Research on the ways in which law changes cognition in cognitive offensive and defensive wars

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Abstract: With the outbreak of the Russian-Ukrainian conflict, the focus of all countries in the world on cognitive domain operations has reached a new height, and some people call it "the last frontier of military science." Starting from the basic theory, this paper expounds the theoretical basis why cognitive attack and defense can become the theoretical basis of war. Finally, combined with the new characteristics of cognitive offensive and defensive battlefields, this paper attempts to summarize the way to combine legitimacy and other cognitive change elements for cognitive offensive and defensive to win future wars from a microscopic perspective.

1. Introduction

With the development of science and technology and the deepening of mankind's understanding of war, the combat space of modern warfare has formed three major operational domains: physical domain, information domain and cognitive domain, and the cognitive domain has become the ultimate domain of great power game and military confrontation. Cognitive domain mainly refers to cognitive warfare with the "human brain" as the main combat space, aiming to change the national identity of the target object and change the foundation of national civilization in the spiritual field by changing the target object's self-knowledge, which is a strategy focusing on changing the thinking and behavior of the target population [1].

In modern warfare, countries use the "human brain" as the combat space and the mass media as the main carrier to carry out all-round cognitive attack and defense, and through continuous radiation of cognitive influence to the world, they intend to obtain international support from abroad, seize the moral high ground, encourage their own people internally, and undermine the morale of the other party's military. In the cognitive battlefield, the "tangible" and "intangible" are intertwined, the "peacetime" and "wartime" are blurred, and the characteristics of the connection between the "front" and the "rear" are becoming more and more apparent. Combined with the characteristics of the new battlefield, how to give play to the advantages of legal theory? How do legitimacy and other cognitive changers combine to win future wars? These questions are critical.

2. Recognize the connotation of offensive and defensive warfare

2.1 Meaning of Cognition

Cognition refers to the process by which people acquire knowledge and apply knowledge, and then process information, which is the most basic psychological activity of people. In addition, cognition, as a scientific term, can also be interpreted as the process of human cognition of external things, or the process of information processing of external things acting on human sensory organs, which includes sensation, perception, memory, thinking, imagination, speech, refers to how people recognize the activity process, specifically manifested as the individual to the sensory signal reception, detection, conversion, coding, storage, extraction, reconstruction, concept formation, judgment and problem solving information processing process. In psychology, cognitive science refers to the mental function of individual thinking to process information by forming mental activities such as concepts, intuitions, judgments or imaginations.

The philosopher Spinoza believed that human cognition is divided into three levels: first-class cognition consists of second-hand opinions, imaginations, and cognition derived from changing experiences, which admits falsehood; The second level of cognition is reason, which searches for the root cause or cause of phenomena and discovers the necessary truth; The third and highest level of cognition is intuitive cognition, which develops from appropriate ideas about the nature of attributes to a proper understanding of the nature of things. Careful analysis of the third-class classification standard of cognition shows that the admission of falsehood of first-
class cognition creates the preconditions for reshaping second-class cognition through external forces, and then can strengthen third-class cognition according to established cognitive changes.1

The theoretical sciences that reshape second-class cognition mainly include basic cognitive disciplines such as philosophy of mind, cognitive psychology, and cognitive linguistics, as well as social disciplines such as political science, military science, psychology, communication, public opinion, law, and information science. From the perspective of cognitive change practice, only based on basic cognitive disciplines, combined with other social discipline theories, and comprehensively using platform channels and technical means such as intelligence, network, strategy, public opinion, psychology, and jurisprudence, can the rapid shaping of second-class cognition be realized. In addition, it is necessary to comprehensively use theoretical cognitive theories, channels and technical means to strengthen the preconceived cognition implanted in the second-class cognitive shaping to achieve a complete change in cognition. Therefore, cognitive offensive and defensive warfare needs to summarize the methodology from the theory, so as to customize the cognitive change strategy in combination with the specific combat objectives.

2.2 Cognitive meaning of offensive and defensive warfare

Based on the theory that the first-class cognition is false, the second-class cognition is malleable, and the third-class cognitive reinforcement follows preconceptions in cognitive science, there will be a theoretical basis for the existence of this form of warfare for attack and defense against the cognition of the target object. In cognitive offensive and defensive wars, by transforming the consciousness of a wide range of social groups, imposing a foreign worldview position, and comprehensively adopting political, economic, informational, legal and other measures to achieve the influence on individual feelings, perceptions, memories, thinking, imagination, and speech, so as to further control the decisions and actions of individuals, and realize the surrender of others without fighting.

The focus of cognitive offensive and defensive warfare is "attacking the heart", and the main thing to attack is the second-class cognition and third-class cognition in cognitive science. The specific method is to take the human brain as the main combat space, to strike, weaken and disintegrate the will to war of the enemy country individually or as a whole, to take anxiety, suspicion, fear and other psychological weaknesses as the breakthrough point, and to focus on relying on soft lethal means such as intelligence stations, psychological warfare, public opinion warfare, legal warfare, public opinion warfare, and network warfare, to create a political atmosphere of insecurity, uncertainty, and distrust within the enemy, increase its internal friction and decision-making doubts, and eventually lead to the disintegration of the war system on its own, achieving "victory without fighting".

In cognitive offensive and defensive wars, as one of the means to change cognition, how can law exert its effectiveness in winning cognitive offensive and defensive wars? whether it is used alone or in combination with other disciplinary elements; Whether to use it now or wait for a certain time to use it. This needs to be based on the underlying logic of cognitive change, coupled with the interconnection in action time, mutual care in action space, and complementarity in resource means, in order to form an overall synergy.

2.3 Cognitive characteristics of offensive and defensive warfare

More than 20 years have passed since the United States proposed the concept of cognitive warfare in 2001, and in the past 20 years, the research on cognitive attack and defense in various countries has become more and more in-depth, and its characteristics have become more and more obvious. In particular, the outbreak of the Russian-Ukrainian conflict has provided scholars with vivid practical cases for studying the cognitive domain.

In the past, traditional warfare was mainly manifested as a contest between people and between people and machines. In cognitive warfare with the "human brain" as the main combat space, its salient features mainly include: the purpose of war has changed from "destroying the enemy" to "mind control"; The transition of combat space from geographical space to consciousness and virtual space; The military contest between the information age and the brain age has changed, that is, from the hard power competition of weapons and equipment to the game of "data" and "intelligence"; Fourth, the impact of disruptive technologies on war will reach a new height, and brain science and technology will bring war into the era of "full transparency" of thinking; Fifth, the main body of combat will be transformed from combatants to intelligent robots, human-machine fusion, etc.

Under the characteristics of cognitive offensive and defensive warfare, the cognitive offensive and defensive battlefield also has new characteristics compared with the traditional battlefield: all-round, multi-level, time-space, blurring the boundaries between wartime and peacetime, front and rear, crossing battlefields and national boundaries, beyond the simple military field, and widely penetrating into various social fields such as politics, economy, and diplomacy. Specifically, "intangible" and "tangible" are intertwined, and "peacetime" and "wartime" are combined; "Front" and "Rear" are connected. As one of the elements of cognitive change, law must combine the new characteristics of the cognitive battlefield to effectively change cognition.
3. Cognition: The way in which law changes cognition in offensive and defensive wars

3.1 Shaping the perception of legitimacy in the dual battlefields of "intangible" and "tangible"

War is a continuation of politics, when countries launch wars or military operations around their own political goals and strategic intentions, is the strategic intention legitimate? Can political objectives be supported by the international community? In addition to military strength, it becomes an important factor in determining the outcome of a war or military operation. In the cognitive offensive and defensive war, it is necessary to influence the process of information processing by individuals through laws and other cognitive elements at the first time of the transformation of first-class cognition to second-class cognition, and realize cognitive reconstruction.

In the cognitive offensive and defense in which "tangible" and "intangible" operations are intertwined, the legitimacy of war or military operations is still the basis of the internationally accepted rule system, so establishing the recognition of the legitimacy of war or military operations is the first shot to win the cognitive offensive and defensive war. In the cognitive offensive and defensive of modern warfare, countries must use various voice platforms to publicize the legitimacy of war or various military operations, so as to win the maximum support of the international community and gather combat forces for the "tangible" battlefield in the "invisible" battlefield. Among them, seizing the voice platform is the first step in cognitive attack and defense, and the comprehensive use of official media and mass media to jointly speak out for legitimacy. First, give play to the mainstream role of the official media, take the lead in demonstrating the legality of any military action that a country may take and the illegality of the enemy's military action in accordance with international law, and strengthen the strength of the international community to support the country in the strong contrast between just and illegal acts, so as to strengthen the "tangible" with "invisible". Second, give play to the main role of the mass media, expand the scope of cognitive attack and defense of the international community, and improve the effect of cognitive attack and defense. With the help of think tanks and legal scholars, the legality of launching a war or military action is interpreted in an all-round way, and at the same time continue to pay attention to the enemy's cognitive offensive and defensive dynamics, and look for propaganda materials to support legitimacy in the actual actions of the enemy and ourselves, so as to promote "tangible" and "intangible".

After the Russian-Ukrainian conflict entered the stage of war stalemate, the Ukrainian side intensively reported on the war situation on the "tangible" battlefield in the "invisible" battlefield: the attack on the Zaporizhzhya nuclear power plant and the death of civilians on the Ukrainian side, and the "Bucha incident" in which Russia carried out massacres of civilians in Ukrainian towns. The international repercussions in the "invisible" battlefield are even greater than the harm caused by the "tangible" battlefield. Although the report does not directly point out Russia's violation of IHL from a legal point of view, it is silent at this time, portraying the image of Russia's illegal aggressors more profoundly, directly affecting the people's second-class perception.

3.2 Strengthen the recognition of legitimacy in the dual modes of "peacetime" and "wartime"

After reshaping second-order cognition, the results of second-order cognition remodeling must be reinforced during third-order cognition formation. The legality of waging a war or military action is the second-class recognition of the legitimacy of military action for a country to gain the support of the international community. According to the requirements of international law for legality, it is not limited to the reasons for initiating war or military operations, but also includes the legitimate limitation of the use of force and methods and means of warfare in war. The legitimacy of these has become the third level of cognition for both sides to continue to carry out cognitive attack and defense and strengthen legitimacy.

In the cognitive offensive and defense where the boundary between "peacetime" and "wartime" is increasingly blurred, the human brain, as the main combat space, must combine legitimacy to carry out "peacetime" and "wartime" brain control actions. "In peacetime" it accumulates strength for its own side and weakens the enemy's war intention, and "in wartime" it boosts the morale of the army and breaks the enemy's will to fight. In the cognitive offensive and defensive of modern warfare, it is necessary to establish a cognitive offensive and defensive system that integrates peacetime and wartime at the legal level in the dual modes of "peacetime" and "wartime". First, always tell the story of the rule of law, and pay attention to the cognitive penetration of the image of the country under the rule of law. This is not only a strong voice for a country to uphold the authority of international law and abide by the international order, but also an important defense line for its own officers and soldiers and people to resist the cognitive attacks of other countries. In the international and domestic society, create a cognitive label of "legitimacy". Second, "wartime" should take multiple measures and angles to collect materials on the legality of one's own use of force and humanitarian rules, as well as materials on the illegality of the enemy's use of force and inhumaneness. Through the simultaneous efforts of official media and mass media, we can achieve both "attack" and "defense", on the one hand, from the perspective of our own justice, continue to "protect" our own image, and achieve the role of boosting the morale of the military; On the other hand, from the perspective of the enemy's illegality, it constantly "breaks" the enemy's will to war, resulting in a political atmosphere of insecurity, uncertainty and distrust, and finally breaking its will to fight.

Third-class cognitive reinforcement follows preconceived theories. In the Russian-Ukrainian conflict, neither side officially declared war, and the United States, as a third party, first carried out a cognitive attack: the
media took the lead, and public reports predicted that Russia would fabricate a legitimate reason for launching a war against Ukraine. From the three hierarchical theories of cognition, this report is obviously an attack on second-class cognition in the usual stage, and once this remark ferments, the international community and the public will question whether Russia is "famous"? And as the war stalemate enters the stage of war and the two sides launch a cognitive attack on the legality of the way of fighting, the people who are reshaped by the second-class cognition will be more willing to receive information about Russia's illegality, and the people who have not been reshaped by the second-class cognition will be more willing to receive information about Ukraine's illegality. Because in cognitive science, after second-class cognitive remodeling, in the stage of cognitive reinforcement, people will only believe what they want to believe.

3.3 Solidify the recognition of legitimacy in the "front" and "rear" dual regions

The characteristics of cognitive attack and defense "front" and "rear" are connected, which provides a broader geographical space for legitimacy to play a role in cognitive change.

With the assistance of information network resources, the situation in the front and rear of the battlefield can be exchanged with each other, providing the possibility for the front and rear to exert force in both directions. In the Russian-Ukrainian conflict, in the pre-war stage, the Russian Ministry of Defense released a series of documents on Ukrainian biological laboratories and videos of Ukrainian troops shooting at the legs of captured people at close range in violation of the Geneva Convention. By exposing the illegal history of the Ukrainian side in the rear, the credibility of reporting the illegal acts committed by the Ukrainian side in the front is enhanced, and the points are added to the awareness of the illegal nature of the target target against Ukraine. In the face of the Ukrainian side, it frequently conducts cognitive attacks and defenses against the Russian side by making fake videos and fake news of the battlefield ahead. The Russian side immediately amended its criminal legislation, and the punishment for spreading "false news" was increased to a maximum of 15 years in prison, and Western media began to evacuate journalists in Russia. The active measures of the rear have greatly encouraged the cognition of the combat personnel in the front and stimulated their fighting spirit.

In this way, through the two-way connection between the front and the rear, the cognitive change elements are corroborated with each other, and the cognition of the legitimacy of the cognitive target object is solidified.

4. Concluding remarks

Cognitive domain warfare, as the ultimate domain of future warfare, needs to be supported by legal principles throughout the process. Based on the three-level theory of cognitive change, this paper focuses on the combination of "invisible" and "tangible" in cognitive attack and defense, the blurring of the boundary between "peacetime" and "wartime", and the connection between "front" and "rear", focusing on three ways to change cognition based on legitimacy cognition and combined with the voice platform. With the development of science and technology, future cognitive changes will no longer be limited to people, but will also include people with autonomous consciousness under the combination of brain and computer, and whether the way the law changes cognition will change and how effective it is, it is worth more in-depth study.

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