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IN MEMORIAM

Mike Lewis, 1964-2015

By Peter Margulies Tuesday, June 23, 2015, 1:20 PM

Navy “Top Guns” are not primarily known for their commitment to scholarship. But Mike Lewis, a former Top Gun and professor at Ohio Northern University’s Pettit College of Law, who passed away at age 50 on Monday after a battle with liver cancer, was a most unusual individual. Mike displayed the same commitment to international law that he displayed as a Navy flier in Iraq during Operation Desert Shield.

In scholarship, including his regular contributions to *Opinio Juris*, Mike argued for a flexible conception of the law of armed conflict (LOAC) that recognized the reality of today’s armed conflicts with terrorist groups. For example, Mike justified the use of drones to target members of Al Qaeda, as long as targeted individuals were engaged in an armed conflict with the United States. But Mike, who testified before Congress on the legality of drone strikes and regularly debated other scholars and advocates, always situated his analysis within international law. He recognized that the U.S. could lead most effectively when it innovated within the law, instead of dismissing the law as anachronistic or obsolete.

Mike was also mindful of the dialectic in LOAC between military necessity and humanity. When Mike supported the use of drones in place of ground troops, he would cite his experience in combat. Mike observed that the use of ground troops inevitably caused more civilian casualties, because the need to support ground troops with air power heightened the carnage of armed conflict. While some scholars and advocates believe that technology in war necessarily increases human suffering, Mike countered that the use of technology with appropriate constraints could tailor military necessity more precisely to the abiding values of humanity.

Mike also brought this commitment to knowledge to the classroom. In venues as diverse as Penn State and The Hague, I saw Mike give his students opportunities to shine. Those grateful students, along with Mike’s family and his colleagues in national security law, will ensure that Mike’s legacy of insight, dedication, and honesty continues to inspire us. Mike will be missed!

Peter Margulies is a professor at Roger Williams University School of Law, where he teaches Immigration Law, National Security Law and Professional Responsibility. He is the author of *Law’s Detour: Justice Displaced in the Bush Administration* (New York: NYU Press, 2010).