

The Categorical Difference Between Civilians & Combatants

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Islamic Theology of Counter Terrorism

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We see quite often that people cannot differentiate between a civilian and combatant, therefore they mix the concept about who is actually civilian and who is a combatant, especially in war and peace. Most of the time, guerrilla warriors make mistakes when they attack on governmental infrastructure and military installations. A guerrilla warrior's thinking is completely different than the mentality of a terrorist.

A terrorist deliberately targets civilians in order to instill fear among the victim population, however, a freedom fighter keeps civilians out of his target because he survives due to public sympathy and support. I drew a sketch that is very easy to understand for an ordinary person so he can differentiate between civilians and combatants.

The Definition of Civilian:

There are different types of people who are either permanent civilians or become temporary civilians.

First Category- Ordinary Citizen: Those people who are just ordinary citizens of the country and who are not working in the armed services or police forces. The common definition of a civilian is 'a person who is not on active duty with a military, Naval, police or fire fighter, etc.'

Second Category- Non- Combatant: A person who is not engaged in fighting during the war, for example: army chaplain, army doctor or even a civilian citizen who helps them. This category of people typically operates behind the warzone but not always. Therefore, they can be classified as Non-Combatant.

Third Category- Temporary Civilians: Those combatants also come under the definition of civilians who have no weapon or ammunition in their hands or no intention to participate in war.

For example: a combatant who is disabled or lacks one or more of his limbs, or someone who is not willing or not available to participate in war can also be classified as a non-combatant. Sometimes we call them military reservists or reserves. If they do not participate in a war zone, they would be classified as civilians.

Fourth Category- Civilian Defenders: The person who is a civilian and did not participate in wars but possesses a weapon only to protect himself and his family and property. Can he be classified as a combatant? There is no evidence that he must partake in combatant activities and possess the arm or use the arm for anything else other than in order to defend himself or his family. For Example: an enemy soldier breaks the rules of war and his intention is to harm enemy civilians.

In this situation, a civilian who uses his arm against the soldier to defend himself would not be classified as combatant but a civilian who has no intention to participate in war or harm any enemy soldier but always uses his personal (legally licenced) arm to protect himself. If this category of civilian can be harmed by a soldier, this soldier has transgressed the limit of international rules of war and also breached the army code of conduct and this soldier should be prosecuted under his country's laws because his action is considered a war crime as per the international law.

These people are classified as civilians and cannot be hurt or harmed, even during the war. Those who kill categorically-stated civilians in a war, automatically fall under the category of war criminals and the state should prosecute them according to their country's laws.

I completely agree with Hyeran Jo:

“When two elephants fight, it is the grass that suffers. The powerless suffer the most when the powerful fight. In the same vein, civilian often face much suffering during civil conflicts: disappearances, abductions, arbitrary arrests, rapes, beatings, extortions and summary executions are the harsh reality of ordinary people in internal conflicts.”

The Definition of Combatants:

The definition of Combatants is simple, it states that "Members of the armed forces of a Party to a conflict (other than medical personnel and chaplains covered by Article 33 of the Third Convention) are *combatants*, that is to say, they have the right to participate directly in hostilities."

The Armed personnel are classified as combatant because they are deliberately engaged in armed conflict and it is their job to fight for the country and nation. The definition of a combatant is very well known and I do not need to put a further light on it, but the confusion comes when people cannot distinguish between combatant and those who are actually civilian, but sometimes come under the category of combatant or in some special circumstances when a combatant becomes a civilian. So, the question is this, can a combatant who is currently in the category of civilian be killed instantly by the opposite enemy/army in war?

I have defined this particular instant situation in three categories which I named civilian cum combatant.

Civilian cum Combatant:

We can see now, when a civilian becomes a combatant and is it necessary to target those civilians cum combatants in war. There are four categories that turn a civilian as a combatant.

First Category- Civilian Employees: What about the civilian employees who work with armed forces? Some civilian employees do participate in armed conflicts and are not considered civilians. For example; technicians, engineers, civilian operators, drone operators, etc. These people work directly with armed forces and when the war erupts, these civilian employees are the direct target of the military strikes because they work in the field of war to provide all necessary assistance for their army in regards to the attack. Therefore, according to some researchers, they are classified as civilian combatants.

Second Category- Private Contractors: For example: The world knows about the infamous US private contractor ACADEMI, previously known as "Black water". They are private contractors but definitely participate in armed conflict by using the same ammunition as the army uses, so in this case they would be classified as private combatants. Once they are targeted in a war they would not come under civilian casualties.

Third Category- Private Militias: Private militias are armed military groups that are composed of private citizens and not recognised by the governments. They are also sometimes referred to as 'private army' and the definition of private army is 'a military or paramilitary force consisting of armed combatants who owe their allegiance to a private person, group, or organisation, rather than a nation or state.' These people are not classified as civilians but instead as private combatants.

I hope the reader will be able to better understand now who are civilians and in what situation or category a civilian becomes a combatant. In simple definition, a person who does not hold an arm at the time of war cannot be classified as a combatant. For example: In some countries (South Asians and the Middle Eastern), a terrorist targets and kills a Reserved Army Personnel when he was in category of a civilian and was enjoying a life with his family. Can we classify this attack as a guerrilla warfare?

No, according to my opinion, this attack should be classified as a terrorist attack because even though his target was a reserved army personnel but at the time of attack, the situation was completely different and a reserved officer was in a condition of civilian, having a private life with his family, therefore, he has no intention to engage in any type of armed struggle. Killing him would essentially mean a civilian has been killed.