

Volume 2

Number 2

May 2016

The
Army War College Review



Student Publications



STRENGTH *and* **WISDOM**

The *Army War College* Review

The Army War College Review, a refereed publication of student work, is produced under the purview of the Strategic Studies Institute and the United States Army War College. An electronic quarterly, *The AWC Review* connects student intellectual work with professionals invested in U.S. national security, Landpower, strategic leadership, global security studies, and the advancement of the profession of arms.

The Army War College Review

Larry D. Miller, Editor

Student Publications

Root Hall, B-14

Carlisle Barracks, PA 17013-5010

<http://www.strategicstudiesinstitute.army.mil/pubs/AWCReview>

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The United States Army War College Student Publications

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China's Strategic Interests in the Arctic

William G. Dwyer III

After having actively conducted Arctic research for many years, China now seeks greater access to and involvement in the Arctic and Arctic affairs. China's quest for full membership in the Arctic Council is significant. This study reviews China's historical activities in the Arctic and argues that recently intensified Chinese initiatives are driven by two considerations: a search for natural resources and a desire to secure new maritime trade routes. The paper offers recommendations for enhancing U.S. national security interests while encouraging responsible Chinese behavior in a dynamic sphere of international cooperation.

Keywords: *U.S. Arctic Strategy, Coast Guard, Icebreaker, Oil, Fisheries, Law of the Sea, Arctic Council*

The Arctic environment is in great flux. Scientific studies show the Arctic ice cap has diminished by 40% over the past 35 years.¹ Nations are conducting polar scientific research to better understand the changing Arctic ecosystem and the effects of the warming Arctic upon the world's climate. The Arctic Ocean and coastal areas once barren and frozen under a dense sheet of ice are slowly coming to life with industry and commerce brought about by the receding ice conditions. These environmental changes bring new opportunities for the eight Arctic nations (Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the United States) that ring the North Pole (Figure 1) and are competing for abundant resources (e.g., oil, natural gas, minerals, and fish stocks) that the newly accessible Arctic contains. The receding ice is also unlocking three additional maritime trade routes that will relieve the increasingly stressed global marine transportation system between Asian, European, and North American ports: the Northern Sea Route, the Transpolar Sea Route, and the once-legendary Northwest Passage.

Although it has no Arctic littoral, China has been active in the Arctic for many years conducting climate research and assorted scientific expeditions. Recently, China has signaled its intent to become more involved in Arctic affairs and governance by seeking full membership in the multilateral Arctic Council and closer collaboration with the Arctic nations. China's interest in the Arctic is driven primarily by the need to fuel and feed the world's largest population and developing economy. China's search for new sources of oil, natural gas, minerals, and fish, stem from this desire as does its quest to secure additional maritime trade routes.

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¹ Scott Borgerson et al., *The Emerging Arctic* (New York: Council on Foreign Relations, 2014), <http://www.cfr.org/arctic/emerging-arctic/p32620#/> (accessed March 4, 2015).

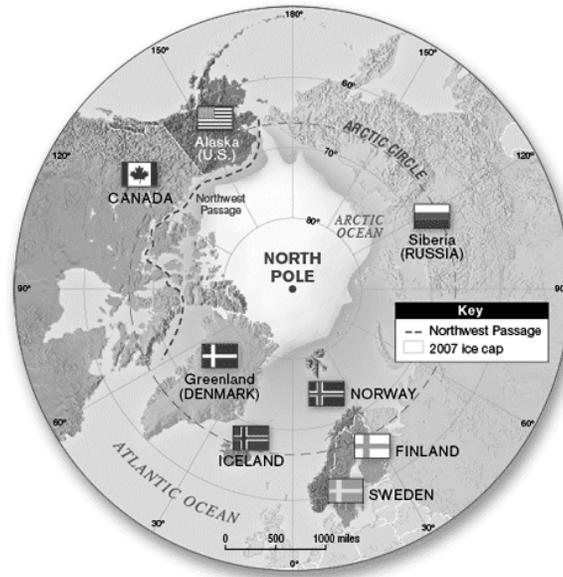


Figure 1: The Arctic Nations²

China's History in the Arctic

China's interest in the Polar Regions dates back over thirty years. The Chinese Arctic and Antarctic Institute that directs the nation's polar research program was established in 1981.³ China's initial interest in the Arctic involved scientific research to better understand the effects of changing Arctic conditions on the weather patterns in China.⁴ It has since conducted numerous expeditions to both the North and South Poles.⁵ In 2004, China built a permanent Arctic climate research facility in Norway.⁶ Chinese publications have shifted since 2007 from a purely scientific focus to more strategic, political, and legal issues concerning the Arctic region.⁷ By 2010, China conducted four independent Arctic missions aimed at scientific research, partnership building, and economic opportunities.⁸ China's *Twelfth Five Year Plan* calls for increased polar research to understand potential effects of Arctic climate on its national economic policy.⁹

² Baker Vail Design, "Map of the Arctic," <http://www.bakervailmaps.com/map-illustration/world-maps/arctic-circle-map.html> (accessed January 30, 2015).

³ Shilo Rainwater, "Race to the North," *Naval War College Review* 66, no. 2 (Spring 2013): 69.

⁴ Njord Wegge, "China in the Arctic: Interests, Actions and Challenges," *Nordlit* 32 (2014): 87, <http://septentrio.uit.no/index.php/nordlit/article/view/3072/2964> (accessed December 4, 2014).

⁵ Linda Jakobson, "Beijing's Arctic Goals are Not to Be Feared," *Financial Times*, May 19, 2013, <http://www.ft.com/cms/s/0/3dfd6f16-bef1-11e2-87ff-00144feab7de.html#axzz3PD95q0dA> (accessed January 20, 2015).

⁶ Oleg Vukmanovic and Balazs Koranyi, "Russia's Revival of Arctic Northern Sea Route at Least 10 Years Away," *Reuters*, January 25, 2013, http://www.thestar.com/business/2013/01/25/russias_revival_of_arctic_northern_sea_route_at_least_10_years_away.html (accessed January 15, 2015); Rainwater, "Race to the North," 69.

⁷ Olga Alexeeva and Frederic Lasserre, "China and the Arctic," in *Arctic Yearbook*, ed., Lassi Heininen (Akureyri, Iceland: Northern Research Forum, 2012), 81, http://www.arcticyearbook.com/images/Articles_2012/Alexeeva_and_Lassere.pdf (accessed March 10, 2015).

⁸ *Ibid.*

⁹ People's National Congress, *China's Twelfth Five Year Plan (2011-2015)* (Beijing: People's National Congress, 2011), 17, <http://cbi.typepad.com/files/full-translation-5-yr-plan-2011-2015.doc> (accessed January 25, 2015).

Despite all this activity, China has no declared official Arctic policy. Rather, Chinese officials have issued statements espousing their interest in the environmental impacts of the changing Arctic climate.¹⁰ Unlike its position in the South China Sea, the Chinese government has stated that the Arctic should be open to all nations—not simply those with territory in the region. This indication of China's intent to compete for the potentially immense natural resources of the Arctic also provides a subtle warning to any nation seeking to control the Arctic waterways. China's State Oceanic Administration has called the Arctic the “inherited wealth of all humankind . . . and not the ‘private property’ of the Arctic nations . . . every country in the world has an equal right to exploit the Arctic Ocean.”¹¹ The use of the word “exploit” is telling: China clearly views the Arctic as an opportunity to meet its growing energy, mineral, and food supply needs.

The region is rich in natural resources and could, indeed, help sustain China's large population and meet the demands from its rising middle class. In July 2014, China's population was estimated at 1.4 billion people, the world's largest.¹² China's intent to compete for Arctic access and resources is exemplified as follows: (1) a leading Chinese academic stated, “Whoever has control of the Arctic route will control the new passage of world economics and international strategies,”¹³ and (2) a Chinese Navy official claimed that since 20% of the world's population is located in China, it is entitled to 20% of the resources contained in the Arctic.¹⁴ China, however, is not an arctic nation, does not enjoy the unfettered access to Arctic resources it apparently desires, and is hindered by the 1982 United Nations Convention on the Law of the Sea (UNCLOS)—and international legal framework that governs nations' actions there.

The United Nations Convention on the Law of the Sea

UNCLOS is the maritime framework of legal governance and cooperation that includes express dispute resolution mechanisms for natural resource and maritime boundary line disputes through arbitration.¹⁵ Unlike the other seven Arctic nations, the United States has yet to join the current 156 signatories to UNCLOS because ratification by the U.S. Senate has stalled over concerns about political sovereignty. The U.S. government nevertheless has affirmatively stated its commitment to the principles of the treaty.¹⁶ It currently regards UNCLOS as the customary international law; this approach, however, does not allow authorize the U.S. to take advantage of the UNCLOS dispute resolution process. UNCLOS membership would aid U.S. sovereignty claims to the extended Outer Continental Shelf (OCS) and allow for better multi-lateral cooperation in the Arctic.¹⁷

UNCLOS includes specific provisions for claims related to the OCS—the seabed and subsoil areas that may reach beyond a nation's exclusive economic zone (EEZ). The EEZ extends past a nation's twelve nautical mile territorial sea out to 200 nautical miles from the baseline where the territorial sea originates

¹⁰ Caitlin Campbell, *China and the Arctic: Objectives and Obstacles*, (Washington, DC: U.S.–China Economic and Security Review Commission, April 13, 2012), 3.

¹¹ *Ibid.*, 4.

¹² Central Intelligence Agency, World Factbook, “China,” June 22, 2014, <https://www.cia.gov/library/publications/the-world-factbook/geos/ch.html> (accessed January 18, 2015).

¹³ Humpert Malte and Andreas Raspotnik, “The Future of Arctic Shipping along the Transpolar Sea Route,” in *Arctic Yearbook*, 297, http://www.arcticyearbook.com/images/Articles_2012/Humpert_and_Raspotnik.pdf (accessed March 3, 2015).

¹⁴ David C. Wright, “The Dragon Eyes the Top of the World: Arctic Policy Debate and Discussion in China,” *China Maritime Studies* 8 (August 2011): 7.

¹⁵ United Nations Convention on the Law of the Sea (UNCLOS), Annex II, Commission on the Limits of the Continental Shelf, 1982, Article 76, http://www.un.org/Depts/los/convention_agreements/texts/unclos/annex2.htm (accessed February 7, 2015).

¹⁶ Charles Ebinger and Evie Zambetkis, “The Geopolitics of Arctic Melt,” *International Affairs* 85 (June 2009): 1226-1227.

¹⁷ *Ibid.*, 1232.

(Figure 2).¹⁸ UNCLOS awards coastal states sovereign rights to the natural resources within their EEZ and also to those (such as oil and gas) in the Outer Continental Shelf outside their EEZ.¹⁹ Countries submit applications to the Commission on the Limits of the Continental Shelf based on scientific evidence where their OCS extends beyond the EEZ. Neither China (a non-Arctic nation) nor the United States (a non-party to UNCLOS) have legal standing to press claims to the Arctic extended OCS.

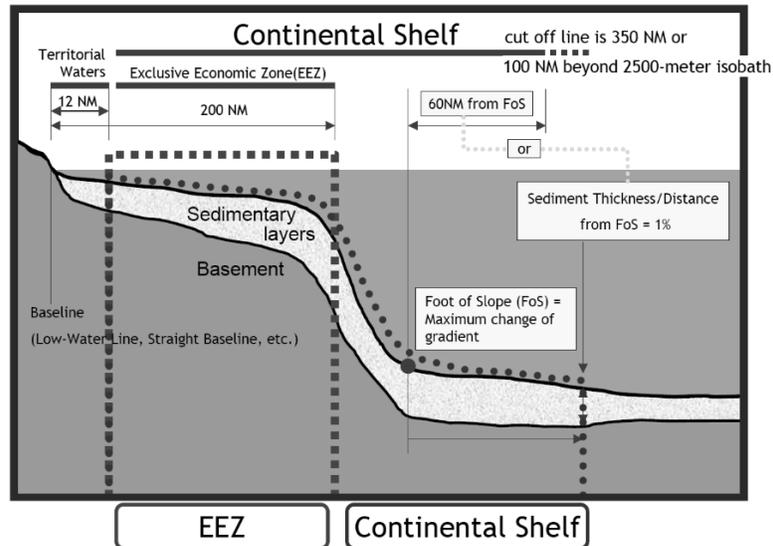


Figure 2: Exclusive Economic Zone and Continental Shelf ²⁰

The UNCLOS legal structure, intended to resolve Arctic maritime boundary disputes, is similarly unavailable to the United States, despite its unquestionable status as an Arctic nation. The United States must, for example, negotiate resolution of two boundary disagreements on a bilateral level with Canada—outside the orderly process enjoyed by signatories to UNCLOS. Given an understanding of how nations interact under this treaty regarding maritime natural resource issues, consideration of China's three interests in the Arctic is the next step.

China's First Interest: Transpolar Trade Routes

Asia's growing wealth and middle class are causing a shift in global trade that will expand maritime commerce through Asia for many years, requiring additional trade routes to alleviate the congested, vulnerable maritime highways and chokepoints. As the world leader in global maritime commerce, almost 50% of China's gross domestic product is reliant on ocean shipping and China's ports continue to increase container throughput capacity.²¹ Chinese shipping companies view the Arctic as a viable trade route during the ice-free months. Three Arctic Ocean routes (Figure 3) hold great promise for China's commerce: the Northern Sea Route (NSR), the Northwest Passage (NWP) and the Transpolar Sea Route (TSR). The Northern Sea Route runs along the Arctic coasts of Russia and Norway. Vessels traveling the NSR can realize significant savings in sailing days (and fuel costs) between Northern Europe and Asia and avoid the risk of piracy associated with the Strait of Malacca near Malaysia. The traditional warm-water route through the

¹⁸ UNCLOS, Annex II, Section V, Article 57.

¹⁹ Ibid., Section VI, Article 77.

²⁰ Avin Kumar, "Different Zones of Sea Under UNCLOS," *Marine Engineering*, February 26, 2013, http://www.tunnel2funnel.com/2013_02_01_archive.html (accessed February 11, 2015).

²¹ Humpert and Raspotnik, "The Future of Arctic Shipping Along the Transpolar Sea Route," 295.

Suez Canal requires on average 48 days and 11,300 nautical miles for oil tankers and large container vessels. That same voyage along the NSR is shortened by 13 days and 4,000 nautical miles.²² In 2014, the NSR opened to maritime traffic for six weeks from mid-August until 1 October; the NSR Administration Office received over 600 transit applications (a record number).²³

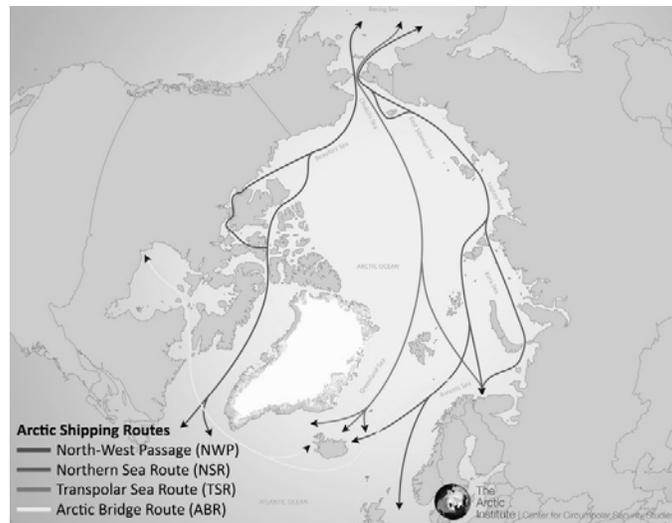


Figure 3: Arctic Shipping Routes²⁴

Russia defines the NSR as the leg transiting Russia's internal waters from the Bering Strait to the western edge of the Kara Sea and consequently regulates vessel traffic along it.²⁵ Specifically, vessels must apply for transit permits and are subject to inspection by Russian authorities. Currently Russia and the other Arctic nations strongly disagree about the interpretation and applicability of the UNCLOS terms, leading to protests against Russia's "improper implementation of UNCLOS provisions" to support its sovereignty interests.²⁶ Russia's regulation of the NSR magnifies her global strategic importance to other maritime trading nations. China's Polar Institute stated that if conditions permit, 5% to 15% of China's international trade could move via the NSR by 2020; its number of NSR transit permits trails only Korea and Japan.²⁷ Some scholars believe China's influence as a global leader in maritime shipping may force Russia to ease its control over this route as China advocates for freedom of navigation rights to transit the Arctic.²⁸

The Northwest Passage begins near Greenland and threads its way through the Canadian Arctic Archipelago to its western terminus south of the Bering Strait. The NWP reduces distances between ports

²² Jeremy Bender, "Russia is Militarizing the Arctic," *Business Insider*, December 2, 2014.

²³ Mike Schuler, "Northern Sea Route Transit Applications Hit Record High in 2014," *gCaptain*, blog entry posted October 28, 2014, <http://gcaptain.com/northern-sea-route-transit-applications-hit-record-high-2014/> (accessed February 17, 2015).

²⁴ Humpert and Raspotnik, "The Future of Arctic Shipping."

²⁵ The Russian Federation, *The National Security Strategy of the Russian Federation until 2020* (Moscow: The Kremlin, May 13, 2009), 42, <http://rustrans.wikidot.com/russia-s-national-security-strategy-to-2020> (accessed March 3, 2015).

²⁶ Vukmanovic and Koranyi, "Russia's Revival of Arctic Northern Sea Route at Least 10 Years Away."

²⁷ Tom Røseth, "Russia's China Policy in the Arctic," *Strategic Analysis* 38, no. 6 (2014): 851, <http://www.tandfonline.com/doi/pdf/10.1080/09700161.2014.952942> (accessed December 4, 2014).

²⁸ *Ibid.*, 852; For more information on the applicable UNCLOS article concerning special regulations dealing with human activities in ice-covered waters, see UNCLOS, Section VII. Protection and Preservation of the Marine Environment, 1982, Article 234, http://www.un.org/depts/los/convention_agreements/texts/unclos/part12.htm (accessed March 16, 2015).

in Asia and Europe by nearly 5,000 kilometers compared to the Suez Canal.²⁹ The *Nordic Orion*, for example, a bulk carrier, saved \$200,000 and four days transiting from Vancouver to Finland via the NWP in the ice-free month of September 2013.³⁰ Experts predict traditional non-ice strengthened vessels will be able to make the voyage by the summer of 2050.³¹ The United States disagrees with Canadian instance that since much of the NWP passes between its sovereign islands, the NWP is part of Canadian territorial waters. The United States maintains the NWP is an “international strait” whereby “transit passage” applies.³²

As the Arctic Ocean ice cap shrinks to reveal ice-free routes in the summer months, the Transpolar Sea Route will become accessible. The TSR crosses the Arctic Ocean directly over the North Pole, unlike the NSR and NWP coastal routes. The TSR is the shortest of the Arctic routes at 2,100 nautical miles, spanning from the Bering Strait to Northern Europe. From a navigation perspective, it may be the most perilous, requiring a mostly ice-free Arctic Ocean for safe transit. Despite this restriction, the TSR could become the preferred route since it does not require passage through the Russian or Canadian EEZs where those nations seek to enforce jurisdiction over vessels transiting the NSR and NWP, respectively.³³ Current environmental conditions and future climate modeling predictions show ice-free summer months by 2030.³⁴

Declaring that it shall “ensure the safety of marine transport channels and maintain our country’s marine rights and interests,”³⁵ China has invested heavily in naval shipbuilding to protect assets and shipping routes in the Indian Ocean as manufactured products move west and petroleum is shipped east to China. “[W]ith the expansion of the country’s economic interests, the navy wants to better protect the country’s transportation routes and the safety of our major sea lanes” stated a senior Chinese officer.³⁶ As the Arctic thaws and vessel transits increase, China could use its large naval presence to project power to ensure the safety of its vessels transiting the Arctic. An increased Chinese naval presence in the Arctic creates another venue for potentially aggressive confrontations with vessels from other nations. China’s lack of compliance with the Convention on the International Regulations for Preventing Collisions at Sea (which China signed in 1980) was highlighted as recently as 2013 in a near-collision with the USS *Cowpens* in the South China Sea.³⁷

China has also expanded its civilian maritime capability to operate in the Arctic. Ice-strengthened vessels carry both bulk cargo and containers, ostensibly to be used exclusively for scientific polar research, but ice-strengthened vessels will also provide China with the capability to assist Chinese ships transiting the ice-choked Arctic waters of the NSR. Their unstated mission will be to maintain Arctic maritime domain awareness. In addition, China currently has one operational polar icebreaker and another in production.³⁸

²⁹ Paul Waldie, “A Reality Check on the Northwest Passage ‘Boom,’” *The Globe and Mail*, January 7, 2014, <http://www.theglobeandmail.com/report-on-business/breakthrough/will-cold-dark-northwest-passage-see-more-ships/article16231502/> (accessed February 27, 2015).

³⁰ *Ibid.*

³¹ *Ibid.*

³² Michael Byers, “Canada Can Help Russia with Northern Sea Route,” *The Moscow Times*, June 9, 2012, <http://www.themoscowtimes.com/opinion/article/canada-can-help-russia-with-northern-sea-route/460127.html> (accessed March 16, 2015); UNCLOS, Part 3, Straits used for International Navigation. 1982. Section II. http://www.un.org/depts/los/convention_agreements/texts/unclos/part3.htm (accessed March 16, 2015).

³³ UNCLOS, Article 19. “Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Such passage shall take place in conformity with this Convention and with other rules of international law.”

³⁴ Humpert and Raspotnik, “The Future of Arctic Shipping Along the Transpolar Sea Route,” 285.

³⁵ People’s National Congress, *China’s Twelfth Five Year Plan (2011-2015)*, 17.

³⁶ Rainwater, “Race to the North,” 66.

³⁷ David Alexander and Pete Sweeney, “U.S., Chinese Warships Narrowly Avoid Collision in South China Sea,” *Reuters*, December 13, 2014, <http://www.reuters.com/article/2013/12/14/us-usa-china-ships-idUSBRE9BCOT520131214> (accessed April 12, 2015).

³⁸ Wang Qian, “New Icebreaker Planned for 2016: Officials,” *China Daily*, January 6, 2014, http://www.chinadaily.com.cn/china/2014-01/06/content_17216579.htm (accessed January 18, 2015).

The 167-meter *Xuelong* (*Snow Dragon*) can break 1.2 meter thick ice and has deployed on five Arctic research expeditions since 1999.³⁹ China's new eight-thousand ton icebreaker will cost nearly \$200 million, reflecting the level of China's commitment to future Arctic operations.⁴⁰ Both vessels are slated to deploy to the Arctic and Antarctic for over 200 days per year.⁴¹

The United States, an Arctic nation, currently operates two polar icebreakers to support both the Arctic and Antarctic deployments. Unlike China, however, the U.S. Congress has committed no funding to a much needed replacement icebreaker. The U.S. Coast Guard cutters *Polar Sea* and *Polar Star* were built in the 1970s as "heavy" icebreakers—the most powerful non-nuclear icebreakers in the world.⁴² In 2000, the Coast Guard commissioned the *Healy*, an Arctic-only, medium icebreaker, funded by the Department of Defense. In 2006, *Polar Star* was placed in indefinite caretaker status with no funding to replace her engines. Her sister ship avoided the same fate only after a nearly \$60 million, ten-year service life extension. The Coast Guard is left to support U.S. maritime activities in the Arctic Ocean while resupplying American installations in Antarctica with only two icebreakers.⁴³

China's Interests: Petroleum and Minerals

According to the U.S. Geological Survey, the Arctic region contains approximately 90 billion barrels of oil, 1.7 trillion cubic feet of natural gas, and 44 billion barrels of natural gas liquids. Estimates place 84 percent of these resources in offshore areas of the Arctic Ocean.⁴⁴ China, meanwhile, is a net importer of oil with projected demand to lead the world in this category by 2020. China currently gets half of its oil supply from the Middle East via tankers and is also a leading importer of natural gas. Middle East conflicts or interruptions in the sea-lane supply routes would adversely impact the Chinese economy, leading China to seek more secure sources of oil and natural gas to fuel its expanding economy. The Arctic offers a source in a more politically stable area and closer to China than its current Middle East suppliers. Consequently, Russia and China are building partnerships for development of Arctic oil and liquefied natural gas fields in the Russian Arctic.⁴⁵

The Arctic is a potential source of mineral resources that China needs for its robust manufacturing sector. Greenland, which is a part of Denmark, holds large reserves of copper, uranium, and other minerals that make it an area of keen interest for Chinese companies and the Chinese government. Greenland's ores are so plentiful that they can meet a quarter of the world's demands for uranium and rare earth metals needed for manufacturing in China.⁴⁶ Elsewhere, a Chinese corporation recently purchased a quartzite mine in Norway, iron-ore deposit in Greenland, and has planned oil exploration in the waters of neighboring

³⁹ Rainwater, "Race to the North," 69.

⁴⁰ Ibid.

⁴¹ Alexeeva and Lasserre, "China and the Arctic," 82.

⁴² National Research Council, *Polar Icebreaker Roles and U.S. Future Needs: A Preliminary Assessment* (Washington, DC: The National Academies Press, 2005). Heavy icebreakers are defined as vessels capable of breaking 6 feet of ice continuously at 3 knots, and can back and ram through at least 20 feet of ice; U.S. Coast Guard, "USCGC POLAR STAR (WAGB-10)," <https://www.uscg.mil/pacarea/cgcpolarstar/> (accessed February 5, 2015).

⁴³ U.S. Coast Guard, Acquisition Directorate, "Icebreaker," <http://www.uscg.mil/hq/cg9/icebreaker/> (accessed March 4, 2015).

⁴⁴ Kenneth Bird et al., *Circum-Arctic Resource Appraisal: Estimates of Undiscovered Oil and Gas North of the Arctic Circle* (Denver: U.S. Geological Survey, 2008), <http://pubs.usgs.gov/fs/2008/3049/> (accessed December 16, 2014).

⁴⁵ Atle Staalesen, "In Russia-China Alliance, an Arctic Dimension," *Barents Observer*, November 14, 2014, <http://barentsobserver.com/en/arctic/2014/11/russia-china-alliance-arctic-dimension-14-11> (accessed February 27, 2015).

⁴⁶ Elizabeth Economy, "The Four Drivers of Beijing's Emerging Arctic Play and What the World Needs to Do," *Forbes Asia*, April 4, 2014, <http://www.forbes.com/sites/elizabethconomy/2014/04/04/the-four-drivers-of-beijings-emerging-arctic-play-and-what-the-world-needs-to-do/> (accessed February 11, 2015).

Iceland.⁴⁷ These investments, which often cost several billion U.S. dollars, provide economic boosts to the smaller Arctic nations who partner with Chinese state-run corporations.

China's Interests: Fisheries

China may be positioning itself to exploit the untapped fisheries of the unspoiled Arctic. With the world's largest population, China has a great demand for food. Historically most Chinese, especially those who live near the coast, have relied on fish as a source of protein. According to a 2010 study on global fisheries conducted by the Pew Environment Group, China leads the world in catch by tonnage as well as in overall consumption of fish.⁴⁸ The growing Chinese middle class places increasing demand on China's commercial fishing industry to find new sources, such as the fish stocks of the bountiful Arctic Ocean. China has a global distant-water fishing fleet numbering more than 2000 vessels (ten times larger than the United States).⁴⁹ Currently, China has nearly 400 vessels operating in West African waters and 100 more vessels fishing the waters off South America.⁵⁰ Chinese fishing vessels are generally not compliant with international fishing standards and regulatory practices; they have been cited or seized for illegal fishing from South Korea to Indonesia.⁵¹ China's disregard for fisheries management and refusal to control the actions of its fishing vessels could be disastrous to fish stocks in the unpatrolled waters of the Arctic.

In 2014, five Arctic nations (Canada, Denmark, Norway, Russia, and the United States) signed a ban on commercial fishing in the Arctic Ocean to protect the living marine resources of the thawing region.⁵² The United States had previously banned commercial fishing north of the Bering Strait in 2009. With the exception of the aboriginal native groups living in the Arctic, who are allowed to harvest fish and sea mammals, there are no commercial Arctic fisheries. Fisher stock such as herring and cod are predicted to flourish as the climate warms.⁵³ Bans and active enforcement of national fisheries regulations are seen by China as denying its right to the so-called "global commons." This increasingly robust stance and intense lobbying efforts by China may be reflected in the deficit of international fisheries agreements concerning the Arctic. Surprisingly, despite its mandate to "promote cooperation . . . on issues of sustainable development," the Arctic Council has not created a regional fisheries management organization as exists in other important fisheries around the globe.⁵⁴

⁴⁷ Njord Wegge, "China in the Arctic: Interests, Actions and Challenges," 83-98, <http://septentrio.uit.no/index.php/nordlit/article/viewFile/3072/2964>.

⁴⁸ Pew Environment Group, "China Tops World in Catch and Consumption of Fish," *Science Daily*, September 23, 2010, <http://www.sciencedaily.com/releases/2010/09/100922121947.htm> (accessed January 18, 2015).

⁴⁹ Katie Lebling, "Curbing China's Massive – and Destructive – Distant Water Fishing Fleet," *The Blog of the Wilson Center's Environmental Change and Security Program*, blog entry posted November 11, 2013, <http://www.newsecuritybeat.org/2013/11/curbing-chinas-massive-destructive-distant-water-fishing-fleet/#.Uoubp41m6S4> (accessed March 4, 2015).

⁵⁰ Daniel Pauly et al., "China's Distant-water Fisheries in the 21st Century," *Fish and Fisheries* 15, no. 3 (2014): 474-488, <http://onlinelibrary.wiley.com/doi/10.1111/faf.12032/full> (accessed March 3, 2015).

⁵¹ Lebling, "Curbing China's Massive – and Destructive – Distant Water Fishing Fleet"; Ben Otto, "China Makes Appeal for Chinese Fishermen Caught in Indonesia," *The Wall Street Journal Online*, December 10, 2014, <http://www.wsj.com/articles/china-makes-appeal-for-chinese-fishermen-caught-in-indonesia-1418218872> (accessed March 4, 2015).

⁵² Lauren Rosenthal, "Five Nations Tentatively Agree to Arctic Fishing Ban," *KUCB-Unalaska*, March 6, 2014, <http://www.alaskapublic.org/2014/03/06/five-nations-tentatively-agree-to-arctic-fishing-ban/> (accessed December 16, 2014).

⁵³ Heather Exner-Pirot, "New Direction for Governance of the Arctic Region," *Arctic Yearbook*, 238, http://www.arcticyearbook.com/images/Articles_2012/Exner_Pirot.pdf (accessed March 10, 2015).

⁵⁴ Erik J. Molenaar and Robert Corell, *Arctic Fisheries* (Brussels: Arctic TRANSFORM, February 9, 2009), 23, <http://arctic-transform.org/download/FishBP.pdf> (accessed February 9, 2015); U.S. Department of State, "Chairman's Statement at Meeting on Future of Arctic Fisheries," May 1, 2013, <http://www.state.gov/e/oes/rls/pr/2013/209176.htm> (accessed February 9, 2015).

China and the Arctic Council

The Arctic Council was established in 1996 and is headquartered in Tromsø, Norway.⁵⁵ As a high-level intergovernmental forum, it addresses issues faced by the eight Arctic governments and the indigenous people of the Arctic.⁵⁶ Although the Council's original mandate was sustainable development and environmental awareness, it has expanded in mission scope and membership. The Arctic Council lacks regulatory authority on security issues, and its actions are non-binding, which undermines its potential effectiveness.⁵⁷ The Council has been a forum for collaboration between members. Although the Council's mandate has not been expanded, the group has accomplished significant multi-lateral agreements. In 2011, Council members signed the Aeronautical and Maritime Search and Rescue agreement.⁵⁸ This represents the first binding agreement under the authority of the Arctic Council. Another recent example of coordination is the Arctic oil spill response plan. Both initiatives were developed out of necessity due to limited infrastructure and resources of the region.

The Arctic Council's charter provides for non-Arctic states and organizations to be granted non-voting observer status. During its term as the Secretariat of the Arctic Council in 2007-2013, Norway lobbied for inclusion of China as an observer.⁵⁹ Perhaps due to its commercial interest in Greenland's mines, China petitioned Denmark to support this initiative, too. Some Arctic states opposed the enlargement of the Council by observer states, assuming their interests were merely economic (i.e., China).⁶⁰ Russia, at first, resisted the admission of China, as it would potentially upset the balance of power in the Arctic. Russia's delegates believed that China, as a non-Arctic nation, would attract unwanted attention to the region.⁶¹

Concerns about China's Arctic intentions were likely stimulated by leading Chinese Arctic commentator, Li Zhenfu who opined that China's scientific interest in the Arctic is window dressing for other interests. Li has spoken of "the possibility of our country's open declaration of sovereignty over the Arctic and Arctic sea routes, as well as [a] territorial claim."⁶² Additionally, in 2011, a top Russian Navy admiral labeled China a threat to Russian economic interests in the Arctic⁶³.

As a result, Canada proposed limitations to alleviate Russia's concerns. Under the terms of admission to the Council, the observers must acknowledge the sovereign rights of Arctic nations and the application of UNCLOS. All observer states will come under review by the full members of the Arctic Council every four years and are not allowed to vote on issues brought before the Council.⁶⁴ Ultimately, the Arctic Council admitted as observers China, France, Germany, India, Italy, Japan, Korea, the Netherlands, Poland,

⁵⁵ Arctic Council, *Joint Communiqué of the Governments of the Arctic Countries on the Establishment of the Arctic Council* ("Ottawa Declaration") (Ottawa, Canada: Arctic Council, September 19, 1996), <http://library.arcticportal.org/1270/> (accessed February 9, 2015).

⁵⁶ Arctic Council "Observers," <http://www.arctic-council.org/index.php/en/about-us/arctic-council/observers> (accessed March 3, 2015).

⁵⁷ Heather Conley and Jamie Kraut, *U.S. Strategic Interest in the Arctic: An Assessment of Current Challenges and New Opportunities for Cooperation* (Washington, DC: CSIS Europe Program at the Center for Strategic and International Studies, April 2010), 13, http://csis.org/files/publication/100426_Conley_USStrategicInterests_Web.pdf (accessed March 20, 2015).

⁵⁸ The Arctic Council, "First Live Arctic Search and Rescue Exercise - SAREX 2012," September 25, 2012, <http://www.arctic-council.org/index.php/en/environment-and-people/oceans/search-and-rescue/620-first-arctic-search-and-rescue-exercise-sarex-2012> (accessed March 3, 2015).

⁵⁹ Morten Brugarud, "Norway Says Yes to China in Arctic Council," *Barents Observer*, January 22, 2013, <http://barentsobserver.com/en/arctic/2013/01/norway-says-yes-china-arctic-council-22-01> (accessed on January 18, 2015).

⁶⁰ Røseth, "Russia's China Policy in the Arctic," 844.

⁶¹ Ibid.

⁶² Wright, "The Dragon Eyes the /top of the World," 9.

⁶³ Roseth, "Russia's China Policy in the Arctic," 847.

⁶⁴ Ibid.

Singapore, Spain and the United Kingdom, as well as nine intergovernmental and eleven non-governmental organizations.⁶⁵ According to Espen Barth Aude, Norway's Foreign Affairs Minister, "We want people to join our club. That means they will not start another club."⁶⁶ Expanding the Arctic Council to non-Arctic states was important because issues such as marine transportation regulations would require support from non-Arctic states utilizing new trade routes. The aim of expanding the membership is not only to build the Council's stature but also to maintain its status as the body of reference for all Arctic issues.

China is on a mission to convince the Arctic Council and the world that it has legitimate rights to the Arctic and its resources. China wants to change the rules of the Arctic Council and is lobbying for full membership status. Calling itself a "near Arctic state," China argues the Arctic is a global commons and that it should have access to the region's natural resources and scientific research potential.⁶⁷ According to Chinese Navy Admiral Yin Zhou, the "Arctic belongs to all the people around the world, as no nation has sovereignty over it . . . China must play an indispensable role in Arctic exploration as [it] has one-fifth of the world's population."⁶⁸ As a result, many countries have questioned China's role and interests in the Arctic. A Canadian official stated, "There exists in China a distinct group of academics and officials trying to influence their leaders to adopt a much more assertive stance in the Arctic than has traditionally been the case. This could ultimately bring China into disagreement with circumpolar states in a variety of issue areas and alter security and sovereignty relationships in the circumpolar region."⁶⁹

Charting the Way Forward

In 2015, the United States assumed the leadership chair of the Arctic Council for two years. President Obama appointed a well-qualified Special Representative for the Arctic, retired Admiral Robert Papp, former U.S. Coast Guard Commandant. As Commandant, Papp worked closely with his Chinese counterparts on the North Pacific Coast Guard Forum and strengthened the China-United States ship-rider program, where Chinese maritime enforcement officers deploy on U.S. Coast Guard cutters operating in the Western Pacific. The latter program is a sterling example of international cooperation to combat transnational maritime crime, specifically the prevention of illegal commercial fishing. The ship-rider program represents an ongoing opportunity for increased U.S.-China combined maritime operations and partnership in a common area of concern. Papp also established strong relationships with navy and coast guard leaders from other Arctic nations to develop the Arctic search and rescue and oil spill response plans.

China and America share a common interest in freedom of navigation in the Arctic. China, however, does not view the United States as an Arctic power, unlike Canada and Russia. China's posture may stem from the lack of any serious U.S. Arctic strategy, U.S. refusal to ratify UNCLOS, and modest U.S. Arctic operations in comparison to other Arctic states.⁷⁰ One option the Arctic Council leadership could consider would be to offer China full member status in return for China submitting its controversial maritime claims in the South China Sea to UNCLOS arbitration. This alternative would require close coordination not only between Arctic member states but also littoral nations of the South China Sea. To date, China's official messages concerning its interests in the Arctic have followed twin themes of scientific research and environmental monitoring, with undertones of natural resource allocation and the development of new trade routes. China has shown support for the Arctic Council, as evidenced in its pursuit of full membership status, and support for the underlying framework of UNCLOS as it applies in the Arctic.

⁶⁵ Arctic Council, "Observers."

⁶⁶ Brugard, "Norway Says Yes to China in Arctic Council."

⁶⁷ Arthur Guschin, "Understanding China's Arctic Policies," *The Diplomat*, November 14, 2013, <http://thediplomat.com/2013/11/understanding-chinas-arctic-policies/> (accessed March 16, 2015).

⁶⁸ Economy, "The Four Drivers of Beijing's Emerging Arctic Play and What the World Needs to Do."

⁶⁹ Wright, "The Dragon Eyes the Top of the World," 9.

⁷⁰ *Ibid.*, 3.

At the same time, China has been unwilling to consider UNCLOS as a forum for arbitration of maritime boundary disputes in the South China Sea. China's signing of UNCLOS in 1996 was qualified by its rejection of certain provisions in dispute resolution clauses.⁷¹ Offering full member status on the Arctic Council in return for China's submission to UNCLOS arbitration elsewhere on the planet may reveal China's true ambitions. Both the South China Sea and the Arctic Ocean offer similar natural resources in the form of oil, natural gas, and fisheries. The United States may have an opportunity to collaborate with China on the Arctic Council while working to shape its expanding influence in the Arctic. China's *Twelfth Five Year Plan* calls for increased coordination and cooperation to include forging bilateral and multilateral maritime cooperation agreements as well as active participation in international maritime forums.⁷² Acknowledging China's great power status may encourage China to embrace a more cooperative tone and transparent efforts in the Arctic.

Even if not offered full member status, China will likely continue to expand economic partnerships with smaller Arctic countries such as Denmark and Iceland to meet China's future natural resource demands. The Arctic Council needs to monitor these relationships and prevent China from becoming a quasi-Arctic state through exerting economic leverage over Council member states. China has forged, for example, a strong bilateral relationship with Iceland, as evidenced by China's construction of the largest embassy in Reykjavik. Iceland has permitted the Chinese National Offshore Oil Corporation to develop projects on its continental shelf.⁷³ Additionally, China's only free trade agreement in Europe exists with Iceland.⁷⁴ Iceland has experienced significant problems with its economy since the 2008 banking collapse, and the opportunity to collaborate with a rising China is expected to offer a financial lifeline.⁷⁵ The chair and the members of the Arctic Council must be alert to votes by Iceland on Council issues. Are they truly being cast in accord with Icelandic positions and do they advance best interest of the Council? Or might China be exerting *de facto* influence through a proxy mechanism?

From 1951 through 2006, Iceland hosted U.S. forces at Keflavik Naval Air Station until a U.S. military drawdown program closed the facility and withdrew 1,300 American personnel from Iceland.⁷⁶ With no organic military, the Icelandic government was upset since closing the base left the island nation with no defense presence.⁷⁷ Iceland likely still resents this abrupt move by fellow NATO member the United States. As their bilateral relations with China strengthen, Iceland may offer China aircraft and naval basing rights to support their regional interests.

China's burgeoning influence may be a potential threat to the framework of Arctic cooperation and the broader security of the region. China, therefore, should not be allowed to create implicit proxy states through financial leverage or to exert undue diplomatic influence on smaller, politically and economically weaker Arctic states such as Iceland. The risk of an unchecked China in the Arctic may lead to regional instability and a lack of trust and cooperation among Arctic nations. It may cause a shift from the current state of liberalism fostered through the Arctic Council to a realist view.

⁷¹ See UNCLOS: Declarations and Statements, http://www.un.org/depts/los/convention_agreements/convention_declarations.htm.

⁷² People's National Congress, *China's Twelfth Five Year Plan (2011-2015)*, 17.

⁷³ Richard Milne, "CNOOC Teams up with Icelandic Group in its Play for Arctic Oil," *Financial Times*, June 9, 2013, <http://www.ft.com/intl/cms/s/0/7cd80ca8-d0fa-11e2-a3ea-00144feab7de.html#axzz3TRrlrxvI> (accessed March 3, 2015).

⁷⁴ Wegge, "China in the Arctic: Interests, Actions and Challenges," 91.

⁷⁵ Simon Bowers, "Iceland Rises from the Ashes of the Banking Collapse," *The Guardian*, October 6, 2013, <http://www.theguardian.com/world/2013/oct/06/iceland-financial-recovery-banking-collapse> (accessed March 3, 2015).

⁷⁶ Josh White, "U.S. to Remove Military Forces and Aircraft from Iceland Base," *The Washington Post Online*, March 17, 2006, <http://www.washingtonpost.com/wp-dyn/content/article/2006/03/16/AR2006031601846.html> (accessed April 10, 2015).

⁷⁷ *Ibid.*

China's interest in the Arctic may also reinforce its broader narrative of a rising China as a global power. As such, China has recently flexed its muscle on the United Nations Security Council through the increased use of its permanent member veto power (five times since 2007).⁷⁸ Likewise, it has become a more assertive leader in Asian multinational forums such as the Shanghai Cooperation Organization and in 2014 directly challenged the existing Bretton Woods monetary institutions with the establishment of the Asian Infrastructure Investment Bank.⁷⁹

Conclusion

The Arctic will continue to be a strategically important region as nations position themselves to take advantage of the untapped resources and expeditious maritime routes. Although China's interests in the Arctic started with scientific research, they have evolved into a desire to exert influence over the control and distribution of the bountiful natural resources (oil, natural gas, minerals, and fish stocks) required to sustain China's population and fuel the world's largest economy. As Stephen Blank notes, "China is clearly after more than simply investment and trade opportunities as it continues to display its obsession with securing energy and other supplies where the U.S. Navy cannot or will not go."⁸⁰ Additionally, China has signaled its intent to step up its use of the three Arctic maritime transit routes.

The Arctic Council is the internationally agreed model of governance and has established a strong reputation for cooperation and mutual respect among Arctic nations, as evidenced by the Arctic SAR and oil spill agreements. China is not likely to be satisfied with a limited role of observer in Arctic affairs and can be expected to continue to lobby for full membership on the Council. To boost the strategic importance of the group, however, the Arctic Council can capitalize on China's leadership position in the global economy. The rise of China in the Arctic may also be seen as a balance to Russia—which is the most active and provocative state in this region.

The self-labeling of the United States as an "Arctic nation" by national policy makers is not borne out by the intensity of American policy and activity in the region.⁸¹ Unlike Russia and Canada, the United States is perceived by China as neither an Arctic power nor a threat to China's rising influence in the region. This perception offers the advantage of muting any aggressive notes in the tone of American calls for China to exhibit responsible behavior befitting a major international power.

The United States can take concrete actions in three arenas—unilateral, bilateral and multilateral—to reduce the risk to its national security interests in the Arctic. First, the U.S. Senate should ratify the UNCLOS and fund additional Coast Guard aircraft, icebreakers, and other patrol vessels to give the United States both increased international legitimacy and Arctic maritime capability.

Second, the United States should capitalize on the success of the bilateral Coast Guard ship-rider program to build confidence with China in related maritime areas. A candidate venue could be the joint maritime patrols between littoral nations in the South China Sea proposed last month in Malaysia by the commander of the U.S. 7th Fleet. Scott Cheney-Peters of the Center for Strategic and International Studies suggests that the U.S. component of such patrols could be vessels from the Coast Guard (rather than the U.S. Navy) to reduce the appearance of a direct military challenge to China.⁸² The law-enforcement character of the U.S. Coast Guard and its established capacity-building programs with its Chinese counterpart should result in a less provocative presence with the potential to spawn additional areas of cooperation.

⁷⁸ Wegge, "China in the Arctic: Interests, Actions and Challenges," 86.

⁷⁹ Ibid; *The Asian Infrastructure Investment Bank Home Page*, <http://aiibank.org/> (accessed April 12, 2015).

⁸⁰ Stephen Blank, "China's Arctic Strategy," *The Diplomat*, June 20, 2013, <http://thediplomat.com/2013/06/chinas-arctic-strategy/> (accessed March 9, 2015).

⁸¹ Robert J. Papp, "America is an Arctic Nation," *The White House Blog*, blog entry posted December 2, 2014, <http://www.whitehouse.gov/blog/2014/12/02/america-arctic-nation> (accessed January 25, 2015).

⁸² Scott Cheney-Peters, "Joint Patrols and U.S. Coast Guard Capacity," April 1, 2015, <http://amti.csis.org/joint-patrols-and-u-s-coast-guard-capacity/> (accessed April 12, 2015).

Third, the U.S. government must continue to leverage opportunities to build a solid coalition within the Arctic Council to induce China to assume the mantle of responsible global partner in several venues. The prize of full membership in the Arctic Council could be used to prod China into cooperation on maritime issues not only in the Arctic Ocean but further afield in the contentious theater of the South China Sea. The United States and the other Council members must be vigilant to Chinese attempts to subvert Council proceedings through economic coercion of vulnerable Arctic nations. The evolving Arctic offers great potential for multi-lateral cooperation rather than the pursuit of self-interest and competition. The United States and China have an opportunity to reinforce strong maritime governance in the Arctic for their mutual benefit.



Myanmar in the Balance

William E. Boswell

As the U.S. continues to rebalance to the Pacific, the role of U.S.-Myanmar relations in that rebalance must be considered carefully. Stemming primarily from its location and relationship to China, Myanmar is a country of geopolitical and strategic importance to the United States and the world. Unfortunately, Myanmar's troubled history with human rights violations and its slow reform process continue to strain U.S.-Myanmar relations and make the way forward challenging. This essay argues that the United States must recalibrate its current policy with regard to Myanmar to include a limited military engagement option as a means of improving U.S.-Myanmar relations, facilitating reform, strengthening the rebalance posture, and maintaining U.S. values.

Keywords: *Strategic Recalibration, Military Engagement, Foreign Policy, Rebalance*

The strategic rebalance of U.S. international efforts toward the Asia-Pacific region requires reengagement with Myanmar due to its physical location and historical ties to China, India, and Japan. The Southeast Asian nation is geopolitically important, sharing land borders with China, India, Bangladesh, Thailand, and Laos, an extensive natural border along the Bay of Bengal, and enjoying commanding access to the Strait of Malacca. Currently, Myanmar is undergoing significant internal political and military reform after nearly half a century of military rule. Myanmar's peaceful transfer of power and attendant democratic/human rights reform initiatives have been gradual and slow, resulting in many unfulfilled reform promises. In response, the U.S. has adopted an incremental approach to engagement activities proportional to the pace of Myanmar's internal reform, resulting in stronger—but still tentative—bilateral relations. Myanmar's geopolitical position, democratic re-posturing, and developing relationship with the U.S. make further assessment of current U.S. policy essential to ongoing rebalance efforts. This essay describes the geopolitical importance of Myanmar, provides a brief history of foreign relations, outlines issues with Washington's current engagement policy, discusses military engagement policy options, and recommends a limited military engagement option that underscores U.S. values while strengthening strategic rebalance posture.

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Why Myanmar Matters

Myanmar's proximity to and relationship with China was a central factor in Washington's decision to reengage Myanmar after twenty years of diplomatic isolation. Developing a strong relationship with Myanmar, however, holds far greater potential than originally assumed. Strengthening the U.S.-Myanmar relationship is, in fact, essential to balancing regional strategic interests, especially with regard to China, India, and Japan.¹

Having achieved independence in 1948, Myanmar is emerging from decades of military rule and internal strife. Myanmar's internal resources are varied. Thousands of ancient temples and historic sites contribute to its expanding tourism market. Myanmar also has abundant natural resources, including hydrocarbons, minerals, precious stones, timber, and fish. Offshore drilling blocks in Myanmar's extensive gas fields are arguably the most valued of its commodities. Intense competition among oil companies is both bolstering and testing the strength of Myanmar's economic and political relationships with the U.S., China, India, and Japan.²

While India and China possess nuclear weapons, dynamic economies, and assertive foreign policies, Myanmar's political, economic, and military experience and assets are more modest. Despite its relative weakness, Myanmar plays a role in balancing the ambitions of more powerful states. Once part of British India, Myanmar maintains a significant Indian diaspora as well as deep religious and cultural ties. Like Myanmar, China also maintains a large diaspora and shares cultural ties. Both India and China actively compete for access to Myanmar's natural resources through seaport and gas pipeline projects,³ and both have been able to affect Myanmar's policies for the past two decades. Recent reforms, however, have enabled Myanmar to exert some influence to affect policies of China, India, the U.S., and Japan.

Beijing's steady consolidation of power maintains focus on internal regime stability followed by economic expansion and regional hegemony. By aggressively pursuing territorial claims in the South and East China Seas, China seeks to prevent containment and assert its role as the dominant Asian power. By modernizing its navy and massive commercial fleet, China leverages vitally important sea lanes to expand economic markets. China's handling of South China Sea claimant issues and increased access to the Indian Ocean is part of its "String of Pearls" approach. This approach has expanded China's commercial and naval presence at ports throughout the Indian Ocean, including Great Coco Island in Myanmar, Chittagong in Bangladesh, Hambantota in Sri Lanka, and Gwadar in Pakistan. Although Myanmar's location provides China with a means to project influence within the Indian Ocean littoral, the People's Liberation Army Navy (PLAN) is unlikely to seek establishment of permanent bases in Myanmar. China maintains non-military access to Myanmar's natural resources and its seaports via Chinese businesses and investments. Because Chinese contractors maintain some of their country's key port facilities, Myanmar remains somewhat beholden to China for spare parts and support. China could potentially use this technical assistance to expand its influence within ASEAN.

¹ Euan Graham, "Southeast Asia in the US Rebalance: Perceptions from a Divided Region," *Contemporary Southeast Asia* 35, no. 3 (December 2013): 305.

² Gwen Robinson and Lionel Barber, "Myanmar Opens Oil and Gas Auction" (also titled "Myanmar to Reconsider Energy Contracts"), *FT.com Online*, April 11, 2013, <http://www.ft.com/cms/s/0/97b175c6-a2b7-11e2-9b70-00144feabdc0.html#axzz4EbiQxLXI>.

³ Robert D. Kaplan, "Geography Rules: It's All About Spheres of Influence," *STRATFOR Online*, August 21, 2013, <https://www.stratfor.com/weekly/geography-rules-its-all-about-spheres-influence>.

China's relations with Myanmar form a critical component of Beijing's effort to counterbalance U.S. and Indian influence and maintain strategic situational awareness. With regard to energy security, China has pipelines through Myanmar and also has plans to build a canal across Thailand's Isthmus of Kra. If built, this canal could replace the Malacca Strait as China's primary avenue for importing oil and gas.⁴ If need be, China could also use the canal for military access between the Gulf of Thailand and the Andaman Sea, thereby potentially limiting international access to the Malacca Strait and the South China Sea—a clear strategic advantage. The canal project, however, would take many years to develop. Until then, India should continue to enjoy its strategic maritime advantage in the Bay of Bengal.⁵

To demonstrate its maritime interests and counter Indian and U.S. naval influence, China has increased naval presence in the Bay of Bengal through routine visits to Myanmar's ports.⁶ China will likely continue to provide technical and materiel support to Myanmar's ports, functionally guaranteeing routine access to oil and gas pipelines connecting China's landlocked Yunnan province (e.g., the Yunnan-Yangon-Irrawaddy corridor). Importantly, these supply routes could also be used to provide logistical support to PLAN forces operating in the Bay of Bengal (including those monitoring Indian naval activity and missile tests).⁷

Responding to Myanmar's domestic political reforms and to concerns about rising Chinese influence, India—like the U.S. and Japan—has implemented a more aggressive engagement strategy with Myanmar. Four of India's six remote Northeastern states sit between China and Myanmar and are quite physically removed from direct contact with New Delhi: Nagaland, Mizoram, Manipur, and Arunachal Pradesh. Arunachal Pradesh is the most vulnerable; China disputes India's claim to much of that remote state's territory.⁸ Because India's northeast is also known for geographical inaccessibility, insurgencies, and underdevelopment, improved cross-border relations with Myanmar could also improve New Delhi's access to and governance within these troubled states. As part of India's "Look East" policy, this access could increase Myanmar's export market to India and increase the flow of Indian manufactured goods to Myanmar and other Southeast Asian countries. India, like China, also desires more efficient overland routes through Myanmar in order to supply its northeastern security forces. This could improve bilateral security cooperation between India and Myanmar and benefit both nations' internal security programs. India's Andaman and Nicobar Islands are geographically closer to Myanmar than to mainland India. Improved maritime cooperation with Myanmar would enhance Indian sea power projection and check China's regional ambitions. Because bilateral relations are improving, these designs may come to fruition. During the aftermath of Cyclone Nargis in 2008, for example, Myanmar demonstrated a greater measure of trust toward India than other nations when it permitted Indian military doctors exclusive access to undertake relief efforts inside its borders.⁹ Myanmar-U.S. relations, however, remain strained due

⁴ James R. Holmes and Toshi Yoshihara, "China's Naval Ambitions in the Indian Ocean," *Journal of Strategic Studies* 31, no. 3 (June 2008): 367.

⁵ David Brewster, "Beyond the 'String of Pearls': Is there really a Sino-Indian Security Dilemma in the Indian Ocean?" *Journal of the Indian Ocean Region* 10, no. 2 (2014): 133.

⁶ Colin Dueck, "The Return of Geopolitics," *Real Clear World Online*, July 27, 2013, http://www.realclearworld.com/articles/2013/07/27/the_return_of_geopolitics_105345.html.

⁷ Gurpreet S. Khurana, "China's 'String of Pearls' in the Indian Ocean and Its Security Implications," *Strategic Analysis* 32, no. 1 (January 2008): 3.

⁸ Namrata Goswami, "China's 'Aggressive' Territorial Claim on India's Arunachal Pradesh: A Response to Changing Power Dynamics in Asia," *Strategic Analysis* 35, no. 5 (August 2011): 781.

⁹ Ranjit Gupta, "China, Myanmar and India: A Strategic Perspective," *Indian Foreign Affairs Journal* 8, no. 1 (January 2013): 87.

largely to the history of U.S. sanctions against Myanmar on humanitarian grounds. Cyclone Nargis may have provided India with an opportunity to assist and possibly further develop positive relations with Myanmar, but the disaster also demonstrated Myanmar's commitment to maintaining its political distance from the United States. Myanmar denied U.S. access to its ports even when offered much needed humanitarian assistance.¹⁰

History of U.S. Relations with Myanmar

The military has ruled Myanmar (formerly Burma) since 1962. At that time, General Ne Win implemented the "Burmese Way to Socialism" after ousting Prime Minister U Nu in a coup. Ne Win's Socialist Programme Party emerged as the only political party, which did not improve the country's ambiguous relationship with the U.S. He nationalized the economy, banned press freedoms, and, at times, imposed harsh anti-Chinese and anti-ethnic group policies. After Ne Win's resignation as party leader in 1988, a period of civil unrest led to General Saw Maung's brutal coup and the installation of the State Law and Order Restoration Council (SLORC). In response to the coup and subsequent human rights violations, the U.S. imposed long-term commercial and economic sanctions. In turn, those sanctions led Maung to expanded relations with China. Initially, India also took a hard stand against Myanmar's military rulers and supported pro-democracy groups. But by the mid-1990s, New Delhi's policy became more conciliatory out of concern for Beijing's growing influence.¹¹

Renewed U.S. relations with Myanmar became necessary as sanctions ultimately failed to isolate and weaken Myanmar's military junta. The U.S. clearly needed a different approach to achieve strategic goals in the region.¹² Sanctions were largely ineffective because extensive Chinese military assistance and favorable Indian cooperation enabled Myanmar's regime to maintain control.¹³ Myanmar's military rulers decided to engage meaningfully with the U.S. only after they became concerned with China's rising influence in their country.¹⁴

2003 signaled an era of reform for Myanmar, including an initial reform announcement via the "Roadmap to Discipline-flourishing Democracy." The "Roadmap" was followed by a constitutional referendum in 2008 and democratic elections in 2010. That same year, dissident Aung San Suu Kyi was released and reassumed political activities. Myanmar's presently quasi-civilian government has undertaken numerous political and economic reforms since its highly orchestrated election, where former General Thein Sein was elected as President and his Union Solidarity and Development Party (USDP) won the majority of seats in the upper and lower houses—not surprising as the 2008 constitution guaranteed the military a 25% quota in the legislature. Because of its inconsistency with democratic values, the military's high representation in the legislature remains an issue for the U.S. In 2012, parliamentary by-elections were held and opposition leader Aung San Suu Kyi and her National League for Democracy (NLD) party won 11 percent of the seats. President Obama also visited Myanmar in 2012 and 2014 and President Thein Sein visited President Obama in Washington

¹⁰ Sheldon Simon, "U.S.-Southeast Asia Relations: U.S. Frustrated as Burma Obstructs Cyclone Relief," *Comparative Connections, A Quarterly E-Journal on East Asian Bilateral Relations Online*, July 2008, <https://www.csis.org/analysis/comparative-connections-v10-n2-us-southeast-asia-relations>.

¹¹ *Ibid.*, 80.

¹² Kurt M. Campbell, "U.S. Policy toward Burma," October 21, 2009, <http://www.state.gov/p/eap/rls/rm/2009/10/130769.htm> (accessed September 10, 2014).

¹³ Roman David and Ian Holliday, "International Sanctions or International Justice? Shaping Political Development in Myanmar," *Australian Journal of International Affairs* 66, no. 2 (March 2012): 122.

¹⁴ "Less Thunder Out of China; Relations with Myanmar," *The Economist*, October 6, 2012, 56.

in 2013. The U.S. has lifted most, but not all, sanctions due to ongoing concerns about governance and human rights issues in Myanmar.

Even during its period of highest sanction, however, the U.S. failed to terminate all economic activity with the Myanmar military regime after 1988. The one exception was Chevron's joint venture for the construction of a pipeline linking Myanmar's Yadana gas field with Thailand. That became something of an embarrassment for Washington because alleged human rights abuses were traced to Myanmar's security forces who were assisting with the project.¹⁵ The sting of being associated with Myanmar's long history of human rights violations reverberates as do continuing discriminatory policies within Myanmar. The U.S. reengagement approach, therefore, remains cautious—and understandably so. Although the U.S. now has access to many of Myanmar's natural resources that were inaccessible for over two decades, its approach has been incremental and predicated upon democratization efforts. This reengagement strategy is still somewhat risky, particularly with regard to stagnation of important reforms that compromise U.S. democratic values. The U.S. maintains legitimate concerns about Myanmar's limited efforts to change the political-military landscape and its continued suppression of ethnic minorities. Myanmar's rulers do not appear to share the U.S.'s sense of urgency with regard to timely reform. They do, however, appear to share U.S. concerns about China's growing economic and military footprint in the region. China's reduction of its insular policies and development of sizeable maritime assets in a remarkably short time likely contributed to Myanmar's move to enact internal reform initiatives.

China has viewed Myanmar as a vassal state at least since Myanmar's independence. After the 1988 coup, China increased its political and economic influence over Myanmar because relations with traditional democratic donor nations had been effectively severed. To achieve strategic goals in Myanmar, China has invested heavily in Myanmar's most powerful institution: its armed forces or *Tatmadaw*. China is likely to maintain this approach and, in turn, Myanmar will likely continue to maintain favorable military relations with Chinese counterparts. China's support to Myanmar's military junta provided time and space to rebuff international criticism, including incentives to enact change. Specifically, China provided protection in the U.N. Security Council, military equipment and training, and economic investment when few others were willing to provide such assistance.¹⁶ Myanmar's relations with other neighboring Southeast Asian states and with India have been generally stable with regard to trade and investment. This further enabled Myanmar to withstand the economic impact of sanctions but Myanmar's mistrust of China, however, eventually convinced junta leaders that even though China's assistance helped insulate Myanmar from other foreign pressures, Chinese activities also threatened Myanmar's sovereignty.¹⁷ The military junta consistently demonstrated its preference for political power over economic prosperity and, as such, needed to implement changes that would lift over twenty years of U.S. sanctions, reinvigorate foreign investment, and reduce overdependence on China.¹⁸ In practice, the road to political reform has been tenuous and fragile. Nevertheless, even China now desires greater stability within Myanmar. By assisting Myanmar's leaders in resolving longstanding conflicts with ethnic groups that straddle their common border, China seeks to secure its pipelines and ensure uninterrupted energy security.¹⁹

¹⁵ "Congress Eyes Chevron's Role in Burma," *Financial Times*, October 24, 2007, 3.

¹⁶ David I. Steinberg and Hongwei Fan, *Modern China-Myanmar Relations: Dilemmas of Mutual Dependence* (Copenhagen: NIAS Press, 2012), 299.

¹⁷ Kyaw Yin Hlaing, "Understanding Recent Political Changes in Myanmar," *Contemporary Southeast Asia* 34, no. 2 (August 2012): 199.

¹⁸ Gupta, "China, Myanmar and India: A Strategic Perspective."

¹⁹ Maitrii Aung-Thwin, "Myanmar in 2013: Integration and the Challenge of Reform," *Southeast Asian Affairs*, 2014, 205.

Renewed U.S. interest in Myanmar is based on the larger strategic context of checking China's political and economic influence. Because China has increased efforts to maintain influence with Myanmar's military and civilian leaders, the U.S. must continue to develop a more positive relationship with Myanmar despite concerns over ethnic tensions and human rights violations. In essence, Myanmar is important because U.S. strategic rebalance objectives are inextricably tied to China's rise as a peer competitor. To that end, increased U.S. influence in Myanmar adds another complicating factor to China's foreign policy calculations, especially with respect to Beijing's South and Southeast Asia policies.

China, India, and the United States share many strategic interests in Asia's stability and prosperity (e.g., weapons of mass destruction, transnational terrorism, environmental issues, and economic prosperity). China's growing regional influence, however, has become a major concern for both India and the United States. India has the potential to be a major factor in controlling China's expansion. Recognizing this, the Obama administration has actively engaged India's current administration and enjoys favorable relations with Prime Minister Narendra Modi. This partnership is essential to countering Chinese influence, especially in Myanmar's case. India can diplomatically and militarily pressure China while doing more to assist Myanmar with reforms that lessen Myanmar's dependence upon China. Myanmar and India have historic ties and their Asian perspectives are more similar to each other than to U.S. worldviews.²⁰ The U.S. is thus able to focus on its values-based democracy and human rights agenda in Myanmar while other nations exercise engagement consistent with their national interests and values.

Similarly, Japan's historic and religious ties to Myanmar allow it to take advantage of several opportunities to engage Myanmar with an agenda that includes Myanmar's economy, natural resources, and its ability to influence China's activities in Myanmar. Japan has increased efforts to provide economic assistance for the people of Myanmar since 2010 when Myanmar began implementing domestic political and economic reforms. Since parliamentary elections in March 2012, Japan agreed to fund several infrastructure projects, including port facilities as a means of improving its bilateral relationship with Myanmar.²¹ This increased application of soft power and humanitarian assistance comes at a time when Japan is deeply concerned about Chinese regional ambitions.

For decades China and Japan have proactively leveraged developmental assistance programs to advance sovereign interests and access strategically important resources throughout Asia and beyond. This strategy, paired with Myanmar's liberalization efforts, has attracted greater foreign assistance in recent years. Historically, though, China has enjoyed the greatest amount of influence since most donor nations dramatically reduced aid to Myanmar following the 1988 military coup (though India and Japan did not support U.S. sanctions). With the recent influx of economic assistance from a variety of donor nations, Myanmar is able to exercise greater sovereignty and reduce China's influence. Thus, China's strained relations with Myanmar are becoming more complicated and problematic. As much as China abhors transparency and partnering, it may find itself in a situation where cooperation with other donor nations becomes essential to maintaining a stake in Myanmar. Although China has demonstrated no such capacity in other areas (e.g., the East and South China Seas), the situation with Myanmar is different. China does not have a land border

²⁰ Amit Gupta, "India and the United States," in *Global Security Watch – India* (Westport, CT: Praeger, 2012), 81.

²¹ James Reilly, "China and Japan in Myanmar: Aid, Natural Resources and Influence," *Asian Studies Review* 37, no.2 (June 2013): 153.

on the Bay of Bengal and needs Myanmar to be able to maintain influence within Indian Ocean littoral nations.²² China would also like to retain its influence over Myanmar without jeopardizing its relations with competing nations. Within this milieu, then, the U.S. must carefully consider best practices for engagement with Myanmar's newly democratic government, especially with regard to the *Tatmadaw*.

Issues with Existing Engagement Policy

Although its motives can be unclear at times, Myanmar's leadership has deliberately implemented democratic reforms over the past decade. This liberalization has created a means for Myanmar to balance internal and external interests, but its government has not yet made enough progress in several key areas: increasing civilian control of the military, eliminating human rights abuses, breaking ties with North Korea, rendering politics more inclusive, and resolving ethnic tensions. To date, Myanmar has pursued many needed reforms half-heartedly. Meanwhile, the U.S. appears to have turned a blind eye to the *Tatmadaw's* reluctance to commit to Myanmar's reform agenda (in order to pursue its own interests with China). Strong Myanmar-U.S. relations could be a potential source of U.S. embarrassment if U.S. military engagement progresses ahead of Myanmar's military reforms. Until the aforementioned issues are resolved, U.S. policy must be anchored to democratic values and military engagement should be limited to humanitarian and governance themes.

Reforming Myanmar's military will be a major challenge. As the country's most powerful institution for over half a century, the *Tatmadaw* is Myanmar's primary perpetrator of human rights violations and oppression of ethnic and religious minorities. Myanmar also maintains military ties to North Korea.²³ The transition to actual civilian rule is incomplete and reform activities failed to amend the constitution before the 2015 election. Because Myanmar's 2008 constitution continues to mandate a 25 percent military quota in parliament, the military retains the power to approve or deny constitutional amendments. Thus, despite tremendous success during the 2015 election by Aung San Suu Kyi and her party, the road to fully democratic elections remains fraught with difficulty. To further solidify a positive U.S.-Myanmar relationship, newly elected leaders will need to more fully embrace reform initiatives. Many of Myanmar's 2012 and 2013 promises to President Obama remain unrealized, including Myanmar's failure (a) to effectively and humanely deal with the stateless Rohingya people, and (b) to move toward severing military ties with North Korea.²⁴ Further, reconciliatory political dialogue has not yet resulted from ceasefire agreements with 12 of 13 ethnic groups. The U.S. Congress has responded to these shortcomings by proposing H.R.4377, The Burma Human Rights and Democracy Act of 2014. If adopted, this act would prohibit security assistance funding to the government of Myanmar until the U.S. Secretary of State certifies that Myanmar has taken credible steps toward implementing promised reforms.²⁵ Moreover, the language of H.R. 3979 FY 15 NDAA, Military-to-Military Engagement with the Government of Burma (§ 1253) permits only limited engagement with Myanmar's military and essentially prohibits activities not related to institutional reform and humanitarian assistance. The current calibrated engagement approach with Myanmar should be revised to address increased concerns of human rights advocates and restore

²² *Ibid.*, 154.

²³ Donald M. Seekins, "Burma and U.S. Sanctions: Punishing an Authoritarian Regime," *Asian Survey* 45, no. 3 (May 2005): 439.

²⁴ Bureau of East Asian and Pacific Affairs, *U.S. Relations With Burma Fact Sheet* (Washington, DC: U.S. Department of State, 2014).

²⁵ *Burma Human Rights and Democracy Act of 2014*, H.R.4377, 113th Congress (September 9, 2014).

Congressional confidence. The following policy options provide some opportunities to recalibrate engagement and maintain influence in a country key to Washington's Asia strategy.

Recalibration Options to Current Policy

The first option would be to prohibit further military engagement until the desired conditions are met. Cooperation with Myanmar's military has progressed ahead of the pace of necessary reforms. Expanding U.S. military engagement beyond current activities, therefore, would be prohibited in order to stress the conditional and values-based nature of U.S. reengagement. Under this option, the DoD and Congress would be sending a unified message: Myanmar has implemented essential reforms far too slowly. Absent further reforms (or evidence of reform acceleration), only existing capacity building programs focused on rule of law and human rights would continue. U.S. activities would be limited to those that promote democratic values, human rights awareness, and rule of law reform. Prohibiting further military engagement until agreed-upon benchmarks are met is a balanced way to improve the resolve and commitment of Myanmar's government.²⁶ Such a principled approach also would mitigate potential U.S. Congressional issues and likely receive support from Aung San Suu Kyi and the NLD party. This option would not affect ongoing military assistance programs from other donor nations such as India, Australia, and Great Britain. These programs would continue to reduce China's influence within the *Tatmadaw* and improve allies' and partners' influence, which by extension continue to benefit the U.S. Although DoD military programs would be more limited in scope, Myanmar would continue to desire them, effectively countering Chinese influence.

A second option would be to increase U.S. military engagement in order to accelerate the pace of reform and enhance U.S. influence in Myanmar. Specifically, the U.S. would expand security cooperation activities beyond rule of law and security sector reform programs, extending to a broader military and police audience by augmenting U.S. Law Enforcement programs with appropriate DoD instructors.²⁷ Myanmar's officers and NCOs would also benefit from attending educational courses at U.S.-based military institutions that teach norms of civil-military relations in order to restore public trust in Myanmar's security sector. Interaction with uniformed U.S. strategic leaders would increase exposure to democratic values and provide alternate viewpoints to Myanmar's leaders who have been extensively influenced by decades of Chinese military training programs. Rotational military medical missions would be deployed to areas affected by drug resistant malaria to build Myanmar's military medical capacity and generate a more humanitarian focused mission.²⁸ Because this option communicates U.S. willingness to proactively engage a military with significant human rights and rule of law deficiencies, Congress and human rights advocates would need to be convinced that more military assistance would have a catalytic and positive effect on reform within Myanmar's ranks. This could accelerate Myanmar's overall efforts to revamp its image and may decrease China's influence within the *Tatmadaw*. On a cautionary note, however, increased U.S. military engagement could also be perceived as provocative and unintentionally create a security dilemma with China.

²⁶ Steve Hirsch, "Cracks Appear in US Myanmar Rapprochement," *The Diplomat Online*, April 30, 2014, <http://thediplomat.com/2014/04/cracks-appear-in-us-myanmar-rapprochement>.

²⁷ David Steinberg, "The Problem with H.R. 4377, the Burma Human Rights and Democracy Act of 2014," *cogitASIA Online*, May 7, 2014, <http://cogitasia.com/the-problem-with-h-r-4377-the-burma-human-rights-and-democracy-act-of-2014/>

²⁸ J. Stephen Morrison et al., *Myanmar: Regressed, Stalled, or Moving Forward?* (Washington, DC: CSIS, October 2014).

A third option would be a multilateral approach, aligning U.S.-Myanmar military assistance with ASEAN programs. Myanmar chaired ASEAN in 2014 and, capitalizing on Myanmar's successful leadership of a multilateral organization, the U.S. could promulgate a unique approach to Southeast Asian military activities that places ASEAN leadership at the forefront and utilize ASEAN Regional Forum (ARF) exercises and deployments to demonstrate unity of action toward pervasive issues such as narcotics production and trafficking, drug resistant malaria, human rights issues, humanitarian crises, and territorial disputes. This ARF-led framework in Myanmar would have U.S. participants serving as subject matter experts and neighboring countries like Thailand and Laos providing the majority of participants. Similar to Myanmar sending military observers to routine regional, multilateral military exercises (e.g., COBRA GOLD in Thailand), Myanmar's internal military exercises could focus on humanitarian crises modeled after 2008's Cyclone Nargis (as one possible scenario). This construct accords Myanmar's security forces more exposure to non-Chinese security forces, highlights the importance of humanitarian missions, and demonstrates U.S. military programs closely aligned with ASEAN partners. Even though there would be potential political and bureaucratic issues at the outset, these could be overcome and the long term benefits would be worth the effort. This framework could also be helpful with regard to resolving extraterritorial sovereignty issues in the South China Sea. Multilateral exercises are the norm in the region and Myanmar would likely be receptive to expanded interaction, albeit cautious with regard to exercises within its own troubled areas. Human rights advocates and concerned domestic audiences would likely applaud a multilateral approach where activities would be strictly humanitarian in nature. The main drawback to this option is that it would likely take several years to realize the benefits and Myanmar could be hesitant to agree to this framework in the near term. Further, the U.S. would need to exercise more restraint in the region as its actions are frequently interpreted as mixed messages, potentially indicating to China what would likely be perceived as another attempt at containment.

Suggested Military Engagement Approach

Washington's reengagement strategy with Myanmar's fledgling democracy has been incremental, developing a strategic partnership pragmatically and patiently. The U.S. Department of Defense needs to maintain a strategy in step with Congress that ties increased military assistance directly to the advancement of essential reforms. In addition to Myanmar's peaceful transition out of decades of military rule, U.S. /national interests are focused on China's rise in economic and military might. A recalibrated military engagement strategy would maintain existing DoD security cooperation programs because they influence Myanmar's security sector stakeholders. These programs are also strictly limited to promoting democratic values, human rights awareness, and rule of law reform. Prohibiting further military engagement until agreed-upon benchmarks are met should strengthen the resolve and commitment of Myanmar's reformers. This principled approach also mitigates potential long-term resentment from ethnic minorities that have captured the interest of international human rights advocates. Future security cooperation programs must provide the ability for the U.S. to demonstrate its unwillingness to compromise on central issues and must give Myanmar the space to progress at its own pace without feeling threatened by external influences. This approach prevents domestic political backlash and permits gradual implementation of long term programs that would emerge from the U.S. mission's current in-country activities (e. g., USAID-led development programs, public diplomacy activities, security sector capacity building programs, and reintroduction of U.S. companies operating in Myanmar). The military portion of Washington's strategy could remain limited to rule of law and human rights focused topics until military transparency improves. Transparency would be measured through development of a round-table

forum that builds consensus among donor military nations (including China) and Myanmar's civilian and military leaders. Consensus among stakeholders would be achieved through the establishment of milestones and mutually agreeable performance standards.

Considering China's human rights record and extensive ties with the *Tatmadaw*, donor nation military assistance should focus on humanitarian activities and be directed toward rebuilding trust in former conflict areas. This collective defense partnership framework would demonstrate openness and improve the *Tatmadaw's* image by working with civilian populations in local communities. Providing equipment would be discouraged but could be approved on a case-by-case basis if doing so improves a necessary capability, such as medical response to infectious diseases. The U.S. military model of professionalism should help to reshape attitudes toward ethnic minorities and civilian officials. Close relationships with Washington's allies and partners will be leveraged to bolster U.S. credibility and mitigate risk of a relapse to military rule. These relationships also minimize concerns about whether a reduction of U.S. military assistance would cede ground to others such as China. Also, a limited U.S. military presence may even mollify China and thereby reduce the possibility of strategic misunderstanding. Encouraging support of round-table activities should lead to broader regional cooperation as well. Myanmar would try to balance American, Japanese, Indian, and Chinese influence and leverage this unified approach to demonstrate the *Tatmadaw's* progress toward transparency. If adequately resourced and prioritized, India's large armed force and close proximity to Myanmar would presumably contribute the most militarily. Donor nations such as Australia and Great Britain could also wield considerable influence and address gaps not covered by U.S. military programs. Improved military relations between the U.S. and India should signal to China that its String of Pearls approach ought to be cooperative in nature and not threaten freedom of navigation. This approach also discourages the practice of leveraging bilateral defense relations to achieve security goals not consistent with reform objectives. Increased transparency would also provide data essential for stakeholders to report progress accurately.

Because it allows Myanmar's political, economic, and social conditions to gradually evolve, this strategy is sustainable. It also provides donor military nations the insights to make necessary adjustments, both positive and negative. Military trade with North Korea continues to be a non-negotiable component for Washington and non-compliant members of the *Tatmadaw* would be singled out and denied the benefits of multilateral cooperation. USAID would continue to lead activities targeted at improving quality of life through development. These programs have a secondary benefit of addressing military transparency through inclusive, multilateral development programs.

Because it is not an extreme departure from the current engagement policy, this suggested strategy has minimal risks. Myanmar is a lesser known Asian country and U.S. activities would be underwritten by Aung San Suu Kyi, so U.S. domestic response would likely be favorable and go largely unnoticed. Myanmar, for its part, is acutely interested in maintaining favorable U.S. relations to balance China's regional influence. Restricting growth of U.S. military programs communicates Washington's adamancy regarding fulfillment of reform promises. Myanmar needs favorable long term U.S. relations in order to balance its neighbors and bolster its economy. These relations allow Myanmar to be less dependent upon China, provide India an opportunity to increase its influence, and give the U.S. a stronger regional partner in a geopolitically important location. This strategy ensures persistent and productive U.S. engagement with Myanmar and the Asia-Pacific region consistent with the overarching strategic framework of the United States.

Conclusion

Reestablishing favorable relations with Myanmar was an essential component of the U.S. strategic rebalance to the Asia-Pacific region. Favorable U.S.-Myanmar relations are essential to Asia-Pacific regional stability in the 21st century. If carefully considered and approached, strategic rebalance success and preservation of Washington's moral high-ground can be achieved and maintained in Myanmar. A recalibrated military engagement strategy with Myanmar addresses concerns of human rights advocates and the U.S. Congress while incentivizing acceleration of democratic reforms.

Prohibiting further military engagement with Myanmar's military demonstrates a measure of calibrated restraint. This approach does not jeopardize bilateral relations because Myanmar is committed to reducing China's influence and growing strong relations with the United States. Myanmar's reforms will undoubtedly continue and its military will still benefit from well-crafted U.S. DoD engagement programs. India and other U.S. allies and partners will continue to challenge China. Success will be achieved through a U.S. strategy that is not defined by enhanced bilateral military relations during Myanmar's peaceful transition to civilian rule.

Increasing Washington's influence in Myanmar requires continuous engagement that includes leveraging India to balance China.²⁹ However, U.S. engagement must be consistent with American values, preserve U.S. integrity, and demonstrate Washington's unwillingness to compromise on governance and human rights issues in Myanmar. Simply maintaining the status quo will not adequately express U.S. concerns about Myanmar's government, nor will it serve American interests in the Asia-Pacific region.

²⁹ Peter A. Coclanis, "The Myanmar Moment? Why Washington Made its Move," *World Affairs Online* 174, no. 5 (January/February 2012): 89, <http://www.worldaffairsjournal.org/article/myanmar-moment-why-washington-made-its-move>.



Repetitions of History

Scott M. Naumann

The U.S. Army's leadership is tasked with simultaneous achievement of two largely incompatible goals: downsizing the force and maintaining its capacity to enact the nation's defense strategy. Negotiating this challenge and avoiding conditions leading to a "hollow force" requires careful adjustment of three variables: end strength, readiness, and modernization. Failure to effectively and strategically manipulate these variables is a precursor to future defeat. By comparing the current situation facing U.S. military leadership with the British Army's downsizing efforts during the interwar period (1919-1939), this essay identifies insights for decision-makers charged with developing downsizing policies for the U.S. Army.

Keywords: *Defense Drawdown, British Army, Force Structure, Readiness, End Strength, Modernization, Hollow Army*

Want of foresight, unwillingness to act when action would be simple and effective, lack of clear thinking, confusion of counsel until emergency comes, until self-preservation strikes its jarring gong—these are the features which constitute the endless repetition of history.

—Winston S. Churchill¹

When predicting future national security threats or anticipating the next conflict, the historical record is clear: policy makers usually get it wrong. Indeed, former Secretary of Defense Robert Gates famously remarked that "... when it comes to predicting the nature and location of our next military engagement . . . our record has been perfect. We have never once gotten it right."² This condition is readily apparent today as the contemporary global security environment challenges defense policy makers to best prepare the U.S. Army for an uncertain future. Fiscal constraints, public war weariness, emerging technologies, and a myriad of global threats present a complex challenge to the

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¹ Winston Churchill, "Air Parity Lost," speech to the House of Commons, May 2, 1935, <https://www.winstonchurchill.org/learn/speeches/speeches-of-winston-churchill/90-air-parity-lost> (accessed February 20, 2015).

² Robert M. Gates, "Secretary of Defense Remarks at West Point," February 25, 2011, <http://www.defense.gov/speeches/speech.aspx?speechid=1539> (accessed February 17, 2015).

Army's leadership tasked with downsizing the force while simultaneously ensuring its capacity to accomplish the nation's defense strategy.

At the core of this complex challenge lies a balancing act. To avoid cultivating a condition that leads to a "hollow force,"³ former U.S. Army Chief of Staff General Raymond T. Odierno once stated that leaders must carefully adjust three variables during a downsizing period to ensure the force is prepared to meet future demands: end strength, readiness, and modernization.⁴ To be sure, greater end strength is not necessarily a better condition. Indeed, during past drawdowns, the Army maintained end strength at the expense of readiness and modernization which ultimately led to a hollow force. Similarly, preserving modernization accounts or readiness over end strength can lead to other deleterious effects. Incredible technology and high readiness will not make up for an army too small to meet the defense strategic guidance.

Adjusting these variables to meet the challenges of the perceived operating environment—while simultaneously managing risk—is no easy task. The consequences are great. Failure to adequately manage these variables negatively impacts U.S. national security and, as Army Vice Chief of Staff General Daniel Allyn recently reflected, can place the lives of our soldiers at considerable risk.⁵ In today's uncertain environment, this balancing act represents a difficult problem, but by no means is this a new phenomenon. Historical analysis, therefore, can provide useful insights to guide the downsizing of the U.S. Army—insights that can assist policy makers charged with generating options and developing solutions for the tasks undertaken.

This essay begins with a brief review of previous U.S. Army downsizing efforts, and then reviews the strategic context leaders face as they plan today's U.S. Army downsizing. Next, the case is made for the British Army downsizing experience during the inter-war period (1919-1939) as the lens best approximating our contemporary environment. An analysis of the insights gained from the British experience using General Odierno's benchmarks for hedging against the creation of a "hollow army" (end strength, readiness, and modernization) is presented.⁶ The paper concludes with recommendations of the most significant insights for consideration by policy makers.

History cannot provide certain solutions for an uncertain future. Indeed, reasonable people can—and do—disagree with the ostensible lessons learned from any historical period. Moreover, leaders often perilously plan for the next war by preparing for history's last episode of conflict. Take, for instance, the French following World War I. Throughout the 1930s, the French Army constructed the elaborate Maginot Line to defend against a potential German invasion. Designed as a result of France's experience during the First World War, this system of defensive works sought to stymie a future German invasion along the historic route utilized by the Germans in 1914. The perceived success of static, defensive trench combat, during the First World War, proved folly as the German

³ The term "hollow army" entered into political-military vocabulary in the early 1980s. The term is widely used to describe military forces unprepared to meet national security requirements as a result of budget shortfalls. For more background and context see Frank L. Jones, *A Hollow Army Reappraised: President Carter, Defense Budgets, and the Politics of Military Readiness*, The Letort Papers (Carlisle Barracks, PA: U.S. Army War College, October 2012), 1, <http://www.strategicstudiesinstitute.army.mil/pdf/PUB1125.pdf> (accessed January 5, 2015).

⁴ C. Todd Lopez, "Odierno: Sequestration Could Lead to Hollow Army," *Army News Service Online*, May 17, 2012, <http://www.army.mil/article/80058/> (accessed February 17, 2015).

⁵ Richard Whittle, "There Is No Peace Dividend: Army Vice Chief Rails Against Sequester," *Breaking Defense*, January 29, 2015, <http://breakingdefense.com/2015/01/there-is-no-peace-dividend-army-vice-chief-rails-against-sequester/> (accessed February 3, 2015)

⁶ C. Todd Lopez, "Odierno: Sequestration Could Lead to Hollow Army." 1.

military blitzkrieg of the Second World War simply bypassed the fixed defenses, and invaded neutral Holland instead. In less than six weeks the French capitulated.⁷

The U.S. Army is no stranger to this phenomena. Indeed, the 1991 invasion of Iraq proved to be a poor example for future conflict. With an eye on emulating the hundred hour victory benchmark set during Operation Desert Storm, the U.S. Army diligently trained throughout the 1990s to overwhelm a conventionally equipped and employed army through technological superiority and combined arms maneuver.⁸ During its next conflict, however, the U.S. Army instead engaged in over a decade of counterinsurgency operations against asymmetric foes determined to attack perceived weaknesses and to avoid conventional military strengths. These examples suggest that using history to guide future strategy requires the selection of an appropriate analog for comparison. Accordingly, a good place to begin a search for an appropriate analog is with our own Army's history of downsizing.

A Brief History of U.S. Army Drawdowns

The U.S. Army has undergone a period of downsizing following every major conflict over the past century with mixed results. During previous downsizing efforts, for various reasons, our nation's leaders repeatedly minimized the role of Landpower in strategic planning. A weak economy and public disillusionment following the First World War led to a significant reduction in manpower, reduced training, and meager equipment modernization programs.⁹ This condition persisted up to the eve of the Second World War, ultimately resulting in an under-strength and under-equipped army, proficient in obsolete tactics with obsolete weapons, and largely prepared to fight the battles of the last war.¹⁰ In 1942, when the Army engaged in its first combat of the Second World War at the North African Kasserine Pass, the fledgling force would pay a high price in blood to gain the battlefield experience required for future success.¹¹ Less than five years following the defeat of global fascism the Army found itself similarly unprepared. The tactical defeats sustained during the opening weeks of battle following the North Korean invasion of its southern neighbor in the summer of 1950, were rooted once again in the failure of the U.S. Army to adequately prepare itself for the future.¹² Certainly, the U.S. Army is no stranger to downsizing efforts, and a seemingly untapped potential exists for gaining historical insights to help guide another iteration of the drawdown series today.

The U.S. Army's current situation, however, stands apart from the robust history of previous downsizing periods. Unique to this American experience is downsizing the force in the midst of an increasingly uncertain and dangerous security environment. Following previous conflicts, the United States adopted a policy of retrenchment that disdained robust foreign engagement and military commitments. Unable to attend to pressing domestic issues during combat, politicians sought peaceful disengagement and the associated opportunities to reprogram finances toward domestic agendas ignored or slighted by the demands of military conflict. Despite the exhortations of President Woodrow Wilson, for example, most American politicians rejected the idea of future military

⁷ James L. Stokesbury, *A Short History of World War II* (New York: William and Morrow, 1980), 25.

⁸ Robert H. Scales, *Certain Victory: The U.S. Army in the Gulf War* (Fort Leavenworth, KS: U.S. Army Command and General Staff College Press, 1994), 5.

⁹ Maurice Matloff, ed., *American Military History* (Washington, DC: U.S. Government Printing Office, 1988), 406.

¹⁰ Charles E. Heller and William A. Stoft, eds., *America's First Battles, 1776-1965* (Lawrence: University of Kansas, 1986), 227.

¹¹ Martin Blumenson, *Kasserine Pass* (Boston: Houghton Mifflin, 1967), 303.

¹² Heller and Stoft, eds., *America's First Battles, 1776-1965*, 266.

participation overseas following the First World War.¹³ Accordingly, the subsequent decision not to join the League of Nations was a clear signal that the United States had little political interest in participating in an active global security system to ensure peace and stability.¹⁴ The advent of the Great Depression in the late 1920s led to further reductions in fiscal expenditures for the U.S. Army, and also spawned a sense of pacifism throughout the country.¹⁵ As a result, military engagement in the form of forward deployed forces and interventions plummeted.

The same pattern of retrenchment and limited engagement persisted following later conflicts. After World War Two, President Harry Truman felt obliged to rapidly downsize the army and return the mass of citizen soldiers back to their homes despite the broad threat of global communism and more specific threats of Soviet ambitions in Europe and Asia. Many scholars, policy makers, and military officials alike, openly questioned whether an army was even necessary given the employment of atomic weapons over Hiroshima and Nagasaki and the prospect for future nuclear war.¹⁶ According to the conventional wisdom at the time, if a threat ever forced the United States to engage militarily, the nation would not rely on its army, but instead on its nuclear arsenal (which did not directly require ground forces) to prosecute the war. This general sentiment persisted through the Korean conflict, appeared again throughout the 1960s, and reemerged following the Nation's experience in Vietnam. In 1973, the U.S. Army's direct involvement in the Vietnam War ceased and the transition from a conscripted to an all-volunteer force began. This disengagement ushered in another era of defense reductions and military drawdowns. Viewed by many as a weakened institution in need of reform, the U.S. Army once again absorbed the most significant budget cuts. As a result, limited end strength compared to requirements, recruiting and retention problems, fiscal constraints, and a lack of political support led many officials to characterize the U.S. Army as a hollow force.¹⁷

The collapse of the Soviet Union dramatically changed the contours of the international system. With the threat of superpower conflict ostensibly diffused, politicians again reveled in the opportunity to usher in a new era of peace and harmony. The U.S. Army underwent a significant drawdown as part of the effort to redeem the emerging "peace dividend" of the American dominated unipolar world.¹⁸ The drawdown of the early 1990s came at a time when the United States was not engaged in global conflicts against myriad active threats. Budget reductions did not place the security of the nation at levels of unacceptable risk because with decreased resources came decreased global engagement. Like each of the previous periods highlighted, policy makers were loath to incur additional military commitments. While the United States did engage in some significant military interventions following the Soviet Union's demise (e.g., the 1991 invasion of Iraq), for the most part, foreign policy tended to avoid global crises with the potential for significant military engagement—especially the commitment of U.S. Army ground forces. Enforcement of the no-fly zone over Iraq,

¹³ Russell Weigley, *History of the United States Army* (Bloomington: Indiana University Press, 1984), 396.

¹⁴ Matloff, *American Military History*, 405.

¹⁵ Weigley, *History of the United States Army*, 402.

¹⁶ *Ibid.*, 500.

¹⁷ Andrew Feickert, *Army Drawdown and Restructuring: Background and Issues for Congress* (Washington, DC: U.S. Library of Congress, Congressional Research Service, February 28, 2014), 28.

¹⁸ As Mary Manjikian points out, in a peace dividend scenario, "the overwhelming impetus is to pump savings that are ostensibly realized by the end of conflict into domestic social programs." See *Do Fewer Resources Mean Less Influence? A Comparative Historical Case Study of Military Influence in a Time of Austerity* (Carlisle Barracks, PA: U.S. Army War College, 2015), 1-2.

aerial bombardment of Serbia, and cruise missile strikes against terrorists are further examples of the predominately limited military engagement that defined this period.

During this time, politicians eschewed the specter of significant military engagement. Even when the commitment of ground forces to secure national security objectives became necessary (e.g., the 1993 Somalia raid to capture terrorist leader Mohamed Farah Aideed in Mogadishu), the intervention was immediately curtailed for fear of escalating the conflict. This reluctance to intervene militarily, especially in situations which might lead to hostilities, was later dubbed the “Somalia Syndrome” or, in the words of President Bill Clinton’s special envoy Richard Holbrooke, the “Vietmalia Syndrome.”¹⁹ As a result, an increasing concern over the potential to sustain casualties became the preoccupation of political and military leaders alike. This practice allowed for a continued reduction of defense expenditures in an effort to redeem the supposed peace dividend. Unfortunately, as the end of the 20th century approached, this dividend never really revealed itself.

The terrorist attacks of 9/11 and subsequent invasions of Taliban-controlled Afghanistan in 2001 and Saddam Hussein’s Iraq in 2003, forced the engagement of the U.S. Army into a new conflict—a fight that many officials argued our leaders failed to accurately predict and one for which still many more suggested the U.S. Army was unprepared. Today, at the close of our longest sustained military intervention in history, another drawdown is underway.

This brief history of U.S. Army drawdowns reinforces former Defense Secretary Gates’ opinion of the difficulty of predicting threats and challenges, identifying future aggressors, and anticipating the commencement of hostilities. Motivated by a supposed peace dividend, reluctance to use the military element of national power, or a desire to prioritize domestic initiatives, this history repeatedly demonstrates that decisions to reduce the U.S. Army following conflict have often resulted in costly and time consuming efforts to rebuild capabilities that were allowed to deteriorate. As a result, the U.S. Army was forced to repeatedly commit inadequately trained forces—at insufficient strength—in order to prevent defeat and to buy time to build and deploy a capable force for achieving national security objectives.²⁰ At the end of each conflict, policy makers forced the U.S. Army to disarm only to be tasked again later with additional security requirements. Again, former Defense Secretary Robert Gates summarized this trend:

every time we have come to an end of a conflict, somehow we have persuaded ourselves that the nature of mankind and the nature of the world has changed on an enduring basis, and so we have dismantled our military capabilities.²¹

History clearly demonstrates that the U.S. Army can expect to again find itself engaged in hostilities under less than optimal conditions and that the paradigm of uncertainty will continue to challenge the nation’s strategic planners.

The Perceived Contemporary Strategic Context

In testimony before the Senate Armed Services Committee, General Odierno stated that the contemporary security environment is the most uncertain one he has seen during his career and that

¹⁹ Robert F. Baumann and Lawrence A. Yates, *My Clan against the World: US and Coalition Forces in Somalia 1992-1994* (Fort Leavenworth, KS: Combat Studies Institute Press, 2004), 2.

²⁰ Daniel Goure, “When We’ll Need an Army, You Can Bet We’ll Need it Bad,” *Early Warning Blog of the Lexington Institute*, October 13, 2014, <http://lexingtoninstitute.org/when-well-need-an-army-you-can-bet-well-need-it-bad/> (accessed October 15, 2014).

²¹ Jim Garamone, “Gates Says U.S. Must Apply Lessons from Past Drawdowns,” *American Forces Press Service*, April 17, 2009, <http://www.defense.gov/news/newsarticle.aspx?id=53984> (accessed October 7, 2014).

the “amount and velocity of instability continues to increase around the world.”²² A review of current military operations around the globe shows the U.S. Army engaged in numerous crises on six continents.²³ In addition to maintaining commitments in Afghanistan, the U.S. Army is deployed on myriad missions from advising the Iraqi Army in the fight with the Islamic State and reinforcing allies in Europe against threats of Russian expansion, to providing humanitarian support to combat the Ebola outbreak in West Africa. Indeed, in the spring of 2015, nine of ten active duty Division headquarters were currently deployed providing joint mission command responsibilities.²⁴ Beyond that, the Army remains regionally engaged and forward deployed as it executes Defense Department directed partnership exercises, world-wide counter-terrorism operations, and various other worldwide missions such as United Nations Peacekeeping operations in the Balkans and Sinai, the deterrence mission in South Korea, and counter narcoterrorism operations throughout Central and South America. From the renewed aggression of peer competitors, new domains of cyber warfare and expanding terrorist networks, to failed states, deadly epidemics, and treaty obligations, the list of security challenges is long and a degree of uncertainty prevails.

Unlike previous periods in our history where defense reductions corresponded with limited demands, today the U.S. Army faces the inverse: resources are decreasing while demand for Army capabilities is increasing. General Allyn succinctly captured this sentiment when he said that previous drawdowns “came at a time when we were not fighting [in] combat engagements on multiple continents. We do not have peace today. We are committed globally.”²⁵ This condition begs the question: if we can gain useful insights from previous drawdowns, but the contemporary operating environment is so drastically different from our experience in the past, what historical parallel offers the best insights given this current strategic context? The predicament of decreased resources with increased requirements may be unique to the U.S. Army but it is a challenge previously faced by one of our closest allies.

A Better Analog: The British Interwar Experience (1919-1939)

The global security environment facing the British Army following the First World War was very similar to ours today. As one of the victors in the “Great War,” Great Britain no longer existed as a rising power but as a status quo empire of vast global commitments. These global requirements, however, competed for attention with other national interests. Public war weariness, domestic priorities, calls for immediate demobilization, and the incredible financial burden resulting from the First World War combined to form an analog closely matching our own situation today.

Given the carnage sustained on the battlefields and dwindling coffers of the treasury, British policy makers were eager to reshape the emerging world order to build a lasting peace. Much of this effort occurred during the Paris Peace Conference of 1919 where policy makers made a number of

²² Raymond T. Odierno, “CSA Remarks at SASC Congressional Testimony,” January 28, 2015, http://www.army.mil/article/141798/Jan_28_2015_CSA_s_remarks_at_SASC_congressional_testimony/ (accessed February 9, 2015).

²³ Ronald Lewis, “Soldiers Deployed and Forward Stationed,” briefing slides with scripted commentary, Washington, DC, United States Army Public Affairs Office, January 7, 2015.

²⁴ Daniel B. Allyn, Vice Chief of Staff of the Army’s remarks at the Military Order of the Carabao January Luncheon, Washington, DC, January 20, 2015.

²⁵ Daniel Allyn, “Remarks at Association of the US Army Hot Topic Seminar,” January 29, 2015, <http://www.ausa.org/news/2015/Pages/AllynSequestrationis.aspx> (accessed February 17 2015).

decisions that would affect the British Army throughout the interwar period.²⁶ Chief of the decisions made during the conference was that Britain intended to avoid future war at all costs. Drafted in August of 1919 and known as the Ten Year Rule, the British government declared that the country would not engage in any great conflict during the next ten years and that no expeditionary force would be required during this timeframe.²⁷ Moreover, instead of embarking on the costly voyage of interventionist military policies, British policy makers determined to resolve future disputes through the League of Nations. The extant circumstances in 1919 were not always compatible with these utopian ideals, however. Indeed, Britain's military commitments actually increased following World War One.²⁸

The famous phrase "the sun never sets on the Empire" could not be more accurate in describing the vast territory comprising the British Empire in 1919.²⁹ Almost immediately following the War, the British Empire would comprise the largest stretch of territory possessed at any other previous period in its history. This increased territory directly translated into increased demands for the British Army.

Immediately following the armistice, the British Government tasked the Army to maintain a significant constabulary force across the European continent to provide order following the collapse of Germany and the Austrian-Hungarian Empire. This mission created significant ramifications for the Army in that it required a substantial number of ground forces and prevented the rapid demobilization sought by the British cabinet. Additionally, at the Treaty of Versailles, Mesopotamia (Iraq), Transjordan, and Palestine became British mandates which, with the disintegration of the Ottoman Empire, extended British control of its line-of-communication from Egypt through Jerusalem to Baghdad. Moreover, the former German colonies of Togoland, Cameroon, and East Africa, became new British possessions in Africa. The Versailles Treaty also gave South-West Africa to the British dominion of South Africa, and Western Samoa, Northern Guinea, the Bismarck Archipelago, Northern Solomon Islands, and the phosphate-rich island of Nauru went to the other British Dominions of New Zealand and Australia.³⁰ Furthermore, British Army units occupied numerous other overseas garrisons, including Aden, Cyprus, Diego Garcia, Gibraltar, Labuan, Singapore, and Somaliland.³¹

²⁶ Keith Neilson, "The Foreign Office and the Defense of Empire, 1919-1939," in *Imperial Defense: The Old World Order 1856-1956*, ed. Greg Kennedy (New York: Routledge, 2008), 31.

²⁷ Anthony Clayton, *The British Empire As a Supreme Superpower, 1919-1939* (London: The Macmillan Press, 1986), 18. The government did not publicize the Ten Year Rule for fear of eliciting a challenge from aggressor nations but British politicians felt that it neatly captured the fiscal realities of the time. The British Army and other services used the acronym OUNE to describe the budget constraints imposed on the armed forces by this rule—owing to the urgent need for economy.

²⁸ Brian Bond, *British Military Policy between the Two World Wars* (Oxford, UK: Oxford University Press, 1980), 14-18.

²⁹ Attributed to many sources. George Macartney (1773) wrote in the wake of the territorial expansion that followed Britain's victory in the Seven Years' War, of "this vast empire on which the sun never sets, and whose bounds nature has not yet ascertained." See also "An Account of Ireland in 1773 by a Late Chief Secretary of that Kingdom." p. 55; cited by Kevin Kenny (2006). *Ireland and the British Empire*. Oxford University Press. p. 72, fn.22, http://en.wikipedia.org/wiki/The_empire_on_which_the_sun_never_sets#United_Kingdom.

³⁰ Niall Ferguson, *Empire: The Rise and Demise of the British World Order and the Lessons for Global Power* (London: Allen Lane, 2002), 263.

³¹ Ashley Jackson, "The Colonial Empire and Imperial Defense," in *Imperial Defense: The Old World Order 1856-1956*, 242.

Known security requirements combined with new and previously unknown requirements in an increasingly chaotic world. The global environment during the interwar period, like today, was rife with nationalistic and revolutionary movements at home, in Russia, and in India, further stretching the British Army's resources.³² The secessionist movement by Irish Nationals gained momentum following the end of the First World War, which greatly increased British Army manpower requirements. In addition to the substantial police forces already employed to maintain order, the British Army deployed over 20,000 soldiers to quell the violence caused by the Sinn Fein uprisings—a deployment regarded as “quite insufficient” to meet the needs of the local commander.³³

Additionally, while the allies discussed terms at Versailles, the Russian Tsar's government collapsed into civil war. In an attempt to bolster the anti-Bolshevik camp, Britain dispatched 14,000 troops to Russia to establish footholds in Siberia, the Caucasus, and Trans-Caspia.³⁴ These forces remained engaged for the next two years. Similarly, counterinsurgency operations in Egypt, Mesopotamia, and the borderlands of India forced Britain to commit significant forces to maintain national security objectives. Remarkably, despite these significant security requirements, the British Army's budget and end strength declined every year from 1919 to 1932.³⁵

The principal challenge facing British defense leaders during the interwar years was reconciling the management of increasing global requirements with the constraints of a decreasing budget. Like today in the United States, domestic political demands placed significant pressure on budget decision makers. Political leaders looking for savings frequently targeted the armed forces for funds in order to allocate more resources to satisfy domestic spending initiatives. Moreover, many political leaders feared increased defense expenditures could jeopardize the tenuous post-war economy and therefore prioritized economic stability and “good financial house-keeping” over increased funding of the armed forces.³⁶ A war weary public, opposition party political pressure, and the transition of Britain from a creditor to a debtor nation following the war also combined to curtail defense expenditures. As a result of these combined pressures, defense expenditures decreased from £604 million in 1919 to £292 million in 1920, and to a low of £111 in 1922.³⁷ Incredibly, this amounted to a budget decrease of nearly 82 percent in only three years. A dilemma confronted British policy makers—allocate more resources to meet domestic spending demands at the cost of securing foreign policy objectives, or accept the growing costs (especially military expenditures) of great power status at the cost of economic recovery.³⁸ Despite the increased military requirements following the First World War, British fiscal appropriations tended to favor domestic priorities at the expense of army end strength, readiness, and modernization programs.

Much like today, the interwar British Army struggled to adjust the variables of end strength, readiness, and modernization to accomplish their nation's strategic defense guidance. Public demand for other domestic programs, a sense of retrenchment, and fiscal austerity combined with rising global requirements to form a complex and uncertain operating environment. Unfortunately for the British Army, many scholars describe the lasting legacy of this period as one defined by a

³² Keith Jeffrey, *The British Army and the Crisis of Empire, 1918-1922* (Manchester, UK: Manchester University Press, 1984), 18-19.

³³ *Ibid.*, 78.

³⁴ Clayton, *The British Empire as a Supreme Superpower, 1919-1939*, 45-60.

³⁵ Bond, *British Military Policy between the Two World Wars*, 33.

³⁶ George Peden, “The Treasury and Defense of Empire,” in *Imperial Defense; The Old World Order 1856-1956*, 78.

³⁷ Clayton, *The British Empire as a Supreme Superpower, 1919-1939*, 17.

³⁸ Jeffrey, *The British Army and the Crisis of Empire, 1918-1922*, 12.

serious lack of investment in training, weapons, and strategic thought that eventually led to unpreparedness for the next conflict. As a result, when Britain declared war on Germany following Hitler's invasion of Poland in 1939, the British Army would find itself a poor match compared to its German foe.³⁹ Given this close historical analog, and motivated by a desire to seek insights that may benefit our own downsizing effort today, a closer examination of British efforts to adjust the variables of end strength, readiness, and modernization follows.

End Strength

The term end strength simply denotes the total number of personnel authorized by law to serve in an organization. In the U.S. Army, Congress determines this number and codifies the number in a National Defense Authorization Act.⁴⁰ Similarly, in the United Kingdom, members of the British Parliament determine the total end strength of the British Army based on recommendations from the Prime Minister's cabinet. An army is composed of people and equipment so end strength is important because it both defines the limits and provides the framework for developing force structure options. Simply put, end strength determines the size of the force (often measured in our own army by the number of brigade combat team organizations—the 3000 person operational building block—available for missions) and in many ways, determines the number of tasks an army is able to accomplish at any one time.⁴¹ From a resourcing perspective, personnel end strength can be expensive when taking into account military pay, training, and maintenance costs—not to mention the costs of medical benefits and retirement compensation. An army requires people to execute its tasks, and people cost money.

Like our Army's experience today, the British Army also experienced a period of rapid end strength growth followed by downsizing. Immediately following World War One's formal cessation of hostilities, the British government began making plans to demobilize the army and commit it to global garrison, occupation, and policing functions.⁴² From the fledging force of just over 750,000 personnel that initially responded to the German invasion in 1914, the British Army swelled to over 8.5 million personnel by 1918.⁴³ As soon as the combatants signed the armistice formally ending World War One, pressure mounted in Britain to redeploy and demobilize the Army. As a result of

³⁹ Max Hastings, *The British Army; The Definitive History of the Twentieth Century* (London: Cassell Illustrated, 2007), 110.

⁴⁰ The Congress determines the end strength of active-duty personnel and the end strength of the Selected Reserve, as well as the maximum number of Reservists who can be on active-duty or full-time National Guard duty for various purposes. The Secretary of Defense (SECDEF) may increase the end strength authorization by up to 3 percent for active-duty personnel, and up to 2 percent for active-duty personnel who are paid from funds for reserve personnel. The SECDEF may also increase the authorized number of Reserve/National Guard personnel who are called up for active-duty service by up to 10 percent for any fiscal year. Each Service Secretary may increase the authorized active-duty end strength of the concerned service by up to 2 percent. 10 U.S. Code § 115, Public Law 113-291, Section 513, Vol. 128, pg. 3359.

⁴¹ Richard J. Dunn, III, *Measuring Military Capabilities: An Essential Tool for Rebuilding American Military Strength* (Washington, DC: The Heritage Foundation, May 16, 2014), 4.

⁴² T.R. Moreman, "Small Wars and Imperial Policing: The British Army and the Theory and Practice of Colonial Warfare in the British Army, 1991-1939," *The Journal of Strategic Studies* 19, no. 4 (December 1996): 106.

⁴³ Bond, *British Military Policy Between The Two World Wars*, 2.

this pressure, and anxious to avoid further unintentional conflicts, British politicians severely limited the capabilities of the army by keeping it short of funds.⁴⁴

The decision to decrease army funding levels, yet fully support the League of Nations as the mechanism for maintaining global peace, produced a complex juxtaposition. Based on their superior expeditionary capability and global presence, the League of Nations was particularly dependent on British military forces to enact any enforcement protocol. Consequently, despite their profuse support of the international security organization, subsequent British governments became increasingly cautious of any schemes proffered by the League that might require British armed forces.⁴⁵ Beyond that, in spite of the political inclinations to avoid conflict, interwar manpower demands quickly surpassed those of the pre-war British Army, especially in terms of security operations.⁴⁶ Simply put, whether the government liked it or not, Britain had more security requirements than troops available.

Despite the end of the war, British Army units remained heavily committed in several operations considered necessary by the British Cabinet to maintain the security of the empire. Much like the U.S. Army's missions today, British Army requirements ranged from support to allies, occupation duty, garrison security, and active combat. Each required significant manpower and combined to strain available end strength. As an example, consider some of the manpower requirements in February of 1920, there were: 16,000 troops in Germany; 21,000 troops in Turkey; 26,000 troops in Egypt; 23,000 troops in Palestine; and 61,000 troops in Mesopotamia.⁴⁷ These requirements combined with the substantial force forward deployed in India of 70,000, and the Russian and Irish missions, for a grand total over 250,000 forces deployed worldwide.⁴⁸ These numbers represented the entire Regular British Army, and the fact that little remained for defense of the homeland (other than the small Territorial Army⁴⁹—the American equivalent of a reserve) concerned military leaders at the highest level.

Chief of the Imperial General Staff, Sir Henry Wilson, searched for solutions to this manpower and requirements mismatch. He knew that without changes to policy, supporting these operations in the face of rapid demobilization and budget cuts would be incredibly difficult—if not nearly impossible. In his early 1920 consultations with British Prime Minister Lloyd George, Wilson described the precarious army end strength situation given existing requirements and warned of the lack of manpower to respond to contingencies. In a letter to the cabinet, Wilson stated, “Once again, I cannot too strongly press on the Government the danger, the extreme danger, of His Majesty's Army being spread all over the world, strong nowhere, weak everywhere, and with no reserve to save a dangerous situation or avert a coming danger.”⁵⁰ The army was overextended and under-resourced. Moreover, since the cost of fielding and sustaining numerous troops deployed worldwide consumed

⁴⁴ David French, *Raising Churchill's Army: The British Army and the War against Germany 1919-1945* (Oxford, UK: Oxford University Press, 2000), 3.

⁴⁵ Clayton, *The British Empire as a Supreme Superpower, 1919-1939*, 18.

⁴⁶ Jeffrey, *The British Army and the Crisis of Empire, 1918-1922*, 52.

⁴⁷ Clayton, *The British Empire as a Supreme Superpower, 1919-1939*, 45.

⁴⁸ Bond, *British Military Policy between the Two World Wars*, 32.

⁴⁹ The Territorial Army was composed of civilians who volunteered for military training on a four year basis. Their primary responsibility was defense of the homeland, rather than expeditionary combat. Units were administered locally but trained centrally through the war office. For additional information see, Liddell Hart, *The Defense of Britain* (London: Faber and Faber, 1939), 411-436.

⁵⁰ Jeffrey, *The British Army and the Crisis of Empire, 1918-1922*, 50.

the majority of the British Army's budget allocation, little financing was left to apply towards training or equipping the force.

Readiness

The basic problem confronting the British Army during the interwar period remained a shortage of resources to execute assigned tasks. As previously detailed, financial appropriations decreased every year from 1923 to 1932, and end strength continued its downward trend during the same time from 231,000 to 207,000.⁵¹ During this same period, new equipment expenditures never topped £2 million out of the £62 million appropriated to the army.⁵² These fiscal constraints further exacerbated the situation when combined with policies enacted to avoid military operations beyond those deemed absolutely essential for providing garrisons and policing forces throughout the empire, such as the Ten Year Rule. As a result, British Army readiness suffered.

In military terms, readiness is defined simply as the ability to provide capabilities required by the nation to execute assigned missions.⁵³ Military doctrine codifies how an army functions to accomplish assigned missions and also largely drives how an army is trained and equipped. If a unit is both properly trained and equipped to execute its assigned tasks then it is considered to possess a high state of readiness. Simply put, doctrine drives the focus for training in an army, but being trained without the necessary equipment or being equipped but unable to properly employ the weapons and equipment, results in greater risk and lower readiness.

During the final months of World War One, the British Army contributed to the defeat of Germany by embracing a sophisticated doctrine of combined arms operations. The allies realized that close coordination between infantry, artillery, and the nascent armored tank force was required to break the stalemate of trench warfare. Indeed, a majority of military historians including Alan Millett, Russell Weigley, and Williamson Murray, widely agree that the advent of combined arms operations doctrine was one of the most significant military lessons learned from the First World War. Successive British Army General Staffs during the interwar period seemed to acknowledge this lesson. For example, when addressing an audience of military officers during a 1927 readiness exercise, Chief of the Imperial General Staff Sir George Milne stated that, "it is the cooperation of all necessary arms that wins battles and that is your basis for training for the future. I want that to be your principle in training—combination and cooperation of arms."⁵⁴ Milne believed that a new doctrine emphasizing firepower and combined arms would provide the framework for military education, training, and organizing of the army to meet the needs of the future.

Despite acknowledgement of the need for combined arms doctrine and the commitment to reform the army in this manner, defense leaders failed to promulgate a doctrine that would prepare the British Army for the future warfare they envisioned. To be sure, new doctrine was produced during the interwar period. In fact, the British Army published three editions of its Field Service Regulations (the holistic doctrinal manual) throughout the 1920s. Constantly impaired by budget constraints and manpower limitations, British Army officers sought to create doctrine that favored technology and combined arms firepower rather than solutions that emphasized increasing

⁵¹ Michael Carver, *Britain's Army in the 20th Century* (London: Macmillan, 1998), 157.

⁵² Jeffrey, *The British Army and the Crisis of Empire, 1918-1922*, 23.

⁵³ U.S. Joint Chiefs of Staff, *CJCS Guide to the Chairman's Readiness System*, CJCS Guide 3401D (Washington, DC: U.S. Joint Chiefs of Staff, November 15, 2013), 12-13.

⁵⁴ David French, "Big Wars and Small Wars between the Wars, 1919-1939," in *Big Wars and Small Wars: The British Army and the Lessons of War in the 20th Century*, ed. Hew Strachan (New York: Routledge, 2006), 37.

manpower. Milne believed that future battles could be won at lower costs in blood and treasure by relying on technological solutions. However, the demands of colonial service, small-wars, and providing military support to civil authorities made achieving doctrinal training proficiency nearly impossible.

During the interwar period, the British Army was more often engaged in small-scale contingencies and counterinsurgency operations than major military campaigns. The tasks of manning colonial garrisons and policing the empire dictated the training focus for soldiers serving in the British Army during the interwar period. As noted previously, during this period the British Army engaged in myriad operations including five substantial counterinsurgency operations (Egypt, 1919; Ireland, 1919-1921; Mesopotamia, 1920; Palestine, 1929 and 1936-1939), two small-scale contingency operations (Afghanistan, 1919; Turkey, 1919-1922), and numerous colonial policing operations in the Caribbean, Cyprus, China, India, and the Sudan.⁵⁵ These requirements limited time for training combined arms tactics. Furthermore, in many of these deployed locations, insufficient funds and few training areas existed to facilitate the physical space required to execute established training doctrine (especially the employment of mortars, field artillery, and close air support).⁵⁶ While the General Staff recognized the possibility that future conflict on the European continent would require a British Army capable of complex combined arms operations, the immediate military missions throughout the colonies prevented leaders from exercising their professed doctrine.

Inadequate professional education and training programs also led to poor readiness. While the army published field service manuals offering guidance for training in accordance with established doctrine, virtually no system of formal education existed to train the officers tasked with leading the force. After receiving their commissions as army officers, new lieutenants were assigned to their regiment for duty. The established system expected senior officers within each individual regiment to educate and train their junior officers. The ability of senior officers to train their subordinates in the theory and practice of modern warfare was inconsistent. Some commanders were enthusiastic, well-educated instructors while others failed to accept the role of senior trainer and mentor responsible for the professional development of his subordinates.⁵⁷ Certainly operational experience and on the job training is a bedrock of an officer's development but the lack of a formal institutional education system failed to imbue young officers with an understanding of the doctrine they were expected to employ.

Force structure also inhibited readiness. To meet the numerous colonial demands of the force, the British Army developed a unique unit rotation system. Unfortunately, while taking into account the existing fiscal constraints limiting the size, and the immediate need to globally project the force, the resulting system had the unintended consequence of further exacerbating the ability of the army to train for full spectrum operations. Dubbed the Cardwell System (a reference to its designer, Sir Edward Cardwell the British Secretary of War), this arrangement reorganized the army into geographically affiliated regiments comprised of two battalions each.⁵⁸ One battalion would serve the empire abroad for a period of six years while the battalion remaining in England was responsible for recruiting and training new personnel, and then deploying them worldwide to meet the colonial needs of the empire. Practically speaking, the units retained in England remained manned at only cadre strength as they could lose as many as forty percent of trained personnel to maintain their

⁵⁵ Paul Knaplund, *The British Empire 1815-1939* (New York: Harper and Brothers, 1941), 556.

⁵⁶ French, "Big Wars and Small Wars between the Wars, 1919-1939," 48.

⁵⁷ French, *Raising Churchill's Army: The British Army and the War against Germany 1919-1945*, 60.

⁵⁸ Carver, *Britain's Army in the 20th Century*, 7.

deployed partnered battalion's full strength and often suffered from low recruitment rates.⁵⁹ This condition greatly hampered readiness as it both precluded a unit from training to meet the demands of its deployed imperial missions and prevented junior officers from receiving the key developmental experiences required to lead units at higher levels. Moreover, the constant turnover of transitioning soldiers never allowed for units to train as a cohesive team. Totally committed to colonial policing functions when deployed, and vastly understrength when not deployed, the extant units produced by the Cardwell system were never able to comprehensively practice combined arms operations. This situation greatly undermined the ability of the army to conduct realistic training to ensure its readiness to meet future threats and ultimately led to the creation of a hollow force.

Equipment Modernization

The British Army's predominant interwar commitment to colonial policing significantly impacted concepts for modernizing the force. While the force possessed a full complement of equipment best suited for the slow-moving battles it fought against the Germans during World War One, the demands of empire confounded attempts by the General Staff to adopt new equipment based on the lessons of the last war. After all, combined arms doctrine called for the development of a new generation of weaponry that mixed mobility with overwhelming firepower. As authorized end strength levels decreased, the British Army sought to ameliorate this reduction by substituting technology for manpower. A single machine-gun manned by a two-person crew, for example, could produce a rate of fire equal to a platoon of forty soldiers. Although effectively substituting equipment for people, new modern weapon systems like the automatic rifle, machine gun, and tank, were often heavier and required more ammunition and logistics to sustain. Moreover, these equipment characteristics contrasted with those of colonial military operations which placed a premium on vastly different requirements. Two weapon systems in particular serve as useful examples: the machine gun and the tank.

The trench warfare that dominated much of the First World War highlighted the value of the machine gun on the modern battlefield. With its ability to generate high rates of suppressive fire, the machine gun proved an invaluable asset to a modern army. By design, machine guns must be constructed of heavier material, require enormous amounts of ammunition, and are quite often operated by a crew of two or three. These requirements meshed poorly with those of colonial duty during the interwar period. With supply lines spanning continents and oceans, and premiums placed on the ability to rapidly deploy to quell a crisis, the heavy machine gun was not a favored weapon. Military officials feared fielding automatic weapons would "encourage troops to blaze away indiscriminately, and waste their limited supplies of ammunition."⁶⁰ Beyond that, employing automatic weapons in a colonial policing context—where close proximity to civilians increased the risk of collateral damage and civilian casualties—might actually increase resistance to British rule. In the end, the War Office favored mobility over firepower and limited appropriations for developing a modern machine-gun.

The development of the tank provides additional insights to British Army equipment modernization efforts during the interwar period. Tanks did not appear in large numbers until the end of World War One, and despite some early promising attempts to restore mobility to the battlefield, their initial record was somewhat dubious. Aside from the successful attacks during the Battle of Cambrai in late 1917, British armored vehicles were slow, difficult to maneuver, and under

⁵⁹ French, "Big Wars and Small Wars between the Wars, 1919-1939," 43.

⁶⁰ French, *Raising Churchill's Army: The British Army and the War against Germany 1919-1945*, 85.

armed.⁶¹ Some true innovators emerged following the war, however, who envisioned much more capable machines on future battlefields.

Initially, armored and mechanized warfare innovators enjoyed significant latitude to experiment with the nascent form of warfare. Indeed, the British Army actually led the world on tank design throughout the 1920s.⁶² Chief of the Imperial General Staff George Milne sponsored the publication of mechanized warfare journals and authorized the development of an experimental mechanized force in 1925. Moreover, army officials directed the mechanized force to conduct numerous exercises annually until 1928. Supporters of the new concept pointed to the tactical advantages of speed and firepower in maneuvering against an armed force. However, detractors of the concept (many of whom parochially stood in the way of advancing the new theory) pointed to the significant logistical and communication support required to employ a mechanized force. Furthermore, horse cavalry proponents felt slighted at the prospect of machines replacing their mounts—a cultural impediment that pervaded much of the nobility and elite of the officer corps at the expense of force modernization.⁶³

Unable to reconcile differences in philosophy, the experimental mechanized force ultimately collapsed under the strain of reduced budgets. The British did eventually procure some light and medium tanks but due to the conflicting requirements of colonial empire, designs often favored mobility over firepower. This condition presents a great irony in that British doctrine favored firepower solutions which would seem to prioritize heavy tank development. Failing to sustain their early lead in experimenting with armored warfare tactics and tank development, the British Army would cede their technological lead in this essential military capability. Furthermore, this decision proved to be a significant mistake during the opening battles of the Second World War as military leaders soon learned the overwhelming firepower of heavy tanks was still required to initially suppress an enemy force prior to rapidly maneuvering to gain positional advantage.

During the interwar period, the British Army was deployed around the globe and operated on a significantly reduced budget. Determined to avoid the immense casualties of trench warfare that dominated the First World War, defense officials looked to mechanization to restore mobility to the future battlefield. While the General Staff envisioned a new combined arms doctrine and some of the weapons required to optimize that form of battle, attempts to procure and field these new technologies faltered due to the increased logistic requirements associated with such weaponry. As a result, key weapon systems and equipment in the British Army inventory were ill designed or completely inadequate to counter the threat posed by a future German opponent. Fiscal constraints placed additional pressure on political and defense leaders who otherwise supported modernization efforts. After all, funds to increasingly mechanize the army and procure heavy tanks competed with those required to operate the global imperial garrisons. To summarize British equipment modernization efforts during the interwar period, most scholars agree with the eminent military historian Williamson Murray that:

The British . . . while sponsoring extensive experiments with tanks in the 1920s and early 1930s, never found a place for such developments in an army committed to

⁶¹ Williamson Murray, "Armored Warfare: The British, French, and German Experiences," in *Military Innovation in the Interwar Period*, ed. Williamson Murray and Alan Millet (New York: Cambridge University Press, 1996), 6.

⁶² French, *Raising Churchill's Army: The British Army and the War against Germany 1919-1945*, 97.

⁶³ Carver, *Britain's Army in the 20th Century*, 153.

defending colonies and forbidden by its political masters until February 1939 even to consider a continental war.⁶⁴

Poorly equipped for future conflict, the British Army paid in blood and treasure, the price of low unit readiness.

Drawing Correct Conclusions

Henry Kissinger once said, “It is not often that nations learn from the past, even rarer that they draw the correct conclusions from it.”⁶⁵ To determine if the U.S. Army can gain insights from the British downsizing experience to guide contemporary efforts, one must first determine which elements constitute a “military lesson” and then which lessons fit the current context. As William C. Fuller notes, military practitioners often seek lessons in an effort to inoculate “against error and mistake in war, which at worst can produce defeat and at the very best can exact an extremely high cost in blood.”⁶⁶ These military lessons entail two critical components:

The first is the problem of knowing what the lessons are . . . To extract useable lessons from the past, we have to interpret [them], and interpretation can be skewed by prejudice, pre-conceptions, and tacit assumptions. The second problem concerns the action taken in response to this process of learning. The issue is one of receptivity—that is, the degree to which a military organization actually embraces a lesson in practice and alters the way in which it conducts business as a result.⁶⁷

Fuller goes on to suggest that military lessons depend on two conditions: (1) interpreting the nature and outcome of a previous conflict, and then (2) making a prediction about the nature and outcome of a future conflict. Fuller cautions against predictions, seeing them as simple prophecies that are by nature academically hazardous and prone to misjudge the situation under examination. Moreover, interpreting a situation from the past comes with its own set of pitfalls, assuming “an inevitable outcome that permits the extraction of a lesson from one war that can be applied to the next. However, the outcomes of previous wars frequently were not inevitable, but contingent.”⁶⁸ Fuller’s contentions serve as an appropriate guard against drawing the wrong conclusions from the past, allowing bias to cloud analysis, and making assumptions that given a certain set of conditions, an absolute future will result. Nevertheless, history can “stimulate imagination” and “help one envision alternative futures.”⁶⁹ Despite the dangers of drawing conclusions from the past, modern day decision makers should seek out lessons from the past, even if they result in solutions offering only marginal performance improvements. As Neustadt and May discuss, pitfalls such as prejudice, pre-conceptions, and tacit assumptions must be avoided.⁷⁰ Determining causality from complex historical narratives is a difficult task—one requiring greater depth specificity than presented

⁶⁴ Williamson Murray, “Innovation: Past and Future,” in *Military Innovation in the Interwar Period*, 312.

⁶⁵ Jeremi Suri, *Henry Kissinger and The American Century* (Cambridge, MA: Harvard University Press, 2009), 129.

⁶⁶ William C. Fuller, Jr., “What is a Military Lesson?,” in *Strategic Studies: A Reader*, eds. Thomas G. Mahnken and Joseph A. Maiolo (New York: Routledge, 2014), 24.

⁶⁷ *Ibid.*, 25.

⁶⁸ *Ibid.*

⁶⁹ Richard Neustadt and Ernest May, *Thinking In Time: The Uses of History for Decision Makers* (New York: The Free Press, 1986), xv.

⁷⁰ Neustadt and May, *Thinking In Time: The Uses of History for Decision Makers*, xvii.

herein.⁷¹ Nonetheless, this inquiry into the British Army downsizing experience yields four principal lessons.

First, decision-makers should not preserve end strength or force structure at the expense of unit readiness. The British Cardwell System met the immediate need of providing forces for imperial commitments. While the two battalion per regiment model enacted by this design accomplished short-term requirements of colonial policing and garrison duties, it also prevented the force from achieving a high state of readiness. This system enabled the development of a hollow force unable to conduct collective training and ill-equipped to respond to emerging threats. Moreover, as a force generating concept, the Cardwell System provided trained troops to the empire, but impaired the British Army's ability to respond to other contingencies. The design entailed flexibility. Even if the Imperial General Staff successfully convinced the government to authorize the creation and deployment of an expeditionary force, insufficient units and equipment existed to execute such a mission. An army organized for colonial policing was simply not suited for the demands of modern warfare. This issue should not be lost on our own operational planners working on revised force generation concepts today. The U.S. Army must execute all assigned missions, so a sufficient amount of active duty forces sustained at a high readiness level must remain uncommitted and available to respond to emerging threats and contingencies. While most tactical combat formations resident in the National Guard and Reserve cannot be mobilized in time to counter immediate threats, many National Guard and Reserve force enablers and combat support units can be rapidly mobilized. Planners must take into consideration a total army analysis (the Active, Reserve, and National Guard components) when proposing future force generation models. While it is said that quantity has a quality of its own, from the historical military perspective, committing great numbers of ill-equipped, understrength, and poorly trained units to battle usually leads to defeat.

Second, decision makers should enact policies and pursue programs that strive to lead the world in the development and procurement of new weapons and technologies. While British defense leaders recognized the potential mechanized warfare and tanks held for future warfare, they failed to realize this potential and ceded the leadership in this area to other countries. Again, short-sighted policies constrained the development of heavy tanks and prevented full experimentation of mechanized warfare. While some exercises and experiments existed throughout the 1930s, resource constraints combined with bureaucratic infighting among parochial senior commanders to effectively limit implementation of any innovative lessons for mechanizing the force writ large.

The British downsizing experience also evokes a cautionary tale against curtailing relative advantages in the industrial base. Colonial commitments favored the development of munitions requiring little logistical support.⁷² This short-term focus, however, effectively prevented the research and technology components of industry from continually developing modern weaponry. The British Treasury's 1932 decision to cease funding tank research and development severely impaired future rearmament measures.⁷³ When the German threat finally convinced politicians to

⁷¹ For example, to illustrate British modernization efforts during the interwar period only machine gun and tank development were addressed. Other weapon systems and equipment could have been examined. The paper focused primarily on Britain's Expeditionary Army and not the Territorial Army—each faced similar resource constraints if dissimilar tasking requirements. Beyond that, colonial manpower contributions to the British Army were counted as part of the British Army. This nuance is important because the dominions contributed a substantial manpower to the British Army during the First World War but increasingly less during the inter-war period. This remains a subject for additional study and is especially relevant given the contemporary penchant for coalition warfare.

⁷² French, *Raising Churchill's Army: The British Army and the War against Germany 1919-1945*, 45.

⁷³ *Ibid.*, 97-102.

produce a comparable tank, stalled research and development programs for modern armaments and purpose-built engines limited production to inferior and outmoded tank designs.⁷⁴ Economic efficiencies aside, decisions that allow a capability to deteriorate to the point that it cannot easily and rapidly be reestablished, lead to unacceptable risks.

General George C. Marshall, U.S. Army Chief of Staff during World War Two, once remarked that in times of peace the military has “plenty of time and little money” and that in periods of conflict has “plenty of money and little time.”⁷⁵ Sustained research and development during times of peace ensures a technological edge and provides a means for rapid procurement when funding is increased during times of conflict. These insights are especially relevant as policy makers contemplate funding allocations for future technologies (e.g., unmanned aerial vehicles and cyber-weapons).

Third, U.S. Army leaders should continue to emphasize professional development and education programs as a hedge against future uncertainty. The British Army lacked an institutional education system to professionally develop its officer corps. Responsibility for training leaders fell on the operational force. While this first-hand operational experience is vital in developing future leaders, a more holistic system is required to ensure a common doctrinal foundation across the force. Today the U.S. Army maintains robust officer and non-commissioned officer education systems. Continued investment in professional education is essential for creating agile and adaptive leaders to operate in an increasingly complex and uncertain world. Fiscal austerity can serve as a powerful incentive to further refine our current education systems. Just as British officers strived to maintain dominance in a radically changing world following the First World War, American officers are faced with global commitments replete with full spectrum threats. Furthermore, we are experiencing a rapid pace of technological change much like the British faced during the interwar period: instead of machine guns, tanks, and mechanization, we are challenged by drones, cyber-warfare, non-state actors, and vastly inter-connected global communication networks. Fiscal austerity should not preclude our experimentation with new warfighting techniques, doctrines, or capabilities. The U.S. Army conducted similar exercises in the past (e.g., the Louisiana Maneuvers of the 1930s and 1990s) and should continue to invest time and resources to such efforts in the future. Moreover, our Army should seize this opportunity to thoroughly question old concepts, new innovations, as well as our own performance during the last decade plus of continuous combat operations. History suggests a perilous result if we fail to invest in the education and professional development of our people, and if we fail to critically examine our recent conflicts in Iraq and Afghanistan.

Finally, defense decision-makers must take a long term view in crafting strategic guidance. The decision to implement the Ten Year Rule on a rolling basis beginning in 1919 was one of the principal factors leading to British unpreparedness at the start of World War Two. Enacted by the British Cabinet, this directive affected military policy by assuming competitor nations—putatively Germany and Japan—posed no threats to British interests and that no requirement existed to consider arming, mobilizing, or preparing for future conflict on the European continent or the Pacific basin.⁷⁶ Curiously, as Mary Manjikian notes, this decision does not seem to have been based on intelligence estimates but was solely a political considerations.⁷⁷ Our leaders, she argues,

⁷⁴ Carver, *Britain's Army in the 20th Century*, 162.

⁷⁵ John S. Brown, “When Budgets Plunge,” *Army Magazine* 63, no. 4 (April 2013): 28.

⁷⁶ George Peden, “The Treasury and Defense of Empire,” in *Imperial Defense: The Old World Order 1856-1956*, 78.

⁷⁷ Manjikian, *Do Fewer Resources Mean Less Influence? A Comparative Historical Case Study of Military Influence in a Time of Austerity*, 21.

decide to behave as if the world is safer and suggest a relatively short-term perspective in which only current events are considered . . . leaders have thought about the need for a strong military in the context of the conflict which has just ended, thus thinking about the short term rather than the extreme.⁷⁸

Like the rolling threat of sequestration today, the short-sighted policy of the Ten Year Rule imposed long-standing limits on Britain's ability to respond to future threats and ultimately constrained the development of a long term defense strategy.

Arguably most dangerous, the Ten Year Rule also facilitated an environment in which the British Army could avoid serious intellectual introspection and strategic thought. With appropriations cut precipitously, there seemed "no inclination to profit from the dreadful experience by studying all the lessons"⁷⁹ of the First World War. In fact, the British Army failed to seriously examine the lessons of the "Great War" for fourteen years before finally establishing a committee charged with this important task in 1932.⁸⁰ Before an army can plan for the future, it must understand its past.

The U.S. Army Capabilities and Integration Center (ARCIC) serves as a "futures" think-tank and is responsible for developing concepts that provide strategic and operational direction. This organization also supports Combatant Commanders by evaluating capabilities needed for the future force in a range of operational environments. Current efforts to develop concepts for the Army in 2025 and beyond play an invaluable role in strategy development, and efforts to curtail investment in this area must be avoided. Only by considering the long-term view of the global security environment, studying the continuities of war, understanding the changing character of conflict, and applying purposeful design to future forces will policy makers develop strategy and deliver capabilities required to win in a complex and uncertain world.

Conclusion

With the benefit of hindsight, historians view the interwar period with some clarity. History records the dire consequences of failing to adjust the variables of end strength, readiness, and modernization: the high price in blood of our nation's most precious resource—its sons and daughters. Our leaders have sounded the clarion call. While the global security environment remains the most complex and uncertain in recent history, this situation is not unique. Downsizing lessons from the British interwar period are useful for framing our challenges today and provide insights for imagining future courses of action. Further episodes of sequestration will most likely demand reductions in force that prevent full implementation of the current defense strategic guidance.⁸¹ This situation could lead to a revised strategy that limits requirements, to the realization that increased funding above sequester limits is required to meet the needs of the nation, or to a myriad of other hybrid end states. No single option exists free of risk. Civilian leaders must weigh the competing demands of our democracy while considering the best military advice from the service chiefs as they chart a path through this difficult territory. From history we can be sure that threats will challenge our strengths and seek positions of advantage when and where we least expect them.

⁷⁸ Ibid., 51.

⁷⁹ Bond, *British Military Policy between the Two World Wars*, 34.

⁸⁰ Murray, "Armored Warfare: The British, French, and German Experiences," 20.

⁸¹ Jim Garamone, "McHugh Details Sequestration Dangers, Talks Army Priorities," *American Forces Press Service*, February 25, 2015, http://www.army.mil/article/143467/McHugh_details_sequestration_dangers_talks_Army_priorities/?from=RSS, (accessed March 9, 2015).

Unpreparedness as a result of complacency, indifference, or deliberate neglect will lead to a hollow force—one which should never be exposed to the test of battle.⁸²

Armed with these insights from history, decision makers tasked with shaping the current downsizing process should consider the following measures. First, planners should accept risk in force structure by reducing the number of Brigade Combat Teams (BCT) to a level that still provides for a rapidly deployable and highly ready force capable of the most dangerous war plan contingency. Given current budgetary constraints, maintaining fewer full-strength BCTs is better than having more under-manned or under-equipped formations. Any BCT not allocated or assigned against an enduring or validated requirement should be resourced at the highest readiness level possible. Beyond that, the U.S. Army must ensure each of these BCTs is able to conduct annual combat training center rotations to certify collective training readiness. The U.S. Army should also direct an appropriate number of Division and Corps level headquarters as well as enabler packages (aviation, logistics, and combat support units) be resourced to the same high level of readiness. These measures will ensure that existing units can respond to emerging threats and will also prevent the “hollowing-out” of the force.

Research and development efforts to enhance force modernization are also essential. While decision makers will have to accept risk in the near term by not fielding every BCT with new equipment, modernization efforts must continue to ensure the U.S. Army can maintain its technological edge. Moreover, the defense industries and depots associated with these modernization efforts must not be allowed to atrophy. If they are, history suggests that industry will be incapable of re-kindling efforts in a timely manner to meet future threats. Acquisition executives should place particular emphasis on investing in technologies that “leap ahead” of the next generation of equipment and weapon systems.⁸³ In short, the U.S. Army should accept some risk by reducing end strength while maintaining a high state of readiness in the resulting force. Simultaneously, leaders should enact policies that sustain modernization efforts and enable rapid production of new technologies in the event of conflict.

Understrength units, untrained for the complexity of modern combat and equipped with arms best suited for the last war, are conditions that invariably lead to defeat. At the same time, despite this perilous record, Congress will most likely not amply appropriate funds to the Army prior to our next crisis so we will most likely be unable to “afford to have the entire Army fully modernized and fully ready” for every future scenario.⁸⁴ In such times, the historical record is equally insightful. Even following the most shocking defeats, the U.S. Army overcame similar challenges with superb leadership. While both the British and U.S. Armies struggled to keep the variables of end strength, readiness, and modernization properly adjusted, the forcing function of fiscal austerity compelled farsighted leaders to invest in leader development and professional education. Leader development is the greatest hedge against uncertainty. This lesson must be embraced by our current generation of leaders since history repeatedly demonstrates that professional development possesses the greatest potential for return on investment. Despite the uncertainty we currently face, our Army can remain the best in the world if we educate and train future generations of leaders to avoid the pitfalls of the past by applying the lessons from the repetitions of history.

⁸² Bond, *British Military Policy between the Two World Wars*, 340.

⁸³ According to David W. Barno, successful leap ahead technologies can render the next generation of systems obsolete and can become force multipliers in their own right. For additional information see: David W. Barno, et al., *Sustainable Pre-eminence: Reforming the U.S. Military at a Time of Strategic Change* (Washington, DC: Center for a New American Security, May 2012), 18-19.

⁸⁴ John S. Brown, “Thoughts on an Expansible Army,” *Army Magazine* 64, no. 4 (April 2014): 63.



A Strategy for Character Development

John W. Henderson

Undergirding development of the Army Ethic is the notion that good people make great Soldiers. Despite the challenges inherent in any attempt to codify and inculcate an “ethic,” the U.S. Army is, nevertheless, determined to do so. The goal: to create a “shared professional identity” as “trustworthy Army professionals.”¹ In order to achieve this vision, Soldiers and Department of the Army Civilians must both know the Army Ethic and have the character to internalize and enact it. At its very core, the U.S. Army is a “profession built on trust”² and the collective exemplification of its ethic by highly competent, committed team members of strong moral character. For these core qualities to effectively permeate the ranks, the Army needs an enduring strategy for character development that is fully integrated into the culture, the institution, and the professional growth of team members at every level. Yet, the Army lacks a deliberate strategy to develop the desired character traits. By relying almost exclusively on leaders to informally mentor, emulate, and engage in self-study,³ the Army’s laissez-faire approach falls short. Adoption of a three-part proactive strategy for character development proposed herein would enable the Army Ethic to move beyond its foundations and into the professional fabric of the everyday Soldiers on which the country relies. To be most effective, the proposed strategy must be founded on trust, fully integrated into our training and education system, promoted in our units as part of an ethical command climate, and reinforced by institutional regulations and policies.

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¹ Raymond T. Odierno, *Army Ethic White Paper*, Center for the Army Profession and Ethic, U. S. Army Combined Arms Center, U. S. Army Training and Doctrine Command, (July 2014), 18, <http://cape.army.mil/repository/white-papers/Army-Ethic-White-Paper.pdf> (accessed September 7, 2014).

² U.S. Department of the Army, *The Army*, Army Doctrinal Publication (ADP) 1 (Washington, DC: U.S. Department of the Army, September 2012), 2-2, http://armypubs.army.mil/doctrine/DR_pubs/dr_a/pdf/adp1.pdf (accessed September 8, 2014).

³ Brian Michelson, “Character Development of U.S. Army Leaders – The Laissez-Fair Approach,” *Military Review Online*, September-October 2013, 30-39, http://usacac.army.mil/CAC2/MilitaryReview/Archives/English/MilitaryReview_20131031_art007.pdf (accessed September 15, 2014).

Trust serves as the foundation for character development and is critical to the enduring success of the Profession of Arms.⁴ The Nation entrusts the Army with the lives of her sons and daughters and expects it to give the best military advice to elected officials while training and equipping a fighting force capable of winning the Nation's wars. Team members place high levels of trust in each other for their personal safety, in their leaders to make wise and fair decisions, and in the competence and commitment of their subordinates to get the mission done. The stakes are high; those who show their willingness to serve by volunteering are not necessarily morally qualified for military service immediately upon entry. Just like other competency-based education, character development takes time, effort, and exemplary leadership.⁵ The individual choice of every team member to be trustworthy and to internalize the Army ethic, therefore, serves as the essential building block for long-term professional success, enduring wide-spread National trust, and ultimately the success of the all-volunteer force.

From this simple concept, the primary challenge is to determine ways to best develop Army team members who internalize character traits and ethical decision making skills. For centuries, philosophers, military leaders, corporate executives, and psychologists have examined and debated the fundamental quality of character development, asking such questions as: Can character traits can be taught? How much can an adult's character be influenced or changed?⁶ Today, many experts in both business ethics and developmental psychology agree that character development can continue through adulthood as individuals gain experience, intuition, and maturity.⁷ Many who behave unethically, however, do so with full awareness of the problematic nature of their actions.⁸ The real measure of character, then, is not simply knowing right from wrong, but having the courage and self-discipline to consistently choose to act morally. Online training and mandatory classes cannot, therefore, be reasonably expected to genuinely develop this absolutely essential skill for those in the Profession of Arms.⁹ Instead, character traits must be internalized through life experience, emersion within an ethical climate, and belonging to an organization which systemically and systematically holds its members accountable for behaving in accordance with their professional ethic.¹⁰

The first task, then, is to integrate character development more effectively into Army training and developmental programs. The Army should give team members the opportunity to work through ethical challenges in the course of an already well-established training and education system where individuals can experience first-hand the consequences of their ethical decisions in a coached environment. Ethical dilemmas, scripted events, and case studies can easily be incorporated into

⁴ U.S. Department of the Army, *The Army*, 2-2.

⁵ Gordon Sullivan, "Association of the United States Army, Institute of Land Warfare Contemporary Military Forum #1: Living the Army Ethic," October 13, 2014, <http://www.dvidshub.net/video/366103/contemporary-military-forum-1-living-army-ethic#.VFJG9F0yUk>, (accessed October 16, 2014).

⁶ Aristotle, *The Nicomachean Ethics*, trans. by David Ross (Oxford, UK: Oxford University Press, 1980), Book II, vii, 23.

⁷ Thomas Piper, Mary Gentile, and Sharon Daloz Parks, *Can Ethics Be Taught? Perspectives, Challenges and Approaches at the Harvard Business School* (Boston: Harvard Business School, 2007), 13-15.

⁸ Edmund D. Pellegrino, "Character, Virtue, and Self-Interest in the Ethics of the Professions," *Journal of Contemporary Health and Policy Online* 5, no. 53 (1989): 56, <http://heinonline.org/HOL/LandingPage?handle=hein.journals/jchlp5&div=8&id=&page=> (accessed October 1, 2014).

⁹ Dorothy Leonard and Walter Swap, "Deep Smarts," *Harvard Business Review*, May 2009, 88.

¹⁰ Ting Zhang et al., "Morality Rebooted; Exploring Simple Fixes to Our Moral Bugs," *Harvard Business School Unpublished Working Papers 14-105 Online*, April 2014, 4, <http://ssrn.com/abstract=2427259> (accessed September 15, 2014).

nearly every training application—from professional development sessions, to unit-level exercises, training center rotations, and schools at every level.¹¹ The Army need not implement a new system, change how it trains, or roll out yet another campaign. The Army simply needs to put the same level of emphasis on developing character traits as it does on other competence-related tasks and to integrate both character and competence training into as many events as practical. Current training models should be adjusted to meet required objectives for each specific training audience from privates to civilians to senior officers. By continuing to “train as it fights,” the Army can develop team members who possess the skills to successfully identify and overcome ethical challenges when and where they actually occur: during a myriad of mission-critical tasks. Training that avoids perfunctory, ineffective teaching of stand-alone classes on ethics policies and Army Values, will increase mission success by providing proactive and relevant experiential training scenarios that facilitate behavior consistent with the performance and internalization of the Army Ethic.¹²

The second task is to create an ethical command climate throughout the Army. Leaders must create an ethical work environment for the teams that they lead. Just as Soldiers act with courage in combat for their peers because of the unbreakable bonds that form between strong teams in great units, so too will they act with *moral courage* in units with a climate of trust and discipline. The role that unit climate plays in facilitating an ethical environment for moral character development cannot be overstated. Leaders who rigorously enforce standards, show respect and loyalty to their teammates, and serve as moral exemplars are indispensable to the profession and the development of the Army Ethic as the standard.¹³

Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their Soldiers, the Army, and the nation, they earn the loyalty of their Soldiers. If leaders consider their Soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive command climate.¹⁴

The perception of command climate for any given unit is largely a function of the immediate supervisor who is similarly influenced by her/his supervisor throughout the hierarchical chain of command. Because a large percentage of Soldiers and civilians eventually serve in a supervisory capacity themselves, leader selection must be predicated on demonstrated commitment to the principles of the Army Ethic. Leader emulation works both ways: toxic leaders tend to produce more toxic leaders who then pass these traits to the ones they lead; great leaders tend to produce great leaders who in-turn do the same. The most effective means of growing leaders who know how to create this ethical environment, then, is to facilitate their growth through the ranks in a climate of trust and discipline so they know unequivocally what right looks and acts like. The most effective units have a climate in which team members at every level engage with self-discipline, strive to do right, and demonstrate the personal courage to push their teammates to do the same. Individual integrity, energized by an ethical and supportive team climate, is the glue that forms the unbreakable bond between teammates, translates to unit cohesion and esprit, builds a climate of trust, respect,

¹¹ Joe Doty and Walter Sowden, “Competency vs. Character? It must be both!” *Military Review Online*, November-December, 74-75, <http://www.dtic.mil/dtic/tr/fulltext/u2/a532524.pdf> (accessed September 7, 2014).

¹² *Ibid.*, 76.

¹³ U.S. Department of the Army, *The Army Profession*, Army Doctrinal Reference Publication (ADRP) 1 (Washington, DC: U.S. Department of the Army, June 2013), A-1, http://armypubs.army.mil/doctrine/DR_pubs/dr_a/pdf/adrp1.pdf (accessed September 8, 2014).

¹⁴ U.S. Department of the Army, *Army Command Policy*, Army Regulation 600-20 (Washington, DC: Department of the Army, 2012), 2.

and candor, and ultimately translates to an overall Army culture of military expertise, honorable service, and stewardship worthy of the Nation's trust.

The third task is to structure institutional policies, regulations, selection boards, and entry requirements to protect the Army's long-term investment in promoting a culture of competence, character, and commitment. Initiatives like 360-evaluations and mandatory comments on character in evaluations are an excellent start, but the Army must also formalize ethical competency as a prerequisite for recruits, specific unit/team participation, and advancement to leadership positions. Army leaders must also continue to be given the disciplinary tools necessary to deal effectively with unethical behavior such that their commitment to the Army Ethic through disciplinary action serves as yet another source of unit trust and cohesion. Designing the Army's institutional systems to empower leaders, mitigate constant turnover, and influence behavior to ensure consistency with the Army Ethic shows a codified and enduring willingness to police the profession, safeguard a culture of strong character, and therefore earn enduring National trust.

In the end, a character development program need not be difficult. The primary challenge is to implement policy and procedural changes by overcoming the bureaucratic tendency to make difficult that which should come naturally to a profession founded on the belief in the necessity of sacrifice for the greater good. Hiring contractors, ruminating over metrics, funding road shows and training teams, and running them through the DOTMLPF¹⁵ meat grinder would be a mistake. Like all effective strategies, implementation should be uncomplicated and deliberate, codified in policies, regulations, and training strategies, and periodically reviewed as the Army continues to build a body of knowledge in this area. Mission success will be achieved by simply, but firmly according the moral development of Army team members the requisite level of priority, time, and creativity to ensure that we "train as we fight." Defining measurable success in this area may be a challenge, but success can be inferred when character training is discussed in training briefings, professional development sessions, and after action reviews; when leaders are held accountable for promoting an ethical command climate; and when ethical behaviors are measured in evaluations and selections. These will demonstrate that character development has risen above the level of a "mandatory class" to become a foundational component of the overall moral and professional development of the Army team. At that point, the U.S. Army will have become a truly moral exemplar for other services, government agencies, foreign militaries, industry, and the Nation. With so much at stake, how can we afford to fail?

¹⁵ "DOTMLPF" stands for Doctrine, Organization, Training, Materiel, Leadership & Education, Personnel, and Facilities. According to the Army Capabilities Integration Center website, "DOTMLPF is a problem-solving construct for assessing current capabilities and managing change. Change is achieved through a continuous cycle of adaptive innovation, experimentation, and experience. Change deliberately executed across DOTMLPF elements enables the Army to improve its capabilities to provide dominant land power to the joint force." Army Capabilities Integration Center, "About ARCIC," <http://www.arcic.army.mil/AboutARCIC/dotmlpf.aspx> (accessed October 12, 2014).



Manning v. Carter: Implications for Transgender Policy

Wendy Daknis

On June 30, 2016, U.S. Secretary of Defense Ashton Carter announced that he was “ending the ban on transgender Americans in the United States military.”¹ This landmark decision, announced in the wake of the massacre at an Orlando LGBT nightclub, was preceded by a year-long study to evaluate the implications and practical implementation of such a policy. The shift in policy is palpable: In less than a decade, the U.S. military has gone from the world of “Don’t ask, don’t tell” to one in which LGBT soldiers are both allowed to serve openly and covered for medical expenses related to their gender identity. One catalyst for this change comes from an unlikely source: inside the U.S. Disciplinary Barracks (USDB) at Fort Leavenworth.

On September 23, 2014, an incarcerated Chelsea Elizabeth Manning sued then Secretary of Defense Chuck Hagel, other government officials, and the United States Department of Defense (DoD) seeking medical treatment for her gender dysphoria.² Alleging that her Constitutional rights were violated when the USDB failed to provide proper medical care for her well-documented medical condition,³ Manning’s lawsuit helped set the stage for reconsideration of gender-identity medical

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¹ Ashton Carter, “Department of Defense Press Briefing by Secretary Carter on Transgendered Service Policies in the Pentagon Briefing Room,” June 30, 2016, <http://www.defense.gov/News/News-Transcripts/Transcript-View/Article/822347/departement-of-defense-press-briefing-by-secretary-carter-on-transgender-service>.

² Complaint for Declaratory and Injunctive Relief, *Manning v. Hagel*, Case 1:14-cv-01609 (D.D.C. Sept. 23, 2014), <https://www.aclu.org/sites/default/files/assets/dcd-04504867824.pdf>.

“Gender dysphoria” refers to a clinical diagnosis introduced in the American Psychiatric Association’s (APA’s) Diagnostic and Statistical Manual of Mental Disorders, Fifth ed. (2013) (DSM-5), which applies to individuals whose gender identity differs from their assigned sex, causing clinically significant distress or impairment. American Psychiatric Association, *Gender Dysphoria*, (Arlington, VA: American Psychiatric Association), <http://www.dsm5.org/Documents/Gender%20Dysphoria%20Fact%20Sheet.pdf>. (accessed October 31, 2014) “Gender identity” is an internal sense of being male, female, or something else; whereas, “gender expression” is an external display of gender through clothing, hairstyle, body, and other characteristics. American Psychological Association, *Answers to your Questions about Transgender People, Gender Identity, and Gender Expression*, <http://www.apa.org/topics/lgbt/transgender.pdf>. (accessed October 28, 2014) “Assigned sex” is based on objective, biological criteria at birth, to include internal and external anatomy. *Ibid.*

³ Complaint for Declaratory and Injunctive Relief, *supra* note 1, at 2.

care for inmates and may assist in developing standards of care for non-incarcerated transgender service members.

Background

Bradley Manning joined the Army as an intelligence analyst in 2007⁴ and gained notoriety through his unauthorized disclosure of classified documents.⁵ After an investigation and the referral of charges, on August 21, 2013, he was sentenced by a General Court Martial to confinement for 35 years.⁶

Behind the scenes, he struggled with his gender identity. After a lifetime of feeling different, he recognized by 2009 that he was transgender.⁷ While deployed to Iraq in May 2010, he was officially diagnosed with gender identity disorder (GID) by an Army psychologist.⁸ Between May 2010 and August 2013, Manning was again diagnosed multiple times by different doctors with GID.⁹ This diagnosis was disclosed at his trial¹⁰ and as he was transferred to the USDB at Fort Leavenworth,¹¹ Manning released a statement through his lawyer to NBC's "The Today Show," announcing that he considered himself female and that he wanted to be referred to as Chelsea Manning or "she" from that day forward.¹² She also indicated a desire to promptly begin hormone therapy.¹³

From the day she arrived at the USDB, Manning began requesting evaluation and treatment for gender dysphoria.¹⁴ In October 2013, she was diagnosed once again with gender dysphoria;¹⁵ however, she had already been informed that treatment would be limited by USDB and Army policy

⁴ Declaration of Chelsea E. Manning at 2, Manning v. Hagel, Case 1:14-cv-01609-CKK (D.D.C. Sept. 23, 2014), <http://big.assets.huffingtonpost.com/Manning-declaration.pdf>.

⁵ Bill Mears, "Chelsea Manning Sues to Get Transgender Medical Treatment," *CNN*, September 24, 2014, <http://www.cnn.com/2014/09/23/justice/chelsea-manning-lawsuit/>.

⁶ Complaint for Declaratory and Injunctive Relief, *supra* note 1, at 8.

⁷ *Ibid.*

⁸ *Ibid.*, 4.

"Gender identity disorder" (GID) refers to a diagnosis in the previous edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV), which was replaced by gender dysphoria in the most current edition. American Psychiatric Association, *Gender Dysphoria*, "Gender identity disorder is characterized by a strong and persistent cross-gender identification and a persistent discomfort with one's sex or sense of inappropriateness in the gender role of that sex, causing clinically significant distress or impairment in social, occupational, or other important areas of functioning." World Professional Association for Transgender Health, *Standards of Care for the Health of Transsexual, Transgender, and Gender- Nonconforming People*, Version 7, 2012, 96, http://admin.associationonline.com/uploaded_files/140/files/Standards%20of%20Care,%20V7%20Full%20Book.pdf.

⁹ Declaration of Chelsea E. Manning, *supra* note 4, at 4.

¹⁰ Lou Chibbaro Jr., "Will Manning Case Harm Effort to Lift Trans Military Ban?," *Washington Blade*, August 22, 2013, <http://www.washingtonblade.com/2013/08/22/will-chelsea-manning-bradley-harm-effort-to-lift-trans-military-ban-transgender-lgbt-news-army-wikileaks/>.

¹¹ Declaration of Chelsea E. Manning, *supra* note 4, at 4.

¹² Scott Stump, "Bradley Manning: I Want to Live as a Woman," *Today News*, August 22, 2013, <http://www.today.com/news/bradley-manning-i-want-live-woman-6C10974915>; "I am Chelsea": Read Manning's full statement," *Today News*, August 22, 2103, <http://www.today.com/news/i-am-chelsea-read-mannings-full-statement-6C10974052>.

¹³ *Ibid.*

¹⁴ Declaration of Chelsea E. Manning, *supra* note 4, at 4.

¹⁵ *Ibid.*, 6. Given the updates to the DSM, a diagnosis of gender dysphoria from the DSM-5 would be consistent with a diagnosis of gender identity disorder from the DSM-IV.

to psychotherapy and anti-depressant and anti-anxiety medication.¹⁶ Manning continued to request treatment, to include not only psychotherapy, but also permission to begin real-life experiences,¹⁷ which refers to her ability to express her gender externally.¹⁸ By July 2014, she was receiving some level of psychotherapy¹⁹ and had been permitted the real-life experience of wearing female undergarments issued by the USDB.²⁰ Manning contends that this partial treatment is insufficient and in September 2014, sued seeking further treatment for her gender dysphoria, to include hormone replacement therapy.²¹

State of the Law

Medical treatment of inmates is protected by the U.S. Constitution. Specifically, the Supreme Court has held that “deliberate indifference to serious medical needs of prisoners” violates the Eighth Amendment and its protection against cruel and unusual punishment.²² The court reasoned that prisoners have no ability to seek outside medical treatment, as their liberty has been deprived, and that no valid penological purpose exists in allowing a prisoner to suffer unnecessarily.²³

Many federal courts have specifically addressed gender dysphoria or its predecessor, GID,²⁴ and have determined that the condition constitutes a serious medical condition for purposes of the Eighth Amendment.²⁵ Generally speaking, the courts seem to have accepted that an individual with untreated gender dysphoria faces an increased risk of undue physical and emotional suffering, and may even attempt self-castration or suicide if the condition persists.²⁶ Importantly, the United States District Court for the District of Columbia (D.D.C.), where Manning filed her suit, is one of these courts.²⁷

Not only have most courts determined that gender dysphoria is a serious medical condition, several have found that blanket denials of treatment to transgender inmates constitute deliberate indifference under the Supreme Court standard.²⁸ The D.D.C. similarly determined that transgender

¹⁶ *Ibid.*, 5.

¹⁷ *Ibid.*, 7.

¹⁸ Real-life experiences are expressed in the Standards of Care as “changes in gender expression and role.” World Professional Association for Transgender Health, *Standards of Care*, 9.

¹⁹ It is unclear if her therapist is qualified to treat gender dysphoria. See Declaration of Chase B. Strangio at Exhibit C, Manning v. Hagel, Case 1:14-cv-01609-CKK (D.D.C. Sept. 23, 2014), <http://cryptome.org/2014/09/manning-002.pdf> (providing a statement from Manning’s treating psychologist that she does “not have the expertise to develop a treatment plan or provide treatment for individuals with [gender dysphoria].”).

²⁰ *Ibid.*, Exhibit H.

²¹ Complaint for Declaratory and Injunctive Relief, *supra* note 1, at 17.

²² *Estelle v. Gamble*, 429 U.S. 97, 103 (1976).

²³ *Ibid.*

²⁴ Of the federal circuit courts, only the 3rd, 5th, DC, and Federal Circuits have remained silent.

²⁵ See *Kosilek v. Spencer*, 740 F.3d 733 (1st Cir. 2014), *withdrawn* by *Kosilek v. Spencer*, 2014 U.S. App. LEXIS 2660 (1st Cir. Feb. 12, 2014); *Cuoco v. Mortisugu*, 22 F.3d 99 (2nd Cir. 2000); *De’Lonta v. Johnson*, 708 F.3d 520 (4th Cir. 2013); *Phillips v. Michigan Dept. of Corrections*, 731 F. Supp. 792 (W.D.Mich. 1990), *aff’d*, 932 F.2d 969 (6th Cir. 1991); *Fields v. Smith*, 653 F.3d 550 (7th Cir. 2011); *White v. Farrier*, 849 F.2d 322 (8th Cir. 1988), *Allard v. Gomez*, 9 Fed. Appx. 793 (9th Cir. 2001); *Qz’etax v. Ortiz*, 170 Fed. Appx. 551 (10th Cir. 2006); *Kothmann v. Rosario*, 558 Fed. Appx. 907 (11th Cir. 2014).

²⁶ See World Professional Association for Transgender Health, *Standards of Care*, at 67.

²⁷ See *Farmer v. Hawk*, 991 F. Supp. 19 (D.D.C. 1998), *reversed in part, on other grounds*, 163 F.3d 610 (D.C. Cir. 1998).

²⁸ See *Fields*, 653 F.3d at 557; *Meriwether v. Faulkner*, 821 F.2d 408, 414 (7th Cir. 1987).

inmates are entitled to “some type of medical treatment.”²⁹ Although the courts have uniformly treated each case individually and refused to rule that all transgender inmates are entitled to any particular type of treatment,³⁰ it is clear that after individual evaluation, a transgender inmate will be entitled to some level of treatment for gender dysphoria.

Treatment Options

Since 1979, the World Professional Association for Transgendered Health (WPATH) has published Standards of Care for GID that represent the “professional consensus about the psychiatric, psychological, medical and surgical management of GID.”³¹ The WPATH treatment options range from psychotherapy to real-life experiences to hormone replacement therapy to sex reassignment surgeries.³² In laying out these standards, WPATH recognizes that not all transgender individuals would benefit from the same treatment.³³

Prior to her lawsuit, treatment options for Manning were extremely limited. Until Ashton Carter’s landmark announcement, the DoD actively maintained a long-standing policy of denying entry to transgender applicants³⁴ and permitted the services to separate members who were diagnosed with GID.³⁵ Consequently, most DoD medical professionals have little experience with treating transgender individuals. Prior to June 30, 2016, regulations covering payment of medical care within the military had specifically excluded any treatment for gender dysphoria, including psychotherapy, hormone therapy, and sex reassignment surgeries.³⁶ Finally, Manning’s opportunities for real-life experiences within the USDB are few.³⁷ At present, she is permitted to wear “female undergarments,” and “prescribed cosmetics in her daily life.”³⁸ She is not, however, allowed to follow the grooming standards for female inmates at other facilities related to the length of her hair, an issue Manning has addressed in the most recent amendment to her complaint.³⁹ Although the USDB has already begun to provide treatment for Manning (including psychotherapy, speech therapy, and cross-sex hormone therapy), her recent suicide attempt would suggest that these

²⁹ Black v. Kendig, 2003 WL 1477018 *4 (D.D.C. March 18, 2003)

³⁰ Ibid., 16.

³¹ World Professional Association for Transgender Health, *WPATH Clarification on Medical Necessity of Treatment, Sex Reassignment, and Insurance Coverage for Transgender and Transsexual People Worldwide*, http://www.wpath.org/site_page.cfm?pk_association_webpage_menu=1352&pk_association_webpage=3947. (accessed October 24, 2014).

³² World Professional Association for Transgender Health, *Standards of Care*, at 9-10.

³³ Ibid., 2.

³⁴ U.S. Department of Defense, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, Department of Defense Instruction 6130.03 (Washington, DC: U.S. Department of Defense, April 28, 2010 Incorporating Change 1, September 13, 2011), 25, 27, 48.

³⁵ Gale S. Pollock and Shannon Minter, “Report of the Planning Commission on Transgender Military Service,” *The Palm Center*, August 2014, 9, <http://www.palmcenter.org/files/Report%20of%20Planning%20Commission%20on%20Transgender%20Military%20Service.pdf>.

³⁶ Civilian Health and Medical Program of the Uniformed Services, Basic Program Benefits, 32 C.F.R. § 199.4 (2013).

³⁷ The USDB is a male-only facility.

³⁸ Amended Complaint for Declaratory and Injunctive Relief, Manning v. Carter, Case 1:14-cv-01609 (D.D.C. Oct. 5, 2015), <https://www.aclu.org/legal-document/manning-v-carter-amended-complaint>.

³⁹ Ibid.

measures may not be adequate.⁴⁰ Due to Manning's unique circumstances, even obtaining adequate psychotherapy has been a challenge. Dr. Galloway, Manning's treating psychologist, indicated in October 2013 that she did not possess the expertise required to treat gender dysphoria,⁴¹ nor to create a treatment plan for Manning.⁴²

Of course, none of these accommodations is limited to Chelsea Manning. The DoD must also be prepared to treat other potential inmates diagnosed with gender dysphoria; as such, there must be an ongoing system in place. Manning's case also illustrates some of the difficulties the DoD will encounter should it simply attempt to add transgenderism to the ranks and stir. To competently offer medically necessary treatment requires expert care providers trained specifically to care for both the minds and the bodies of transgender service members. This will require ensuring that the DoD maintains sufficient numbers of mental health experts and physicians qualified to deal with gender dysphoria, hormone therapy, and other psychological and physical conditions that may affect service members and inmates alike. These experts must be obtained via new DoD permanent hires, transgender-specific training of current DoD employees, and/or contract hires of appropriate non-DoD mental health experts and physicians.⁴³ The Manning case also illustrates both the importance and difficulty of maintaining safety and discipline for transgender service members—especially those who are incarcerated. Maintaining Manning's safety and discipline within the USDB while allowing her to show her gender externally through real-life experiences is a challenge to say the least. Although Manning has not specifically requested sex reassignment surgery, if her care provider determined that was necessary, DoD would also have to ensure that it had surgeons qualified to perform these procedures.⁴⁴ This, too, will be an issue for the Department of Defense as it embraces full inclusion of transgender service members.

Conclusion

Rather than limit its time and resources to simply addressing medical care for transgender inmates, DoD should take what it has learned from this case and also apply it on a broader scale. As society works to integrate transgender individuals, the military's emerging policy on transgender service members and their healthcare will no doubt be forced to undergo many iterations. Much of the needed research, including the medical requirements of transgender service members, seems to have begun in response to the suit brought by Chelsea Elizabeth Manning—a woman imprisoned in a man's body imprisoned in a maximum security military prison: for men. Although her case continues to be fought in the courts, and resolution is, as yet unclear, the significance of *Manning v. Carter* goes well beyond the treatment of one individual; it has shaped the transgender terrain which all in the Department of Defense now share as we work to “ensure that the mission is carried out by the best qualified and the most capable service members, regardless of gender . . .”⁴⁵ and gender identity.

⁴⁰Krishnadev Calamur, “Chelsea Manning's Suicide Attempt,” *The Atlantic*, July 12, 2016, <http://www.theatlantic.com/news/archive/2016/07/chelsea-manning/490901>.

⁴¹ Declaration of Chase B. Strangio, *supra* note 18, at Exhibit C.

⁴² *Ibid.*

⁴³ World Professional Association for Transgender Health, *Standards of Care*, at 22.

⁴⁴ *Ibid.*, 62.

⁴⁵ Leon E. Panetta, *Statement on Women in Service*, Secretary of Defense Speech delivered in the Pentagon Press Briefing Room, January 24, 2013, <http://www.defense.gov/Speeches/Speech.aspx?SpeechID=1746>.

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