television show *CSI* expressed more critique against forensic evidence used in court compared to non-viewers<sup>4</sup>. Similar affects of television programs have also been explored with the issue of the use of torture by lead characters in the popular television show *24*, the series being found to shape discourse of both the American government and the general public towards torture<sup>5</sup>. Pop-culture has also allowed the application of political ideologies and concepts to the frameworks of television series or films, evident in the work of Jutta Weldes regarding popular television series such as *Star Trek* and *Buffy the Vampire Slayer*<sup>678</sup>. While such studies do not pertain directly towards intrastate war, the impact of pop-culture on this genre of

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<sup>2</sup> ICRC, "Victims of International Armed Conflicts (Protocol II), 8 June 1977," *International Humanitarian Law - Treaties & Documents*, June 8<sup>th</sup>, 1977; available at [www.icrc.org/ihl.nsf/WebList?ReadForm&id=475&t=art](http://www.icrc.org/ihl.nsf/WebList?ReadForm&id=475&t=art).

<sup>3</sup> Ibid.

<sup>4</sup> N.J. Schweitzer & Michael J. Saks, "The *CSI* Effect: Popular Fiction about Forensic Science Affects the Public's Expectation about Real Forensic Science," *Jurimetrics* 47, (2007), 357.

<sup>5</sup> Dahlia Lithwick, "The Ficiton Behind Torture Policy," *Newsweek* 152, (August 2008), 11.

<sup>6</sup> Jutta Weldes, "Globalisation is Science Fiction," *Millennium-Journal of International Studies* 30, (2001), 647.

<sup>7</sup> Jutta Weldes, "Going Cultural: Star Trek, State Action, and Popular Culture," *Millennium-Journal of International Studies* 28, (1999), 117.

<sup>8</sup> Christina Rowley & Jutta Weldes, "'I choose to feel threatened': Performing In/Security in *Buffy the Vampire Slayer*," *Conference Papers-International Studies Association*, (2008), 1.

warfare has been noted as significant in the general public understanding of war and its representation in the media, as stated by Beaumont<sup>9</sup>. He notes that films since the 1940's have displayed insurgent movements as "underdogs" deserving the viewer's sympathy<sup>10</sup>. Such imagery and emotions have carried over into other films portraying rebel movements, *Star Wars* evidently being one of such films.

*Star Wars* has been pervasive in popular discourse towards rebellion and insurgency as well. While interpretations of the films are numerous, many often citing the representation of fascism in the Empire and the struggling heroic Rebellion fighting such evil, current disc, public discourse in *Star Wars* regarding war law has shifted in regards to the conduct of the Rebels against the Empire<sup>11</sup><sup>12</sup>. Several sources have made comparisons to the Rebellion and the insurgencies of Afghanistan and Iraq. In one blog, two contributors discussed whether the Rebellion was conducting proper insurgency tactics, with the initial poster claiming that the pursuit of conventional war tactics against the Empire undermined the Rebels aims to win the war, that insurgent strategy was a course that made sense for such a small mobile military force compared to the vastness of the Empire<sup>13</sup>. Two respondents declared that the Rebels must take on a form of conventional tactics when one considers the vastness of space and the calculated attacks against the Empire, the Rebels did in fact employ asymmetric warfare to the greatest extent that they could, especially given the fact that the Empire had a weapon such as the Death Star deployed to wipe out entire planets<sup>14</sup>. The concept of space and the conduct of an insurgency were also echoed in another blog post, as the author notes that without a 'natural environment' for the success of an insurgency to be based upon, conventional warfare was unavoidable for the *Star Wars* Rebels<sup>15</sup>.

Further application of *Star Wars* in popular discourse regarding war is also seen in an analysis by a blogger "Joe", who recognizes, like the previous blog examples, that the Rebels mainly use conventional warfare to combat the Empire<sup>16</sup>. Unlike the previous bloggers though, "Joe" does point out that the primitive Ewoks use of insurgent tactics against the Empire was extremely successful, perhaps more than the conventional battle seen on the planet Hoth in *The Empire Strikes Back*<sup>17</sup>. "Joe" also notes that insurgencies and similar rebel movements, if successful, are subsequently left in a stagnant state of

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<sup>9</sup> Roger Beaumont, "Small Wars: Definitions and Dimensions," *Annals of the American Academy of Political and Social Science* 541, (September 1995), 28.

<sup>10</sup> Ibid.

<sup>11</sup> Adam Roberts, "The Fascist font of Star Wars," *The Valve*, June 22<sup>nd</sup> 2006; available at [http://www.thevalve.org/go/valve/article/the\\_fascist\\_font\\_of\\_star\\_wars/](http://www.thevalve.org/go/valve/article/the_fascist_font_of_star_wars/).

<sup>12</sup> CaptIsaacDavis, "Star Wars and neo-Nazis: George Lucas' Empire Gets Its Revenge," *Free Republic*, July 5<sup>th</sup> 2005; available at <http://www.freerepublic.com/focus/f-news/1437255/posts>.

<sup>13</sup> Graeme McMillian, "Did Leia Understand How To Win The (Star) War?" *io9*, September 1<sup>st</sup> 2009; available at <http://io9.com/#!5350220/did-leia-understand-how-to-win-the-star-war>.

<sup>14</sup> Ibid.

<sup>15</sup> Adamphaley, "Star Wars and Counter Insurgency: Appliance of COIN doctrine with regards to the Rebel Alliance," *Weapons of Media Destruction*, November 1<sup>st</sup>, 2010; available at <http://adamphaley.wordpress.com/2010/11/01/star-wars-and-counter-insurgency-application-of-coin-doctrine-with-regards-to-the-rebel-alliance/>.

<sup>16</sup> Joe, "Star Wars and COIN," *Afghan Outsider*, March 20<sup>th</sup>, 2011; available at <http://afghanoutsider.wordpress.com/2011/03/20/star-wars-and-coin/>.

<sup>17</sup> Ibid.

“what’s next” with the once authoritative structure now in shambles from the conflict, while *Star Wars* the Rebel “insurgency’s” victory and peace are achieved by the “defeat” of evil<sup>18</sup>. Something so simple in fiction cannot result in reality, this notion being cleverly parodied in a *Star Wars Robot Chicken* clip<sup>19</sup>.

Both past and present internal conflicts and the law pertaining to them must be acknowledged for the further analysis of *Star Wars*. Addressed in war law through the Additional Protocol’s introduced in 1977, intrastate warfare, usually resulting in irregular groups using guerrilla tactics, has become a staple of much of the modern warfare observed today. With conventional armies often facing insurgent groups, such as the United States conflict with the Taliban, guerrilla/irregular warfare and the war laws associated with it are extremely relevant when discussing the current conduct of warfare. To analyze the Rebel conduct in *Star Wars* it is essential that the variability of guerrilla/irregular conduct be analyzed for sufficient comparison between fiction and reality.

Intrastate conflicts have become widespread since World War II, as the costs of international war, both militarily and politically, have become precariously high<sup>20</sup>. This change has made many world powers conduct war in proxy states or with intrastate war arising from ethnic or political conflict<sup>21</sup>. While the internal wars of today have been predominately fought by insurgencies against international coalition forces, war law regarding internal wars was initially introduced to address liberation movements against colonial forces<sup>22</sup>. Such intrastate conflicts were defined as national liberation movements, characterized by indigenous members of a state rising up against institutionalized oppression to remove power from those with current political authority and institutionalize indigenes ideologies into the system<sup>23</sup>. While these cases of internal conflict set the precedent for the Additional Protocols of the Geneva Convention and for the majority of law regarding intrastate war, episodes of conflict such as the Vietnam War, the Soviet invasion of Afghanistan and rise of the Mujahedeen, and the present United States involvement in Afghanistan and Iraq have displayed war characterized with irregular insurgent forces culpable of violating war law, such as willful killings and inadequate detainment of prisoners<sup>242526272829</sup>.

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<sup>18</sup> Ibid.

<sup>19</sup> Seth Green (et al.), “Robot Chicken: Robot Chicken: The Rebels Won,” *Robot chicken: Star Wars Episode II*, November 16<sup>th</sup> 2008; available at [http://www.youtube.com/watch?v=mAOX\\_CHU0JY](http://www.youtube.com/watch?v=mAOX_CHU0JY).

<sup>20</sup> Antonio Cassese, “The Status of Rebels under the 1977 Geneva Protocol on Non-International Armed Conflicts,” *The International and Comparative Law Quarterly* 30, (April 1981), 416.

<sup>21</sup> Ibid.

<sup>22</sup> David P. Forsythe, “Legal Management of Internal War: The 1977 Protocol on Non-International Armed Conflict,” *The American Journal of International Law* 72 (April 1978), 281.

<sup>23</sup> Amechi Uchegbu, “Armed struggle for national liberation and international law,” *African Review* 7, (1977), 65.

<sup>24</sup> Anthony Oberschall, “Terrorism, Counterinsurgency, and the Laws of War,” *Conference Papers-International Studies Association*, (2007), 1.

<sup>25</sup> Charlotte Carr-Gregg, “An Extension of Humanitarian International Law: the Case of Soviet Soldiers Captured by Afghan Liberation Movements, 1982-1986,” *War & Society* 7, (September 1989), 95.

<sup>26</sup> Ellen O’Connell, “Soviet Prisoners in the Afghan Conflict,” *Columbia Journal of Transnational Law* 23, (1985), 499.

<sup>27</sup> Peter Maass, “Willful Killing,” *Crimes of War 2.0* (New York, W. W. Norton & Company, 2007), 428.

An aspect of irregular/guerrilla forces that has been brought up many times in literature is that such forces during an internal conflict often violate war law by inflicting casualties upon civilian populations and subsequently violating International Humanitarian Law in the process<sup>3031</sup>. These violations are done by such groups through the tactical employment of terrorism to meet objectives for military success, an example being gaining fear from killing the opposing side's civilian population<sup>323334</sup>. The unlawful conduct of actions such as targeting civilian infrastructure that is vital to survival or culturally relevant has also been observed by irregular/guerrilla groups, violation of Article 16 of Additional Protocol II of the Geneva Conventions, along with troop placement in civilian residential areas to impede attacks from opposing forces<sup>3536</sup>. Further violations of law have been towards uniform regulation, as critics of irregular/guerrilla conduct have stated that many movements do not adhere to a strict designation to distinguish them as military personnel compared to the civilians around them<sup>3738</sup>. Thus it is no surprise that there is an ill established understanding of the intricacies of the conduct and pertaining law towards irregular/guerrilla warfare, further highlighted by the proceeding argument refuting the use of terrorist strategies by rebel groups.

War law can continue to be expanded upon regarding irregular warfare's use of uniform and perfidy and be applied to the Rebel conduct in *Star Wars*. Uniform law is significant in irregular warfare as such combatants can often blend in with civilians for tactical advantages as well as wear the uniform of enemy combatants to gain battlefield

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<sup>28</sup> Charlotte Carr-Gregg, "An Extension of Humanitarian International Law: the Case of Soviet Soldiers Captured by Afghan Liberation Movements, 1982-1986," *War & Society* 7, (September 1989), 100.

<sup>29</sup> ICRC, "Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977," *International Humanitarian Law - Treaties & Documents*, June 8<sup>th</sup> 1977; available at [www.icrc.org/ihl.nsf/WebList?ReadForm&id=475&t=art](http://www.icrc.org/ihl.nsf/WebList?ReadForm&id=475&t=art).

<sup>30</sup> Michael Skerker, "Just War Criteria and the New Face of War: Human shields, Manufactured Martyrs, and Little Boys with Stones," *Journal of Military Ethics* 3, (January 2004), 31.

<sup>31</sup> Geert-Jan Alexander Knoops, "The Transposition of Superior Responsibility onto Guerrilla Warfare under the Laws of the International Criminal Tribunals," *International Criminal Law Review* 7, (April 2007), 510.

<sup>32</sup> Klaus Knorr, "Unconventional Warfare: Strategy and Tactics in Internal Political Strife," *Annals of the American Academy of Political and Social Science* 341, (May 1962), 56.

<sup>33</sup> William V. O'Brien, "The Rule of Law in Small Wars," *Annals of the American Academy of Political and Social Science* 541, (September, 1995), 43, 45.

<sup>34</sup> Bert V. A. Röling, "The Legal Status of Rebels and Rebellion," *Journal of Peace Research* 13, (1976), 157-158.

<sup>35</sup> Michael Skerker, "Just War Criteria and the New Face of War: Human shields, Manufactured Martyrs, and Little Boys with Stones," *Journal of Military Ethics* 3, (January 2004), 29-30.

<sup>36</sup> Ellen O'Connell, "Soviet Prisoners in the Afghan Conflict," *Columbia Journal of Transnational Law* 23, (1985), 500.

<sup>37</sup> Geert-Jan Alexander Knoops, "The Transposition of Superior Responsibility onto Guerrilla Warfare under the Laws of the International Criminal Tribunals," *International Criminal Law Review* 7, (April 2007), 510.

<sup>38</sup> G.I.A.D. Draper, "The Status of Combatants and the Question of Guerilla Warfare," *British Yearbook of International Law* 45, (1971), 202-203.

precedence, war law addressing such uses of uniform as unlawful<sup>3940</sup>. Such actions not only put civilian lives at risk, but also give irregulars combative advantages over their enemies that are considered “unjust” and violations of war law. Perfidy is also considered to be a significant violation of war law and has a considerable strong norm against it, as both the Additional Protocol I Article 37 and ICC have codified and consider the action of perfidy as unlawful, as the use of false surrender or injury can gain a treacherous advantage against an unsuspecting enemy, a tactic extremely useful to the asymmetrical warfare that irregular/guerrilla forces usually appertain to<sup>4142</sup>.

While the previous overview of features and critiques of irregular/guerrilla combat have shown clear violations of war law, much of it pertaining to the treatment of civilians and violation of uniform law, others have stated that rebel groups in fact adhere, to their benefit, laws pertaining towards civilian treatment. Knorr and Wood agree that aiding civilians in an internal conflict allows rebels to gain political and combative advantage, through civilian aid for logistical and recruitment purposes<sup>4344</sup>. This in turn prevents terrorist actions by rebel groups due such conduct being counterintuitive to the war effort’s success<sup>45</sup>. With the notions put forth in the previous paragraph, it is crucial to note that there is varying degrees of analysis and conclusions toward irregular/guerrilla conduct, thus displaying the differences of discourse regarding the subject. These variations in adherence or violation of war law can be argued to depend upon the nature of the rebel group and conflict, as well as the level of education in terms of war law that irregulars/guerrillas have can shape their conduct in war<sup>4647</sup>.

### **Methodology:**

In order to begin the process of coding, the codes were initially formulated from viewing the trilogy and examining relevant war law that could be applicable to the conduct of the Rebels. The codes were generally broken up into two sections, one on the basis of interaction with law relating to a code and the other being whether the Rebels adhered or violated the law relating to that interaction. There are only two codes that do not pertain to the outline previously mentioned, these codes being “Perfidy” and “Rebels

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<sup>39</sup> Ewen Allison, “Irregulars,” *Crimes of War 2.0*, Crimes of War Project; November 2007, available at <http://www.crimesofwar.org/the>

<sup>40</sup> ICRC, “Rule 62. Improper Use of the Flags or Military Emblems, Insignia or Uniforms of the Adversary,” *ICRC: Customary IHL*, available at [http://www.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule62](http://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule62).

<sup>41</sup> ICRC, “Rule 65. Perfidy,” *ICRC: Customary IHL*, available at [http://www.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule65](http://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule65).

<sup>42</sup> Michael N. Schmitt, “Asymmetrical Warfare and International Humanitarian Law,” *International Humanitarian Law Facing New Challenges* (Berlin, Springer, 2007) 29-31.

<sup>43</sup> Klaus Knorr, “Unconventional Warfare: Strategy and Tactics in Internal Political Strife,” *Annals of the American Academy of Political and Social Science* 341, (May 1962), 63.

<sup>44</sup> Elisabeth Jean Wood, “Armed Groups and Sexual Violence: when is Wartime Rape Rare?” *Politics & Society* 37, (March 2009), 141-142.

<sup>45</sup> Klaus Knorr, “Unconventional Warfare: Strategy and Tactics in Internal Political Strife,” *Annals of the American Academy of Political and Social Science* 341, (May 1962), 56.

<sup>46</sup> Daniel Muñoz-Rojas and Jean-Jacques Frésard, “THE ROOTS OF BEHAVIOUR IN WAR: Understanding and Preventing IHL Violations,” *International Committee of the Red Cross*, (October 2004), 8.

<sup>47</sup> Elisabeth Jean Wood, “Armed Groups and Sexual Violence: when is Wartime Rape Rare?” *Politics & Society* 37, (March 2009), 139-140.

Representing Freedom”, done so due to their low frequency yet significant importance as a clear war law violation and influential role in popular discourse respectively. Once the code scheme was completed, based on criteria applicable to guerrillas/irregulars and popular discourse, it was then applied to the final drafts of each film script. Deleted scenes were not applicable for coding, only those that corresponded to what was actually shown in theaters and on home video. The scripts were retrieved from an online screenplay database site and copied and inserted into individual Microsoft Word documents as a sufficient platform for analysis. Once that process was complete, the scripts were read and coded through the “insert comment” feature on Microsoft Word, allowing the code(s) to be written in association to a specific Rebel action as well as a memo section to provide commentary on the scene. The coding was followed by the counting of the number of occurrences for each code and its related “sub-codes”, done to display the frequency of Rebel adherence or violation towards the coded laws and thus provide a framework under which the research question could be sufficiently answered.

The coding, once entirely completed, provided a robust set of empirical data on Rebellion conduct. While the coding may have been designed so that the codes only displayed Rebellion violation of war law, it was also created in a way that would provide equal opportunity for Rebellion “interactions” to fall in either adherence or violation codes, mirroring the Rebellion’s real world counterparts of guerrillas/irregulars who also face similar situations in war. By observing what course the Rebels take on certain interactions and the frequency to which certain decisions are made, implications of parallel or divergent characteristics shared by both real world and fictional rebels were able to be made. This allowed the research question to be answered in a way that can analyze the cultural depictions of Rebels and how such portrayals may or may not accurately represent real guerrilla/irregular combatants. With codes such as “Rebels Representing Freedom,” the relevance of how the depictions made in *Star Wars* has impacted popular discourse on both war and the law that accompanies it can be analyzed in sufficient detail. Appendix (I) contains the codebook for further reference.

### **Findings:**

The coding results were rather interesting as the counts of each code were able to display the frequency of Rebel conduct. The results have been varied in terms of whether or not Rebel conduct in the *Star Wars* films abides to war law and norms. While the “Rebels Representing Freedom” code expresses the fact that the films attempt to frame the Rebellion as a “just force”, the codes “Religion and Culture” and “Civilian Interaction” show that the Rebels do not comply with basic humanitarian law during war. Rebels were prone into taking advantage of civilian religion and culture to assist in the war effort, evident in the way that the culturally significant Massassi temples on Yavin IV (*A New Hope*) were used as bases of operation as well as the influencing of a civilian Ewok tribe into participating in the Rebel conflict by using C3PO’s status as a religious deity to make logistical and military demands of the Ewoks, both examples clear violations of Article 16 of the Geneva Conventions Additional Protocol II<sup>48</sup>. Whether the Ewoks would eventually rise against the encroaching Imperials is up to speculation,

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<sup>48</sup> ICRC, “Part IV: Civilian Population,” *ICRC: International Humanitarian Law-Treaties and Documents*, June 8<sup>th</sup> 1977; available at <http://www.icrc.org/ihl.nsf/WebART/475-760022?OpenDocument>.

yet Luke forcing C3PO to act as form of authority when known to be seen as a religious deity coerced the Ewoks into military action.

While the Rebel's generally adhered to law regarding uniform and distinction (with some exceptions) due to the fact that their weapons were generally in plain view to distinguish themselves from noncombatants, it seems that there is a pattern in the data that suggests that Rebels are ignorant of lawful conduct in their interactions with civilians<sup>4950</sup>. This is apparent in a scene that was coded with "Looking Bad" and "Civilian Harm," with the Rebels mingling with the escaping Cloud City residents from Imperial troops, their uniforms akin to the civilians around them not impacting their goals, even with the knowledge that civilians could be killed in the crossfire with Imperials. The Rebels also donned Stromtrooper armor to confuse and kill unsuspecting Imperial guards in order to save Princess Leia aboard the Death Star, applicable to the "Looking Bad" code as well as actual uniform law regarding such conduct. Another relatively questionable code was that of "Civilian Harm" being applied to the death of crime boss Jabba the Hutt. I would argue that Leia had no purpose in killing Jabba due to the fact that at that moment he posed no physical threat and was incapable of harming Leia due to his physical condition and being unarmed. R2D2 was more than capable of releasing Leia from her chains which makes the choking of Jabba being gratuitous and an episode of willful killing. The subsequent destruction of Jabba's sail barge, killing his guards along with civilian entertainers and bystanders, is an action that allowed the application of the code "Civilian Harm" along with "Lawful Proportions," as the excessive killing of all those on the yacht, combatant or not, is disproportional under IHL<sup>51</sup>.

What was unexpected from the coding results was that the Rebels employed the use of perfidy as battlefield tactic, with the actions of a false surrender being done as a way to launch a surprise attack. While these moments give the Rebels an advantage, such as the surprise Ewok attack from a false surrender, breaking the strong norm against perfidy, signified by the International Criminal's Court's defining of it as a war crime in internal conflicts, has the use of such strategies as unlawful and questions the "justness" of the Rebel war effort as a whole<sup>52</sup>. Interestingly acts of perfidy have been noted in the Iraq War, as the technologically advanced coalition forces required insurgents to use such tactics for a greater battlefield advantage, echoing the Rebel/Ewok strategy against the might of the Empire<sup>53</sup>.

The findings from the data show that fiction has the ability to skew the public's understanding of reality, as seen in prior studies regarding pop-culture and public discourse. The importance of pop-culture in public understandings, especially in regards to war conduct, is apparent in the ICRC's efforts in promoting norm and war law

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<sup>49</sup> ICRC, "Rule 1. The Principle of Distinction between Civilians and Combatants," *ICRC: Customary IHL*, available at [http://www.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule1](http://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule1).

<sup>50</sup> ICRC, "Rule 62. Improper Use of the Flags or Military Emblems, Insignia or Uniforms of the Adversary," *ICRC: Customary IHL*, available at [http://www.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule62](http://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule62).

<sup>51</sup> ICRC, "Rule 14. Proportionality in Attack," *ICRC: Customary IHL*, available at [http://www.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule14](http://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule14).

<sup>52</sup> ICRC, "Rule 65. Perfidy," *ICRC: Customary IHL*, available at [http://www.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule65](http://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule65).

<sup>53</sup> Michael N. Schmitt, "Asymmetrical Warfare and International Humanitarian Law," *International Humanitarian Law Facing New Challenges* (Berlin, Springer, 2007) 29-31.

adherence by dissemination through stage, music, and film performances in all parts of the world, especially those susceptible to internal conflict<sup>54</sup>. As noted, the Rebels are made out to be the “good guys,” the coding displaying that in each opening scrawl for the movies containing the word “freedom” to describe Rebel goals, framing the Rebels as “good” to the audience and thus the actions they do to pursue “freedom” as being unquestionable, morally and (for the purposes of research) lawfully. This clear dichotomy of “good” and “evil” plays a major role in public discourse and government policy when looking at real Rebel conflicts and how wars are framed socially and politically<sup>55</sup>. A recent example can be seen in the discourse involving the Libyan rebels against Qaddafi’s Loyalist forces, being termed as “freedom fighters” and that their conflict is justified in its inherent pursuit for “freedom”<sup>56</sup>. This comes as opposed to the framing of the Taliban as “insurgents”, with their ambition of reclaiming political power as atrocious, their war crimes often cited by the media compared to the lack of criticism against any Libyan “freedom fighter” conduct<sup>57</sup>. The depictions on screen can clearly influence how the public chooses to view a rebel conflict and the conduct of such rebels. *The Economist* claimed that “‘Star Wars’ [didn’t] involve much insurgency or counterinsurgency because Americans hate insurgency and counterinsurgency.”<sup>58</sup> This implication confirms the impact that a film series such as *Star Wars* can have on public discourse, as framing the Rebellion as “just” in all their conduct can have a major role in how the public terms similar movements in reality based on the “justness” of the cause. While the Taliban aim to take back their governing role over Afghanistan from invading coalition forces, they are termed as “insurgents,” while the Libyan “freedom fighters” gained world support and adoration due to their conflict with the corrupt Qaddafi. The way in which public discourse can imbibe pop-culture’s depictions of “reality” and then reflect it on an event such as the current Libyan conflict has major implications on not just the global understandings of war law, but of human society as a whole.

## Conclusion:

Film and the entertainment industry as a whole act as an incredible venue for the interpretations and subsequent representations of reality. War, an event few Americans can say they have truly experienced, has been represented to the masses mostly through film, thus influencing the discourse on the subject even when it may conflict with the

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<sup>54</sup> Marion Harroff-Tavel, “Promoting norms to limit violence in crisis situations: challenges, strategies and alliances,” *ICRC: Resource Centre*; available at

<http://www.icrc.org/eng/resources/documents/misc/57jp4j.htm>.

<sup>55</sup> Michael N. Schmitt, “Asymmetrical Warfare and International Humanitarian Law,” *International Humanitarian Law Facing New Challenges* (Berlin, Springer, 2007) 47.

<sup>56</sup> Russel L. Honoré, “We must help Libya’s freedom fighters win,” *CNN Opinion*, March 18<sup>th</sup>, 2011; available at [http://articles.cnn.com/2011-03-18/opinion/honore.libya.coalition\\_1\\_moammar-gadhafi-freedom-fighters-patriot-missiles?\\_s=PM:OPINION](http://articles.cnn.com/2011-03-18/opinion/honore.libya.coalition_1_moammar-gadhafi-freedom-fighters-patriot-missiles?_s=PM:OPINION).

<sup>57</sup> Carlotta Gall, Taimoor Shah, “Taliban Kill Dozens in Bus Ambush, Officials Say,” *The New York Times-Asia Pacific*, October 19<sup>th</sup>, 2008; available at <http://www.nytimes.com/2008/10/20/world/asia/20afghan.html?hp>.

<sup>58</sup> Economist, “Why is there no counterinsurgency in ‘Star Wars’?” *The Economist*, September 1<sup>st</sup>, 2009; available at [http://www.economist.com/blogs/democracyinamerica/2009/09/why\\_is\\_there\\_no\\_coin\\_in\\_star\\_w](http://www.economist.com/blogs/democracyinamerica/2009/09/why_is_there_no_coin_in_star_w).

actual actions on the battlefield. With the *Star Wars* film series, aspects of intrastate conflict are addressed, yet these representations are not always depicting war law or the way guerrilla or irregular movements conduct their warfare accurately. This is apparent from the data analysis obtained from the film, as civilian casualties were common compared to the general adherence to uniform law. These depictions can have a possible effect on how the public interprets and views irregular/guerrilla forces as well as the war law associated with them and perhaps war as a whole. Further studies can incorporate the new prequel trilogy or *Clone Wars* television show in terms of evaluating war law (albeit this time that on an international scale) as well as its impact on popular discourse regarding war. With discourse being prone to change with the change of realities regarding war and its depictions on screen, further analysis into *Star Wars* as well as other media will aid in understanding to what level such entertainment is grounded in reality and if that very reality is skewed for the audience exposed to it.

## Appendix I

### **Codebook:**

Code Name: Civilian Interaction 12 Counts

Code Definition: Apply in any scenes where Rebel characters could attack or endanger sentient beings that are not part of the actual war between the Empire and the Rebellion. Civilians can be defined as non-Imperial forces that are non-life threatening to the Rebels.

Code Name: Civilian Harm 7 Counts

Code Definition: Apply in any scenes where Rebels attack or purposefully endanger civilians.

Code Name: Civilian Refrain 5 Counts

Code Definition: Apply in any scenes where Rebels refrain from using violence on civilians.

Code Name: Uniform/Designation 19 Counts

Code Definition: Apply in scenes where Rebels could be evaluated for uniform and designation law.

Code Name: Looking Good 14 Counts

Code Definition: Apply when Rebels adhere to law concerning proper uniform/designation in conflict.

Code Name: Looking Bad 5 Counts

Code Definition: Apply when Rebels do not comply with the law concerning proper uniform/designation in conflict.

Code Name: Religion and Culture 4 Counts

Code Definition: Apply when a cultural or religious object or location of significance could be used by Rebels.

Code Name: Respect 0 Counts

Code Definition: Apply when a cultural or religious object or location of significance is not used or is respected as civilian property by Rebel forces.

Code Name: Disrespect 4 Counts

Code Definition: Apply when a cultural or religious object or location of significance for civilians is used for the purposes of the Rebel war effort.

Code Name: Rebels Representing Freedom 3 counts

Code Definition: Apply when Rebels are referred or alluded to as fighting for freedom against the Empire.

Code Name: Lawful Proportions? 7 Counts

Code Definition: Apply when scenes of Rebel attacks on targets could be proportional in terms of civilian casualties vs. military importance.

Code Name: Proportional 4 Counts

Code Definition: Apply when scenes of Rebel attacks on targets that could cause civilian casualties are in compliance with laws of proportionality.

Code Name: Disproportional 3 Counts

Code Definition: Apply when scenes of Rebel attacks on targets that have civilian casualties are not in accordance to the laws of proportionality.

Code Name: Perfidy<sup>59</sup> 2 Counts

Code Definition: Apply when Rebels use surrender or injury as a tool for battlefield advantage.

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<sup>59</sup> Jean-Marie Henckaerts, Louise Doswald-Beck, *Customary international humanitarian law: Practice, Volume 2, Part 1*. (Cambridge, Cambridge University Press, 2005), 1396.

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