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to National Security Issues

Volume II: National Security Policy and Strategy

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TO NATIONAL SECURITY ISSUES

VOLUME II:

NATIONAL SECURITY POLICY AND STRATEGY

5th Edition

J. Boone Bartholomees, Jr.
Editor

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CHAPTER 1

AMERICAN VALUES, INTERESTS, AND PURPOSE: PERSPECTIVES ON THE ROOTS OF AMERICAN POLITICAL AND STRATEGIC CULTURE

Marybeth P. Ulrich

. . . the Revolution . . . is the most important event in American history, bar none. Not only did the Revolution legally create the United States, but it infused into our culture all of our highest aspirations and noblest values. Our beliefs in liberty, equality, constitutionalism, and the well-being of ordinary people came out of the Revolutionary era. So too did our idea that we Americans are a special people with a special destiny to lead the world toward liberty and democracy. The Revolution, in short, gave birth to whatever sense of nationhood and national purpose we Americans have had.

—Gordon Wood in *The Idea of America*

THE IDEA OF AMERICA

Even if ideas are not the underlying motives for our actions, they are constant accompaniments of our actions. There is no behavior without ideas, without language. Ideas and language give meaning to our actions and there is almost nothing that we humans do to which we do not attribute meaning. These meanings constitute our ideas, our beliefs, our ideology, and collectively our culture.[1]

Gordon Wood, the renowned historian of the American revolutionary era, argues that America at its founding was fundamentally an idea, and remains so today. What was the "American idea"? In an era when monarchical rule was universal and the concepts of popular sovereignty and individual liberty only notional, the Founders' advancement of these values through an ideological movement was truly revolutionary. The enshrinement of democratic principles and processes of self-rule in a written constitution institutionalized what were previously only aspirational values. This "constitutionalism" laid out the parameters of political debate, political participation, and political power across the American political system.

THE AMERICAN REVOLUTION'S UNIQUE NATURE

Unlike the most recent revolutions the world has witnessed, collectively known as the "Arab Spring," the American Revolution was not the classic case of rising up against material deprivation and oppression.

There was none of the legendary tyranny that had so often driven desperate peoples into revolution. The Americans were not an oppressed people; they had no crushing imperial shackles to throw off. In fact, the Americans knew they were probably freer and less burdened with cumbersome feudal and monarchical restraints than any part of mankind in the eighteenth century.[2]

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In fact, Wood argued, the Americans revolted not to create, but to maintain their freedom. "American society had developed differently from the Old World. From the time of the first settlement in the 17th century . . . everything tended to produce and to establish the spirit of freedom. . . . Americans had come to experience vividly that liberty in their everyday lives."[3] The Revolution, then, was not so much the transformation as the realization of American society.

The Revolutionaries realized that over time they had gradually deviated from European practices. The colonies lacked an established church and titled aristocracy. They came to desire their rusticity and general equality which had become necessary elements in the maintenance of society and politics.[4] These changes occurred slowly in the course of the 17th century "as a series of small piecemeal deviations from . . . the accepted orthodoxy."[5] The comprehending and justifying, the endowing with high moral purpose, of these social and political divergences was the American Revolution.[6]

ROOTS OF AMERICAN VALUES: FROM THE ENLIGHTENMENT TO THE DECLARATION

"If the origin of the American Revolution lay not in the usual passions and interests of men, wherein did it lay? . . . It seemed to be peculiarly an affair of the mind."[7] The Founders were well versed in the ideas of the Enlightenment that John Locke and others published in the late-17th century. The ideas they expressed were products of and resonated with their times; the principles of government and freedom were better known than at any time in history. The Americans had learned "how to define the rights of nature—how to search into, to distinguish, and to comprehend, the principles of physical, moral, religious, and civil liberty."[8] Others were saying similar things but not as elegantly, not as pointedly, not as persuasively" as the Americans. [9]

The revolution had taken place not in a succession of eruptions that had crumbled the existing social structure, "but in a succession of new thoughts and new ideas that had vindicated that social structure."[10] In his contract theory of government, Locke argued that liberty was a "natural right." The contract theory maintained that legitimate government depends on an agreement between the people and their rulers. Thomas Jefferson elegantly restated Locke's contract theory in The Declaration of Independence:

> We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government. . . .[11]

The Declaration can be boiled down to a magnificently stated opening assumption, two premises, and a powerful conclusion. The opening assumption, an amazing assertion for its time, is that all men are created equal and therefore have equal rights that can neither be given up nor taken away. The first premise—that people establish governments to protect their fundamental rights to life, liberty, and property—is a restatement of Locke's contract theory (although Jefferson substituted the flourish "pursuit of happiness" for property). The second premise is the list of charges indicting George III for failing to protect the colonists' rights—the specific rationale for revolt. The dramatic conclusion follows, asserting that Americans can rightfully overthrow the King's rule and replace it with a legitimate form of government that would protect their rights.

Another principal source of colonial America's public morality and values was the writings of classical antiquity. "All political morality was classical morality; people could not read enough about Cato and Cicero."[12] Wood writes that although people in the 18th century were not much interested in the past, "antiquity was the exception; no modern era has ever invested so much in the classical past. And although all the ancient republics—Athens, Sparta, Thebes—were familiar to educated people in the 18th century, none was more familiar than that of Rome."[13]

Furthermore, those educated in the era of the Enlightenment looked to the history of antiquity as a sort of laboratory to study republicanism through the autopsies of the dead republics, especially Rome.[14] Why did they rise and fall? They came to understand that republics were much more fragile polities than monarchies, requiring a high degree of civic virtue and disinterestedness among their citizens. "Republics demanded far more morally from their citizens than monarchies did of their subjects."[15] The Founders mined ancient Rome's classical ideas in their establishment of the United States, which many viewed as a rebirth of the ancient Roman republic. The Americans shared the key tenets of republicanism, which included the belief that legitimate political authority comes from the people. Public officials, therefore, should represent the interests of those who elected them. The Founders also believed that it was possible to define and limit governmental control through a written constitution.

Both the first—the Articles of Confederation—and the second American constitutions emulated the mixed constitutions of ancient Rome, combining elements of monarchy (in the form of an elected executive in the second), aristocracy (as represented in the Senate), and democracy (in the form of popular assemblies, such as the House of Representatives). In a mixed constitution absolute rule rests in no single body, since power is placed and checked throughout the system. The Founders also adopted the Roman conception of citizenship, which was open to everyone in the world. While Englishmen also held these values in high esteem, England had been unable to realize them. The Revolutionaries hoped to realize what England thus far could not.[16]

The classical past, therefore, was the source of much of 18th-century political theory in the English-speaking world—from the ideal of balanced government to the conception of virtuous citizenship. "According to the antique republican tradition, man was by nature a political being, a citizen who achieved his greatest moral fulfillment by participating in a self-governing republic."[17] Wood compared the relationship between the Founders and the classical past to the relationship between present-day Americans and the Founders. "Just as we use the Founders, such as Jefferson and Washington, to get our bearings and reaffirm our beliefs and reinvigorate our institutions, so too did the Founders use antiquity, especially republican antiquity, to help shape their values and justify their institutions."[18]

Even some of the most iconic revolutionary rhetoric is rooted in the classical age. One particularly influential source was Joseph Addison's play, "Cato, a Tragedy." The play was first performed in 1713 and was popular throughout the 18th century in the American colonies. The play focused on the last days of Cato, statesman of the Roman Republic, who defended the last vestiges of the Roman Republic against the advancing legions of Julius Caesar.[19] Also immortalized in *Plutarch's Lives,* Cato epitomized the republican virtues that the American revolutionaries espoused. Patrick Henry's "Give me liberty or give me death" echoed Cato's line in Addison's play, "Gods, can a Roman senate long debate which of the two to choose, slavery or death!"[20] "Cato" was reportedly also George Washington's favorite play, and he arranged to have it performed for the troops encamped at Valley Forge, Pennsylvania. Washington drew upon his familiarity with it and its resonance across the colonies when he employed a line from it to dissuade one of his commanders, John

Thomas, from resigning due to a perceived slight in being ranked lower than another commander. Washington wrote to Thomas, "Surely every post ought to be deemed honorable in which a man can serve his country."[21] Nathan Hale, the martyr-spy, whom the British executed in September of 1776, uttered a variation of another line from "Cato," with which he knew his executioners were familiar. Hale's last words were reported to be, "I only regret that I have but one life to lose for my country."[22] The emulated line from "Cato" was, "What a pity it is that we can die but once to serve our country."[23] "It was a neoclassical age and it was a neoclassical revolution the Americans undertook."[24]

THE FIRST AMERICAN CONSTITUTION: THE ARTICLES OF CONFEDERATION

The "idea of America" ultimately had to be fashioned into a concrete design for the proposed American political system. The ideals embodied in the Declaration of Independence first took form in the Articles of Confederation. The First American Republic from 1776 to 1789 is often overlooked in the rush to get right to the Constitution as the core founding document. But the Constitution does not make sense without some examination of the new United States and its first attempt at self-government under the Articles of Confederation. The Articles were in effect from 1781 to 1789, when the U.S. Constitution was adopted.

The Articles embodied early American political culture that was characterized by fear of oppressive centralized government (i.e., a national taxing authority, preference for individual sovereign states, and a deep aversion to standing armies). The first Constitution of the United States as embodied in the Articles reflected something of an idealized view of American political philosophy. Under the Articles, the United States were a loose confederation of independent states. Under this first design, Congress comprised the entire national government; there was neither an executive nor a judicial branch. Congress had the authority to legislate on matters of mutual defense, but lacked the power to enforce its laws. The powers to impose taxes or to raise troops were reserved to the individual states. Furthermore, delegates to Congress had to follow the instructions of their state legislatures, and issues related to financing or war had to have the approval of nine state delegations.[25] Delegates to Congress were elected for 1-year terms and could not serve more than 3 years in a 6-year period. Ad hoc permanent congressional committees attempted to perform administrative duties without executive oversight or supervision.[26] One participant in the debate on the proposed second Constitution concluded, ". . . the powers of Congress, under the present confederation, amount to little more than that of recommending."[27]

BALANCING LIBERTY AND ORDER IN THE FIRST REPUBLIC (1776-89)

Students of strategy often think in terms of "Ends," "Ways," and "Means" when linking objectives, approaches to achieve them, and available resources.[28] The Founders also had particular ends in mind when crafting the system. The "End" in the Articles, the "first draft" of the American political system, was the sustainment and protection of individual liberty. The "Way" was the design laid out in the Articles, and the "Means" were the resources that the individual states offered to the common enterprise. The delegates to the constitutional convention in Philadelphia, Pennsylvania, did not seek to alter the "End." Instead, their focus was on modifying the "Ways," i.e., deficiencies in the weak central government embodied in Congress, remedying which would in turn result in more robust "Means" or resources.

The national security deficiencies of the First Republic were serious, including the inability to forge a common economic policy and the incapacity to mount and sustain military operations. It was clear that the weak central government established under the Articles was unable to prevent war, mount and sustain military operations should war occur, or even prevent internal rebellion.[29]

Meanwhile, the perception that European and Native American threats were growing led many political elites to fear that the unity of the Confederation was vulnerable. The Native Americans posed a specific threat, and a collective defense policy toward the Indian tribes was lacking. This lack was especially troublesome since many of the tribes still had alliances with European powers. Some had even fought on the side of the British in the Revolution and still maintained ties with them. Settlers began to move to western lands with no guarantee that those areas would remain loyal to the Confederation. The British, French, and Spanish still held territory in North America and sought to influence matters in these possessions.[30]

States increasingly fought over land claims and commerce regulation. Their aversion to sending taxes to Congress is also well known. States were even conducting their own foreign policy with external countries, despite the fact that the Articles strictly forebade such actions.[31] "Many far-sighted leaders realized that the self-interests of the states would eventually tear the union apart, and that the Articles of Confederation provided no legal or political means to stop it."[32]

The precipitating event that motivated many states to send delegates to Philadelphia in May 1787 to explore the revision of the Articles was Shay's Rebellion. Between August 1786 and January 1787, Daniel Shays, a disgruntled Massachusetts farmer and Revolutionary War veteran, led a rebellion against what he argued were unfair tax laws in the state. As a result, farmers took up arms to demand relief from their debts. This popular rioting and overt disorder added to the sense of pervasive crisis and alarmed the Founders. There was a growing consensus that a better balance had to be found to ensure security, while preserving liberty.[33]

THE SEARCH FOR EFFECTIVE SELF-RULE: THE SECOND AMERICAN CONSTITUTION

Eleven years after the signing of the Declaration, in the wake of a 9-year Revolutionary War and 6 years of ineffective governance under the Articles of Confederation, delegates from all the states except Rhode Island gathered in Philadelphia in May 1787 to solve the problems of the First Republic. Their task boiled down to a fundamental problem: How to devise a government strong enough to preserve order, but not so strong that it would threaten liberty.

One of the defenders of the proposed new Constitution's enhanced powers of self-defense, referred back to Shay's nearly successful uprising in a letter to a Connecticut newspaper in December 1787:

> Had Shays, the malcontent of Massachusetts, been a man of genius, Fortune, and address, he might have conquered that state, and by the aid of a little sedition in the other states, and an army proud by victory, become the monarch and tyrant of America. Fortunately he was checked, but should jealousy prevent vesting these powers in the hands of [the righteous], men chosen by accident or design will in all probability raise up some future Shays to be the tyrant of your children. A people cannot long retain their freedom, whose government is incapable of protecting them.[34]

Key Design Features of the Second American Republic: Adapted Ways.

> If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.

> —James Madison, *The Federalist*, No. 51

The Founders who gathered in Philadelphia in May of 1787 understood that the "Ways" and "Means" employed in the first American republic must be adapted to strengthen the powers of the central government. The "End," the preservation of individual liberty, did not change, but the "Ways" and "Means" were deemed insufficient, putting the preservation of liberty at risk. However, efforts to increase powers could not proceed without the confidence that other design features were in place to check them.

James Madison wrote in *The Federalist* No. 10, that "ambition must be made to counter ambition."[35] Madison's solution for the new "Ways" was the adoption of a large republic. Madison offered cogent arguments for why a large republic was the best cure for "the mischiefs of faction."[36] What the early Americans called "factions" would be considered special interests today. There was a fear that these factions would attempt to achieve their interests at the expense of the public good. Madison argued that there were two ways to deal with the problem of factions. One approach was to deprive people of the liberty to organize into separate factions. The reason: "Liberty is to faction, what air is to fire." He concluded, however, that this would be a cure "worse than the disease."[37] Since the causes of factions cannot be removed, the only choice then is to control their effects. Governmental design, he argued could moderate the negative effects of factions. A large republic was the solution. A large republic would be comprised of more factions than would be found in a smaller republic—therefore, there was a greater chance that the various interests would be cancelled out.[38]

The Founders adopted additional design features to control the effects of government by a ruling passion or interest. A republic was preferable to a direct democracy, because in a republic interests are filtered through representatives who may filter the passions of the people. The choice to adopt a bicameral legislature tempered factions further since legislation must pass through two separate legislative bodies. In addition, senators would be detached from the people since they would be chosen by state legislatures, which would further temper the passions of the people. Some of these tempering characteristics prevail today with the direct election of senators.[39] Senators must be elected from across the whole state, making it more likely that interests cancel each other out than in smaller constituency, such as a congressional district.

Finally, the choice of federalism spread power across national, state, and local levels thereby tempering interests further. "The Federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular, to the state legislatures."[40] This was intended to be an improvement over the Articles that reserved almost all power to the states and left the central government virtually powerless.

In order to prevent a tyrannical majority from taking hold at the national level, the renowned "checks and balances" design ensured that competing blocs of power would counterbalance each other across the institutions: a strong central government led by a single-person executive, a strong legislature with countervailing powers, and a national judiciary. The Framers' final product was a careful blend of separated and shared powers. They deliberately considered the sort of institutional competency they were attempting to develop when deciding which powers should be shared and which should be held alone. While Congress was granted significant national security powers such as to declare war, raise armies, establish a navy, and levy the necessary taxes, its institutional design deliberately prevents it from moving quickly on such matters. The Founders were attempting to create a body wherein lengthy deliberations could take place, one that was subject to the influence of the press, and one which was close to and remained accountable to the public.

The executive branch, on the other hand, was designed to move with speed and dispatch, with an appropriate amount of secrecy in order to conduct day-to-day foreign and security policy in peacetime and to act decisively in crisis situations.

Finally, the Founders recognized the need for an independent judiciary. Here again, they drew upon ideas from a key figure in the Enlightenment, French political philosopher Baron de la Brede Montesquieu, who had written, "There is no liberty, if the power of judging, be not separated from the legislative and executive powers."[41] Article III of the Constitution provides for lifetime tenure and prohibition against reduction in compensation to secure judicial independence. By 1803, the Supreme Court under Chief Justice John Marshall claimed the right to invalidate acts of Congress that the Court deemed to be unconstitutional (Marbury vs. Madison). This established the precedent of judicial review—another powerful check against legislative and executive authority. Figure 1-1 depicts these institutional competencies.[42]

CONGRESS:	THE PRESIDENCY:
• Deliberation and Circumspection	• Energy
• Representation of Diverse Viewpoints	• Secrecy
• Frequent Public Accountability	• Speed and Dispatch
	• Unity of Design

THE JUDICIARY:
• Independence
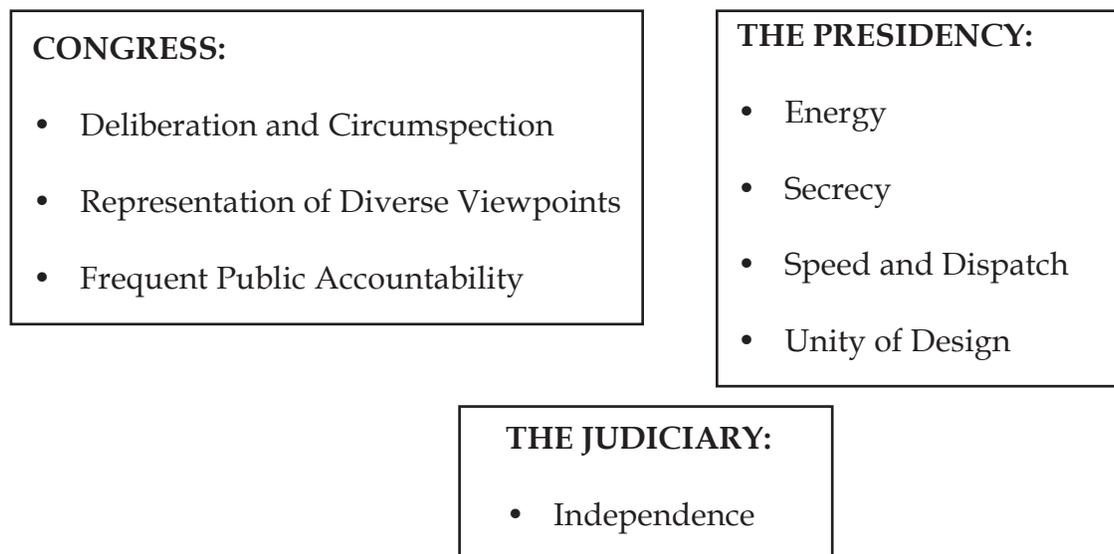
Figure 1-1. The Constitutional Sharing of Powers.

In 1787-88, the Federalists, those advocating for the new Constitution, "were faced with the difficult task of justifying their new and strong national government in the face of both deeply rooted American fears of far-removed central power and the traditional theory holding that republics had to be small in size and homogeneous in character."[43] The Anti-Federalists "thought that the Constitution was an aristocratic and undemocratic doctrine designed to limit certain popular pressures on government."[44] But in the end, the Founders agreed to the revised "Ways" and "Means," the collective result of many individual acts of compromise to protect the ultimate vital interests of the United States, provide for a common defense against all enemies foreign and domestic, and preserve the liberty of the people.[45]

American interests since colonial times flow from American values. The roots of these values and their preservation as the primary national interest have been explored in this chapter. This unique heritage may at times make it difficult to separate American values and interests, thus leading to the simultaneous pursuit of seemingly conflicting interests. This phenomenon continues to manifest itself in modern-day foreign policy dilemmas, such as when the United States is torn between promoting democracy and facilitating a stable international order. The character and nature of American politics and policy debates echo the Founders' attempts to balance liberty and order, an effort pursued since the founding of the first American republic.

ENDNOTES - CHAPTER 1

1. Gordon S. Wood, *The Idea of America*, New York: Penguin Press, 2011, p. 15.

2. *Ibid.*, p. 27.

3. *Ibid.*, p. 28.

4. *Ibid.*, p. 35.

5. *Ibid.*

6. Bernard Bailyn, "Political Experience and Enlightenment Ideas in Eighteenth Century America," *American Historical Review*, Vol. LXVII, 1962, pp. 339-351.

7. Wood, p. 27.

8. *Ibid.*

9. *Ibid.*, p. 15.

10. *Ibid.*, p. 27.

11. *Ibid.*, p. 28.

12. *Ibid.*, p. 67.

13. *Ibid.*, p. 58.

14. *Ibid.*, p. 59.

15. *Ibid.*, p. 68.

16. *Ibid.*, p. 72.

17. *Ibid.*, p. 67.

18. *Ibid.*, pp. 76-77.

19. Richard Lewis, "Introduction," in Joseph Addison, *Cato: A Tragedy in Five Acts,* 1712; available from *www.constitution.org/addison/cato_play.htm*.

20. David McCullough, *1776: The Illustrated Edition,* New York: Simon and Schuster, 2007, p. 66.

21. *Ibid.*, 190.

22. *Ibid.*, p. 73.

23. *Ibid.*

24. *Ibid.*

25. Richard H. Kohn, "The Constitution and National Security: The Intent of the Framers" in *The United States Military Under the Constitution of the United States, 1789-1989*, New York: New York University Press, 1991, pp. 68-70.

26. "Articles of Confederation," *Oxford Guide to U.S. Government*, available from *www.answers.com/topic/articles-of-confederatio*n.

27. Brutus IX, "The Dangers of a Standing Army" *New York Journal,* January 17, 1788, reprinted in *The Debate on the Constitution: Part Two,* New York: Literary Classics of the United States, 1993, p. 45.

28. H. Richard Yarger, "Toward a Theory of Strategy: Art Lykke and the Army War College Strategy Model," J. Boone Bartholomees, ed., *The U.S. Army War College Guide to National Security Issues, Volume I: Theory of War and Strategy,* 4th Ed., Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2010.

29. *Ibid.*

30. *Ibid.*, pp. 66-68.

31. Summary of the *Federalist Papers*, Spark Notes, available from *www.sparknotes.com/history/american/federalist/summary.html*.

32. *Ibid.*

33. See Wood and Kohn.

34. Oliver Ellsworth, "To Combat Phantoms, A Further Reply to Elbridge Gerry: 'A Landholder'," *Connecticut Current,* Vol. V, December 3, 1787. Reprinted in *The Debate on the Constitution: Part One,* New York: Literary Classics of the United States: 1993, p. 241.

35. James Madison, *The Federalist*, No. 10.

36. *Ibid.*

37. *Ibid.*

38. *Ibid.*

39. The 17th Amendment to the U.S. Constitution ratified in 1913 requires popular election of senators.

40. James Madison, "'Publius,' The Federalist X," *Daily Advertiser,* New York, November 22, 1787. Reprinted in *The Debate on the Constitution: Part One,* New York: Literary Classics of the United States: 1993, p. 410.

41. As quoted by Alexander Hamilton, *The Federalist*, No. 78.

42. Marybeth P. Ulrich, "National Security Powers: Are the Checks in Balance?" Chapter 5 of this Volume.

43. Wood, p. 17.

44. *Ibid.*

45. Kohn, p. 87.

CHAPTER 2

CRAFTING NATIONAL INTERESTS IN THE 21ST CENTURY[1]

Alan G. Stolberg

When you're asking Americans to die, you have to be able to explain it in terms of the national interest.[2]

—Henry Kissinger

The most fundamental task in devising a grand strategy is to determine a nation's national interests. Once they are identified, they drive a nation's foreign policy and military strategy; they determine the basic direction that it takes, the types and amounts of resources that it needs, and the manner in which the state must employ them to succeed. Because of the critical role that national interests play, they must be carefully justified, not merely assumed.[3]

—Robert J. Art

Both Henry Kissinger and Robert Art make it clear that the identification of national interests is crucial for the development of policy and strategy. Interests are essential to establishing the objectives or ends that serve as the goals for policy and strategy. "Interests are the foundation and starting point for policy prescriptions." They help answer questions concerning why a policy is important.[4] National interests also help to determine the types and amounts of national power employed as the means to implement a designated policy or strategy.

The concept of interest is not new to the 21st-century international system. It has always been a fundamental consideration of every actor in the system. Despite what many academics have maintained, national interests are not only a factor for nation-states. All actors in the international system possess interests. Based on Barry Buzan, Ole Weaver, and Jaap de Wilde's units of analysis, the need to have interests is equally applicable to *international subsystems* (groups or units that can be distinguished from the overall system by the nature or intensity of their interactions with or independence from each other) like the Association of Southeast Asian Nations and the Organization of Petroleum Exporting Countries; to *individual units* (actors consisting of various subgroups, organizations, and communities) such as nations of people that transcend state boundaries and multinational corporations; to *subunits* (organized groups of individuals within units that are able or try to affect the behavior of the unit as a whole) like bureaucracies and lobbies; and, finally, to all *individuals* who possess separate personal interests as they participate in the overall system.[5] Some academics choose to distinguish between national interests (interests involved in the external relations of the actor) and public interests (interests held within the boundaries of the actor).[6] For purposes of this chapter, given the closing gap between the influence of external and internal issues in the 21st century international system brought about by the associated components of a rapidly globalized world, there will be no distinction made between external and internal interests. In effect, they all fall under the concept of the national interest.

There is a generally accepted consensus among academics that interests are designed to be of value to the entity or actor responsible for determining the interest. They are what the actor values. This could include interests that are intended to be "a standard of conduct or a state of affairs worthy of achievement by virtue of its universal moral value."[7] However, there is less agreement

on the question of whether all nation-state interests are enduring, politically bipartisan, permanent conditions that represent core interests transcending changes in government,[8] in contrast to those interests that may be altered over time and/or respond to change in the international system.[9]

There is also disagreement over whether national interests are designed purely for the sake of advancing the power of an actor with the object of attaining greater security for that actor,[10] or whether interests can be guided by values and ethics with the intent of doing some type of good for parts of the international system, or the overall system in general. This might include collaboration and coordination with other actors in the international system.[11] It may also require the interest-crafting actor to subordinate certain self-interests for the sake of interests that are of greater value to other actors in the system.

Finally, there is disagreement over the categorization and determination of intensity or prioritization of interests. Terms like survival, vital, critical, major, serious, secondary, extremely important, important, less important, humanitarian, and peripheral have been used to categorize interests in academic writings and official government documents.[12] Some categorize how significant the interest is in terms of chronological relationship to the actor, thus focusing on near-term versus longer-term impacts. Others relate categories to the intensity of the substantive influence that the interest is determined to have on the actor. Categorization is directly related to the question of prioritizing interests based on intensity—that is, deciding which types of interests are more important than others. Perhaps of equal importance is the degree of distinction made between the categories in the prioritization process. In a zero-sum environment, this distinction could determine whether and in what amount an actor allocates resources toward the attainment of the interest.

After developing a detailed definition of national interests and analyzing their uses, this chapter will propose a process that future policymakers can use to craft reasonably attainable statements of national interests. The chapter assesses the issue of fixed or adjustable interests over time to understand the degree of flexibility that crafters of interests might have. Similarly, it examines whether policymakers create interests only to increase the power and thus the security of a state, or if they can also develop interests for ethical and value-driven purposes. Finally, the chapter evaluates a set of category definitions that will provide necessary flexibility for a 21st-century policymaker.

Overall, the focus of this chapter will be the development of a series of issues that any policymaker can use as a guideline to assist in the development of national interests that are within the realm of the possible.

DEFINITION OF NATIONAL INTERESTS

In a very generic sense, national interests are "that which is deemed by a particular state (actor) to be a . . . desirable goal."[13] The attainment of this goal is something the identifying state believes will have a positive impact on itself. Realization of the interest could enhance the political, economic, security, environmental, and/or moral well-being of a populace and the associated state (actor) or national enterprise.[14] This holds true within the territory of the actor, as well as in any external relations that the actor may undertake outside of the administrative control of that actor.[15] Interests would be the concern of the actor as a whole, "or at least (for) a sufficiently substantial subset of its membership to transcend the specific interests" of any of its particular groups.[16] For the United States, the executive branch of the federal government has primary responsibility for determining the national interests that address perceived needs and aspirations external to the geographic borders of the nation. The determination of internal or domestic interests is more complex with executive and legislative bodies at federal, state, and local levels interacting in the political process to reach decisions.

USES FOR NATIONAL INTERESTS

Interests serve as the foundation and guiding direction for the formulation of policy. For a nation-state, there is more often than not a direct correlation between the nation's interests and foreign policy. In most cases, "statesmen think and act in terms of interest."[17] Those interests believed to be the most significant for the attainment of a policy objective (the actor's wants and needs)[18] will earn the greatest amount of emphasis during the policy formulation process. These interests should be distinguished from policy or strategy objectives that could be fully attained. Because the power of every actor in the international system is limited or constrained to varying degrees, objectives that can be fulfilled are likely to fall short of what the associated national interests would require for complete attainment. "The formulation of policy objectives should convert a general sense of the national interest, a 'non-operational-goal,' into a prioritized agenda for action."[19] In essence, the development of the interests should not be confined by limitations of national power; while the interest may not be fully realizable, it can establish the parameters for goals and objectives that can be attained within the limits of the actor's actual power resource base.[20] The interests should be designed to tell the policymaker why and how much he should care about an issue. Interests help determine what kind and how much attention should be given to challenges, threats, and opportunities. They also assist the policymaker in identifying key issues during the policy formulation process. Examples could include: How are current developments affecting interests? Are hostile forces able to negatively influence the interests? Is there sufficient power (both military and nonmilitary) available to protect the interests? How much of that power must be used to defend the interests?[21] In effect, an actor's understanding of self-interest helps the actor determine the degree of importance of an issue.[22]

FIXED OR CHANGING INTERESTS

Some political scientists, like Hans Morgenthau, believe that national interests are permanent features of the international system. Regardless of what government is in power, the interests of a nation-state remain fixed components of the policymaking process. They are "unaffected by the circumstances of time and place."[23] Some interpret this to mean that nation-states possess permanent, unchanging core interests. This would imply that the United States has core interests, potentially in existence since the beginning of the republic in the later part of the 18th century, that have never changed since their inception. This analysis will suggest that adjustments, in fact, have taken place over the course of time.

Morgenthau indicated that the key concept of interest is not to be defined "with a meaning that is fixed once and for all."[24] He believed the generic concept of interest was unchanging in terms of its importance to the international system. However, this did not mean that individual interests could not be adjusted or newly created in order to take into account changes in the international system.

Other theorists have argued that interests are likely to be "a diverse, pluralistic set of subjective preferences that change periodically, both in response to the domestic political process itself and in response to shifts in the international environment. The national interest therefore is likely to be what the policymakers say it is at any particular time."[25] Like most actors in the international system, the United States has had both changing and unchanging national interests over an extended period. Some interests have been a more consistent focus of various policies and strategies than others, and all have had different degrees of importance over both the long and short terms. Some of these interests changed or adjusted because of shifting world conditions and/or domestic political considerations.[26] With reference to a portion of the preamble of the Constitution, all seven national security strategies drafted during the course of the Clinton administration identified three

core interests that have remained timeless in some manner, shape, or form for the United States: "provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." These were translated in those national security strategies into the modern-day interests of enhancing security at home and abroad (security), promoting prosperity (economic well-being), and promoting democracy and human rights (democratic values).[27]

For purposes of 21st-century America, these three core interests may be elaborated as follows:

- *Security*: "Protection of the people (both home and abroad), territory, and institutions of the United States against potential foreign dangers."[28] This has always included defense of the American homeland. Domestically, it would now include protection of critical infrastructure such as energy, banking and finance, telecommunications, transportation, water systems, and cyber networks.[29] America's expansion into the world that began in the 19th century resulted in a broadening of the external portion of this core interest to now include components like protection against weapons of mass destruction (WMD) proliferation, freedom of movement, access to key facilities, and assurance that U.S. national security institutions are transformed to meet the challenges and opportunities of the 21st century.
- *Economic Well-Being*: "Promotion of [American] international trade and investment, including protection of United States private economic interests in foreign countries."[30] The 19th-century American entry onto the world stage also ensured that this core interest would evolve to incorporate expanded global economic growth through free markets and trade, to include the advance of globalization.[31]
- *Democratic Values*: Until the 20th century, this core interest was confined to ensuring that the domestic democratic process and associated values framed the traditional American tenets of "life, liberty, and the pursuit of happiness." The nation's continued expansion into the world witnessed a change that in the 21st century can be said to include the promotion of democracy and human rights abroad.[32]

All three of these now 21st-century core interests have farther evolved as a result of the American experience in the aftermath of the two world wars of the 20th century into what can be considered a fourth core interest for the United States:

- *Stable and Secure World Order*: A favorable world order based on the "establishment of a peaceful international environment in which disputes between nations can be resolved without resort to war and in which collective security rather than unilateral action is employed to deter or cope with aggression."[33] Requirements for global stability in the 21st-century world would also include secure alliances and coalitions, the security of regions or countries in which the U.S. has a sizable economic stake, and the need to respond to humanitarian or other concerns, such as response to natural and manmade disasters, protecting the global environment, minimizing destabilizing refugee flows, and support for health problems like HIV/AIDS and food and water shortages.[34]

REALISM OR MORALITY-BASED INTERESTS

Once the appropriate interests have been determined, the next question relates to why the actor should care enough to do anything about them. Is the underlying rationale for any kind of action to be one of realism or morality, or can one use both to explain the need to pursue certain interests? The complexity of the international system creates a decisionmaking problem that forces the crafter of national interests to make hard "choices concerning moral and national values; national treasure and even blood; and the time, energy, and influence that a government expends on external matters."[35]

The realist school of thought is founded on the premise that as a tool for the policymaker the national interest is intended to identify what is in the best interest of his state in its relations with other states.[36] The term "best" is defined in terms of power and security. Realists view national security as the primary basis of a state's national interest because of the threat of anarchy and constraints on sovereign states that are part of the international system. Anarchy in the international system manifests itself as "disorder, disarray, confusion, or chaos." This could either be interpreted as a description of the general condition of the international system, or as the absence of any authoritative institutions, rules, or norms that are more powerful than any sovereign state actor and, thus, have the ability to ensure security in the overall system.[37] The result is a lack of security for the actors that are members of the system.

In addition to anarchy, realists are very sensitive to threats to a state's interests posed by "external constraints on their freedom of maneuver from international treaties, the interests and power of other states, and other factors beyond the control of the [state] such as geographic location and dependence on foreign trade."[38]

According to realism, the absence of security caused by anarchy and constraints in the system causes states to orient their interests on "the acquisition and management of power," more often than not to be related to some form of the military element of national power.[39] The result, according to Morgenthau, is the need to focus an actor's national interests on meeting its security requirements by protecting its "physical, political, and cultural identity against encroachments by other nations."[40]

For the national interest, the emphasis in realism is on doing what is primarily and almost solely to the advantage of that particular state actor. It is done with an express focus on power and security. In contrast, morality-based interests are defined "more broadly to encompass intangible values like human rights, freedom from economic deprivation, and freedom from disease." While military power could still be the national power element of choice, morality-based interests would promote concepts such as "the values of national self-determination and economic egalitarianism."[41] The last part of the 20th century witnessed a surge in support for these kinds of morality-based interests through humanitarian intervention operations in places like Somalia, Haiti, Bosnia, and Kosovo. Humanitarian intervention is "the use of armed forces by a state, a group of states, or an international organization on the grounds of humanitarianism [not for self-gain] with the specific purpose of preventing or alleviating widespread suffering [human rights abuses] or death."[42] Morality-based interests are not developed only to benefit the actor that crafts the interest. Rather, they are designed so other actors in the international system are also likely to benefit.

Given the complex world of the 21st century, neither one of these approaches is likely to be the sole rationale for why any given interest will be developed to guide policymaking. The bipartisan Commission on America's National Interests believes that the difference between realism and morality-based interests was more an alternative expression of valuation between the two as opposed to two opposed dichotomous poles. The American people are oriented on the survival and well-being of the United States, while at the same time, owing much to historically embedded values, they are concerned about human rights and the welfare of individuals in other countries.[43]

In addition, Joseph Nye, former Dean of the Kennedy School at Harvard and a clear promoter of the morality component through his advocacy of soft power, argues that "national interests are a set of shared priorities that often include issues of human rights and democracy. A democratic definition of the national interest does not accept the difference between a morality-based and an interest [realism]-based foreign policy."[44] There is both constant tension and constant cooperation between the two underlying rationales that help guide the formation of interests. Given the situation of the moment, each one will have its own applicability. Henry Kissinger, a prominent supporter of the realist school, described it best:

The alleged dichotomy of pragmatism (realism) and morality seems to me a misleading choice. Pragmatism without a moral element leads to random activism, brutality, or stagnation. We must always be pragmatic about our national security. We cannot abandon national security in pursuit of virtue. But beyond this bedrock of all policy, our challenge is to advance our principles in a way that does not isolate the U.S. in the long run.[45]

The issues associated with the 21st-century world will require the crafter of national interests to be simultaneously both a pragmatic realist and an advocate of morality. Based on circumstances, sometimes one theoretical foundation will have greater influence than the other for the development of interests. With all of the many complex issues that will be present in the 21st century, this is likely to be true for American policymakers so long as the United States intends to maximize its influence on a global basis.

CATEGORIZATION AND INTENSITY OF INTERESTS

To determine what types of resources to allocate in what amount toward the attainment of an interest, the crafter of national interests must understand the categorization and determination of the intensity of the interest. This part of the crafting process is necessary to address key policy questions like: Which issues matter most? Why should people care? How much should the populace be willing to pay to deal with identified threats or take advantage of recognized opportunities?[46]

The determination of priority—usually expressed in terms of the intensity of an interest—is crucial because, from the perspective of the policymaker, interests may very well come into conflict with each other. This conflict could be over the resources that an actor would require to attain the interests, including the time and attention of key decisionmakers.[47] Such resources are likely to be limited in some manner for any decisionmaking body, thus requiring prioritization before the interest-crafting process is complete.

The most difficult problem in this part of the process is usually the determination of the intensity or stake that an actor has in a specific issue. The leadership of the interest-crafting actor must address its desire to influence issues and events, both external and internal, its willingness to use any or all elements of national power to defend or advance certain interests in preference to others, and potentially its willingness to do so at the expense of other actors.[48] More specific criteria for assessing intensity could include: the intrinsic value or importance of the interest (benefit/cost), the degree to which the interest could be attained, whether the interest is a prerequisite for pursuing other interests or depends on other interests, the time available to attain the interest, and the level of danger to the interest or opportunity to advance it.[49]

Categorization is important not only because it can be used as a framework for systematic evaluation of national interests, but also because it can provide "a way to distinguish immediate from long-range" interest concerns using time as a basis.[50] Identified academic sources used between two and four different categories of interests, and two National Security Strategies published during the Clinton administration used three categories.[51] The categories are designed to delineate the different levels of intensity or order of priority for any interest.

The principal difference among these approaches is whether they use a separate category for survival interests, or whether they consider survival interests and vital interests essentially one and the same. "The major difference between a survival interest and a vital interest [lies] in the nature and imminence of a military threat" to the actor.[52] Both terms address the life of the actor, one dealing with the imminent danger of death with the other being only potentially fatal. In this case, the time difference is the key.[53] If one believes there are specific interests where the very survival or existence of the actor is at stake, then four categories of intensity become applicable, discussed below in their order of degree—Survival, Vital, Important, and Peripheral.

Survival.

These represent the single most important interests for any actor. This is the very essence of the actor's existence—the protection of its citizens and their institutions from attack by enemies, both foreign and domestic. It addresses an imminent threat of attack and is an interest that cannot be compromised.[54] If not attained, it will "bring costs that are catastrophic, or nearly so."[55] Whatever can be done would be done to ensure the survival of the actor, to include the use of military force.

Examples: Prevent, deter, and reduce the threat of nuclear, biological, and chemical weapons attacks on the interest-crafting actor or its military forces abroad; ensure the survival of allies and their active cooperation in shaping an international system in which the actor crafting the interest can thrive; prevent the emergence of hostile major powers or failed states on the borders of the actor crafting the interest.[56]

Vital.

A vital interest exists when an issue is so important to an actor's well-being that its leadership can compromise only up to a certain point. Beyond that point, compromise is no longer possible because the potential harm to the actor would no longer be tolerable.[57] If the interest is achieved, it would bring great benefit to the actor; if denied, it would carry costs to the actor that are severe but not catastrophic.[58] Such costs could severely prejudice but not strictly imperil the ability of the actor's government to safeguard and enhance the well-being of its populace.[59]

Examples: Prevent the regional proliferation of WMD and delivery systems; prevent the emergence of a regional hegemon in important regions; promote the well-being of allies and friends and protect them from external aggression.[60]

Important.

These interests would be significant but not crucial to the actor's well-being. Damage to them could cause serious concern and harm to the actor's overseas interests, and even though the result may be somewhat painful, would much more likely be resolved with compromise and negotiation, rather than confrontation.[61] Such a solution could increase its "economic well-being and perhaps its security" and thus contribute to "making the international environment more congenial" to its overall interests. The potential value of either achieving or suffering damage to these interests would be moderate.[62] Important interests differ from vital and survival interests in the perceived degree of danger to the actor and the amount of time available to find a peaceful solution to the issue.[63]

Examples: Promote pluralism, freedom, and democracy in strategically important state actors as much as feasible without destabilization; discourage massive human rights violations in foreign countries; prevent and, if possible at low cost, end conflicts in strategically less significant geographic regions.[64]

Peripheral.

These interests involve neither a threat to the actor's security nor to the well-being of its populace. Moreover, they do not seriously affect the stability of the international system.[65] Protection of such interests is desirable, but damage to them has little direct impact on the ability of the actor to safeguard its populace.[66]

Examples: Promoting the economic interests of private citizens abroad;[67] enlarging democracy everywhere for its own sake; preserving the territorial integrity or political constitution of other actors everywhere.[68]

THE INFLUENCE OF INTERESTS ON 21ST CENTURY POLICY AND STRATEGY MAKING

Just as the development of national interests is complex, so is the actual application of interests in the policy and strategy formulation process. The importance of national interests to the process is significant, as described by Lord Palmerston, the British foreign minister in 1856: "When people ask me . . . for what is called a policy, the only answer is that we mean to do what may seem to be best, upon each occasion as it arises, making the interests of our country one's guiding principle."[69] This was highlighted during the determination of national interests for the second George W. Bush administration's National Security Strategy in 2005-06, when a successful resolution to the Iraq war and follow-on occupation were identified as the President's single most important national interest. At that time (such an occasion as defined by Lord Palmerston), the American national interest was almost solely defined by a single policy issue: Iraq. All components of that period's national security strategy had to be related to the national interest associated with U.S. policy and Iraq.[70]

As we have seen, the crafter participating in the development of interests must take the following issues into account: How flexible can the interest of the moment be in relation to the actor's core interests of the period? Must the interest be based exclusively on either realism or morality, or can it be some combination of the two? Where does the interest fit in terms of category and intensity?

Perhaps the most complicating factor that the crafter must take into account will be the influence of domestic politics on the interest formulation process. That resource allocation by type and quantity will be impacted by the identification of the interest designed to guide a policy creates a critical linkage between the two. The connection is key because, in a democracy, it is the government of a state actor that will have to sustain the investment of resources required to attain the interest. Interests with greater salience, authenticity, and clarity are easier for governments and populations to support because they have a clearer idea of why it is they are being asked to do something, like allocate money or military forces.[71] At the same time, such a detailed understanding could lead to a lack of support on the part of either the government, the people, or parts thereof, if the interest is assessed to be too low on the scale of intensity.

The Australian government developed one approach to determining specific national interests. Based on guidance from the incoming Labor party administration, there were three identified components to be associated with any national interest. The first variable was geography and the relationship of any potential challenge or opportunity to Australia's physical location; the physically closer the issue, the more likely that it would become an interest. The second part dealt with the conditions associated with the risk of attempting to attain an identified interest. Too much risk could make the potential national interest much too unattractive for the state. The less the risk, the easier it was to accept. Finally, stated Australian policy is to contribute its share in the international system, employing all of its instruments of national power. An issue warranting Australian involvement in doing its share, like the military commitment to the NATO military mission in Afghanistan, would likely result in its identification as a national interest.[72]

If they are to develop relevant and executable 21st-century interests, those participating in the interest development process must understand that they are endowed with a degree of flexibility allowing them to discern the limits of domestic politics in terms of what types of interests are likely to be supportable. This must entail the provision of the maximum amount of data available for the development and resulting identification of the interests at hand. The greater the authenticity and degree of consensus on categorization and level of intensity, the greater the possibility that the public will support actions to protect or advance the interest.

But even with the proper address of all the important issues, resulting in a logical, supportable interest, at times governments and populations do not support interests assessed as having a high

level of intensity. Conversely, political bodies often support other interests that are identified with a low level of intensity. The explanation for this behavior is typically found in the internal political decisionmaking of the actor. For example, sometimes domestic lobbies exercise a significant amount of influence on parliaments or the U.S. Congress, with resulting impacts on decisions that determine whether some interests will be supported at the level necessary to achieve attainment.

One such example comes from the period between 1992 and 2001, when the relatively small Armenian lobby in Congress, strongly supported by the Armenian-American community, prevented the United States from providing any direct aid to Azerbaijan. This was in response to the Azerbaijani blockade of Armenia, which was at war with Azerbaijan over the enclave of Nagorno-Karabakh. American government policymakers felt it important to provide support for Azerbaijan because it was just emerging from the former Soviet Union and lay in a very sensitive geographic region bordering the Caspian Sea and Iran. However, they were prevented from doing so even though assistance to Azerbaijan could be seen as an effort to protect the vital interest of assisting a friendly state with Caspian Sea-based hydrocarbon resources resist external aggression.[73]

To recapitulate, the interest-crafting process should apply several criteria to ensure the greatest opportunity for the development of interests that are both appropriate and supportable for any actor. These criteria must be addressed during the course of the process (the conclusion of which is the identification of a national interest ready for use to guide the development of policy and strategy):

- Interests should be designed to tell the policymaker why and how much he should care about an issue. Part of this is framed by the determination of where realism and morality fit in the process.
- They must help determine what kind and how much attention should be given to challenges or threats, as well as opportunities.
- They must assist the policymaker in identifying key questions to address during the policy formulation process. Examples could include:
  — How are current developments affecting the actor's interests?
  — Are hostile forces able to negatively impact the actor's interests?
  — Is there sufficient power (both military and nonmilitary) available to protect the actor's interests?[74]
  — Which issues matter the most? Where do they fit in terms of prioritization based on levels of intensity—Survival, Vital, Important, or Peripheral?
  — Why should people care?
  — How much would the populace be willing to pay to deal with identified threats and challenges or take advantage of recognized opportunities? Is it enough?

SUMMARY

In the end, we return to the wise words of Lord Palmerston to the House of Commons in 1848, "We have no eternal allies and we have no perpetual enemies. [Only] our interests are eternal and perpetual, and those interests it is our duty to follow."[75] In thus following those interests, the challenges and opportunities found in the 21st century will require the flexibility to craft interests that can work in this complex world, writ large. They may be rationalized in terms of either realism or a morality-based approach, or by a combination thereof, in accordance with the particular circumstances of the issue. In turn, this rational determination is likely to drive how future policymakers decide to categorize and prioritize future interests. It will not be easy, but it must be done.

ENDNOTES - CHAPTER 2

1. This chapter was originally presented as a paper at the International Studies Association West conference in San Francisco, CA, September 28-29, 2007.

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7. Robert Osgood, *Ideals and Self-Interest in America's Foreign Relations*, Chicago, IL, 1953, p. 4, as quoted in Nuechterlein, 1973, p. 5., and Terry L. Deibel, *Foreign Affairs Strategy: Logic for American Statecraft*, New York: Cambridge University Press, 2007, p. 134.

8. See, for example, Hans J. Morgenthau, *Politics Among Nations*, 4th Ed., New York: Alfred A. Knopf, 1967, p. 8, as described in Scott Burchill *et al.*, *Theories of International Relations*, Hampshire, UK: Palgrave, 2001, p. 81.

9. See, for example, Martha Finnemore, *National Interests in International Society*, Ithaca, NY: Cornell University Press, 1996, pp. 5-6.

10. Morgenthau, pp. 5-6; and Kenneth Waltz, *Theory of International Politics*, New York: McGraw-Hill, 1979, p. 134.

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12. Examples include Morgenthau, *The Impasse of American Foreign Policy*, Chicago, IL: University of Chicago Press, 1962, p. 191, as quoted in Peter H. Liotta, "Still Worth Dying For: National Interests and the Nature of Strategy," *Naval War College Review*, Spring 2003, available from *www.nwc.navy.mil/press/Review/2003/Spring/rd1-sp3.htm*; Nuechterlein, *America Recommitted: United States National Interests in a Restructured World*, Lexington, KY: University of Kentucky Press, 1991, p. 18-29; and The White House, *A National Security Strategy for a Global Age*, Washington, DC: U.S. Government Printing Office, December 2000, p. 4.

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19. Philip Zelikow, "Foreign Policy Engineering: From Theory to Practice and Back Again," *International Security*, Vol. 18, No. 4, Spring 1994, p. 162.

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23. Morgenthau, 1967, p. 8.

24. *Ibid.*

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26. Neuchterlein, 1973, pp. 7-8.

27. The White House, *A National Security Strategy for a Global Age*, Washington, DC: U.S. Government Printing Office, December 2000, p. 1. Also see all six other Clinton era National Security Strategies (NSS) drafted between July 1994 and December 1999.

28. Neuchterlein, 1973, p. 8.

29. The White House, *NSS*, December 2000, pp. 1, 13

30. *Ibid.*, p. 8.

31. The White House, *NSS*, December 1999, pp. iii, 1.

32. *Ibid.*, p. iii.

33. Neuchterlein, 1973, p. 8.

34. The White House, *NSS*, 1999, p. 2.

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46. Commission on America's National Interests, p. 2.

47. Art, p. 45.

48. Neuchterlein, 1973, pp. 9-10.

49. Deibel, p. 141.

50. Sam C. Sarkesian, John Allen Williams, and Stephen J. Cimbala, *U.S. National Security: Policymakers, Processes and Politics*, Boulder, CO: Lynne Rienner Publishers, 2002, p. 6.

51 Morgenthau uses two; Sarkesian, Williams, and Cimbala; Art; and, Blackwill use three; while The Commission on America's National Interests and Neuchterlein use four. Both the October 1998 and December 1999 National Security Strategies also used three.

52. Neuchterlein, 1973, p. 11.

53. *Ibid.*, p. 15.

54. Neuchterlein, 1991, p. 18.

55. Art, p. 45.

56. Commission on America's National Interests, p. 5.

57. Neuchterlein, 1991, p. 19.

58. Art, p. 45.

59. Commission on America's National Interests, p. 6.

60. *Ibid*.

61. Neuchterlein, 1973, pp. 20-21.

62. Art, p. 46.

63. Neuchterlein, 1973, p. 22.

64. Commission on America's National Interests, p. 7.

65. Neuchterlein, 1973, pp. 26-27.

66. Commission on America's National Interests, p. 8.

67. Neuchterlein, 1973, p. 26.

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CHAPTER 3

THE NATIONAL SECURITY COMMUNITY, REVISITED

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At the time of this writing, a search on *Google.com* for "national security community" registers about 62,500 hits. The abstract to a 1998 National War College paper entitled "U.S. National Security Structure: A New Model for the 21st Century" defines the national security community as the Department of Defense (DoD), Department of State, and the National Security Council (NSC).[1] In a chapter titled "Strengthening the National Security Interagency Process" by John Deutch, Arnold Kanter and Brent Scowcroft, they add the Central Intelligence Agency (CIA).[2] Interestingly, a group called the National Security Network addresses a so-called "progressive national security community," highlighting a partisan political divide in making national policy.[3] In site after site, authors use the term without definition, indicating the authors assume the reader knows its definition. Who are the major players in the national security community today? The Congress, think tanks, interest groups, and the media all exert significant influence over American security policy and strategy formulation. How do they formally and informally interact? To whom are they accountable and from whom do they get their feedback? Answering these questions will illuminate potential opportunities and barriers to successful policymaking and strategy formulation.

THE CONGRESS

The first and arguably most direct role player to be considered is the Congress. While the Constitution vests the President with executive powers, it gives the Congress the legislative responsibility to make the laws of the land and wield the power of the purse. Additionally, the Constitution allows the President to make treaties with foreign governments "by and with the Advice and Consent of the Senate. . . ."[4] When the executive branch implements foreign policy, expenditure of government funds is usually involved, so the Congress has a formal role to play in the appropriations process.

One vivid example of struggle between these two branches occurred in May 2007 as President Bush vetoed an Iraq War supplemental appropriation. When this legislation was introduced, the policy of the United States was to use military forces in Iraq to train Iraqi security forces, provide security to the Iraqi people, and to support reconstruction efforts. Critics frequently labeled the President's policy "stay the course," and he rejected calls for a scheduled withdrawal of U.S. troops. The supplemental appropriation language called for establishing a timetable for withdrawal of U.S. combat troops from Iraq as conditions for providing supplemental funding to continue the war effort. The President repeatedly stated his intention to veto the bill as it was being drafted.

Leaders of the Democratic majority in Congress also clearly stated their intention to carry out what they saw as the will of a majority of the American people. Their intent was to begin the process of disengaging American combat forces from what congressional Democrats were labeling an Iraqi civil war. On May 2, 2007, the House of Representatives failed to override the President's veto and then set to work trying to develop another legislative vehicle that would accomplish a transition of responsibility from U.S. to Iraqi forces. They also wanted to encourage the Iraqi government to take further responsibility for political reconciliation.[5] On July 11, the *Washington Post* reported on various efforts by Democrats and Republicans to force the administration's hand, either to amend the mission and focus of the troops in Iraq or to pull out the combat troops entirely.[6] Those congressional actions were directed squarely at changing U.S. policy in a national security area.

While this power struggle illustrates direct conflict, how does the Congress routinely influence policy and strategy formulation in the national security community? The answer is through appropriations and oversight. Congress provides appropriations as well as oversight for all the players in U.S. foreign policy—including the Departments of State and Defense and the CIA. While not enumerated in the Constitution, congressional oversight logically flows from its appropriations role.[7] The leaders of the foreign policy agencies routinely go to Capitol Hill to testify before various committees and to answer questions, both in and out of committee sessions. Members of Congress also have individual, direct access to the executive agencies by sending letters of inquiry. Operating beneath the level of public awareness, but arguably no less important, are the relationships between mid-grade professionals in these agencies and the professional staffs of the House and Senate. Separate from the personal staffs of Members, these professional staffs exist to provide expertise to committees in drafting legislation. To that end, committees frequently hire staffers with former service in and around the executive agencies. Informal communication between the executive and legislative branches is continuous at the staff level. Agency staffers and congressional staffers can frame the debate and set the stage for successful legislation. They also provide early warning to their superiors when a confrontation appears likely. Much of the effective give-and-take between the branches is concentrated at this level, while the Members and agency senior executives work more directly in the media spotlight.

As a body within the Executive Office of the President, the NSC is largely immune from direct congressional pressure. At the same time, the primary members of both the principals and deputies committees—the Secretaries and Deputy Secretaries of Defense, State and Treasury, the Director and Deputy Director of the CIA, and the Chairman and Vice Chairman of the Joint Chiefs of Staff are each subject to congressional oversight in their roles within their respective organizations. The President ultimately determines the extent to which the NSC formally cooperates with Congress.

The NSC Staff is also mostly immune from direct congressional pressure. The President can claim executive privilege to protect NSC staff members from congressional scrutiny. At the same time, the NSC Staff must remain cognizant of the role and power of Congress, even as they serve the President. Similar to the previous discussion of relationships, the working-level relationships between Congress and the NSC Staff can foster harmonious or acrimonious interactions that help or hinder the advancement of U.S. policy. When the executive and legislative branches come into direct conflict and neither is prepared to compromise, the opportunity may arise for the Judiciary to involve itself in settling issues of Constitutional powers.

In asking the question, "Who is the Congress accountable to?" a researcher turns to the Constitution. All Constitutional legislative powers are vested in the Congress.[8] In their role as legislators, Members advance the interests of the Nation, thereby supporting and defending the Constitution. At the same time, the Constitution makes Members accountable to their constituents via regular elections.[9] These legislative and representative roles are generally complementary, yet there are occasions where Members are forced to choose between these two interests. For the purposes of this paper, it is sufficient to recognize there can be significant tension between the two roles.[10]

The People provide regular feedback to the Congress in a variety of ways. The most obvious method is through elections. Every 2 years in the House and every 6 years in the Senate, Members wishing to continue their service must stand for reelection by their constituents. Between elections, Members receive feedback from their constituents and other interested citizens through written or electronic contact with Members' offices, personal visits in Washington or in the home district, and through financial contributions. Members may occasionally receive contradictory feedback from their constituents and the rest of the country, reflecting conflict between their twin roles.

In their Constitutional role as legislators, Members also receive feedback from both the executive branch and the judiciary. The executive branch feedback process includes the staff-level communication previously described, as well as formal proposals or draft legislation the President may send to Congress. Additionally, the executive provides the Congress feedback via the People. The President can use the bully pulpit to connect with the American electorate via the media. If he is successful, the electorate can increase or modify the feedback they provide the Congress. The Judiciary provides feedback to the Congress by ruling on challenged laws, with the Supreme Court as the final arbiter. When considering controversial legislation, Congress always has an eye on the likely Constitutionality of the legislation, as well as on the various ways opponents may choose to challenge the Constitutionality of the law through the courts.

With two formal lines of accountability, Members of the House of Representatives are always in a race for reelection and Senators are finding they have less and less time where reelection does not impact everything they do. This introduces a tangled web of relationships that usually operates just below the public consciousness. The most logical result of this perpetual campaign scenario is strengthening of the representative role (accountable to the People) vis-à-vis the legislator (accountable to the Nation) role. Also becoming increasingly visible with each new campaign is the growing impact of money.

While any campaign organization is expensive to operate, for truly competitive races the desired level of media saturation can cost enormous sums. To comply with ethics restrictions while also raising the required resources to compete, Members must separate their personal schedules and their staffs into congressional and campaign foci. Interest groups can help fill the fundraising need. These organizations attempt to educate Members and hopefully improve resulting legislation. At the same time, they bring various financial resources to bear in ways that can benefit a Member (or the opposing candidate). Members receive direct, although informal, feedback in the levels of campaign contributions being steered their way by these interest groups, especially as compared to contributions to their opponents. Interest groups are the focus of a separate section later in this paper. While many writers have lamented the perceived connections between politicians and money, the national security professional needs to recognize the numerous influencers operating behind the scenes attempting to sway the course and content of legislation that may impact national security policy.

As noted earlier, the high cost of media advertising drives ever more time and effort into campaign fundraising. While serving various roles, the presence and actions of the media complicate the numerous relationships involved in U.S. policymaking. The media is the focus of the final section of this chapter.

THINK TANKS

Of the many influences on U.S. foreign policy formulation, the role of think tanks is among the most important and least appreciated. A distinctively American phenomenon, the independent policy research institution has shaped U.S. global engagement for nearly 100 years. But because think tanks conduct much of their work outside the media spotlight, they garner less attention than other sources of U.S. policy—like the jostling of interest groups, the maneuvering between political parties, and the rivalry among branches of government.[11]

—Richard N. Haass, Dir, Policy Planning
U.S. Department of State

A think tank is an organization that conducts policy-oriented research. Think tanks provide ideas and analysis on myriad foreign and domestic policy issues. They further serve to assist the public in making informed decisions about these subjects.[12] According to Richard Haass, their primary contribution is to bridge the gap between academia and government. While government bureaucrats are too busy in their day-to-day roles to "take a step back and consider the broader trajectory of U.S. policy," academicians are generally focused on "arcane theoretical and methodological debates only distantly related to real policy dilemmas."[13] Much of the academic research in any policy field does not end up in a form useful to policymakers. Think tanks serve a useful function as they review the extant literature and distill or synthesize these material into a useful format.[14] More broadly, think tanks serve civil society in five ways: generating ideas, providing talent to government, offering venues to gather policy professionals, engaging the public, and serving as a middle ground between opposing parties.[15]

Think tanks, operating outside the government bureaucracy, have the freedom to challenge the conventional wisdom. They may be independent or associated with interest groups. Observing the *modus operandi* of the administration, think tanks develop new approaches to policy challenges as well as innovative concepts. At the same time, think tanks may also determine that the current administration's approach to an issue is right on target. Recognizing emerging trends and problems, think tanks can translate the challenges into actionable policy issues.[16] During World War II, the Council on Foreign Relations initiated a project entitled War and Peace Studies that ultimately generated 682 memoranda for the State Department. It was their flagship publication, *Foreign Affairs*, which published "The Sources of Soviet Conduct" in 1947, providing the intellectual foundation for the strategy of containment. Think tanks also serve as intellectual support for political campaigns, generating policy papers and providing advice to candidates on a wide range of issues.[17] In their role as idea generators, they also serve as recyclers. As the number of information sources and paths of information transfer explode, gatekeepers of that process gain power. As R. Keohane and Joseph Nye noted in 1998, "To understand the effect of free information on power, one must first understand the paradox of plenty. A plentitude of information leads to a poverty of attention. Attention becomes a scarce resource, and those who can distinguish valuable signals from white noise gain power. . . . Brand names and the ability to bestow an international seal of approval will become more important."[18]

In addition to their work generating ideas, think tanks also make available a wide range of intellectual talent, with appropriate policy focus, for incoming administrations to draft into government service. Almost as important, think tanks also provide fertile ground for outgoing public servants to remain engaged in the policy realm. Stepping back from the day-to-day grind of government service allows these professionals time to ponder their experience from a wider perspective. Snaring a retiring high-profile public servant can add luster to a think tank's reputation and possibly enhance donations.[19] One of the latest examples of the revolving door between government and think tanks is the move of former Defense Secretary Donald Rumsfeld from his post at the helm of the DoD to a visiting fellowship at the Hoover Institute at Stanford University.[20] Figure 3-1 below gives some idea of the prevalence of this trend. An extensive list is available in Appendix Two of Donald Abelson's 2006 book, *A Capital Idea: Think Tanks and U.S. Foreign Policy*. Consider one cautionary note about the revolving door. Individuals who may consider moving in either direction may constrain their policy research or innovation, or worse yet, moderate their actions or the report of their findings with a view to remaining in the good graces of their possible future employers.

Think tanks also serve as hosts for gatherings of policy professionals. Whether hosting a single-issue lecture or convening a multiday symposium, these gatherings foster debate and understand-

ing. While they shape opinions, these meetings can also lay the foundation for new ideas to successfully enter the policy arena. Just as importantly, these meetings can also serve to demonstrate why some new ideas need more time for thought before being implemented. Think tanks can also provide nonpartisan venues for government officials to announce new initiatives or for foreign officials to engage the wider U.S. policy community.[22]

	Think Tank	Government Position(s)
John Bolton	American Enterprise Institute	US Amb to UN, Undersecretary of State
Zbigniew Brzezinski	Center for Strategic and International Studies	National Security Advisor
Paula Dobriansky	Council on Foreign Relations	Undersecretary of State
Leslie Gelb	Council on Foreign Relations	Dir, Policy and Planning, State Dept
Richard Holbrooke	Council on Foreign Relations	Asst Secretary of State
Zalmay Khalizad	RAND	US Amb to UN, Afghanistan and Iraq
Henry Kissinger	Council on Foreign Relations	Secretary of State, National Security Advisor
Jessica Matthews	Carnegie Endowment For International Peace	Deputy Undersecretary of State, Director of Global Issues at NSC
Richard Perle	American Enterprise Institute	Asst Secretary of Defense
George Schultz	Hoover Institution	Secretary of State, Secretary of Treasury, Secretary of Labor
Strobe Talbott	Brookings Institution	Deputy Secretary of State, Senior Director at NSC

Figure 3-1. The Revolving Door.[21]

Using both the public media and their own publishing resources, as well as the Internet, think tanks attempt to engage and educate the public. While some reflect the philosophical leanings of associated interest groups, others serve as independent judges of public policy and government performance. In fulfilling this role, they also build confidence in public policy and public officials. Even where government fails to deliver sufficient results, think tanks help shine light on policy failures and suggest corrective actions. The appearance of independence from government is vital in this role. Additionally, these organizations serve as interpreters of current events for citizens, providing various viewpoints on the issue of the day.[23] Researcher Diana Stone suggests, however, that think tanks' engagement with the public is a one-way relationship. That is, there is little formal structure in most think tanks to receive and process public feedback. She also notes that think tanks are focused heavily on policy elite and around governmental centers of power, effectively limiting their engagement mission.[24]

Similar to their role in providing venues for professionals, think tanks can also provide venues for mediation between opposing groups. The United States Institute of Peace occasionally serves as a conduit for behind-the-scenes political negotiations, while also providing negotiation training to U.S. diplomats. The Carnegie Endowment hosted meetings over 8 years on South Africa, establishing an ongoing dialogue focused on South Africa's future and helping enable its political transition. Additionally, the Center for Strategic and International Studies has been involved in mediating divisions between Greeks and Turks and ethnic groups in the former Yugoslavia.[25] In this role, think tanks can serve an important support function for the U.S. Government in lessening tensions.

At this point, it is apparent that think tanks must maintain some level of positive reputation among both the public and the policy community to have any broad impact. Indeed, many think tanks strategize about garnering media attention though seminars, conferences and public lectures. They also reach out widely to academics, policymakers, and journalists to get the message out. These events bring credit to the think tank as well as educate others about their work. Some think tanks pursue academic audiences through university lectures or pursue a more formal influence through congressional testimony. Virtually all think tanks now have Internet home pages making their products widely available for download. While Donald Abelson argues that think tank influence is quite difficult to assess accurately, he notes that some think tank directors use media coverage as a gauge of their own organization's policy influence.[26]

While the word "independent" is frequently used in describing think tanks or their roles, most often, the word refers to the relationship between think tanks and the government. It should not be construed to mean that think tanks are necessarily impartial, nor that they come to their conclusions or operate in the policy world without outside influence. Looking internationally, Stone claims that the term think tank brings a certain prestige to an organization, and that the definition has become very elastic, especially in a non-Anglo-American setting. Think tanks reflect their native political environment, and the independence from government influence expected of a U.S. or U.K. think tank should not be assumed for others.[27]

To be able to afford all of the activity related above, and the amount of professional expertise at their fingertips, where do think tanks get their funding? There are four primary avenues of funding think tanks in the United States. Many, if not all, think tanks accept donations from private individuals. Considered separate from these individual donations are endowments or major contributions of wealthy individuals. Private foundations provide another source of funding, as do government grants and contracts.[28] These funding sources are also a source of feedback. As an organization produces results that are favorable to a donor, the tendency would naturally be for that donor to consider maintaining or increasing the funding stream. Similarly, if the think tank fails to deliver significant enough results, or somehow works against the values and interests of the donor, the natural tendency would be to eliminate or decrease future funding.

At the same time, donors can choose to overlook short-term results in making funding decisions, while think tanks can also choose to operate without regard for the opinions of their funding sources. Human nature suggests that these situations would be exceptions to the rule. This fact should not be construed to be a guarantee of partisanship on any given issue, but simply a cautionary note not to assume impartiality. Indeed, James McGann, Senior Fellow at the Foreign Policy Research Institute told a Foreign Press Center audience, ". . . most people don't talk about it, most institutions will rail against what I'm about to do, because they don't want to be pegged in being one quadrant or another in terms of left, center, right, but the reality is those people who are in the know know what—where think tanks fall."[29] Knowing this, donors select the think tanks they choose to support, and think tanks tend to generate ideas and products that reflect their employees and donors. This polarization of some think tanks toward ideological positions can provide utility where they balance each other, but this tendency can also leave the ideological center with less of a policy voice.

Think tanks as organizations have no direct line of accountability. As mentioned above, they are indirectly accountable to their funding sources. Losing a funding source could lead a think tank to find other sources of revenue which, in turn, may or may not lead to a change in organizational focus. In a broader sense, think tanks are also accountable to their target audience(s), as losing a significant portion of their audience will reduce their perceived influence. This loss of influence may, in turn, also affect their funding. At the individual level, think tank scholars are directly accountable to their boards of directors.

INTEREST GROUPS

In 1787, writing in Federalist #10, James Madison defined faction as ". . . a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adversed [sic] to the rights of other citizens, or to the permanent and aggregate interests of the community."[30] Today an interest group can be broadly defined as any group of nonelected individuals that organize themselves in an attempt to influence public policy. While focused on the national security community, this paper nevertheless recognizes that interest groups not claiming any interest in security policy can have impacts on policy and strategy formulation.

An *About.com* web page entitled "Issues, Organizations, and Interest Groups" gives some feel for the Wild West nature of the world of interest groups. At the time of this writing, the website contained 211 links to interest groups from across the political sphere. From well-known groups like the National Rifle Association and Greenpeace to polar opposites such as National Right to Life and Planned Parenthood to lesser-knowns such as Stewards of Family Farms, Ranches, and Forests, this website barely scratches the surface of interest groups vying to impact policy. To illustrate the scope of such groups, the *Encyclopedia of Associations* lists 22,200 U.S. national organizations; 22,300 international organizations; and 115,000 regional, state, and local organizations.[31] (Note that under an expansive reading of this definition, some Federal agencies such as the Department of Veterans Affairs and Office of National Drug Control Policy could be considered interest groups—and these executive branch organizations' websites are listed on the *About.com* website. This paper does not consider government agencies as interest groups.)

Interest groups obviously vary significantly in terms of size, focus, influence, and name recognition. On one end of the spectrum is Asian Pacific Americans for Progress (APAP), a little-known, liberal-leaning group based on the U.S. West Coast. In May 2007, this group hosted a conference call with Elizabeth Edwards, wife of presidential candidate John Edwards. For 30 minutes, she took questions from 65 call-in sites—mostly people's homes. APAP, begun in 2004 to support candidate Howard Dean, claims no more than 7,500 members nationwide.[32]

At the other end of the spectrum reside well-known groups such as the American Association of Retired Persons (AARP). A visit to the AARP website shows they are open to anyone over 50 years old and claim over 37 million members. The organization is well known for their advocacy on behalf of seniors for affordable prescription drugs and protection of Social Security or Medicare from changes that would decrease benefit payments to seniors. Their other interests are wide-ranging, from homeowner insurance to the Taxpayer Bill of Rights to telecom deregulation and liability issues for volunteer drivers.[33]

Neither of these groups is primarily interested in or directly related to foreign policy. However, virtually all interest groups play at least an indirect role in the foreign policy process. For example, the national security professional might see the greatest impact of AARP in their tenacious defense of spending in the Social Security and Medicare accounts. Foreign policy funding of all types competes with other spending in the budget process. Thus, any argument for resource growth for the DoD or the State Department will require either a tax increase or a reduction in other government spending (or both). The case for discretionary spending growth is problematic, as AARP (among others) stands ready to mobilize 37 million seniors to oppose any resulting spending reductions or tax increases.

A significant majority of the American public agrees with the statement, "Congress is too heavily influenced by interest groups."[34] While political scientists across the spectrum cannot agree on the extent of interest group influence over the Congress, they uniformly reject "as crude and exaggerated" the public view of an interest group stranglehold on Congress.[35] At the same time,

the American system of government has several facets that tend to increase the influence of interest groups when compared to other forms of government. Perhaps most importantly, the First Amendment to the Constitution guarantees the right of American individuals or groups to be heard through freedoms of the press, speech, and assembly. The diffusion of power in the American political system also serves to increase the power of interest groups. The separation of powers into three branches enhances the influence of interest groups by preventing excessive accumulation of powers in any single branch. Further diluting the centralization of power is the concept of Federalism, or reserving power to the states that is not explicitly granted to the Federal government. Furthermore, the limited power of any single political party in the American system tends to raise the relative influence of all actors in the system. Finally, the independent judiciary gives interest groups a route of appeal when legislative or executive actions stifle minority rights or harm group interests.[36]

Interest groups play important roles in representative government. They tend to organize either around broad public policy issues or narrowly focused issues. Organizing is easier for small groups that share a significant stake in a given issue. Because of its small size, the impact of any policy change will be more keenly felt, meaning individual motivation and energy are easier to come by and maintain as the interest group advances its agenda. With small size, however, usually comes small influence. The amount of time and energy involved in organizing a large public policy interest group is more extensive. Likewise, the potential impact of any given policy will be more diluted as it reaches across a larger population, meaning the individual motivation and energy level is more difficult to sustain.[37] At the same time, the influence of a large group is likely to be greater than of a small group, since larger membership represents a larger constituency, and generally, access to a greater pool of resources. Interest groups formed to represent other groups (e.g., business groups, labor organizations, associations of like-minded groups) have similar dynamics.

An example of interest group engagement in governance is the effort to bring greater transparency to the congressional practice of earmarking. Earmarks are specific appropriations inserted into legislation by a single Member of Congress that benefits his or her state or district. Referring to earmarks, the President of Americans for Tax Reform stated, "Transparency is the next big thing."[38] A *Wall Street Journal* article asserts that this trend has accelerated at the state level—Kansas, Minnesota and Texas are among 19 states that have passed or are considering laws mandating public transparency of government spending. In the 2006 election cycle, congressional democrats campaigned on bringing greater transparency to earmarks. Legislative progress on the issue has been spotty, however, as some 32,000 earmark requests are working their way through the 2007 legislative session.[39]

In addition to their efforts to implement change, interest groups' expertise can be an important asset to Members of Congress, the executive branch and the judiciary. The arcane and technical aspects of much of American business, agricultural, and scientific life, for example, are generally outside the experience and expertise of Members and their staffs.[40] Interest groups step forward to fill the void, educating Members and theoretically helping to improve the final legislative product. Members frequently reach out to those interest groups with which they have established trusted relationships. According to research from as far back as the 1960s, these relationships may form the basis for much of the sway interest groups have over policy.[41] Clearly, relationships continue to matter.

At the individual level, interest groups often hire lobbyists to represent their views to the government. As lobbyists work to educate Members, they, and the interest groups that employ them can become sources of financial support Members can tap for campaign expenses. The image of a congressman receiving money from a lobbyist gets to the heart of the public's troubled percep-

tions. In many cases, however, the public perception is misguided, as the greater power in the relationship often belongs to the Member. As needy as each Member of Congress is for campaign funds, the universe of available lobbyists with funds is so large that Members can afford to be somewhat choosy. This inverts the relationship, forcing lobbyists to compete and to bring value beyond their money to the table.[42] While not dependent on interest group money, members of the President's administration are also recipients of interest group lobbying. This lobbying attempts to steer Federal policymaking as well as the content of legislation the administration may propose to Congress. Finally, interest groups can also directly lobby the administration to threaten a presidential veto of legislation.

In addition to hiring lobbyists, interest groups also can form Political Action Committees (PACs) to collect and disburse money on behalf of political candidates or specific issues. PACs are limited to accepting no more than $5,000 from an individual, political party committee, or other PAC within any given calendar year. PACs may give no more than $5,000 to any candidate's re-election committee or more than $15,000 to any national party committee annually.[43] These PACs serve as conduits for the "soft money" that has replaced direct contributions to candidates over the years. As Congress tightened campaign contribution laws in an effort to head off ethics crises and the worsening of public perception, limits on these direct contributions, known as "hard money" weakened their overall impact. PACs and soft money emerged out of the resulting political environment, and efforts to control or limit PACs have suffered from limited congressional enthusiasm as well as Constitutional issues regarding limiting free speech.

When working to influence policy, interest groups can adopt an inside strategy, an outside strategy, or some combination of the two. Inside strategies focus their efforts on influencing change from the inside the organization. This strategy requires connections with centers of power and influence inside the organization, which will then change the direction of the whole institution. Lobbying is an example of an inside strategy, wherein an interest group pays an individual or lobbying firm to communicate directly with select Members of Congress in order to influence their votes on a piece of legislation or more broadly across a range of bills impacting their interests. An inside strategy is the most direct approach and when correctly planned and executed, is more effective than an outside strategy. An inside strategy also has the possibility of being executed with less public scrutiny than an outside strategy. Ultimately, however, an inside strategy requires access to resources such as money, a substantial membership list or perhaps established relationships that facilitate access. Without such resources, interest groups have little hope of effectively working inside the organization.

An outside strategy attempts to bring external pressure on the organization. The use of public pressure, shame, protest actions and civil disobedience are samples of tools of an outside strategy. The appeal of the outside strategy is that is does not necessarily require large sums of money, a large membership or any direct connection at all to the target organization. Before the advent of the Internet, the media was a primary tool of the outside strategy, especially for resource-poor groups. Groups such as Earth First—an environmental action group known to use protest actions to garner media attention—hope to receive free publicity through news coverage. Just as terrorists attempt to communicate to their target audience via media coverage of their attacks, some interest groups create disruptions to garner public attention to their interests. Fortunately, these groups are a tiny minority, and a more common outside strategy is a simple media campaign that relies on repetition and a wide reach of press releases and "talking head" opportunities to get the message out. This is one avenue where PACs excel. Their large monetary resources, limited in terms of direct contributions to favored candidates, are available for wide ranging media campaigns on behalf of both candidates and issues. Additionally, a University of Michigan study concluded that

a media-based outside strategy is generally only effective for those groups with enough resources to also attempt an inside strategy.[44] It appears that in addition to relationships, size also matters.

While PAC money buys expensive media campaigns, the increasing ubiquity of the Internet has dramatically reduced the cost of Internet-based campaigns. With the lowered financial bar to entry comes a vastly more congested public space, in which it becomes ever more difficult to make a message stand out. It is clear that both large national interest groups and narrowly focused groups can now mobilize their members with little resource outlay. At the same time, the media still plays an enormous role both in political campaigns and in governance.

THE MEDIA

In the absence of a functioning media, much of the foregoing discussion about the national security community would become moot. The executive branch would make policy, the Legislature would make laws, and the Judiciary would continue to interpret them as before. In that case, however, all three branches would be more isolated from the People, and think tanks and interest groups would be hard pressed to generate the influence they enjoy today. The media serves as a conduit energizing the informal connections highlighted elsewhere in this chapter. Complicating the picture is the fact that the media cannot cover these issues without also affecting them, both directly and indirectly. The media impacts the national security environment in many ways. Most importantly, the media serves as a communications channel between the government and the People. It also serves as a democratic watchdog over government, guarding against the inappropriate accumulation and exercise of power. Somewhat less recognized outside of journalistic circles, but arguably no less important, is the media role of framing.

Framing can represent the context within which the media presents information. Given the finite news cycle, how much space or time does any single news item deserve? Editors are always challenged to maximize a story's accuracy, depth, and context while minimizing the time or space allotted. Limiting context, however, affects the framing and ultimately the consumer's interpretation of the story. For example, is a news item presented with enough context to allow the consumer to distinguish a conspiracy just unmasked from a simple case of human error? Was this news event even out of the ordinary? Framing can also relate to whether or not an item is covered at all. When an editor reaches the limit of a given news cycle's coverage, any remaining lower-priority stories, according to his sole judgment, are left out—many never to be reconsidered. In choosing not to cover one story, while covering another, the editor has in a small way personally framed the larger public debate. A familiar example in military circles is the media's perceived predilection to report daily U.S. casualties in Iraq as well as the body count from insurgent attacks. A source of contention for military professionals is the editorial choice to ignore information contained in Coalition press releases documenting progress in security, civil society, and basic services. The military professional grouses about the preponderance of negative coverage, while the media editor laments that most press release information, while perhaps valuable to the overall context, simply is not news. This media framing presents the war as a recurring drumbeat of costs paid without also providing the balancing compilation of benefits purchased in part through the efforts and sacrifices of those paying the costs.

In any close observation of the media and the government, it is helpful to remember that they share the same ultimate customer—the People.[45] While on the surface, relations between the government and the media frequently appear strained, there are institutional continuities working beneath the surface that make for a symbiotic relationship. These continuities include the media's ongoing need for access to information and the government's need for the means to communicate with the People. While both parties want more control over the relationship, they make extensive

use of each other to achieve their objectives. The media exerts pressure on the government to provide greater access to information—in some cases information that the government does not want to release. The government, in turn, devotes resources both to crafting strategies to communicate its message to the People via the media and to responding to media requests for information.[46] In that relationship, both parties hold some power.

The news cycle drives the media's recurring appetite for information. Theoretically, the government has the power to grant or withhold access. (Notwithstanding the idealized picture of the investigative journalist digging through the system looking for a sympathetic source.) If the government wants to fulfill the media's request, it generally must do so on the media's timeline. If it fails to do so, the story may not get the extent of coverage the government desires. Likewise, if the government does not want the story to get wide coverage, delaying a response until after deadline can have that effect. For stories that editors feels have sufficient impact, however, such government delays do no good. In fact, the media can report on the government's lack of responsiveness, and thereby contribute to heightening public attention to a subsequent story.

When compared with the government-media relationship, the relational dynamic between the media, think tanks, and interest groups is somewhat more one-directional. Here, the pull of the media news cycle is enhanced by the push of these groups' desire to generate media coverage for their ideas. Indeed, it may be more accurate to portray a media responsibility of filtering in this relationship. In today's fast-paced and crowded news environment, not every think tank or interest group press release or report is worth a slice of finite media coverage, and the media therefore decides what receives coverage and what does not.

The proliferation of Internet websites and satellite/cable television channels containing news and commentary have led to saturation of the media marketplace. Newspaper circulation is declining around the country, and the ability to turn a profit is more problematic.[47] Conventional wisdom asserts that pursuing high quality journalism costs additional resources, and these added resources detract from the profit margin of a news organization. With shareholders always looking over the shoulder, the pressure for profits frequently leads to cost-cutting measures, which in turn degrade the quality of in-depth reporting. The Chairman of the Tribune Company, Jack Fuller, spoke on the tension between business and journalistic priorities:

> . . . those of us who put out newspapers are important . . . participants in the system of public governance. If we take that seriously, as we should, our jobs as leaders of newspaper enterprises is to find the sweet spot where we can fulfill both our fiduciary obligation to the shareholders and our social obligation to provide communities the kind of information they need in order for people to make their sovereign choices wisely.[48]

To determine if objective measures of newspaper quality are available, Koang-Hyub Kim and Philip Meyer began by reviewing a study published in 1989 by Leo Bogart. In his conclusions, Bogart declared that indicators such as accuracy, civic-mindedness and impartiality in reporting were too subjective to be measured. What Kim and Meyer went on to find, however, was that for seven quality indicators they isolated, quality was indeed directly related to profitability. (Higher quality led to higher profits.) But they noted, "Quality journalism, in the minds of some, is more cost than gain." Perhaps more ominously for newspapers in general, the researchers' final conclusion was that those focused on cutting costs were achieving short-term gains while masking the long-term costs in terms of reduced readership as quality inevitably suffers.[49]

How does this phenomenon affect the national security community? As pressures build on newspapers, and media more generally, to generate additional profits to justify stock price increases, the time, effort and resources devoted to news collection and quality reporting will likely

decline. Reporting may depend more and more on inside sources cuing reporters to evolving issues. Perhaps the various interrelationships in the community will become more complicated as the Internet opens up ever wider spaces for individuals and groups for report news, leak information, or opine on the issues of the day. The Internet will certainly increase the relative power of any connected, enterprising individual. It remains to be seen if it will lead to more in-depth, quality reporting.

CONCLUSION

While the executive branch bears the primary burden for national security policy, it functions in an environment with other actors clamoring for influence. The Congress wields significant sway in policy debates. In a movement gaining momentum over many years, think tanks have greatly increased in number. While their direct influence remains difficult to measure, there is little contention over the idea that their influence continues to grow. Metaphorically elbowing their way onto the stage are interest groups, large and small, that sometimes bring access to tremendous resources—resources that are important to the Congress for the almost-perpetual campaigning required. Providing much of the discussion space for each of these parties to interact is the media. The national security community is a morass of intersecting relationships of feedback and accountability. Whether forecasting the second-order effects of a policy proposal or attempting to shepherd policy changes through the process, the national security professional needs to remain attuned to the many players involved, and to choose his sources wisely.

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CHAPTER 4

MAKING NATIONAL SECURITY POLICY IN THE 21ST CENTURY

Alan G. Stolberg

Otto von Bismarck is often credited with saying that, "Laws [as expressions of policy] are like sausages. It is better not to see them being made." Then at the beginning of the last century, Upton Sinclair wrote about the gory details of the sausage-making industry in his work, *The Jungle.* While the book is more than a century old, a modern commentator validates its current relevancy: "I dare anyone to read the book and enjoy a ballpark frank the same day. Policymaking, much like sausage-making, is a messy enterprise . . . sometimes tedious and frequently stomach-wrenching."[1]

Making policy, especially national security policy, has never been a science, and the art form remains inexact at best. Whether in the 19th or the 21st century, national security policymaking is complex, depends on numerous variables, and often has had to rely on a bit of luck. The level of difficulty becomes even more pronounced when considering a policy that must progress beyond grand conceptualization to actual implementation. At the same time, if the question driving the policy is direct and understandable; if there has been a thorough analysis of the foreign and domestic strategic context; if policymakers identify and prioritize interests in a rational manner; if they acknowledge relevant domestic political considerations; if they stipulate facts and assumptions and develop logical end states, supporting objectives, and measures of effectiveness; and if there is a thorough risk assessment, then it is possible to develop policy that can actually be implemented to attain the desired goal.

In the Washington, DC, community, the words policy and strategy are often used interchangeably. This is often convenient, but the terms have distinct meanings. Policy is "*what* to do about something" or "*what* is to be done," not *how* to do it. The implementing strategy provides the "*how* to do it." A more formalized definition for policy would be: a course of action or guiding principle that provides guidelines, boundaries, and limitations intended to influence and determine decisions and actions, to include guidance for the development of an implementing strategy, in pursuit of identified objectives.[2] Policy itself is nothing new, and not only applicable to governments. Every human being makes policy decisions on a daily basis. It is the determination of what to do in life. As an example, a school child has to decide whether to arrive at school on time. If the policy decision is to be on time, then he or she must develop a strategy to execute the policy decision. For example, the school child might ensure that the alarm clock works and is set, plan to beat the brother or sister to the bathroom, or have clothes laid out the night before ready to wear. One can argue that strategy is the "bridge" or "distinct plan between [the] policy and operations." Strategy is how actors use their abilities (power) to get what they want.[3] In a military sense, strategy is "the use that is made of force and the threat of force for the ends of policy."[4] However, it is the policy that creates the direction for that strategy.

Clearly, a policy and supporting strategy must be very tightly aligned in order to attain the policy outcome. There is no completely clear delineation between where a policy ends and the implementing strategy begins. *Both* a given *policy* and its implementing *strategy* should have the same end state or goal (the two terms are used interchangeably in this chapter). This is true for aspirational or ideal policy end states that are unlikely to ever be completely attained for a variety of reasons (e.g., the cost is too high) as well as for policy end states that can actually be attained at "reasonable cost and risk."[5]

In turn, the ways (courses of action) and general means (resources) identified by the policy-maker will provide the strategist direction for the development of detailed courses of action as well as setting policy limits or expressing policy preferences for ways or means that the strategist must consider. *The crucial difference between the policy and strategy, as well as a principal connection between the two, is that there must be policy approval for each component of the supporting strategy. There must be a policy decision (approval) made for the separate ways and means of the strategy. The policy decisions for the strategy ways and means will confirm that both are acceptable to the leadership of the policy-making actor, thus confirming policy approval for the overall strategy.* For example, a course of action (way) to use force to attain a certain end state will typically require policy approval at the highest levels of a government. The same is true for the quantity and quality of the specific military forces being employed as the resource (means) to implement the course of action (way). It is this policy approval for the ways and means of the strategy that forms a tie that must remain solid to ensure that political and strategic end states remain completely aligned.

While the actual crafting processes for policy and strategy are similar, the focus of this chapter is the making of policy as applied to the national security arena in the 21st century. National security can be defined as "a collective term encompassing both national defense and foreign relations."[6] Generally, it is an investigation of the "security problems faced by [actors], of the policies and programs by which these problems are addressed, and also of the government processes through which the policies and programs are decided upon and carried out."[7] It relates both externally and internally to the actor—the foreign and domestic components of national security.

With an overall intent of making Bismarck's and Sinclair's descriptions of policymaking somewhat less applicable for the 21st century, this analysis will describe in detail a policy formulation model developed between 2004 and 2011 by the faculty and students of the National Security Policy Program (NSPP) at the U.S. Army War College. It identifies a series of variables or directive steps in the national security policymaking process. These steps are:

- Define the Policy Issue;
- Analyze the Strategic Context: Foreign and Domestic;
- Identify and Recommend Prioritization of U.S. National Interests and Domestic Political Considerations;
- Determine Facts/Assumptions/Factors Framing Policy Development;
- Determine Desired Policy Issue End State/Goal;
- Determine Policy Supporting Objectives and Measures of Effectiveness;
- Identify Policy Options;
- Analyze and Validate Each Policy Option;
- Analyze Risk for Each Option;
- Compare Policy Options and make Recommendations;
- Obtain Consideration and Decision by Leadership;
- Communicate the Policy;
- Monitor Implementation;
- Receive Feedback on Success or Failure of Policy and its Implementation and Assess For Adjustment.

This chapter will examine each step of the Policy Formulation Model in detail. The first four steps in the model (Define the Policy Issue; Analyze Strategic Context; Determine National Interests and Domestic Political Considerations; and Determine Facts/Assumptions/Factors) comprise an analysis of the policy issue and its environment in depth.[8]

While succeeding NSPP classes have judged the order of the steps to be the most logical, there is clearly no sole, mechanistic way of developing policy. The process is not necessarily linear, step-

by-step, or amenable to a simple checklist approach. Some steps can happen simultaneously, and some can be combined. Feedback loops may introduce mid-course changes. Arguably, every individual's decisionmaking process is different. Some people see the process as a tightly connected continuum and are thus able to fuse some of the steps. Others may approach the steps in a different sequence than that of the model and assess them accordingly. Finally, the decisionmaking processes of some individuals will be to faithfully hew to the model. All of these approaches can work equally well. The key is not the order of the steps, but the comprehensiveness of the approach so none of the factors is overlooked. Omitting steps of the policy formulation model, regardless of whether intentional or not, significantly heightens the risk of poor, ineffective, or inefficient policy. The goal for the following pages is to reduce the chances of that happening.

DEFINE THE POLICY ISSUE

The definition of a policy issue is a question asked of the policymaker that will require a policy response. It is a question inquiring *what* to do about something, not *how* to do it. The source of the question could be other members of the government from either the executive or legislative branches or sources outside the government like the news media or various interest groups. "What should the U.S. response be if Iran tests a nuclear device?" is a good example of a question used to define a policy issue. From the beginning, the process of defining the appropriate policy issue will focus the entire formulation process on the key issue that the process exists to support. This defining procedure creates the conditions for the issue to enter the policy decisionmaking process.[9]

In framing the issue that will drive the policy process, the policymaker should ask himself specific questions such as: Where do we plan to go with the policy (the overall intent of the policy)—what is it attempting to achieve? Why would we want to go there--what benefit will we derive from a successful implementation of the policy? How will we get there—what ways and means might we use to attain the policy's designated end state? What will we do when we get there—what follow-on actions will we take after we attain the initial end state?[10]

STRATEGIC CONTEXT: FOREIGN AND DOMESTIC

Analyzing the strategic context is necessary for an understanding of the environment in which policy formulation will occur. The conditions to be addressed would include those that are both externally (foreign) and internally (domestic) driven. They are conditions created by events taking place both outside and inside the boundaries of the policy development process used by the policymaker. Perhaps the most important component of the context would be the issue's root causes and effects such as the cultural and historical origins of a particular policy question. The actors to consider would be both the policymaking actor and all other actors that are relevant to the policy issue. This would include both potential allies and adversaries in the international system (e.g., nation-states, international organizations, nonstate actors) and all relevant domestic actors.[11]

Relevant Stakeholders, Audiences, and Policy Community Interests.

The policymaker must determine all actors that might be interested in or able to influence the policy in some manner. It is important to know their views on the policy under consideration. Do they support it or will they oppose it, and why? The answer to the "why" may tell the policymaker what to do to convince a particular actor to support the policy in question. In some cases, the policymaker may not be able to satisfy the concerns of relevant actors who may object either to parts of a policy recommendation or to the entire policy proposal. In those instances, the senior decisionmaker must determine the significance of the disagreement and its impact on the policy recommendation.

Stakeholders are those actors with an interest in the policy being considered because the actor can affect or be affected by the policy.[12] They could range from interest groups and the general population to branches of the Armed Forces, departments of the executive branch, or members of the legislative body of government.

Audiences might be elements of the society that are not directly involved in the policy process or do not have an interest in the specific policy but can influence the process if they perceive the issue to be important enough. Their general support may also be required to resource or implement the policy. These audiences might encompass parts of the media, the general population, or other actors in the international system such as other nation-states or international organizations.

Finally, policy communities are those communities of actors in or outside the respective governments responsible for, interested in, or influential over the national security and foreign policymaking issue in question. They are often also stakeholders. They would include the specific elements of the executive and legislative branches such as the relevant departments and agencies, the Executive Office of the President, and components of Congress, as well as interested think tanks. In the end, if executive branch departmental policy objectives are compatible with the nation's overall desires and goals, if they have public support, if they can provide needed long-term direction, if they possess the specificity from which sufficiently detailed courses of action can be developed, and if, once executed, there can be a measure of the results, then there is a good chance that the policy end state will be attainable.[13]

Root Causes and Effects.

In a cultural vein, this might include an analysis of the identity, political culture, and resilience of the actors involved in the issue at stake.[14] This would be necessary at both the individual and collective level. "Identity can be comprised of race, gender, generation, family, clan, class, ethnicity, tribe, religion, locality, nation and region . . . identity normally determines purpose, values, and interests." It represents a foundation for policy in its effort "to attain or preserve those interests."[15] Political culture refers to "a political system, political tradition, political institution, decisionmaking, (potentially) faith and religion, and strategic culture (the impact of cultural factors on strategic behavior)." While identity creates the underlying value foundation for actors to come together on a given issue, it is political culture that provides the "instrument and means" to unify the actors toward desired "actions and results."[16] Finally, resilience is the "capacity or ability of a culture to resist, adapt, or succumb to external forces." It helps us determine the ability of a culture's values and interests to change, and the associated impact on that actor's policy and strategy. There could be a direct correlation between the permanence, or lack thereof, of an actor's culture, and one's own ability to influence the actor.[17] An examination, or what Clausewitz calls a "critical analysis," of the historic background of the root causes and effects of a particular issue will permit "the discovery and interpretation of equivocal facts" as they occurred in the past, along with the ability to trace "effects back to their causes."[18] In the end, this part of the analysis reveals what came before the current policymaking effort. All policy issues have a history, and understanding that history is important.

The cultural and historic analysis examines relevant domestic and international law; domestic, regional, and global policies and strategies, to include the significance of long- term core objectives and strategies; and relevant stakeholders, audiences, and policy community interests.

Domestic and International Law.

The analytic process used to determine the policy should address those tenets of international law (rules, principles, customs, precedents, and agreements) that could have the force of law on all the relevant actors.[19] These same principles would apply to the respective domestic laws that could impact each actor.

Previous and Existing Regional and Global Policies and Strategies.

The policymaker assesses in detail previous and existing policies and strategies on the issue or related issues for each relevant actor. It is very important to identify the ends, ways, and means employed by these policies and strategies over the course of time. Differentiating between the ability of the prior policies and strategies to attain both long-term and short- or near-term objectives may permit the evaluator to understand what policy can be successfully implemented over the course of time. It is critical to distinguish between policies oriented on near-term objectives and those oriented on longer-term goals. Attainment of the longer-term goals is often more important for the policy issue at hand.[20] An important question is, "Did components of the policies and strategies change or remain the same and why in either case?" The answer should show where the ways and means succeeded and where they failed. It could also provide sufficient information to determine weaknesses and opportunities created by previous policies and strategies that the current policymaking actor could take advantage of and change in the new or modified policy.

IDENTIFY AND DETERMINE IMPORTANCE OF NATIONAL INTERESTS AND DOMESTIC POLITICAL CONSIDERATIONS[21]

National interests are "that which is deemed by a particular state (actor) to be a . . . desirable goal."[22] The goal is "what one values."[23] The attainment of this goal is something that the identifying actor believes will have a positive impact on itself. Realization of the interest could enhance the political, economic, security, environmental, and/or moral well being of a populace and the state (actor) or national enterprise to which they belong.[24] This holds true within the territory of the actor, as well as in any external relations that the actor may undertake outside of the administrative control of that actor.[25]

Interests should be ascertained without regard to their actual attainability. While they serve as a key component for policy, they do not absolutely mandate action by themselves. This is because the power of every actor in the international system is limited to some degree (e.g., by cost), thus likely requiring subordinate policy objectives to fall short of what the ideal interest might demand. In the end, "governments never have the luxury of being able to serve all of their interests to the maximum degree. . . . To equate interests would require, either that the state underestimate and . . . lose sight of the full range of its real interests or that it sets goals well beyond its capabilities."[26]

In order for the crafter of national interests to determine what types of resources to allocate in what amount toward the attainment of an interest, he must understand the categorization and determination of the intensity of the interest. This part of the crafting process is necessary to address key policy questions like: Which issues matter most? Why should people care? How much should the populace be willing to pay to deal with identified threats or take advantage of recognized opportunities?[27]

The determination of priority—usually expressed in terms of the intensity of an interest—is crucial because, from the perspective of the policymaker, interests may very well come into conflict with each other. This conflict could be over the resources that an actor would require to attain

the interests, including the time and attention of key decisionmakers.[28] Such resources are likely to be limited in some manner for any decisionmaking body, thus requiring prioritization before the interest-crafting process is complete.

The most difficult problem in this part of the process is usually ascertaining the magnitude of the stake that an actor has in a specific interest and thus the intensity of his determination to pursue that interest. The leadership of the interest-crafting actor must address its desire to influence issues and events, both external and internal, its willingness to use any or all elements of national power to defend or advance certain interests in preference to others, and potentially its willingness to do so at the expense of other actors.[29]

Categorization is important not only because it serves as a framework for systematic evaluation of national interests, but also because it provides "a way to distinguish immediate from long-range" interest concerns using time as a basis.[30] Identified academic sources used between two and four different categories of interests, and two National Security Strategies published during the Clinton administration used three categories.[31] The categories are designed to delineate the different levels of intensity or order of priority for any respective interest.

The principal difference amongst these approaches is whether they use a separate category for survival interests, or whether they consider survival interests and vital interests essentially one and the same. "The major difference between a survival interest and a vital interest" is "in the nature and imminence of a military threat" to the actor.[32] Both terms address the life of the actor, one deals with the imminent danger of death while the other is only potentially fatal. In this case, the time difference is the key.[33] If one believes there are specific interests where the very survival or existence of the actor is at stake, then four categories are necessary.

For purposes of this assessment, using the work of Neuchterlein, Art, and the Commission on America's National Interests, this study will use four categories of prioritization levels of intensity, from high to low (Survival, Vital, Important, Peripheral).

Survival.

Survival interests represent the single most important interests for any actor. This is the very essence of the actor's existence—the protection of its citizens and institutions from attack by enemies, both foreign and domestic. It addresses an imminent threat of attack and is an interest that cannot be compromised.[34] If not attained, it will "bring costs that are catastrophic, or nearly so."[35] Whatever can be done would be done to ensure the survival of the actor, to include the use of military force.

Examples: Prevent, deter, and reduce the threat of nuclear, biological, and chemical weapons attacks on the interest-crafting actor (e.g., state) or its military forces abroad; Ensure the survival of allies and their active cooperation in shaping an international system in which the actor crafting the interest can thrive; Prevent the emergence of hostile major powers or failed states on the borders of the actor crafting the interest.[36]

Vital.

A vital interest exists when an issue is so important to an actor's well-being that its leadership can only compromise to a certain point. Beyond that point, compromise is not possible because the potential harm to the actor would be intolerable.[37] If the interest is achieved, it would bring great benefit to the actor; if denied, it would carry costs that are severe but not catastrophic.[38] Such costs could severely prejudice but not strictly imperil the ability of the actor's government to safeguard and enhance the well-being of its populace.[39]

Examples: Prevent the regional proliferation of weapons of mass destruction (WMD) and delivery systems; prevent the emergence of a regional hegemon in important regions; promote the well-being of allies and friends and protect them from external aggression.[40]

Important.

Important interests are significant but not crucial to the actor's well-being. They could cause serious concern and harm to the actor's overseas interests, and even though the result may be painful, would be much more likely to be resolved by compromise and negotiation than confrontation.[41] An important interest could increase an actor's "economic well being and perhaps its security" and, thus, contribute to "making the international environment more congenial" to its overall interests. The potential value, as well as potential loss of these interests, would be moderate.[42] Important interests differ from vital and survival interests in the degree of danger perceived to the actor and the amount of time available to find a peaceful solution to the issue.[43]

Examples: Promote pluralism, freedom, and democracy in strategically important state actors as much as feasible without destabilization; discourage massive human rights violations in foreign countries; prevent and, if possible at low cost, end conflicts in strategically less significant geographic regions.[44]

Peripheral.

Peripheral interests neither involve a threat to the actor's security or the well-being of its populace, nor seriously affect the stability of the international system.[45] They are desirable conditions, but ones with little direct impact on the ability of the actor to safeguard its populace.[46]

Examples: Promoting the economic interests of private citizens abroad;[47] enlarging democracy everywhere for its own sake; preserving the territorial integrity or political constitution of other actors everywhere.[48]

As we recall from Chapter 2, when the very existence of a state actor is called into question, its interests can be framed in terms of four degrees of intensity—survival, vital, important, or peripheral. We need not repeat our discussion of those four categories here. Suffice it to say, once identified, the interests should be examined for legitimacy and political viability with the domestic audience. The policymaker must begin by identifying the potential stakes or interests that all relevant domestic actors have in the policy issue. These domestic actors could include specific elements of the executive and legislative branches such as the relevant departments and agencies, the Executive Office of the President and Congress, think tanks, the media, interest groups, lobbies, and the general population. In some cases, the judicial branch of government may also have an interest. Different components of each actor may have a role to play that will mandate examination. For example, in the case of Congress, one must assess not only the positions of the legislators themselves, but also the thinking of their staffs, both personal and committee, that can influence either the member or the process.[49]

Domestic Political Considerations.

Once the policymaker identifies the actors and their interests, he/she must analyze them to discover shared, complementary, and diverging interests to determine potential domestic support or opposition and the reasons behind those positions. The policy must conform to both international law and domestic laws. A violation of either would automatically render the policy illegitimate. Beyond that, the policymaker is looking for the effect—actual or perceived—of the issue under consideration on the group in question, existing positions/policies, ideological stances, or other interests (for example, economic) that might be involved in even the slightest way with the issue.

An evaluation of domestic political viability would ask whether the identified audience, whether the entire nation or a separate domestic constituency, considering its own interests would be likely to support the policy. It is critical that the policymaker understand any specific issues that generate disagreement, as well as those policy components that catalyze strong support. An understanding of why the domestic audience supports or opposes a policy or parts of a policy is critical to determining whether the policy will ultimately have the support required for execution. Leaving out of the analysis any constituency that potentially can influence the policy decisionmaking process creates risk to the ultimate policy approval authority and should be avoided.[50]

FACTS/ASSUMPTIONS/FACTORS FRAMING POLICY DEVELOPMENT

To ensure the policy conforms to the direction of the leadership, it is essential that the leadership provide clear and detailed guidance for the specific policy issue. Such guidance allows policymakers to understand the constraints, restraints, resource considerations, time frame, and enablers with which they must work.

Constraints are restrictions imposed on policymakers that require them to either avoid or specifically ensure some type of action, reaction, or event occurs.[51] Restraints are restrictions internally imposed by the policymaker; they represent the act of holding back. Restraint is a self-imposed limitation or restriction on the will for any action under consideration.[52] Resource considerations are those that relate directly to the availability of the means required to support the implementation of the policy. Means can be tangible or intangible. Examples of tangible means are forces, personnel, equipment, and money. Intangible resources include things like "will" and courage.[53] Knowledge of the time available, both the time at the policymaker's disposal prior to the beginning of the execution of the policy and the time that the policy, once implemented, will need to run its course and attain the designated objective or end state, will be crucial for an understanding of the policy planning assumptions under which the policymaker must operate. Finally, enablers are those resources required, usually in a supporting role, to make the policy feasible or possible.[54] Examples might be communications, logistics, or intelligence in support of a specific policy. As a method of analysis, resources can be evaluated using the framework of the elements of national power. The policymaker evaluates each element of power for potential utility in support of a policy option. "American security professionals have traditionally categorized the elements of power in terms of the acronym DIME for the diplomatic, informational, military, and economic elements. This concept has been expanded in some of the more recent national level strategies to DIMEFIL: diplomacy, information, military, economic, finance, intelligence, and law enforcement."[55]

Other issues for evaluation are any assumptions, information gaps, and blind spots in the information required to formulate an executable policy. The intent is to identify the data, challenge it when it is in question, and determine what lacunas might exist after the previous questions are resolved. An assumption is the pre-acceptance that something is true—in this case, information related to the policy issue in question; it is information that can be taken for granted as a fact or be acted upon as a calculated risk.[56] Information gaps exist when all the information is not known about specific issues relating to the policy in question.[57] The information may or may not exist. Blind spots occur when certain information cannot be known or observed in the information base related to the ongoing policy process.[58] The policymaker can believe that the information is there, but is unable to find it for a variety of reasons.

DETERMINE DESIRED POLICY END STATE/GOAL

The goal for the policy represents objectives that, if accomplished, create the enduring and overarching conditions that resolve the policy issue. The correctly accomplished goal will serve to answer the question posed by the earlier described Policy Issue that asked what to do about a

given issue. The policymaker works to design a policy to attain this goal or end state. An example of a desirable end state would be an Iran in total compliance with the Non-Proliferation Treaty.

The intent of the goal should be to reconstrue the national interest (described as a "nonoperational goal" or one that represents the "ideal" and cannot be completely attained) into something that will serve and that the policy could reasonably accomplish. "End state/goals (termed 'objectives' by some) are what is doable within the wish-list of the nation's interests. They are not everything that (policymakers) need or want, just those things that can be sought at reasonable cost and risk."[59]

When crafting an attainable goal shoehorns excessive complexity and precision into the policy formulation process,[60] caution should be raised. Some feel that government planners have a tendency to create goals that are "very rosy and foolish ends,"[61] and therefore never completely within reach. As a result, it is important to be circumspect about developing end state conditions, confining them to those that are actually attainable. While at times there are rational political reasons (e.g., American idealism) to declare grandiose or ideal goals for public consumption (e.g., total democratization), having a more practical approach in private is key to determining the best means in the right amount for the implementation of the ways. Dennis Ross articulates a very simple, pragmatic approach when describing national security goals: "The basics of statecraft would seem self-evident: have clear objectives; tailor them to fit reality."[62] In the end, given the resources available and the risk involved, the policy goal should be one that could be realistically attained.

DETERMINE POLICY SUPPORTING OBJECTIVES AND MEASURES OF EFFECTIVENESS[63]

Identification of interests and end state conditions enables development of intermediate objectives by which to measure progress toward desired outcomes. Supporting or intermediate objectives/conditions necessary to attain the overall end state should be identified (e.g., Iran becomes open to unimpeded International Atomic Energy Agency [IAEA] inspection, or Iran signs a formal diplomatic document pledging its cooperation). As was the case with the Facts, Assumptions, and Factors Framing Policy Development, the evolution of the supporting objectives should be framed in conjunction with each relative instrument of national power. Doing so ensures that broader stakeholder strengths and equities are considered to identify the best approach to realize desired outcomes. Thus, the policymaker might best pursue some supporting objectives using the diplomatic and economic elements of national power, while others could require the military and information elements.

The determination of qualitative and to the extent possible quantitative indicators that measure attainment of the end state is key to knowing if the policy is working and whether it has succeeded, either completely or partially. Naturally, measures of effectiveness (MOE) can also inform the policymaker when the policy is failing and requires modification or adjustment. Continuing with the Iranian example, applicable MOEs that tell us our policy is effective might include indicators that Iran is transparent about the amounts and location of uranium stocks and WMD facilities and is not attempting to hide or obtain more uranium or build new technology or facilities. Conversely, if observations like these were not present, these same measures would indicate that the Iran policy is failing or ineffective. It is more difficult but not impossible to develop meaningful quantitative measures of effectiveness for national security and foreign policy issues (e.g., numbers of enemy attacks on government facilities, institutions, or leaders; capital earned from exports; and population attitudes as measured by polling data). However, these types of MOEs, by themselves, are likely to be insufficient to determine whether all the conditions established by the end state objectives have been met. It is far more difficult to quantify political decisions on the part of an actor, especially an opposing actor. As a result, qualitative measures take on a high degree of importance for national

security and foreign policy effectiveness assessment. In fact, decisionmakers will likely not place any value in quantitative analysis if we do not get the qualitative factors correct.[64]

In the United States, the Government Performance and Results Act of 1993 requires executive departments and agencies to focus on outcomes and results rather than output. It is important to distinguish performance (output) from effectiveness (outcome). Output measures are defined as "the tabulation, calculation, or recording of activity or effort and can be expressed in a quantitative or qualitative manner." Output is the actual doing of something—the performance of a task—not how influential the conduct of the task was—simply that the task was executed and of what it consisted. The document goes on to define outcome measures as "assessment of the results of a program activity compared to its intended purpose."[65] Outcome tells us what difference the output made—the effectiveness that the execution of the task had. A number of Department of Defense (DoD) publications distinguish between the two as the difference between task and purpose.[66] Performance measures relate to accomplishment of tasks, while effectiveness relates to specific outcomes and attainment of end state conditions. The policymaker must focus on the evaluation of the ultimate outcome in determining the success or failure of the policy. This is a continuous process. The identification of new supporting objectives and measures of effectiveness are likely to be necessary to adapt to a shifting environment and conditions of changing threats or challenges and opportunities. This will require policy practitioners to constantly engage in environmental assessment and policy adaptation.[67]

IDENTIFY POLICY OPTIONS

Defining policy outcomes and end state conditions provides the foundation on which the policymaker can build. Because the optimum solution is unknown, the policy process develops and tests a range of alternative approaches to attain the desired end state.[68] This gives the decisionmaker latitude to select one or a blend of several options to satisfy defined interests while accommodating the decisionmakers' tolerance for risk. This approach also lends itself to both qualitative and quantitative comparisons to evaluate and select the best alternative.[69] As elsewhere in the process, it is essential to involve stakeholders early in this effort.[70] Perceptions of fairness are vital to cooperation, and involvement lets stakeholders see that the policy decision is still a work in progress, and that they can still positively influence the process. Involving stakeholders also introduces broader perspectives and expertise. These lead to more informed decisions and therefore reduce uncertainty.[71] The policymaker should now develop a spectrum of policy options—each designed to attain the policy's objective goals in support of the desired end state. These policy options must give senior decisionmakers a number of truly different choices or approaches from which to select.[72] Options should include doing nothing except maintaining the status quo as well as creating distinctly new and different departures from those that currently exist (assuming a policy exists for the issue being addressed).

For policy options to be executable, they must consider both ways and means. This is where policy and strategy directly overlap, since theoretically policy provides ends, and strategy determines ways and means. In the real world, a policy is useless and potentially dangerous if the policymaker has not realistically assessed it in terms of the ways and means necessary to implement it. Thus, policymakers must consider the availability and utility of ways and means just as the strategists who design the implementation of the policy must.

Ways are courses of action explicit enough to provide sufficient guidance to those charged with providing the resources and implementing the policy. A way tells the policymaker how the means or resources will be used (e.g., the military force will deter). This is in contrast to means that describe the resources necessary to execute the way (e.g., forces, people, and money).[73] An example of a valid policy option might be to use multilateral diplomacy to attain Iranian compliance with

the Non-Proliferation Treaty. Note that even though detailed ways and means were considered in the policy development process, the policy statement does not give detail other than the preference for multilateral negotiations. Again, like the cases of the Facts, Assumptions, and Factors Framing Policy Development and Determining Policy Supporting Objectives, the development of ways and means should be framed in conjunction with each relative instrument of national power. Some policy options might emphasize components of the diplomatic and economic elements of national power, while others could emphasize the military and information elements. It is highly unlikely that only one instrument of national power would be used in any one option. The employment of multiple means provides the opportunity for using some immediately, some gradually, and others simultaneously.[74] Each option should consider all of the elements of national power that the policymaker could bring to bear.

ANALYZE AND VALIDATE EACH OPTION

The policymaker should now evaluate each policy option in detail to determine its ability to attain the identified end state objectives. If applicable in the specific case, the options should each be assessed with respect to the opposing actor(s). This might require an evaluation that would compare and contrast opposing military forces, also known as a Blue vs. Red Assessment. Similarly, it might be an analysis of the impact of specific sanctions on an adversary's economy or the potential response of an opposing country's population to a specific strategic communications theme. Such analysis is key to determining potential direct as well as second and third order effects of the policy. It also gives the policymaker insight into the composition of the course of action in terms of its diplomatic, economic, military, and informational elements, and also insight into the possible type and size of forces and other resources that might be necessary in support of the option, although such information can only be tentative at this stage.

There are many ways to analyze alternatives and characterize the viability of a policy approach and associated risks. A simple but effective method by which to assess alternative policy approaches is to use an evaluation tool known in the DoD as the FAS (feasibility, acceptability, suitability) test. This test requires the policymaker to assess each option for its feasibility, acceptability, and suitability to attain the policy end state objectives.

An evaluation of suitability (known as "adequacy" in current joint DoD doctrine (although the term has not yet caught on in the policy community) determines if the option will reasonably attain the policy objective end state.[75] If all the prior analysis in the model is valid and the ways and means are believed to be executable, then the policy option should be suitable for the issue in question. The converse is also valid. If any of the initial assessment is faulty, or components of the ways and means not executable, then in all likelihood the particular policy option will not be suitable.

The measure of feasibility determines if the policy option can be accomplished with available resources over a contemplated amount of time.[76] The successful implementation of any policy will require the availability and employment of certain resources derived from the national elements of power. To this end, there must be sufficient resources present or reasonably producible to execute the course of action.

Acceptability assesses whether the policy option is proportional to the overall effort required, i.e., whether the benefit of the option is worth the cost. It is also designed to determine whether the option is compliant with domestic and international law and is militarily and politically supportable.[77] There are three types of cost associated with the acceptability part of the FAS test. The first relates to the material cost of executing the course of action. This is typically a quantifiable number, usually in dollars. The second type of cost is the political. If measurable at all, it is an expression in terms of both domestic and international politics of support for the policy and the actor implementing it. The greater the political support, the less the cost. The inverse is also true—if the

policy fails to generate political support, the potential cost of implementation increases. The third type of cost might be called the moral cost. From the perspective of the international community, a policy that complies with international law and is sanctioned by international organizations would have a lower moral cost than one that circumvents international law or outrages world opinion. At the same time, a policy that results in high civilian casualties or that permits genocide or ethnic cleansing could have a steep moral cost (both domestic and international). The combined political and moral cost assessment gives an indication of the potential legitimacy of a policy.

The U.S. National War College has further delineated two associated evaluation criteria: desirability and sustainability. Desirability refers to the prioritization of the national interest(s) at stake; is the interest important enough to do something about? It also requires a cost-benefit analysis of the options contained in the policy's ways, with consideration of "worst case" scenarios. Will the cost (to include the collateral impact of the policy that could compromise other interests, opportunities, or policies in effect) be worth it? Sustainability considers whether all necessary resources will be available for the length of time required for the implementation of the policy (are the resources sufficiently robust?), and whether public support, both domestic and foreign, can be maintained over time.[78]

While the various categories of costs are convenient, the analysis cannot be done strictly by those categories. One of the most important costs the policymaker must consider crosses all categories. It is the willingness of the actor to endure the material, political, and moral costs associated with casualties to its own armed forces, security forces, or its civilian population. Similarly, the FAS test must be done holistically, not by stovepipe categories since there are potential conflicts among the categories. For example, assassination of a key leader might be feasible but not acceptable, and generally acceptable ways like economic sanctions may not achieve the goal in a timely enough manner to be feasible. A policy option that does not pass the FAS test is not a valid option and must be adjusted or discarded.

There are also valuable quantitative techniques that enable evaluation of policy alternatives in terms of their comparative ability to attain end state conditions. Mathematical techniques like Multiple Objective Decision Analysis (MODA) are highly effective tools to identify the best alternative when there are multiple conflicting objectives among stakeholders and great uncertainty involved.[79] This analytical method quantitatively assesses the trade-offs between conflicting objectives, and it permits both comparative scoring of alternatives and generation of better ones.[80] Where possible, the policymaker should capitalize on this type of mathematical expertise to underpin policy recommendations and decisions. These are value-focused methodologies that accommodate stakeholders, objectives, and levels of uncertainty in the common effort to achieve desired end states.

ANALYZE RISK FOR EACH OPTION

Policy decisions affect a complex system of interdependent and interacting dynamics in the environment, by which term we mean the macro-context of the contemplated course of action. In order to characterize a policy alternative's likelihood of attaining desired outcomes, policymakers must understand how a particular course of action will affect the environment beyond the battlefield or beyond the narrowly military and take measures to reduce risks to effective implementation and the impact of unintended consequences. The risks associated with a policy option are the chance of incurring loss, danger, or misfortune while executing the option.[81] There are many ways to assess policy-relevant internal and external environmental factors, threats, and hazards and characterize the likelihood of their occurrence. This characterization may include qualitative and quantitative measures. Ideally, policymakers should use all available techniques. An evaluation of

all the potential risks inherent in each policy option provides a cost-benefit assessment to ensure the gain from attaining the end state objective will be greater than the negative consequences of implementing the policy.

For some policies, risk may be approached in a quantitative manner similar to analysis of alternative policy approaches. Commonly used techniques to inform decisionmakers on the risk associated with policy alternatives include use of comparative scoring methods and analysis using weighted values.[82] These proven methods provide insight into a particular policy alternative's likelihood of achieving desired outcomes in the context of decisionmaker values and risk tolerance.

Exploiting experts in risk assessment techniques such as those above to characterize risk comprehensively helps the decisionmaker. This is particularly important with regard to spoilers that may force a change in policy. However, neither experts nor their techniques are a panacea. All decision analysis methods are subjective to some degree, and in the end the decisionmaker must make an informed decision based on the available data in line with personal and institutional tolerance of risk.

The following discussion will focus on simple but effective qualitative approaches to characterize uncertainty and reduce risk. These include evaluation of the policy issue from multiple perspectives, including stakeholders and external actors (including threats). This evaluation must also consider both intended and unintended consequences and the sensitivity of a particular approach to changes in the environment. Recall the importance of including multiple stakeholders in the identification of policy alternatives. This simple effort early in the process serves to reduce uncertainty and risk by leveraging multiple perspectives, expertise, experience, and judgment. This approach continues in the risk assessment process to compare and contrast alternative policy approaches for the decisionmaker. There are a number of risk-related issues to evaluate to ensure a thorough assessment of policy alternatives.

The first risk-related issue is a series of questions about timing the policy implementation—how quickly must we implement the policy, and should we implement it at all? The policymaker assesses the risk of immediate execution, delayed execution, or nonexecution (maintaining the status quo). Could rushing the policy's execution increase the risk; conversely, could delaying implementation intensify the risk? Is there greater risk to either approach? At the same time, is there greater or less risk to implementing the new option, and would it be advantageous to simply opt for maintenance of the status quo? Sometimes it may be better to do nothing new because of the potential risk for any policy option.

The second risk-related issue also concerns time. It is an assessment of the risk of executing the policy option over an extended period. Does the policy have a shelf life? Will concerns like possible decreasing support by the policymaker's population, legislative body, or media, or exhaustion of the armed forces (both for personnel and equipment) pose a significant risk to the ability of the actor to execute the policy over an extended period. If the answer is yes, then adjustments may have to be made for the policy option to have the best chance of success.

Third, the policymaker must assess the value of his own risk assessment. The ability to accurately assess risk requires that the policymaker understand all the variables and parameters of the environment. This may be unrealistic. Thus, assessing the probability of each or even any potential risk is perhaps an unreasonable expectation. However, a thorough qualitative assessment and understanding of both the domestic and external environments are essential to understand where adverse effects might be encountered in policy implementation. To this end, the policymaker must be diligent in assessing and characterizing the effect a particular policy approach might have on both domestic and external environments. This requires a thorough wargaming of probable consequences for policy implementation. Policymakers must then consider steps to mitigate the consequences of adverse influences to engender final decisionmaker confidence in recommendations.

The fourth risk-related issue the policymaker must assess is an analysis of the positive and negative second and third order effects of implementing the policy option. This is an extension of the environmental risk assessment already completed, but this part of the risk evaluation looks at the indirect results of the policy option. Implementation will naturally cause effects—the direct effect is actually its purpose—but some of the effects will be unintended. Unintended consequences can have either a positive or a negative effect, but the policymaker should be aware of them and prepared to adapt policy to mitigate negative influences. The policymaker thus must assess the linkage between his policy and all its potential effects.[83]

The fifth component of the risk assessment is an examination of how sensitive the policy option is to changes in external and internal factors. If certain variables related to the environment or strategic situation change, will that change the option's viability? Here we are talking about things like unexpected technological changes (for example, acquisition of nuclear weapons), sudden political power shifts (for example, a new alliance), radical shifts in public opinion as might be expected after a major terrorist attack, and other such occurrences that might affect the policy. Will the changes increase or decrease the chance of success of the policy option? How likely are such environmental changes? Can they be managed if they do occur?

The sixth component is closely related to the fifth. In this case, the policymaker looks specifically for potential policy spoilers that would mandate a change of policy. A policy spoiler is an event that would corrupt, mar, or render the policy option useless.[84] It tells the policymaker what action could occur that would prevent the policy in the act of execution, from attaining its end state objective. The event in question could be developed and executed by an adversary directly responding to the implementation of the policy, or it could be the result of impersonal forces like weather, disease epidemics, or natural calamities. A policy in its implementation phase could also be "spoiled" by the operational demands of the ways, the nature and availability of the means (resources), and a need to share authority with or retain the support of other actors.[85] All of these events could have the effect of spoiling the policy option.

A seventh part of the risk assessment is the determination of potential ways to mitigate any identified policy spoilers. Scenario planning is a tried and useful way to understand and test potential consequences of policy decisions. This anticipates the development of a number of "reserve" mitigating policy changes to serve in a contingency to respond to policy spoilers. Mitigation of spoilers could require the modification of the ends, ways, or means. End state objectives may have to be modified to more realistically fit the altered situation; different courses of action may have to be selected; and/or there could be a forced increase or reallocation of resources.[86]

The final part of the risk assessment is a determination of whether the residual risk is acceptable. This evaluation includes all identified risks to include the policy spoilers. Based on the knowledge of the existing risks and available mitigators, the policymaker must decide if the risk is acceptable. Once again we question whether it is riskier to implement the policy than not. It is crucial to understand that the policy formulation process is dynamic and replete with unknowns (information gaps and blind spots). The result is that it is impossible to develop a risk-free policy. The policymaker's job is to mitigate and manage risk.

There is no single methodology for the conduct of a risk assessment that fits every policy decision contingency—as is true of any other component of the assessment processes found in the model. Absolutely crucial is determining and addressing the key variables and decisive questions associated with each particular concern, whether the identification of policy spoilers in the Analyze Risk for Each Policy Option or information gaps during the course of the overall analysis in the Facts, Assumptions, Factors portion conducted at the beginning of the process. Asking the right questions for each issue is crucial, such as for the objective of determining policy spoilers: What can the opposing actor do to make the proposed policy unable to attain the chosen end state

goal? This is not an idle or redundant question. Our political and military enemies over the past half-century have been very good at hatching asymmetric responses to U.S. power, leaving us surprised and confounded. Another "right question," this time for understanding information gaps, would be: What do I know, what don't I know, and what information is missing that is crucial to knowing enough to establish an executable policy? It is the detailed assessment of the answers to these questions and others like them that will determine the value of the model's analytic efficacy.

COMPARE POLICY OPTIONS AND MAKE RECOMMENDATIONS

With each policy option assessed individually, the policymaker next conducts a comparative analysis of the policy options and makes a recommendation on which option can best attain the objective with acceptable risk. It is the comparison of the options against each other that will likely identify the best policy option for execution.[87] Evaluation criteria for each policy option would include:
1. Appropriateness (international, domestic, historical, and cultural)
2. Preferences (leaders, stakeholders, national interests)
3. Validity (comparative performance, feasibility, acceptability, suitability)
4. Risk (likelihood, impact, volatility, and mitigation)

The basis for analysis of the options is very situational dependent. Some circumstance will cause the policymaker to emphasize political considerations, while others may emphasize the military or economic factors. Some situations demand efficient policy options over effective but inefficient options; other situations may place little weight on efficiency and instead stress timeliness. The policymaker simply needs to know which criteria are most significant in the particular situation he faces.

Once he has decided on criteria, the policymaker uses them to compare each policy option to the other, including doing nothing, if suitable. He selects the best option or range of options along with an appropriate timeline for implementation. Once complete, the policymaker presents a recommendation that specifies the proposed policy option and timeline. Ideally, he uses a qualitative and narrative format to describe critical parts of the selection methodology and the line of reasoning, to include addressing potential policy spoilers and modifications.

Consideration and Decision by Leadership.

Once the policymaker provides a recommendation to the decisionmaker, the issue leaves the policymaking process and enters a separate decisionmaking process controlled by the decisionmaker. For the American government, that process is usually the interagency decisionmaking process established by presidential directive. In the case of the Obama administration, Presidential Policy Directive-1 (PPD-1) established the interagency process for national security and foreign policy decisionmaking.[88] Using this process or one like it, a democratically elected leadership will likely reach its decision through value judgments and consensus building, not to mention political factors.[89]

Communicate the Policy.

Communication of the policy involves both internal and external communications from the perspective of the policymaking government.[90] Internally, the policy decision with the relevant associated details is transmitted to everyone involved in the implementation of the policy. The

administration will likely be selective in the type and amount of detail it forwards, depending on the recipient's role in policy implementation (e.g., the military leadership will need to know more details about the involvement of the military element of power than will the leadership of the economic component of the government). Externally, the government is likely to need a communications strategy designed to articulate the policy to various external stakeholders (e.g., the target of the policy, allied governments, the domestic population of the policymaking state, and the legislative body of the state). The intent of this communications strategy will be to ensure that each recipient of the information about the policy will understand and accept it in the way that the policymaking government desires (e.g., fear, approval, and support).

Monitor Implementation.

Implementation begins after the senior political decisionmaker selects the policy to be executed. Those lower level policymakers that conducted the initial policy formulation analysis and made a recommendation to the senior leadership must now observe the policy in its execution stage. Typically, someone other than the policymaker is responsible for implementation, but that does not relieve the policymaker of responsibility to monitor execution.

Receive Feedback on Success or Failure of Policy and its Implementation and Assess for Adjustment.

This step might be combined with the preceding, but there is value in addressing the functions separately. Feedback—an element of the monitoring process—is key in determining whether the policy is a success or failure as measured by the identified measures of effectiveness. To focus the review process, key criteria associated with the policy in question should be selected for evaluation.[91] There should be a formal institutionalized process requiring periodic meetings with colleagues in all related government departments and agencies for the exchange of information on the implementation of the policy. Should the policymaker receive information indicating the policy is producing results different from those desired, he/she must assess those results (they could be more or less positive than the intended consequences) and make policy adjustments as necessary. The ends, ways, or means may have to be modified. If the cost is too high, the policy could be adjusted to limit the original ends, reallocate the resources, or enhance the ways with additional means.[92] In any case, the monitoring/feedback/assessment process must be sensitive to policy spoilers and other environmental changes and should identify and track second and third order effects as they manifest themselves. The policymaker must not hesitate to intervene, potentially with new or revised policy, should execution prove ineffective or counterproductive.

SUMMARY

Making national security and foreign policy in the 21st century is a complex task. There is more information available to the policymaker than ever before, which makes the overall mission assessment conducted in the early stages of the model both easier and more difficult to complete. It is easier because access to more knowledge allows increased situational awareness. However, it is also potentially more difficult than in the past because of the amount of information to digest. Understanding the key elements of the model will be critical to ensuring a thorough analysis at every step.

Dennis Ross's summation of statecraft could be applied to all policymaking steps writ large:

> . . . frame them so they are more easily accepted by others; develop and utilize the means and the resources to act on them; quietly and openly condition attitudes and expectations about what needs to be done; recognize the key points of leverage that we and others possess; carefully consider how to get those who have influence to join us, and work to get them to apply the leverage they have; know how to wield carrots and sticks; develop a sense of timing for when to apply pressure and when to offer a way out; read how others—friends and adversaries—are interpreting what we are doing; don't leave anything to chance; and above all, follow through meticulously.[93]

Policies will inevitably change, especially when opposing players actively work to counter them. Policymakers should not expect certitude.[94] The 21st-century policymaker's environment is one of change and adaptation. Opposing players are thinking actors and will do all that is possible to counter the established policy. The policymaker must ultimately develop policies flexible enough to be modified and adapted as required. If the policymaker does not work with that flexibility in mind, he will likely fail. In the end, using the Policy Formulation Model with a flexible approach could make success much more likely.

ENDNOTES - CHAPTER 4

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13. George C. Edwards III and Wallace Earl Walker, eds., *National Security and the U.S. Constitution: The Impact of the Political System*, Baltimore, MD: Johns Hopkins Press, 1988, pp. 38-39.

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19. Graham Evans and Jeffrey Newnham, *The Penguin Dictionary of International Relations*, London, UK: Penguin Books, 1998, pp. 261-262.

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21. The paragraphs addressing the prioritization of national interests are drawn from Alan G. Stolberg, Chap. 3, "Crafting National Interests in the 21st Century," J. Boone Bartholomees, Jr., ed., *U.S. Army War College Guide to National Security Issues, Volume II: National Security Policy and Strategy*, 4th Ed., Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2010.

22. G. R. Berridge and Alan James, *A Dictionary of Diplomacy*, Hampshire, UK: Palgrave-Macmillan, 2nd Ed., 2003, p. 181.

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24. Robert D. Blackwill, "A Taxonomy for Defining U.S. National Security Interests in the 1990s and Beyond," Werner Weidenfeld and Josef Janning, eds., *Europe in Global Change: Strategies and Options for Europe*, Gutersloh, Germany: Bertelsmann Foundation Publishers, 1993, p. 103.

25. Neuchterlein, 1973, pp. 6-7.

26. Commission on America's National Interests, p. 2.

27. Deibel, pp. 129-130.

28. Art, p. 45.

29. Neuchterlein, 1973, pp. 9-10.

30. Sam C. Sarkesian, John Allen Williams, and Stephen J. Cimbala, *U.S. National Security: Policymakers, Processes and Politics,* Boulder, CO: Lynne Rienner Publishers, 2002, p. 6.

31. Morgenthau uses two; Sarkesian, Williams, and Cimbala; Art, and Blackwill use three; while The Commission on America's National Interests and Neuchterlein use four. Both the October 1998 and December 1999 National Security Strategies also used three.

32. Neuchterlein, 1973, p. 11.

33. *Ibid.,* p. 15.

34. *Ibid.,* p. 18.

35. Art, p. 45.

36. Commission on America's National Interests, p. 5.

37. Neuchterlein, 1991, p. 19.

38. Art, pp. 45.

39. Commission on America's National Interests, p. 6.

40. *Ibid.*

41. Neuchterlein, pp. 20-21.

42. Art, p. 46.

43. Neuchterlein, 1973, p. 22.

44. Commission on America's National Interests, p. 7.

45. Neuchterlein, pp. 26-27.

46. Commission on America's National Interests, p. 8.

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63. Colonel John Mauk is the primary proponent behind significant improvement in the 2012 updating for this and the following three sections ("Define Policy Options," "Analyze and Validate Each Option," and "Analyze Risk for Each Option") in this chapter. No one understands risk analysis better than John. I am indebted to him for his changes from the 2010 version of this chapter.

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74. Deibel, p. 318.

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90. Colonel Hans Bush, NSPP Class of 2010, is directly responsible for the concepts contained in this paragraph.

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CHAPTER 5

NATIONAL SECURITY POWERS:
ARE THE CHECKS IN BALANCE?

Marybeth P. Ulrich

On the distinction between policy success in domestic and foreign policy, President John F. Kennedy once noted, "The big difference is that between a bill being defeated and the country [being] wiped out."[1] Much is at stake in the formulation and implementation of national security policy. Not only is the achievement of national interests on the line, the preservation of the Framers' constitutional allocation of power designed to keep liberty and security in balance is also at stake. As the United States proceeds further in its "Long War"[2] focused on fighting terrorism, its political elite is struggling to define the degree of collaboration that must remain between the different branches of government. Does a state of national emergency or war justify the suspension of deliberation and consultation inherent in the American political system's design? Does Congress retain meaningful powers to resist presidential assertions of power? What role should the courts play in limiting or facilitating presidential overreach and congressional reassertion of its powers? These are key questions of concern to all who participate in and seek to understand the U.S. national security policymaking process. This chapter will review the constitutional foundations of the American political system, explore the adaptation and evolution of this original distribution of power, and assess the impact of the current state of "checks and balances" on prospects for strategic success and the preservation of American democracy.

CONSTITUTIONAL FOUNDATIONS

A unique aspect of the American political system is its design feature creating two co-equal principals among the President and Congress. The Framers of the Constitution envisioned a national security process that would depend on a system of shared and separate powers across the democratic institutions that they created. Embedded in these constitutional foundations are the formal sources of power of the presidency and Congress, the two key democratic institutions that work together to formulate and carry out national security policy.

Some scholars argue that the Framers' intent to give the Congress a leading role in government is evident in the fact that Article I of the Constitution grants many explicit powers to the Congress in comparison to the ambiguity and vagueness of the President's powers outlined in Article II. Indeed, a survey of the historical record reveals that, over time, Presidents have successfully exploited the ambiguity of their formal powers to increase the power of the Presidency vis-à-vis the Congress. A brief review of the constitutional basis of each institution's powers will be useful to strategists seeking to understand the evolution of these powers in the life of the American republic.

The Framers envisioned the Congress as the main preserve of governmental powers. The powers enumerated in Article I, Section 8, touch on the entire scope of governmental authority. Chief among these is the power to tax and spend. This power of the purse, checked by the President's veto power, is the defining characteristic of the Framers' intent to create an energetic central government with a vigorous legislature.[3] The Framers concluded the powers enumerated in Article 8 with the elastic clause, the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."[4] The shared vision of their republic was that of a "deliberative legislature, composed carefully to reflect both popular will and elite limits on that will."[5]

The first sentence of Article II clearly designates the President as the Chief Administrator of the government, but the Constitution offers few specifics about how this executive responsibility should be carried out. The President's role as chief executive stems from language in Section 2 that requires the heads of each executive department to report to the President. In the Washington administration, the federal government consisted of only three cabinet departments (State, Treasury, and War) and a few hundred people.[6] Of course, the vast bureaucracy of the United States has grown exponentially since then and is now comprised of 15 executive departments and 136 federal agencies and commissions,[7] backed up by a work force of 1.7 million federal civil service employees.[8] As the federal government has grown, the power of the President has also expanded as the statutory and constitutional responsibility for the policies, programs, and expenditure of funds is asserted across the executive branch.

Formal Powers of the President Relevant to National Security Policymaking As Stated in the Constitution	Formal Powers of the Congress Relevant to National Security Policymaking As Stated in the Constitution
"The executive Power shall be vested in a President of the United States of America." Article II. Section 1. "…he shall take Care that the Laws be faithfully executed…" Article II, Section 3.	"The Congress shall have Power to … make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, all other Powers vested by this Constitution…" Article I, Section 8
"Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President…If he approve he shall sign it, but if not he shall return it…If after such reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent…to the other House… and if approved by two thirds of that House, it shall become Law." Article I, Section 7.	"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the debts…" Article I, Section 8. "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.." Article I, Section 9.
"The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States." Article II, Section 2	"The Congress shall have Power to… provide for the common defense and general Welfare of the United States,…declare War, … to raise and support Armies…, To provide and maintain a Navy; To make rules for the Government and Regulation of the land and naval forces; To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States…" Article 1, Section 8.
"…he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices…" Article II, Section 2.	

Figure 5-1. Key National Security Powers as Enumerated in the Constitution.

Authority to administer the federal bureaucracy, however, does not necessarily translate into its control. All Presidents are faced with the challenge of making the bureaucracy responsive to their leadership. Two key tools to shape the executive branch's outputs into a more coherent administration vision are the use of the appointment authority and the White House Staff. Article

II, Section 2 gives the President the power to appoint the department and agency heads within the federal government.

President Dwight D. Eisenhower created the Schedule C personnel classification for appointed policymaking positions throughout the executive branch. This represented a shift from party-based patronage that rewarded the party faithful with everything from predominantly uncontroversial government jobs in the field to key policy posts in Washington.[9] Schedule C personnel play critical behind-the-scenes roles, such as setting the schedules and agendas of cabinet members, guiding political strategy, and giving legal opinions and policy advice. These appointees are lower in rank than noncareer Senior Executive Service (SES) officials, who fall just below presidential appointees and who must be confirmed by the Senate. At latest count, SES and Schedule C employees numbered 1,935 in the George W. Bush administration. In all, President George W. Bush has 3,000 political appointees serving in his administration. Although political appointees account for less than 2/10ths of 2 percent of the total civil service, their presence results in significant influence throughout the policymaking process.[10] In the modern presidency, Presidents have offered these positions to ideologically compatible people who will work to ensure that their department or agency's policies are in sync with the President's vision.

The Senate's confirmation role is its check on the President's appointment power. While the vast majority of the President's nominations are confirmed, the potential to subject nominees to intense congressional scrutiny and to ultimately reject candidates gives the Senate great influence in the appointment process and, tangentially, in the overall policy process. While the executive sits at the top of the federal bureaucracy, the design of the various departments and agencies is specified in congressional statutes that detail their structure and duties. Though not explicitly mentioned in the Constitution, Congress's capacity for oversight can be a tremendous check on the executive when it is employed. Oversight hearings require officials to appear and testify under oath and report what the administration is doing. Oversight programs demanding reports on executive department or agency activity can also have some bite.[11] Congress has the responsibility to keep a careful eye on the administration of its laws to ensure that they are properly interpreted and executed.[12]

Another management tool of relatively recent creation is the Executive Office of the President (EOP), better known as the White House Staff. President Franklin Roosevelt established this "mini-bureaucracy within the bureaucracy" with Congress's consent in 1939 as an attempt to centralize control over the executive branch and to provide unity and direction to the federal government.[13] The EOP includes both the professional staff working in such places as the National Security Council and the Council of Economic Advisers as well as the President's most trusted advisers in the White House Office.[14] The two tools are closely related, because presidential appointments have increasingly become subject to intense vetting in the EOP.

In national security affairs and the conduct of foreign policy that might result in the use of armed force, the President draws on the authority vested in him as commander in chief. However, the Framers were in agreement that significant war-related powers must also reside in the Congress. Indeed, as Figure 5-1 indicates, Article I, Section 8, lays out extensive and explicit war-related powers granted to the Congress. The Declaration of Independence and Bill of Rights both reflect the Framers' distrust of standing armies unaccountable to a legislature. Their design of American democratic institutions separating the power to declare war from the power to command or direct military forces in wartime was meant to ensure that the President was unable to make war alone. It is important to note that rather than giving the President the power to declare war with the "advice and consent of the Senate," like they had done with the treaty power, the Framers deliberately elected to give Congress the sole authority to declare war.[15] The historical record shows that, in practice, Congress has not been the initiator of all significant military actions and that there has been a struggle for power between the two branches over war powers.

This brief survey of constitutional powers relevant to the conduct of national security policymaking highlights the Framers' intent that policymaking and implementation be a shared process across the legislative and executive branches. The Framers' design of shared and separate powers resulted in a policymaking framework that requires both cooperation and coordination to achieve anything of real significance in national security affairs.

INSTITUTIONAL COMPETENCIES

The Framers' final product reflected an understanding that the institutions they created had distinct and complementary institutional competencies. While Congress was granted important powers ensuring it a significant role in the conduct of national security policy, its institutional design also meant that it would almost never move quickly on such matters. The requirement for legislation to clear both the House and the Senate after potentially lengthy deliberations in each body subject to the influences of public opinion and the media, favored Congress's role as the branch of government that considered diverse viewpoints, deliberated among them, and remained accountable to the public.

The executive branch, on the other hand, was designed to move with speed and dispatch. An appropriate amount of secrecy was presumed in order to conduct day to day foreign and security policy, and to act decisively in crisis situations. Congress's design, meanwhile, has afforded it significant oversight checks as well as policy influence in the power of the purse. The Framers' deliberate consideration of institutional competencies when deciding which powers should be shared, which should be held alone, and in which branch power should be placed is evident in the Framers' debate on the distribution of war powers at the constitutional convention. Early deliberations argued that Congress should be given the power to "make war." However, it was eventually agreed that this should be changed to "declare war" to clarify and ensure that the actual conduct of war remained an executive function, maximizing the institutional competencies of the Presidency during wartime.

PRESIDENTIAL POWER AND PERSUASION

Formal powers contribute to and limit the influence wielded by the President and Congress in any specific policymaking scenario. Informal powers of each branch, on the other hand, if astutely employed, can significantly enhance the influence of either institution. The struggle for influence is characterized neither by all-out competition nor by perfect consensus. Congress can be both a potential adversary and key partner in the formulation and conduct of national security policy. Conversely, the President and his team cannot sustain any national security policy course without the support of Congress and the American people. Dominating the political agenda requires that the President build popular support, work effectively with Congress, control the vast federal bureaucracy, and know when and where to invest political capital. Presidential leadership and the administration's articulation of a vision underpinning its foreign and domestic policies are keys to success as well.

> The President and Congress are at once so independent and so intertwined that neither can be said to govern save as both do. And even when they come together they face other claimants to a share in governing: the courts, the states, the press, the private interests, all protected by our Constitution, and the foreign governments that help to shape our policy.[16]

Although the President is the single actor in the American political system granted the greatest range of formal powers, the ability to make his will prevail among the competing wills of actors also vested with significant powers depends on skillful presidential leadership. President Harry

Truman once remarked that presidential power really just boils down to the power to persuade.[17] The renowned presidential scholar, Richard Neustadt, in his classic text, *Presidential Power and the Modern Presidents*, equates presidential power with influence and seeks to explain its sources and the contexts where presidential power is more or less dominant.

Scholars differentiate between situations where the President can essentially command and those in which he must rely on his powers of persuasion. If the issue involves presidential authority that is not shared with a competing entity, then the desired result may be achieved without resistance. Examples include the relief of a military commander, the use of an executive order to advance an unpopular policy, and the deployment of military forces to protect American interests.

President Truman's relief of General Douglas MacArthur in 1951 is probably the most well-known dismissal of a military commander in the modern presidency. Truman was careful to consult the Joint Chiefs in the matter and they unanimously agreed that MacArthur should go. Truman implemented the order in a successive delegation of authority from him through the appropriate military authorities. The President and the Chiefs viewed MacArthur's public statements critical of Truman's war policy, in the face of strict orders not to publicly comment on administration policy, as open defiance of the commander in chief. This insubordination consequently justified his dismissal as essential to maintaining civilian control of the military. There was no question in the MacArthur affair that the President, in his commander in chief role, had the authority to dismiss a commander in the field. However, congressional critics of Truman's Korean Policy and MacArthur's Republican supporters used the opportunity to conduct a full-fledged congressional investigation of the government's foreign and military policies against a domestic backdrop that featured a grand tickertape parade honoring the relieved general, MacArthur's address to a Joint Session of Congress, and an adoring public passionately opposed to the ouster of an American icon.[18] Truman's actions consequently were offset by the exertion of informal powers inherent in the Congress, the press, and the people, which shaped the ultimate political impact of the President's actions.

The issuance of an executive order is another strategic tool presidents can use to assert presidential authority. Eisenhower's use of federal troops to enforce the orders of a Federal Court to desegregate Little Rock schools in 1957 illustrates a President's prerogative to assert his constitutional power over the state militias, a power that is not shared with another constitutional entity. The President's decision to federalize the Arkansas National Guard troops originally called into action by Governor Orval Faubus to halt the integration of Central High School was clear, unambiguous, and highly public. The President's assertion of power featured a "sense of legitimate obligation, legitimately imposed"[19] As in the MacArthur case, to have not exerted the authority would have resulted in its erosion and the prevalence of less legitimate sources of power in the American political system.

Executive orders have mainly been used in three areas: to combat various forms of discrimination against citizens, to increase White House control over the executive branch, and to maintain secrets.[20] When Congress perceives that executive orders are taken to bypass Congress on controversial issues, they may elicit great political controversy and be a source of conflict between the two branches. This is why the congressional reaction to President George W. Bush's series of executive orders authorizing the National Security Agency (NSA) to eavesdrop on the conversations of Americans without warrants as required in the Foreign Intelligence Surveillance Act (FISA) has been uncharacteristically strong. Members of Congress on both sides of the aisle saw the action as a challenge to the Congress's power vis-à-vis the executive.

Even the prospect of an executive order being issued can erupt in major political controversy as was the case with President Bill Clinton's proposal to lift the ban on gays serving in the military. There was no question that the President had the legitimate authority to issue such an order as President Truman had done to integrate the Armed Forces in 1948, but the political backlash was so

strong in 1993 that President Clinton abandoned the idea in order to salvage his domestic agenda before Congress.[21]

While the President's formal powers are significant, presidential leadership more often depends on the President's power to persuade others that what he wants of them is also compatible with the pursuit of their own interests. The successful launching of the Marshall Plan is an example of a President with minimal political capital achieving a critical foreign policy goal through the effective use of the informal powers of his office. Truman faced the uphill battle of convincing a Republican and traditionally isolationist Congress and a Treasury department focused on controlling spending that massive European aid deserved their support. The domestic political context in 1947 was further characterized by animosity over Truman's veto of the Republican leadership's key legislative initiatives and the assumption that Truman would be easily defeated in the upcoming 1948 presidential election.

He had a key advocate in the figure of General George C. Marshall pushing for the plan that bore his name from State and the support of the Republican Chairman of the Senate Foreign Relations Committee, Arthur Vandenberg. All the resources of the administration were unleashed to back the plan and special care was taken to meet the terms Vandenberg insisted on to maintain his support, which included frequent personal meetings with the President and Marshall and extensive liaisons between Congress and the agencies involved with implementing the plan. Truman even deferred to Vandenberg's choice of a Republican to head the new agency created to administer the program. These "bargains" subsequently resulted in key players lending their prestige and influence to make the proposed European Recovery Program a reality.[22]

The few cases discussed here highlight the linkages between presidential power and effective presidential leadership. The American political system's institutional design, with its unique blend of shared and separate powers, means that key actors often have divided loyalties, a result of serving multiple masters in government. Even players within the executive branch are also responsible to Congress and have allegiance as well to their staffs and departments to represent their bureaucratic interests. Fulfilling the President's policies, in addition, necessarily involves interagency cooperation and overcoming the disparate bureaucratic interests of each. Presidential power is as much a function of personal politics as it is of formal authority or position.[23]

CONGRESS: DOES AN EFFECTIVE CHECK REMAIN ON PRESIDENTIAL POWER?

Most texts examining the extent of the presidential-congressional partnership in national security policymaking cite the constitutional scholar Edwin Corwin's musing that the Constitution "is an invitation to struggle for the privilege of directing American foreign policy."[24] What does the historical record suggest about the President's capacity to dominate national security policy? Is the American political tradition that Congress defers to the executive in foreign and security policy, weighing in with countervailing powers only by exception? Can Congress regain its lost clout and limit presidential overreaching? An objective assessment of the congressional-executive struggle over the control of national security policies will reveal several findings. First, American history is replete with examples of serious congressional quarrels with the President over the conduct of foreign policy. Second, periods of deference to the executive have been limited, and even then, included at least tacit approval of the basic parameters of U.S. foreign policy. Third, as a result of congressional reforms in the 1970s, Congress gained an increased capacity to challenge presidential policies with the creation of the Congressional Budget Office, the Congressional Research Service, and the expansion of personal and committee staffs. These tools boosted the Congress's analytical ability and contributed to more enhanced oversight of foreign policy and a greater trend toward legislating specific aspects of foreign policy.[25] Finally, the congressional-executive relationship

on use of force issues seeks a comfortable equilibrium. Periods of congressional acquiescence are often interrupted by perceived executive overreach that leads to the reassertion of congressional authority. Such was the context for the passage of the War Powers Act in 1973.

However, the net result of this struggle over time has been what one report called "the executive's slow-motion coup" made possible by Congress, itself, which has been complicit in its own diminution of power instead of guarding its institutional prerogatives.[26] Even though Congress periodically fought back with such measures as the War Powers Act and the enactment of FISA in 1978, enforcing the oversight provisions mandated in these initiatives has been uneven, amounting in the overall concession of power to the executive. Some question whether it is even possible in the current political environment of polarized politics favoring partisan loyalties over institutional obligations to correct the imbalance between congressional and executive power.

ENTER THE JUDICIARY: WILL IT ACT TO RESTORE THE BALANCE?

Beginning with George Washington, Presidents have drawn on the institutional competencies of the executive and formal powers to play an active and assertive role in foreign affairs and national security issues. President Thomas Jefferson essentially conducted the Louisiana Purchase on his own. Abraham Lincoln, citing war powers, governed without Congress and suspended the courts. Franklin Roosevelt oversaw the establishment of a plethora of federal agencies empowered to make policy in their realms in order to lift the country out of the Depression. Justice Robert H. Jackson's 1952 decision has been cited in the debate over President George W. Bush's use of presidential power. Justice Jackson rejected President Harry Truman's claim that, as commander in chief, he had the inherent power to seize the nation's steel mills. This decision has been cited as precedent for future Supreme Court deliberations of the issue. Justice Jackson's framework for judging the constitutionality of assertions of executive power is outlined below and was at the center of the confirmation hearings of Justices John Roberts and Samuel Alito.[27] Many believe that many aspects of the question of presidential overreach will come before the Supreme Court, giving the Court a unique opportunity to reshape the balance between the executive and Congress.

Three Political Contexts.

Justice Jackson laid out three possible political contexts characterizing congressional-presidential relations in the national security arena. First, *presidential power is maximized when the President acts pursuant to the express or implied authorization of Congress in a given area.* In such periods of concordance, presidential leadership is virtually unchallenged. Such cooperation may be attributed to agreement over the major policy decisions in play. Presidential power has also been at its height during times of national crisis and war. Lincoln largely got his way in the conduct of the Civil War. In the 20th century, Woodrow Wilson until 1919, and Franklin Roosevelt after 1941, enjoyed an advantage over the control of foreign policy. The postwar era through the mid-1960s was another period of presidential dominance rooted in broad agreement over policy. Harry Truman, Dwight Eisenhower, John Kennedy, and Lyndon Johnson all governed during major wars or at the height of the Cold War, and each had relative control over national security and foreign policy.[28] President George W. Bush contended that the 2001 congressional resolution authorizing the president "to use all necessary and appropriate force" to respond to the September 11, 2001 (9/11) attacks and to prevent such attacks in the future served as implied authorization for detention and surveillance programs incident to the use of force in wartime. However, it is clear that the administration and Congress shared sharp differences of opinion over the matter.

Each period of perceived presidential overreach was followed by a backlash or resurgence of congressional power. Following the Civil War, powerful Congresses dominated the Presidency in

the late-19th century, and Congress handed Wilson the devastating political and personal defeat of rejecting the Treaty of Versailles with a reassertion of congressional power that resulted in the domination of foreign policy until World War II.[29] The War Powers Act of 1973 was the culmination of Congress's break with the President over the conduct of the Vietnam War and its reemergence in national security affairs.

Second, *presidential independence is possible if Congress is indifferent or acquiesces in a particular policy area.* In this political context Congress falls short of playing the role of constructive partner to critique, build support for, and improve on the President's foreign and security policy. Many factors may contribute to such a scenario. There is a tendency in Congress to view foreign and security policy through domestic political lenses or from the perspective of special interests, which may both be barriers to judging foreign policy initiatives on the basis of the national interest. Presidential independence may also be possible simply because Congress is not paying attention to the administration's policies. Domestic issues often dominate the congressional agenda in peacetime. Furthermore, Congress may neglect its responsibilities in foreign affairs and devote too little time to rigorous programmatic oversight.[30] In both the concordant and acquiescent political contexts, the President's leadership is not essential. However, in the third context to be considered, presidential leadership is critical.

Presidential power in security and foreign policy is at its lowest ebb when the administration's desired action is incompatible with the expressed or implied will of the Congress. An analysis of congressional-presidential relations in the Vietnam War illustrates a dramatic conversion of Congress's perception of its role in checking presidential war-making powers. Its 1964 passage of the Gulf of Tonkin Resolution essentially ceded to President Johnson the "blank check" he sought to deal with the crisis in Southeast Asia. The near unanimous backing in Congress (there were only two dissenting votes in the Senate) gave the President authority to take all "necessary measures" to repel any armed attack against U.S. forces and "to prevent further aggression." Johnson's interpretation of his commander in chief powers, which President Richard Nixon took to even greater heights as his successor, was an open-ended doctrine permitting the President to order Armed Forces into combat whenever the President determined that U.S. security was threatened.[31]

As the administration's prosecution of the war continued, Congress retreated from its role of presidential cheerleader and gradually began to reassert its authority. Congressmen increasingly traveled to Southeast Asia in the mid-1960s to take stock of the war, the Senate Foreign Relations Committee held televised hearings in 1966, and, by the early-1970s, Congress changed its rules for considering defense appropriations bills so that individual amendments attempting to limit or influence the policy could be considered without rejecting the entire defense appropriations package.[32] Continuation of presidential dominance was challenged in the face of a growing majority's disagreement with the Vietnam policy. Even broader consensus that the Nixon administration had overreached with the assertion that the executive had unlimited discretionary authority as commander in chief to send American troops into action around the world, led to the passage of the War Powers Act.

The act established procedures in three main areas: presidential consultation with Congress, presidential reports to Congress, and congressional termination of military action. Congress's intent was to assert its authority via procedural constraints limiting the ability of the President to commit U.S. forces abroad. The act called for the President to consult with Congress "in every possible instance" before introducing U.S. forces into hostilities or imminent hostilities, declared that the President must report to Congress within 48 hours when such forces are introduced, and mandated that forces be withdrawn within 60 to 90 days unless Congress authorizes that they remain.[33]

The continuous shifting between the political contexts discussed above is indicative of the ambiguous role the War Powers Act has had since its passage. President Nixon rejected it out of

hand with his veto of the measure in 1973. Congress shot back with its overwhelming override,[34] asserting its intent to expand its influence in national security policymaking with measures beyond the blunt instrument of withholding funds.

In practice, Congress has not consistently asserted the authority granted in the act. Presidents, meanwhile, have been careful not to acknowledge the law's constitutionality, while avoiding direct confrontations with Congress over its provisions. In fact, Congress has managed to get the President to honor the War Powers Act only once, in an obscure 1975 Marine action to recapture a container ship off the coast of Cambodia.[35] Depending on the lawmakers' overall view of the President's proposed intervention, they may sit on the sidelines or strive to be consulted. Presidents continue to insist on flexibility and may seek Congress's explicit authorization for an impending action, but without admitting that such action is being taken in order to comply with the Act. There is, however, an acceptance, if grudgingly, that the War Powers Act stands as a reminder of the ultimate need to get at least congressional acquiescence, and, ideally, congressional approval for the commitment of troops.[36] Since the introduction of the War Powers Act into congressional-presidential relations all three political contexts, enthusiastic concord, indifferent acquiescence, and expressed disagreement with the President's foreign and security policy continue to occur.

The controversy surrounding President Bush's domestic surveillance program illustrated the political context of expressed disagreement between the administration and Congress. This raised the ire of the usually acquiescent Republican Congress because it sidestepped the oversight provisions outlined in FISA. The Republican Chair of the Senate Judiciary committee, Senator Arlen Specter, conducted hearings to dispute the administration's claim that its broad powers to fight terrorism overrode specific legislation prohibiting warrantless eavesdropping. Attorney General Alberto Gonzales testified before the Judiciary Committee in February 2006 that the administration reasonably interpreted the 2001 authorization of force resolution as the legal justification for its actions. However, when two laws seem to come in conflict, the law that is more specific tends to prevail unless a law meant to supersede an earlier one specifically includes language to the contrary.[37] The FISA debate was unique because it brought together elements of wartime presidential powers within the context of actions contrary to "the express will of Congress." Indeed Senator Lindsey Graham warned Attorney General Gonzales that the administration's expansive interpretation of the 2001 resolution may make it "harder for the next president to get a force resolution if we take this too far."[38] Two years later when Gonzales's replacement, Michael Mukasey, appeared before the Judiciary Committee, its chairman expressed his frustration that lawmakers have been almost completely unsuccessful trying to hold the executive branch accountable for its actions on the issues of torture, the Central Intelligence Agency's destruction of interrogation videos, White House claims of executive privilege, and the "terrorist surveillance program."[39] Senator Arlen Specter vented to Attorney General Michael Mukasey, "Congressional oversight has been so ineffective, notwithstanding Herculean efforts for the last 3 years. The courts provide a balance, a separation of powers . . . the only effective way of dealing with what is argued to be executive excesses is through the courts."[40] Congressional angst notwithstanding, the current balance of power between the executive and Congress is likely to stand unless the courts address the alleged executive excesses.

KEYS TO EFFECTIVE PRESIDENTIAL LEADERSHIP

The executive branch's institutional competencies make the President the most important actor in foreign and security policy. The President alone has command of the bully pulpit to give him an unrivaled voice in policy debates. The President is also the actor in the American political system best positioned to consider the national interest. Since World War II, control over foreign and security policy has increasingly been centralized in the executive. The government's expertise for

formulating and implementing foreign and security policy is largely resident in the Department of State and DoD, with the National Security Council also assuming an increasing amount of authority and influence—all three components of the executive branch. Yet effective leadership is not a given. Perhaps the broadest and most common sense recommendation comes from presidential scholar Paul Quirk, who contributes the concept of "strategic competence." Quirk argues that Presidents must have a well-designed strategy for achieving the competencies they need to lead effectively. In this view, the key competencies to be mastered are policy substance, policy process, and policy promotion. Policy expertise results from years of attentive engagement in the major national issues. The development of direct in-depth personal competence in policy areas is necessarily selective, but a base knowledge of the key issues is essential to the President's recognition of the elements of responsible debate and to responsible decisionmaking.[41] Anything less than this, Quirk argues, is minimalist and may impede intelligent decisionmaking.

> A minimalist president . . . will not fully appreciate his own limitations. By consistently neglecting the complexities of careful policy arguments, one never comes to understand the importance of thorough analysis. In politics and government, at least, people generally do not place a high value on discourse that is much more sophisticated than their own habitual mode of thought.[42]

To lead effectively, Presidents must also be competent in the processes of policymaking. The President sits atop a system of complex organizational and group decisionmaking processes and must ensure that the administration has put in place reliable decisionmaking processes. The major threats to effective national security policymaking processes are intelligence failures, groupthink and other malfunctions of the advisory process,[43] and failing to coordinate effectively within the interagency process and beyond the executive branch as appropriate.[44] Finally, building coalitions with congressional leaders and key interest groups, and using the bully pulpit to take the case to the public are essential ingredients for effective policy promotion once policy decisions have been made.

Lee Hamilton offers his advice for effective presidential leadership in foreign and national security policy from his perspective as the former chairman and long time ranking Democrat on the House Committee on International Relations. Presidents must make foreign policy a priority and set forth a day-to-day course that is driven by an overall strategic vision. Hamilton argues that the foreign and security policy arena uniquely depends on the President's attention and leadership. Too often an issue receives intense attention and scrutiny for a short time, but then the administration fails to remain sufficiently focused or to expend the requisite resources to achieve success. The President is also uniquely positioned to forge the personal relations with foreign heads of state that are critical to alliance building and to articulate U.S. policies and the associated national interests with clarity to the American people.[45]

In a system of shared and separate powers in national security policymaking, successful policy will rarely be the result of strong-arming Congress or the American people through the overplaying of formal powers. The Supreme Court is extremely reluctant to check the President's power while a war is in progress. Presidential leadership in national security policymaking effectively blends presidential authority with a consideration of the institutional competencies that the rival branch brings to the development and execution of strategy.

As the most accessible and representative branch of government, Congress can help mediate between the American people and the foreign policy elite. Through the hearings process, Congress can also help to educate the public on complex foreign and security policies. Testifying before the appropriate committees also forces the administration's top officials to articulate and defend their policies. However, some observers are concerned that this check on Executive power is being

weakened by an administration reluctant to make senior officials available for sworn congressional testimony or to provide documents to relevant committees, citing the confidentiality of Executive branch communications.[46]

Debates over contentious and weighty matters of national security, such as whether or not to authorize the use of force, engage the public, and strengthen the policy process. Passing legislation in support of the administration's policies can also help to strengthen the President's hand before international bodies, adversaries, and allies. In the case of the Gulf War, congressional leaders insisted on being consulted and on debating the issue before authorizing the use of military force. President George H. W. Bush, however, feared that weak support or a split vote would be worse than no vote at all and might actually weaken his hand in the face of Iraqi aggression. President Bush maintained throughout the period of congressional consultation that, regardless of the outcome in Congress, he still had the constitutional right to commit U.S. forces to battle. In the end, the Congress passed the resolution with a clear victory in the House by 250 to 183, and a squeaker in the Senate by 52 to 47.[47] Effective presidential leadership in foreign and security policy recognizes Congress's constitutional role in the process and seeks ways to ensure that sustained consultation is a characteristic of the executive strategy for interacting with Congress.

CONGRESSIONAL-PRESIDENTIAL COLLABORATION IN THE WAR IN IRAQ

The open-ended resolution Congress passed in October 2002 granted the President broad authority to use any means he determined necessary and appropriate—including military force—to respond to any security threat posed by Iraq.[48] Critics contended that in contrast to the 1991 appeal of President Bush's father to authorize force on the eve of conflict when key conditions related to its prosecution were well-known, "The president is asking Congress to delegate its constitutional power to declare war before he has decided we need to go to war, but he has not adequately explained what this war will look like."[49] Others argued President Bush's request was constitutionally inappropriate because it was seeking a conditional grant of power, leaving in the President's hands the decision to change the nation into a state of war. These critics contend that a nonbinding resolution declaring support for the President's efforts to make Iraq comply with UN resolutions followed by the authorization to use force if peaceful means fail may have been more appropriate. Such a two-step approach would have left Congress in the loop up until the point when the President was ready to begin military action.[50]

Although some Republicans had concerns about endorsing the new doctrine of preemption, they deferred to the President. With the midterm elections only weeks away, many Democrats felt pressure to "get this question of Iraq behind us" so they could return to other issues that they thought would be successful for them in the elections. At the height of the House debate, less than 40 members could be found on the floor. On the Senate side, no more than 10 senators were in attendance. The resolution passed 296 to 133 in the House and 77 to 23 in the Senate.[51]

Observers noted that the debate over the Iraq war was a pale shadow of the Senate's more vigorous role in the past. Congressional scholar Norman Ornstein commented on the Senate's role on the eve of the Iraq war, "The Senate is struggling to find an appropriate role to play. I think you'd be hard-pressed to suggest the Senate is a great debating body—on anything."[52] The concordant-acquiescent political context that has characterized congressional-presidential relations since the 9/11 terrorist attacks may have contributed to executive overreach in ways that ultimately weakened President George W. Bush's ability to sustain support for his Iraq strategy.

The political environment in the run-up to the War in Iraq was conducive to the Executive "going it alone" vis-à-vis Congress. Although the Congress put up little resistance over the open-ended resolution to use force in Iraq, this support occurred within a climate of some angst on the

Hill over the administration's attitude toward the role of Congress in defense policy. Congressmen of both parties complained that Secretary of Defense Rumsfeld "tells lawmakers little and demands immense discretion."[53] Complaints continued throughout the Bush administration, with Congress accusing it of thwarting Congress's investigative authority. Some lawmakers were frustrated that their attempts to get more information about the administration's impending war plans and strategy came up empty. Administration officials were unable to answer with any specificity questions related to the cost of the war or of the reconstruction effort to follow before lawmakers cast their votes.

Some members of Congress demanded to hear the administration's plans for the postwar occupation, but were denied such consultations based on the argument that it would not be proper to plan for the aftermath of a conflict that the President had not yet decided to fight. The "ends" that the President advanced shifted among competing candidates, eventually settling on the need to disarm Saddam Hussein and dismantle the imminent threat that his weapons posed.

Scholars pointed out that the doctrine of preemptive military strikes added a "new wrinkle to the Imperial Presidency," because the trigger for the use of force is classified intelligence.[54] Richard Durbin, a member of the Senate intelligence committee, complained that an insufficient body of intelligence was declassified in the run-up to the vote on Iraq, hindering the ability of his colleagues to make an informed vote.

The choice to maximize the powers of the presidency, while marginalizing the participation of the Congress may have put the strategy at risk. Congress shares responsibility for the policy due to its decision to support the open-ended resolution. However, the emphasis on regime change through invasion without laying out all aspects of a comprehensive strategy complete with clear strategic ends, a thorough explanation of the ways or courses of action the administration would pursue to achieve the ends, and a good faith estimate of the means or cost to the American people in terms of lives and treasure made it more likely that the administration would be on the defensive when the strategy ran into difficulty.

Indeed, in September 2003, when the Bush administration finally delivered the first major bill for the war to Congress in the form of a request for $87 billion dollars to fund Iraqi reconstruction and the military operations in Iraq and Afghanistan for the remainder of the fiscal year, Congress pushed back mightily. Pent up frustration over the lack of collaboration with the Legislative branch was evident. Senator Diane Feinstein remarked, "We want to be good Americans. We want a bipartisan foreign policy. We know the time is tough. We want to be with you. But there's a feeling that you know it all. The administration knows it all. And nobody else knows anything. And, therefore, we're here just to say, 'Yes, sir. How high do we jump?' And at some point we refuse to jump."[55] More direct was Senator Robert Byrd's comment to Deputy Defense Secretary Paul Wolfowitz, "Congress is not an ATM. We have to be able to explain this huge, enormous bill to the American people."[56]

The administration sustained another wave of attacks in January 2004 when its Chief Weapons Inspector in Iraq, David Kay, concluded that there were no large stocks of weapons of mass destruction in Iraq before the war. "Based on what I've seen is that we are very unlike to find stockpiles, large stockpiles of weapons. I don't think they exist." "It turns out we were all wrong."[57] Democrats charged this was further proof the war was based on false premises. Lawmakers on both sides of the aisle took issue with the certainty of the language that administration officials used with regard to the pre-war intelligence, and some questioned whether administration officials misled them.

Members of Congress complained that the Director of Central Intelligence, George Tenet, gave his personal assurance in closed-door hearings that weapons of mass destruction (WMD) stocks

would be found in Iraq. "He was telling the senior people in the Administration . . . that the weapons were absolutely there, that they were certain the stuff was there."[58] Ohio Senator Mike DeWine, a Republican on the Intelligence Committee, told the Columbus *Dispatch,* that he was not sure he would vote to authorize war with Iraq if he had to do it all over again.[59] Meanwhile, on the 2004 campaign trail, Democratic presidential candidates took aim at the administration. "We were misled not only in the intelligence but misled in the way that the President took U.S. to war," the Democratic front-runner, Senator John F. Kerry (MA), said when asked about Kay's conclusions."[60]

The administration's critics faulted the lack of consensus building and derided its unwillingness to collaborate with either international allies or its domestic partners in the national security policymaking process. As the popularity of the Iraq War wanes in the face of its $500 billion price tag by early-2008 and deaths of American servicemen creep upward of 4000,[61] the Bush administration stands undeterred in its approach to Executive power. The sweeping assertion of the powers of the presidency is grounded in a belief that the full power of the Executive must be restored in order to prevail in the War on Terrorism.[62] Leaving the Congress and the Courts in its wake, however, is at least politically flawed and may provoke a reaction from these bodies that ultimately cuts back on presidential powers.

Supporters of the administration, on the other hand, laud the resurgence of presidential power and maintain that the administration's approach is merely a corrective action necessary to reverse the erosion of presidential prerogatives in recent decades. According to this view, the administration's approach is to be admired as a model in presidential leadership,

> To achieve all this, Bush staged one of the most impressive exercises of presidential power in modern times. He used all the tools at hand: the bully pulpit, TV, personal persuasion in the Oval Office, and the skillful deployment of top officials in his administration. And, not to be underestimated, there was sheer presidential bullheadedness. When a president takes a firm and defensible position and doesn't flinch, he normally prevails. . . . One telling result of Bush's full-throttle use of his presidency was a far greater percentage of Democratic support for his congressional war resolution than the elder President Bush won in 1991 after Iraq had invaded Kuwait.[63]

Is President Bush' leadership vis-à-vis Iraq firm, resolute leadership appropriate to the national security challenges inherent in fighting the security threats facing the United States in the 21st century or imperial presidential overreach that, if continued, will ultimately lead to a failed strategy for fighting the War on Terrorism? The historical record indicates that policy is strengthened when each branch understands its proper role, powers, and limitations in foreign policy. An analysis of the case of the war in Iraq suggests that both branches have fallen short of this ideal.

CONCLUSION

The American republic's very essence lies in its allocation of power across the political system. The Founders envisioned a struggle for power between actors enabled with competing powers to keep each other in check. That such struggles continue is a testament to the continued viability of the founding blueprint. In the current political environment, the backdrop of national security seems to present an obstacle to the balanced interplay of the President, Congress, and the Courts. But the Founders' institutional design was undertaken with a realistic expectation that national security matters could be at the heart of power plays among the government elite placed in each of three empowered branches. Liberty could not be forfeited, the Founders assumed, unless key actors chose not to employ their countervailing power to preserve it. Security, meanwhile, would depend on the adoption of an effective strategy for victory. At the early stages of the "Long War," balancing the quest for security with the preservation of liberty requires a collaborative employment of the national security powers that the President, Congress, and the Courts share.

Effective conduct of national security policy depends on understanding one's power, its limits, and the recognition that other actors' actions also shape the policy battlefield. Successful national security policy exploits the institutional competencies that the Framers designed into the American political system. Coordinated efforts that link the President's national security policy initiatives with the unique capacity of Congress to vet the policy, educate the public, and ultimately lend its support are more likely to lead to successful strategy. Such policy must also withstand the scrutiny of the Courts empowered to rein in the President or Congress when either entity oversteps its allocation of power. Successful policy implementation, furthermore, is reliant on competent executive decisionmaking, efficient bureaucratic processes and the keen oversight of lawmakers, the media, and the American people.

ENDNOTES - CHAPTER 5

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21. *Ibid.*

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CHAPTER 6

NATIONAL MILITARY STRATEGIES:
A HISTORICAL PERSPECTIVE,
1990 TO 2012

Richard M. Meinhart

The six Chairmen of the Joint Chiefs of Staff between 1990 and 2011—Generals Colin Powell (1989-93), John Shalikashvili (1993-97), Hugh Shelton (1997-2001), Richard Myers (2001-05), Peter Pace (2005-07), and Admiral Michael Mullen (2007-11)—used an unclassified *National Military Strategy* (NMS) to provide strategic direction to the Armed Forces based on guidance from the President and Secretary of Defense and to communicate that direction to Congress and the American people. The Chairman's responsibility as the nation's senior military advisor to provide this strategic direction, along with many other planning, preparedness, and requirements responsibilities, are specified in Title 10 U.S. Code. These increased responsibilities were a result of the 1986 Goldwater-Nichols Act (GNA), considered the most significant piece of defense legislation since the National Security Defense Act of 1947 that established the Department of Defense (DoD).[1] The GNA was the result of almost 4 years of somewhat contentious dialogue and debate among Congress, military leaders, the defense intellectual community, and the Ronald Reagan administration.[2] Congress's intent in passing this Act was to better organize the DoD, strengthen civilian authority, improve military advice to civilian leaders, provide for more efficient use of resources, develop better strategy and plans, and improve mission execution by combatant commanders.[3]

While this chapter will discuss the strategic environment each Chairman faced in more detail when examining each military strategy, the first three Chairmen were challenged by a global environment that began with the Gulf War and continued with an increasing number of regional military operations across the spectrum of conflict as the decade continued. They had to meet these challenges with slowing and declining financial resources and a Cold War-equipped force reduced by about one-third. Since 2000, and particularly after September 11, 2001 (9/11), the last three Chairmen faced different security challenges dominated by the focus on terrorism, most evidenced by wars in Afghanistan and Iraq, while needing to transform in stride by developing future capabilities to achieve the vision of full spectrum dominance. They met these challenges with greater financial resources, better technology, more reliance on activating Reserve forces, and a slow growth in Army and Marine Corps force structure as the decade ended.[4]

The third decade, which began in 2010 and is still relatively fresh at this writing, appears to be significantly different from the previous one in three main ways.[5] First, and perhaps most significant, is that the nation's fiscal issues will result in lower defense spending that will affect service force structure and weapons platforms to a degree as yet unknown. Second, the military's departure from Iraq in 2011 and forecasted force reductions in Afghanistan between 2012 and 2014 will result in significant reposturing of U.S. forces from the decade's beginning. Third, there are broad challenges associated with ". . . a 'multi-nodal' world characterized more by shifting, interest-driven conditions based on diplomatic, military, and economic power, than by rigid security competition between opposing blocs."[6] The rising powers in the Asia-Pacific region, other regional alignments, and the dynamics associated with persistent tension provide context and direction for this third decade. Figure 6-1 summarizes these challenges, identifing key similarities and differences in the strategic environment during these three decades.

1990-1999	2000-2009	2010-2012
• Regional competition and threats	• Global War on Terror & insurgencies	• Persistent tension & violent extremism
• Gulf War	• Wars in Iraq and Afghanistan	• War winding down & Asia-Pacific focus
• Diverse military operations	• Increased operations tempo & stress	• Greater home training & cyber focus
• Declining financial resources	• Increased financial resources	• Decreased financial resources
• Reduced personnel by one-third	• Reserve use & ground force increases	• Reduced force structure
• Need to integrate technology	• Need to transform to capabilities	• Balance capabilities & technology
• Robust overseas bases and forces	• Less global infrastructure	• Less forces stationed overseas
• Well-maintained Cold War equipment	• Sustain, modify & update equipment	• Retire, reset & invest in equipment

Figure 6-1. Chairmen's Strategic Environment Challenges:

1990s vs. 2000s vs. 2010s.

This chapter will focus on how the Chairmen developed and used five different *National Military Strategies* in 1992, 1995, 1997, 2004, and 2011 to respond to those strategic challenges. Since the global environment formed the basis for these challenges and subsequent military guidance, it will form the first part of each specific strategy discussion. Then we examine each of the strategies' key components. Since a strategy generally looks out about 5 years, its key components address how the military learns from the past, responds to current challenges, and helps shape the future. The formal direction provided by these strategies was an important aspect of the Chairman's leadership legacy. As each military strategy was part of and perhaps the key integrating component of an overall strategic planning system used by the Chairman to help execute his many formal responsibilities, this chapter begins by briefly examining from a military strategy perspective this planning system's key components and integrating nature.

JOINT STRATEGIC PLANNING SYSTEM

The Chairman's strategic planning system integrates the processes and documents of the people and organizations above him (the President, Secretary of Defense, and National Security Council) and the organizations with which he directly coordinates (services, agencies, and combatant commands). The Chairman has no direct control over any significant defense resources or operational military forces; however, he has significant formal and informal influence over both. One of the ways he exerts that influence is through the processes and documents developed by the strategic planning system. In addition to influencing leaders, this planning system provides insights and specific direction for the many staffs that support those leaders. It is the key planning system that integrates the nation's strategy, plans, and resources from a joint military perspective. This is a significant task that by FY2010 encompassed approximately 2.3 million active, Guard, and Reserve forces and total defense outlays of $664B.[7]

The Joint Strategic Planning System (JSPS) has formal documents and processes related to environmental scanning, vision, strategy, resources, and plans. It formally evolved five times during this 21-year period in 1990, 1993, 1997, 1999, and 2008 to respond to the Chairman's leadership focus and security challenges. It also changed in structure and complexity to better link with DoD planning documents and associated processes.

The JSPS's initial evolution lowered the number of formal planning documents from 10 before 1989 to four in 1990, and reduced the system's bureaucracy and complexity associated with the Soviet Union's demise. In 1993, the unclassified NMS became a formal document of this planning system. In 1997 and 1999, there were formal vision and additional resource documents added to increase emphasis on the future while providing more focused resource advice in the constrained financial environment of the 1990s. At the decade's end, the JSPS was a very focused and integrated planning system with seven formal documents.[8]

From 1999 to 2008, an unusually long time without a formal system revision, there were additional documents added somewhat incrementally. These focused on subjects such as terrorism, cyberspace, weapons of mass destruction (WMD), and joint operations. The Chairman's vision moved from being a separate document to being embedded directly in the 2004 military strategy and later also articulated in the 2009 Capstone Concept for Joint Operations. In essence, the planning system again became too complex, as was the case prior to 1990, with 11 or more documents, and it was not seamlessly integrated with DoD processes. The significant 2008 revision that took over a year to complete reduced documents from 11 to seven and better integrated them with other Defense documents.[9] While there have been different JSPS environment scanning, planning, and resourcing documents, the unclassified NMS became a key document from its first publication in 1992. Figure 6-2 illustrates a way to envision the overall role of the NMS in the JSPS.[10]

CJCS Strategic Direction Consolidation—NMS

Inputs
- National & OSD Guidance
- NSS and NDS
- Joint Strategy Review Report
- Joint Strategic Review Process
- CJCS Strategy sessions
- Combatant Command/Service input
- JCS Tanks

National Military Strategy (NMS)
- Strategic Environment
- Military Objectives
- Military Ways
- Military Means
- Risk
- Annexes as required

Directs

The Joint Force
- Strategic Plans
- Capabilities Development
- Joint Concepts & Experimentation
- Other activities as needed

Informs

Public
- OSD Activities
- Interagency
- Other activities as needed

Provides consolidated, consistent, accessible, formal direction

Figure 6-2. National Military Strategy.

In the planning system's framework, the *National Military Strategy* gets inputs from many sources. Some inputs are from other national documents such as the *National Security Strategy* (NSS) and *National Defense Strategy* (NDS), which help frame the military strategy's objectives. Other inputs come from other JSPS documents and processes like the Joint Strategy Review Report and Process that help identify the challenges associated with the strategic environment. There are inputs from the service chiefs and combatant commanders and their staffs that provide varied perspectives. All of these inputs help to synthesize national objectives and challenges into a military strategy objec-

tives, ways, and means framework. Congress now requires the Chairman to provide to it (through the Secretary of Defense) an annual assessment of the strategic and military risk to executing this strategy.[11] The NMS directs the Joint Force to develop strategic plans, capabilities, and joint concepts. Finally, it informs many audiences to include other defense and government organizations and the public.

NATIONAL MILITARY STRATEGIES

1989 Military Strategic Context.

At the beginning of 1990, the formal manner by which the Chairman advised the President and the Secretary of Defense on the strategic direction of the Armed Forces was via a classified and rather voluminous *National Military Strategy Document* (NMSD) and a shorter classified national military strategy chapter that was part of the NMSD. Admiral William Crowe published these in 1989 to provide guidance for the resource period of FY92 to 97. The process to produce this strategy was formally linked to the Defense Planning, Programming, and Budgeting System. This was the strategy and planning process that General Powell inherited when he became chairman.[12]

The classified 1989 *National Military Strategy Document* included chapters dedicated to subjects such as: national military objectives, national military strategy, appraisal of U.S. defense policy, intelligence appraisal, fiscally constrained force levels, net assessment options, and risk evaluation.[13] In addition to the basic document, there were seven separate classified annexes on functional subjects that supported the strategy such as intelligence; research and development; and command, control, and communications. The size of some of these annexes exceeded that of the basic document itself, as one annex alone had 11 chapters, 13 tables, and 15 tabs.[14] The 1989 strategy focused on the Cold War and the Soviet Union and articulated the military element in many of the worldwide alliances, such as the North Atlantic Treaty Organization (NATO). The strategy, which assumed a robust nuclear deterrent, included a forward defense with many forces deployed overseas, particularly in Europe and Korea. Rapid reinforcements that could deploy to dispersed operating bases in many nations backed up the forward forces.[15]

1992 National Military Strategy.

The demise of the Soviet Union, a broad global retreat from ideological support of communism, and an inclusive international coalition that reversed Iraqi aggression in Kuwait characterized the strategic environment that influenced the 1992 strategy.[16] On the positive side, democracy was growing in many parts of the world. On the negative side, regional conflicts, animosities, and weapons proliferation that the bipolar world and Cold War had previously constrained now had the potential to intensify. In essence, this was the new world order that President George H. W. Bush articulated in his September 11, 1990, speech to a joint session of Congress and repeated many times later.[17]

The 1992 strategy, which was unclassified and only 27 pages long, was a complete change from the previous one in clarity, conciseness, and strategic direction. While this strategy was published in January 1992, its roots can be traced to the President's *National Security Strategy*, the Secretary of Defense's policies in his *Defense Planning Guidance* and *Annual Report to the President and the Congress*, and General Powell's development of the Base Force. This strategy represented a ". . . shift from containing the spread of communism and deterring Soviet aggression to a more diverse, flexible strategy that is regionally oriented and capable of responding to the challenges of this decade."[18] In essence, this was the most fundamental change in the U.S. military strategy since the global containment strategy and Cold War that began in the 1950s. The military's primary

objective now focused on deterring and fighting regional wars rather than containing a super-power rival.

This strategy was based on the United States providing leadership to promote global peace and security. It was built on the following four foundations:

1. Strategic Deterrence and Defense, which consisted of a credible nuclear deterrent composed of offensive and defensive capabilities;

2. Forward Presence, which consisted of forces continually stationed or deployed worldwide;

3. Crisis Response, which was the ability to respond quickly to more than one regional crisis; and,

4. Reconstitution, which involved the ability to mobilize personnel, equipment, and the industrial base to rebuild military strength.[19]

The strategy also specified eight strategic principles that reinforced those four foundations. These principles were readiness, collective security, arms control, maritime and aerospace superiority, strategic agility, power projection, technological superiority, and decisive force. In concluding, the strategy described how to employ forces and specified the broad military force structure, called the "Base Force," to implement the strategy.

The Base Force, which was determined earlier, comprised strategic nuclear forces, Army divisions, Navy ships, Marine expeditionary forces, and Air Force fighter wing equivalents. When compared to the 1991 force structure, the Base Force was significantly smaller, consisting of the following force composition components: 460 missiles and 16 nuclear submarines from the strategic forces; four active and two Army Guard divisions; 80 naval ships and three carrier battle groups; and seven Active and one Reserve Air Force fighter wing equivalents.[20] The strategy clearly conveyed to the American people, one of the main target audiences if not the most important, why they needed a military and in what size. At that time, the American people and Congress were clamoring for a peace dividend as the end of the Cold War sank in and the euphoria of the 1991 Operation DESERT STORM victory ended.

This strategy's coordination was different from the bureaucratic coordination of other Joint Staff strategic planning documents, which illustrates the flexibility in strategic planning that General Powell achieved. The strategy changed and was interrupted by operational necessity (the Gulf War and the Soviet Union's internal turmoil) from its conceptual beginnings in 1990 to its final publication in January 1992. It did not go through a disciplined 2-year cycle with its associated annexes and formal assessments as specified by the planning system's instructions. Instead, it reacted quickly to changes in the strategic environment and the Chairman's focus. A Joint Staff Officer, Harry Rothman, who was part of the process, gave credit for breaking down the impediments of formal planning processes to General Powell's personal relationships and strategic vision. Rothman wrote, ". . . people and not the process were more important in the forging of the new strategy."[21] General Powell spent considerable energy convincing other senior leaders and converting them to his broad views rather than conducting the detailed coordination at junior or middle levels that usually influenced the content of a Joint Staff planning document.

One other significant aspect about this strategy was the Foreword, which illustrated General Powell's leadership style that combined boldness and humility. The Foreword directly stated that the strategy was his advice, in consultation with other members of the Joint Chiefs of Staff and Commanders of unified and specified commands, and that he presented it to fulfill his responsibility under the GNA to provide such advice. Acknowledging civilian control of the military, the strategy's Foreword also stated that in determining this strategy, he listened to his civilian leadership, as the strategy clearly implemented the President's security strategy and Secretary of Defense's

policies. As the first Chairman totally under the GNA, General Powell created a leadership legacy in this strategy's style and substance. His 1992 NMS was the first unclassified military strategy signed by a Chairman. Lorna Jaffe in her detailed examination of the Base Force, a key part of the strategy, concluded that Powell fully used the enhanced authority of Goldwater-Nichols:

> While he hoped to win the Services to his point of view, he did not aim for either bureaucratic consensus through staff work or corporate consensus through JCS meetings. He never asked the Service Chiefs to vote on either the Base Force or recommending to the Secretary and the President adoption of a new strategy [NMS]. Rather, he thought it was more important to win the Secretary's approval.[22]

1995 National Military Strategy.

The strategic environment when the 1995 NMS appeared was an unsettled world that exhibited both opportunities and threats.[23] The following developments characterized this world: regional instability as evidenced by conflict in the Balkans, Somalia, and Rwanda; concern about the possible proliferation of WMD to hostile regional groups or terrorists from the Soviet Union's break-up; transnational dangers associated with fleeing refugees, diseases, and crime syndicates; and dangers to nations undergoing transition to democratic reform, particularly those in the former Soviet Union. The strategy developed to respond to these challenges was one of two produced by General John Shalikashvili. These strategies looked very similar to General Powell's in style, but they were very different in direction in a few key areas.

The 1995 NMS took guidance from the President's *National Security Strategy of Engagement and Enlargement,* stating the military's main objectives in two simple phrases—promote stability and thwart aggression. While the 1992 NMS addressed thwarting aggression, promoting stability was fundamentally different from anything in the 1992 strategy. The 1995 strategy described a more active use of the military globally to promote stability rather than to react to instances of instability. To achieve these two objectives, the 1995 NMS set forth three components:

1. Peacetime engagement, which was the broad range of noncombat activities to promote democracy, relieve suffering, and enhance overall regional stability;

2. Deterrence and conflict prevention, which ranged from conflict's high end represented by nuclear deterrence to conflict's low end represented by peace enforcement to restore stability, security, and international law; and,

3. Fight and win, which the strategy described as the military's foremost responsibility and defined as the ability to fight and win two major regional contingencies.[24]

In essence, the strategy expected the military to become more engaged in conflict prevention to include conducting missions such as peacekeeping, peace enforcement, and nation assistance—missions not mentioned in the 1992 military strategy.

This *National Military Strategy* identified the military forces necessary to execute the strategy, but earlier work by the Secretary of Defense's Bottom-Up Review had actually determined the force structure outside the formal strategy development process. While the military missions were growing in noncombat areas, the force structure was decreasing from the 1992 Base Force. For example, active Army divisions declined by two, the Air Force lost six fighter wings, and Navy combatant ships went from 450 to 346.[25] In addition, reconstitution, described in the 1992 strategy as forming, training, and fielding new fighting units along with activating the industrial base, dropped out of the 1995 strategy altogether. Hence, maintaining readiness became ever more important as the force became smaller and more frequently used. Chairman Shalikashvili emphasized this readiness requirement in his annual Posture Statements to Congress, where he mentioned readiness significantly more frequency than had Chairman Powell.[26]

This strategy's development was significantly different from that of the 1992 NMS, as it followed the more flexible processes and overall structure outlined in the 1993 JSPS's instructions that changed the strategic planning system. The strategy included information summarized from another strategic planning product, the *Joint Strategy Review*, and reflected the conceptual outline as defined in the 1993 memorandum.[27] This illustrated that formal processes, as well as people, drove the strategy's development, which was in line with General Shalikashvili's leadership style that used interpersonal skills to develop consensus and the strategic planning processes to formalize and implement that consensus.[28] In addition, since this strategy was similar in style to the previous one, an existing strategic planning process could more easily produce an evolutionary as opposed to a revolutionary product.

1997 National Military Strategy.

Opportunities and threats again characterized the strategic environment in 1997.[29] The opportunities were the lower threshold of global war and the potential for a more peaceful world. The four principal threats this strategy identified were:

1. Regional dangers as primarily represented by Iran, Iraq, and North Korea;

2. Asymmetric challenges as represented by state or non-state actors to include terrorists that might possess WMD;

3. Transnational dangers such as extremism, ethnic or religious disputes, crime, and refugee flows; and,

4. Wild cards that could arise from unexpected world or technology events as yet undefined or by a synergistic combination of the other three threats.

To respond to these challenges, the strategy used concepts described by the three simple words of *shape*, *respond*, and *prepare*. These words and concepts were more broadly articulated for all elements of a nation's power in the President's May 1997 *National Security Strategy* and also used in the Secretary of Defense's May 1997 *Quadrennial Defense Review* (QDR). In integrating advice from the President and Secretary of Defense, these words took the following meaning in the military strategy: "US Armed Forces advance national security by applying military power to **Shape** the international environment and **Respond** to the full spectrum of crisis, while we **Prepare Now** for an uncertain future."[30]

The 1997 NMS built on the work of the 1995 NMS, but was different in four main areas:

1. It more specifically identified the asymmetric and wild card threats, which in hindsight could conceptually reflect the characteristics of the al Qaeda organization and the 9/11 attacks 4 years later.

2. It strongly made the case for involving the military in shaping the international environment. While doing so, it clearly emphasized the warfighting aspect when it stated: "Our Armed Forces' foremost task is to fight and win our Nation's wars."[31]

3. It identified the force structure to execute the strategy in greater detail than previously. This force structure was summarized from the Secretary of Defense's first QDR published 4 months earlier. For example, the strategy now identified the required numbers of Army corps, cavalry regiments, and National Guard enhanced brigades; naval attack submarines and amphibious groups; and DoD civilians, Coast Guard personnel, and special operations forces.

4. In preparing for the future, the strategy established an early foundation for the current Joint Force and defense transformation when it identified the characteristics for a multi-mission, joint, and interoperable force. Overall, it had a solid joint focus.

This strategy was also developed using the strategic planning process. It relied on two other 1996 strategic planning documents. The Joint Strategy Review influenced the NMS's assessment of the strategic environment, and the section that covered preparing for the future employed the concepts identified in the 1996 *Joint Vision 2010*. Since the strategy came out in September a short time after the President's May NSS and the Secretary of Defense's first QDR, it illustrated the interconnectivity and strong collaboration that existed among the military and civilian leadership in the National Security Council, Office of the Secretary of Defense, and Joint Chiefs of Staff. While General Shalikashvili signed this strategy during his last month as Chairman, it was fully coordinated with General Shelton, the incoming Chairman.[32]

2004 National Military Strategy.

Prior to the publication of the *National Military Strategy* in 2004, the nation experienced a dramatic change in the strategic environment that started with the terrorist attacks of 9/11, and included Operation ENDURING FREEDOM in *A*fghanistan in October 2001 and Operation IRAQI FREEDOM in March 2003. The military was fully engaged in the War on Terrorism in these two countries as well as in others. A defense strategy being written in concert with this military strategy assigned the persistent and emerging security challenges faced by the United States to the four categories of traditional, irregular, catastrophic, and disruptive.[33]

A traditional challenge referred to states employing well-formed militaries and systems that typified the massive state-on-state warfare characteristic of World War II. Irregular challenges reflected unconventional methods used by either state and nonstate entities against a stronger state, perhaps somewhat akin to what occurred during parts of the Vietnam War. Catastrophic challenges focused on terrorist or rogue use of WMD or methods producing WMD-like effects, which reflected concerns identified in the 1997 strategy. The last category—disruptive—described wildcard events such as competitors making a breakthrough by technological means to overcome the U.S. advantage in a particular operational domain. This last category reflected aspects of the 21st-century environment that previous military strategies had not addressed.

The 2004 NMS amplified these four broad defense challenges with three specific key aspects of the environment that had unique military implications. These three aspects fell under the headings: a wider range of adversaries; a more complex and distributed battlespace; and technology diffusion and access.[34] The wider range of adversaries ran the gamut from established or rogue states to nonstate organizations such as crime syndicates or terrorist networks, and finally to individuals. Complex battlespace included the entire globe, whether in urban or isolated areas, physical space or cyber space, foreign states, or the U.S. homeland. Emphasis on the U.S. homeland was unique to this strategy. Technology diffusion reflected the global availability and easy access to civilian dual-use technologies that determined adversaries could adapt for military use. The last aspect was again very different from that seen in previous military strategies.

To meet these challenges, the military strategy again built directly on defense objectives, as it defined three key supporting military objectives. These three military objectives were organized around three simple words: Protect, Prevent, and Prevail. They were elaborated as: "protect the United States against external attacks and aggression; prevent conflict and surprise attack; and prevail against adversaries."[35]

To achieve these objectives, the strategy did not specify force structure as had previous military strategies. Instead, it emphasized the desired attributes, functions, and capabilities for a Joint Force. It also supported what came to be called a 1-4-2-1 force sizing construct articulated in the defense strategy. This 1-4-2-1 construct postulated that the U.S. military needed to accomplish the following: defend the homeland (1), deter forward in and from four regions (4); conduct two

concurrent defeat campaigns (2) while having the ability to win decisively in one (1) of these two campaigns, and conduct a limited number of lesser contingencies.[36] Overall, this force structure approach provided greater flexibility for future force structure changes in concert with a capability-based approach (in lieu of threat-based), and it clearly had the strongest joint focus of any military strategy to date.

The process to produce the 2004 strategy was very different from those of the other three strategies in many ways. The staff produced a draft of the strategy in 2002 to integrate the guidance of the 2001 QDR and the 2002 *National Security Strategy*. It was not published, as there was some question of the need for such an unclassified NMS, given the ample published material. For example, a defense strategy was part of the QDR, the Chairman provided military specific advice in the 2002 classified *National Military Strategic Plan for the War on Terrorism*, and he provided unclassified operational military advice in 2003 through the *Joint Operations Concepts.* However, Congress exercised its oversight role and cleared up any question on the issues when it passed the 2004 National Defense Authorization Act. This Act required the Chairman to produce a detailed biennial report of the national military strategy in eight specific areas, to include the strategic and military risks inherent in executing the strategy.[37]

The actual writing of the 2004 military strategy followed a very coordinated path, with the Vice Director of Strategy, Plans, and Policy on the Joint Staff declaring: "So we've worked hand in glove with the Secretary of Defense's staff in developing both of these documents."[38] The Defense Staff focused on writing a national defense strategy, the first time this was done as a separate unclassified document, while the Joint Staff focused on writing a national military strategy. As such, one sees the military strategy directly referencing a national defense strategy in many of its sections, which reflects the close collaboration to ensure synchronization and alignment. While the military strategy was completed in 2004 and copies were available on the internet, it was not officially released until a March 18, 2005, press conference when the Under Secretary Defense for Policy and the Joint Staff Vice Director of Strategy, Plans, and Policy discussed the 2005 *National Defense Strategy* and 2004 *National Military Strategy* together.[39]

2011 National Military Strategy.

This strategy characterized the strategic environment as a multi-nodal world of shifting interest-driven coalitions and persistent tension, with the following five specific areas highlighted: (1) demographic trends, (2) prosperity and security, (3) WMD, (4) global commons and globally connected domains, and (5) nonstate actors.[40] Demographic trends focused on the increasing population growth in developing countries, which will present governance challenges especially in coastal regions that are at a greater risk for national disasters. The prosperity and security discussion identified for the first time in any military strategy the nation's debt as a national security risk, while recognizing that greater economic growth of China and other Asian nations would increase their military capabilities. The WMD discussion reflected challenges associated with a nuclear-capable North Korea and Iran's growing nuclear facilities, while recognizing the intersection between nonstate adversaries, all of which creates risk regarding regional stability and nuclear terrorism. The global commons focus recognized the anti-access and anti-denial challenges associated with shared areas of sea, air, and space, to include cyberspace, by both state and nonstate actors. Finally, nonstate actors to include terrorists and criminal networks, when combined with advanced technologies, complicate the problem of achieving deterrence and stability. The main positive strategic environment perspective was that the United States remains the world's preeminent power.

The strategy's preface articulated the direct linkage of this military strategy to the 2010 *National Security Strategy* and the 2010 *QDR.* The NMS specified that the strategy provided the military ways and means to execute direction provided in the other two documents. It articulated an integrated approach: "Our military power is most effective when employed in support and in concert of other elements of power as part of a whole-of-nation approach to foreign power."[41] A key component of this military strategy not found in other military strategies is that it "emphasizes how the Joint Force will redefine America' military leadership to adapt to a challenging new era."[42] The leadership approaches it identifies are facilitator, enabler, convener, and guarantor. These approaches range from indirect to more directive that could occur simultaneously. One could say that we have seen some of these leadership approaches demonstrated with our military assistance and public encouragement associated with the 2011 overthrow of Gaddafi's government in Libya by rebel groups directly supported by NATO air power, of which a large portion was U.S. aircraft.

To respond to these challenges and in accord with the senior leadership focus, the four military objectives were: counter violent extremism; deter and defeat aggression; strengthen international and regional security; and shape the future force.[43] Countering violent extremism, the first time an ideology was specifically identified in an objective, was focused on employing military force in concert with other instruments of power, which explicitly recognized that the military was not always in the lead. As the words connote, deterring and defeating aggression were similar to the concept in previous strategies, but there was more focus on cyberspace and countering anti-access and anti-denial capabilities. Strengthening international and regional security was again similar to that found in previous military strategies with perhaps more emphasis on building partnerships and using alliances, and the overall focus was both globally- and regionally-focused.[44] Shaping the future force was the first time that developing people and taking care of veterans and their families was a separate objective. This last objective incorporated a combination of capability and readiness considerations on how the Joint Force would be developed and maintained within the expected constraints of future budget pressures.

A key aspect of this strategy was the broad conceptual way it articulated the means with no associated force structure or force sizing construct. It greatly differed from the three military strategies in the 1990s that specified the force structure of the services in greater detail as the decade progressed. Further, while the conceptual means is somewhat similar to the broad capabilities prescription in the 2004 NMS, the 2004 strategy did identify an overall 1-4-2-1 defense strategy force sizing construct. A key reason why today's military strategies do not identify force structure is that the QDR does so with greater specificity than earlier QDRs. The Chairman is an active participant in the QDR process to include providing Congress an independent written assessment of the final product as required by law. Hence, military strategies now include less detail on force structure, but have a tighter conceptual focus on how the force will be used.

CONCLUSION

The *National Military Strategy* is the keystone document of an overarching strategic planning system that enabled the Chairman of the Joint Chiefs of Staff as the nation's senior military advisor to execute his formal leadership responsibilities specified by Congress in Title 10 U.S. Code. Since 1990, each of these five strategies identified the military's objectives, ways, and means needed to meet the nation's security challenges broadly identified by the President in his *National Security Strategy.* The NMSs all implemented guidance from the Secretary of Defense as contained in other strategic documents that now include a *National Defense Strategy* and the *QDR.* The unclassified nature of the military strategy, its completion by the Chairman, its integration of civilian guidance, its intent to both provide strategic direction to the Armed Forces and communicate to external

audiences are all legacies of Chairman Powell that continue today. Most importantly, the NMS tells the American people directly why they need a military, what that military will do, and how it will do it, all as part of the military's provision for our nation's security. The NMS essentially creates a compact between the military and the American people that is vitally necessary in today's complex and interconnected global security environment.

ENDNOTES - CHAPTER 6

1. Robert H. Cole *et al.*, *The Chairmanship of the Joint Chiefs of Staff*, Washington, DC: Joint History Office, 1995, p. 30.

2. Richard M. Meinhart, *Chairman Joint Chiefs of Staff's Leadership Using the Joint Strategic Planning System in the 1990s: Recommendations for Strategic Leaders,* Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2003, pp. 2-7.

3. U.S. Congress House of Representatives, *Goldwater-Nichols Department of Defense Reorganization Act of 1986*, *Conference Report (99-824)*, 99th Cong., 2nd Sess., September 12, 1986, Sec. 3.

4. This paragraph reflects the author's assessment from reading national military strategies and attending lectures at the U.S. Army War College. Reserve force use increased with the wars, and there were slight increases in active duty ground forces starting in the 2005 to 2010 time frame as end strength ceilings of Army and Marine Corps were increased by about 65,000 and 29,000, while the Navy and Air Force were reduced by 29,000 and 24,000. Data on force structure comes from *The Army Budget, Fiscal Year 2010*, Association of the United States Army Office, 2009, p. 34.

5. M. G. Mullen, Admiral, U.S. Navy, *The National Military Strategy of the United States of America, 2011*. Discussion of security challenges comes primarily comes from the 2011 NMS, but includes insights associated with weapons systems and force structure from comments made by DoD officials and service chiefs associated with upcoming budget reductions.

6. *Ibid.*, p. 3.

7. *The Army Budget, Fiscal Year 2010*, Association of the United States Army Office, 2009, pp. 25, 33.

8. Richard M. Meinhart, "National Military Strategies 1990 to 2009," in J. Boone Bartholomees, ed., *U.S. Army War College Guide to National Policy and Strategy*, Carlisle, PA: Strategic Studies Institute, U.S. Army War College, Vol II, pp. 105-106, summarizes strategic planning changes. The seven documents were Joint Vision, Joint Strategy Review, National Military Strategy, Joint Planning Document, Joint Strategic Capabilities Plan, Chairman Program Assessment, and Chairman Program Recommendation.

9. *Ibid.*, pp. 106-109.

10. *Chairman of the Joint Chiefs of Staff Instruction, (CJCSI) 3100.01B, Joint Strategic Planning System,* Washington, DC: Chairman of the Joint Chiefs of Staff, December 12, 2008, p. D-3.

11. Title 10 U.S. Code, Chap. 5, Sec. 153 (b), available from *www4.law.cornell.edu/uscode*.

12. Meinhart, *Chairman Joint Chiefs of Staff's Leadership*, pp. 20-21.

13. Chairman of the Joint Chiefs of Staff, *Memorandum of Policy No.7 (CJCS MOP 7), Joint Strategic Planning System*, Washington, DC, 1990. pp. 30-39.

14. Meinhart, *Chairman Joint Chiefs of Staff's Leadership*, pp. 14-15.

15. Harry E. Rothman, *Forging a New National Military Strategy in a Post Cold War World: A Perspective from The Joint Staff,* Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 1992, p. 4.

16. Colin L. Powell, *National Military Strategy of The United States*, Washington, DC: January 1992. Discussion is based on this source.

17. George H. W. Bush, September 11, 1990, available from *millercenter.org/president/speeches/detail/3425*.

18. Powell, p. 1.

19. *Ibid*. Foundations and principles are identified on pp. 6-10.

20. *Ibid*., p. 19. The data come from comparing the FY 91 and Base Force differences from the Force Composition table in the National Military Strategy.

21. Rothman, p. 1.

22. Lorna S. Jaffe, *The Development of the Base Force 1989-1992*, Washington, DC: Joint History Office, p. 50.

23. John M. Shalikashvili, *National Military Strategy of The United States,* Washington, DC, 1995. Discussion is based on this source.

24. *Ibid*. For a more comprehensive understanding, refer to pp. 8-17.

25. Les Aspin, *Report on the BOTTOM-UP REVIEW,* October 1993, available from *www.fas.org/man/docs/bur/part04.htm*. Comparison of force structure in the 1992 Strategy with the force defined in the Bottom-Up Review.

26. Richard M. Meinhart, *Strategic Planning Through an Organizational Lens,* ProQuest UMI Dissertation Services, 2004, pp. 104-107. Chairman Shalikashvili mentioned readiness an average of 28 times versus Powell's average of 3.

27. Author's assessment from comparing the six sections in MOP 7 1993 with sections in the 1995 NMS.

28. Meinhart, *Chairman Joint Chiefs of Staff's Leadership*, pp. 39-41.

29. Shalikashvili, *National Military Strategy of The United States*, 1997. Discussion that follows in this and later paragraphs is taken from this source. For a more comprehensive understanding of these challenges, refer to pp. 8-10.

30. *Ibid*., p. 11.

31. *Ibid*., p. 5.

32. Meinhart, *Chairman Joint Chiefs of Staff's Leadership*, pp. 24-26.

33. Richard B. Myers, *National Military Strategy of the United States of America,* Washington, DC, 2004. Discussion is taken from this source.

34. *Ibid*., For a broader understanding of these challenges refer to pp. 4-6.

35. *Ibid*., p. 8.

36. *Ibid*., pp. 18-19; and Donald H. Rumsfeld, *The National Defense Strategy of The United States of America*, Washington, DC, 2005, pp. 16-17.

37. House Report 108-354, "National Defense Authorization Act for Fiscal Year 2004, Section 905 Biennial Review of the National Military Strategy by Chairman Joint Chiefs of Staff," available from *thomas.loc.gov/cgi-bin*.

38. Douglas Feith and William Sullivan, News Transcript "Special Defense Department Briefing," March 18, 2005, available from *www.defense.gov/transcripts/transcript.aspx?transcriptid=2512*.

39. *Ibid*.

40. Mullen. The strategic environment discussion is summarized from pp. 2-4.

41. *Ibid*. Quote is from the document's letter signed by the Chairman, February 8, 2011, preceding the strategy.

42. *Ibid*.

43. *Ibid*., National Military Strategy objectives discussion is summarized from pp. 4-20.

44. *Ibid*, p. 10.

CHAPTER 7

**PRESENT AT THE COUNTERREVOLUTION:
AN ESSAY ON THE 2005 NATIONAL DEFENSE STRATEGY
AND ITS IMPACT ON POLICY[1]**

Nathan P. Freier

In the wake of September 11, 2001 (9/11), the war against Afghanistan's Taliban "government," the start of a worldwide conflict against extremists, and the fall of Baghdad, Secretary of Defense Donald Rumsfeld chartered a comprehensive reappraisal of the "transformational" strategy he outlined in the 2001 *Quadrennial Defense Review* (QDR 01).[2] The shock of 9/11, the wars occurring in its wake, and a growing insurgency in Iraq had profound impacts on the course of the strategy review. The Department of Defense's (DoD) quick relook at QDR 01 occurred in late-2003 and early-2004. It ended with publication of *The National Defense Strategy of the United States of America* (NDS 05) in March 2005.[3] NDS 05 overturned much of QDR 01's worldview. Indeed, that worldview officially lasted a little over 2 years—even shorter if one considers that DoD finished the formal 4-year defense review just prior to 9/11 and published it while the Pentagon still smoldered.

THE COUNTERREVOLUTION TO THE REVOLUTION IN MILITARY AFFAIRS

By 2003-04, it was clear the assumptions and strategy underpinning QDR 01 were out of synch with strategic conditions. QDR 01 was largely an aspirational document, a 100-level survey course on how we might dominate the Revolution in Military Affairs (RMA). It focused on the capabilities defense leaders wanted in response to threats that might emerge from the RMA versus those they needed now to confront threats that had recently emerged and would persist. The course of history between 9/11 and late-2003 provided a tragic but perversely necessary call to action for the defense establishment in this regard. NDS 05 laid a foundation for a long-overdue defense adjustment to strategic conditions that had emerged since the end of the Cold War and the sudden jolt of 9/11. These conditions were radically different from those DoD was originally chartered and designed to confront.

In the end, NDS 05 was not simply a reaction to 9/11, the War on Terror (WoT), or unconventional conflicts in Iraq and Afghanistan. To those of us involved in what became DoD's first post-9/11 strategy development exercise, these all were emblematic of more fundamental changes in the character of future defense demands. As a consequence, we concluded very quickly that the secretary's transformation agenda was in part misdirected. Given new defense demands, we were concerned that DoD was transforming itself, at best, toward limited utility and, at worst, toward strategic irrelevance.

NDS 05 proceeded from the hypothesis that consequential competition and resistance themselves were in the midst of revolutionary transformation, a kind of accidental counter-revolution to the RMA. While there may have been an RMA underway, we concluded that much of it rested squarely in the realm of traditional military competition, an area still dominated by the United States. Therefore, we argued that traditional—albeit "transformed"—military competition emerging from it was neither the likeliest nor the most important for DoD.[4]

In the end, NDS 05 made a simple and compelling argument. The character of the nation's most meaningful security challenges shifted dramatically with the collapse of the Soviet Union, but the national security establishment (including DoD) had failed until now to fully account for the significance of the shift. We concluded that the most important defense challenges would be more

unconventional than those common to the Cold War. And, as a result, DoD would have to accept and affect dramatic change in its orientation, missions, and culture to adjust; a much different form of "change" than that argued for in QDR 01.

BOTTOM LINE: NDS 05 REFRAMED DOD'S STRATEGIC PRIORITIES

The strategic ground shifted in Washington between September 2001 and October 2003. The 2 years after 9/11 marked a bellwether period for defense and national security strategists. The new millennium opened with the new U.S. administration focusing on military competition with a rising "asymmetric" China. By 2003, that same administration and its Defense Department radically changed course, focusing—perhaps to a fault—on a new set of challenges emanating from a troubled Muslim world. The limits of American military power vis-à-vis these newly recognized forms of resistance were increasingly apparent. As a consequence, the most influential defense and security policymakers had to revisit and change prevailing assumptions about the relative importance of a range of new threats.[5]

There were a number of important defense-relevant questions left open in the immediate post-9/11 period. Answers to them would have dramatic effects on the future of DoD. Among them: Were changes in the strategic environment additive—new challenges added to old—or instead qualitative—new challenges replacing old? Had a revolution occurred in the character of competition and hazard for the United States? And if so, were unconventional threats and their associated costs more significant to DoD than all possible traditional challenges on the planning horizon? Finally, would DoD's continued fixation on traditional conflict ultimately equate to dangerous under-preparedness for other forms of resistance and friction?

Those of us chartered to craft the new defense strategy believed that answers to these questions were sufficiently clear to merit a new focus for DoD. The strategic environment within which the United States would defend its people, interests, and position was changing qualitatively. Strategically significant competition with state and nonstate rivals was migrating away from the traditional military domain. Thus, violent conflict—the *sine qua non* of DoD—would increasingly assume what came to be labeled irregular, catastrophic, disruptive, and hybrid forms. Finally, continued employment of 20th-century military convention to protect, exercise, and extend U.S. influence may actually undermine our position and interests. In short, new challenges demanded fundamentally new responses. The nature and form of defense-relevant competition with and resistance to the United States had changed—likely long before 9/11. However, DoD and the wider U.S. Government (USG) were just now catching up.

NDS 05 was the first attempt to make up ground and adapt the defense enterprise in this regard. It was also the first unclassified, stand-alone articulation of defense strategy in DoD's history. Among its most prominent contributions, NDS 05 gave birth to a novel and controversial description of the strategic environment and its "four mature and emerging challenges"—traditional, irregular, catastrophic, and disruptive (see Figure 7-1).[6] The controversy surrounding the four challenges stemmed in large measure from their imperfect representation in the once ubiquitous DoD "quad chart." And, furthermore, overuse of that depiction in defense deliberations.

Important nuance and meaning associated with the four challenges were lost in policy debates that preceded and followed NDS 05's publication. In short, the "quad chart" never really offered a complete description of the emerging strategic environment to those responsible for producing it. We had a more sophisticated concept of competition, resistance, and hazard in mind when we came up with the four challenges, a concept that is inherently difficult to communicate effectively with a single (now familiar) PowerPoint design. We failed to fully explain it and, in true Washington fashion, its consumers and users across DoD rushed to interpret it in terms that were most

Figure 7-1. The Four Mature and Emerging Challenges.[7]

favorable to their institutional perspective and budget/acquisition priorities. We intended for the quad chart to start conversations. Others were keen to use it to end them.

In spite of the criticism, NDS 05's abstract characterization of the environment's principal challenges and their associated hazards remained largely uncontested inside the Pentagon for the next 4 years. In fact, I can reasonably argue here that the "four challenges" and NDS 05's general description of defense responses to them had profound impacts on defense policy and culture for the remainder of the decade. From a policy perspective, NDS 05 can also be credited with initiating a chain of evolutionary steps across DoD that reoriented the enterprise away from its traditional warfighting bias and toward a more complex, less conventional defense future. History and the weight of events were clearly pushing DoD in this direction. But, NDS 05 served to capture and shape the character of new defense trends in this regard. That evolution away from a traditional warfighting focus continues today.

NOTHING HAPPENS FAST IN WASHINGTON, BUT THIS DID

Substantive work began on NDS 05 in mid-October 2003 and was largely over by February 2004. Work on NDS 05 was initiated in response to the impending release to Congress of the Chairman of the Joint Chiefs of Staff's (CJCS) 2004 National Military Strategy (NMS). By law, the NMS had to be transmitted to Congress no later than February 15, 2004, according to the FY 2004 National Defense Authorization Act (NDAA).[8] When the draft NMS was sent to Secretary Rumsfeld for comment and endorsement, he is purported to have asked why the definitive public statement of defense strategy from inside DoD came from the CJCS and not—consistent the tradition of civilian control—from the Secretary of Defense (SecDef).[9] A fair point. A short, high-level debate ensued.

This seemingly pedantic policy debate was catalytic for DoD. Civilian defense policy officials saw it as an opportunity for DoD to: 1) reassert civilian primacy over defense strategy; 2) adjust DoD's trajectory given the events of the past 2-plus years; and, finally, 3) preempt and finish

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debates about defense strategy in advance of the 2005-06 QDR. The vehicle for all of this would be a national defense strategy (NDS). This left the already completed NMS as the CJCS's instrument for operationalizing the defense secretary's vision inside the military.

Initially, two staff officers (one military, one civilian) in the Office of the Undersecretary of Defense for Policy (OUSDP) were tasked to review and revise QDR 01's strategy to more fully account for the conditions that had changed since 9/11. Thus, NDS 05 was originally intended to be an update, not a rewrite. The author and Mr. D. Burgess Laird were the two individuals assigned to the mission. The deadline for completion of the work was the end of January 2004. That deadline coincided with the next major conclave of defense senior executives (the SecDef, Dep-SecDef, all defense undersecretaries, the JCS, and all combatant commanders). In the secretary's view, delivering a new draft strategy at that level would limit parochial debate and get the strategy "in the field" much faster. As a draft NMS existed already, policymakers decided to synchronize language in the two documents by iterating the drafts between OSD Strategy and J5 Strategy.

There was very little time between mid-October 2003 and the end of January 2004. Standard practice and processes for an initiative like this were therefore impractical. Thus, direct participation in the work was limited by design to the two working-level OSD strategists, their supervisors, key senior civilian leaders above them, and their uniformed counterparts on the Joint Staff. The author has characterized this approach as a "modified black box."

Those outlined above were officially "in the box." The "modification" was informal but direct contact and consultations between the principal OSD strategists and their counterparts in the service staffs, in other relevant OSD offices, and in key intelligence positions. These consultations occurred as required and enabled the OSD team to test key concepts throughout the process. This "modified black box" approach is anathema to routine Pentagon processes that generally involve "a cast of thousands" from initiation. Participation in this process—to the extent one can call it a process—was purposefully much more limited. This approach proved to be providential, as even the earliest drafts of NDS 05 were more internally consistent than past strategy documents and, thus, more likely to survive formal staffing intact.

In retrospect, noticeably absent from the black box "modification" were working-level representatives of the combatant commands (CoComs) and the interagency.[10] Time and prevailing culture in OSD at the time were responsible for this. Some among the former (CoComs) were let into the box when convenient. With respect to the latter, comprehensive whole-of-government participation in the process clearly would have been an advantage. However, as students of defense and national security affairs well know, that has long been an unrealized aspiration. And, it will not likely change soon.

What began as revision of an existing strategy, ended as a near-complete rewrite, after the strategy team recommended a "back to the drawing board" approach early in its initial review of QDR 01. Given both political considerations and limited time, there was naturally some reluctance for a complete rewrite at higher levels. However, again the author understands that the SecDef himself endorsed the idea of wholesale revision when the option was briefed to him.[11]

In the end, there was only one non-negotiable point in this regard. The labels *Assure*, *Dissuade*, *Deter*, and *Defeat* would remain central to the document.[12] However, even these were subject to significant redefinition in order to conform to a new, post-9/11 worldview. They were also demoted from their position of primacy as defense *ends* ("goals" in QDR 01 parlance) and instead, identified in the NDS 05 as *ways* (i.e., "How We Accomplish Our Objectives").[13] A new set of "strategic objectives" supplanted them as *ends* in the new strategy.[14]

NDS 05 was largely complete, distributed for comment, and accepted in concept by key stakeholders prior to the January 2004 deadline. In the end, however, formal coordination and socialization across DoD proved to be more laborious endeavors than perhaps the secretary anticipated by

his jumping the formal staffing chain. Fourteen months of official staffing passed between effective completion of NDS 05 in January 2004 and official publication in March 2005.[15] The strategy was officially rolled out long after the two original working-level strategists departed for other duties.[16] However, by design, a number of NDS 05's key concepts had already entered the public debate.[17] This amounted to a kind of rolling "socialization," where key ideas were infiltrated into the wider defense discussion, as they were accepted by senior defense leadership and the charter members of the "black box."

The corporate reevaluation of QDR 01 that resulted in NDS 05 necessitated asking and answering some impertinent questions given powerful predilections inside DoD for high-tech military transformation. Doing otherwise though—ignoring what some considered at the time to be real gaps in QDR 01's analysis and scope—might have impeded essential change. Broadly speaking, success in NDS 05 relied on a quick elemental investigation into the primary defense-relevant challenges facing the United States and DoD's role in confronting and managing them. Ultimately, this foundational investigation resulted in three new big defense ideas.

NDS 05'S THREE BIG IDEAS

The idea that QDR 01's foundational strategy needed rewriting hinged on careful consideration of the original strategy's focus and a comparison of that focus to the realities confronting U.S. forces in the field. We felt from the start that those who crafted QDR 01 over-militarized the landscape and its challenges, weighting their recommended strategic design heavily toward a transformed idea of traditional military superiority.

In QDR 01's logic, the most significant challenges would continue to be nails and the solutions to them increasingly more capable, complex, and technically advanced hammers. In short, nothing would be novel about the sources of consequential competition—only the quality of that competition and the physical address of the competitors. Aggressive states would remain the dominant sources of strategic hazard, and they would largely continue competing with the United States in ways that were novel technically and operationally but by no means unrecognizable from past periods of military rivalry.

QDR 01 was replete with references to anticipated "asymmetric" competition.[18] However, the most important asymmetric threats by its definition would continue to manifest themselves in well-recognized forms of military rivalry—principally, rising great powers and rogue states employing ballistic missiles and weapons of mass destruction (WMD) to limit American regional influence and, at times, hold the U.S. homeland at risk directly. [19] Further still, though ostensibly founded on the principal of "uncertainty" and, thus, trumpeting a "capabilities-" versus "threat-" based approach to strategy, QDR 01 focused implicitly on the certainty of future military competition with China. [20] It was classical realism redux.

In QDR 01's vision, the grand strategic dynamics of the nation's military future would look very much like its Cold War past. This view came from influential defense intellectuals who had declared meaningful military competition with the United States a decade or more off in the future. Those holding this view sought to hinge future American military success on careful exploitation of what they thought was a "strategic pause" in meaningful competition. They believed that the United States should seize the opportunity afforded by the pause to undertake a transformational "leap ahead" in military capability.[21]

In drafting NDS 05, we rejected this view and thus, also by implication questioned the validity of DoD's on-going transformation. Candidate Bush argued in 1999, "The best way to keep the peace is to define war on our terms."[22] We concluded that the defense establishment had redefined

war in QDR 01 (and likely since the end of the Cold War) as it would prefer to see it versus as it was or as it most likely would become.[23]

From our perspective, QDR 01 failed to acknowledge that real power and its effective employment no longer adhered to 20th-century realist convention alone. Continued American primacy relied only in part on retention of dominant traditional military capacity—transformed or not. We concluded that traditional military superiority neither guaranteed broad spectrum primacy nor accounted for new forms of unconventional competition and resistance effectively. We also felt that the playing field DoD would have to fight through was itself both more complex and more level than QDR 01 acknowledged. The "leveling," however, was less a function of our state-based opponents' military advances (although that was important) and more a function of an expanded challenge set and the wide diversity of its individual threats.

Until DoD initiated work on NDS 05, it corporately continued to bind its relevance to the narrow maintenance of traditional military dominance alone. This was true in spite of the fact that meaningful competition and resistance against the United States were straying further and further away from the traditional domain. It was clear that, despite recent experience, DoD continued to assess strategic risk only in the context of traditional conflict with great or lesser powers. In fact, it did so in ways not dissimilar to the net and risk assessments that dominated the Cold War. Therefore, though most concluded that years of demonstrated U.S. military superiority would continue to drive opponents toward new areas of competition, defense risk was nonetheless still pegged against DoD's ability to conduct large-scale traditional campaigns. This view of risk assessment seemed to rely on the United States facing both the unlikeliest and the most favorable strategic circumstances at the same time—purposeful traditional conflict focused squarely at the jaws of U.S. advantage.

NDS 05 deliberately worked to deconstruct this perspective. The result was three new big defense ideas.

The First "Big Idea": The New Normal—Persistent Conflict.

We concluded that the new strategic and operational state of nature would see the United States buffeted by persistent conflict, resistance, and friction.[24] Those of us responsible for drafting NDS 05 saw competition with and resistance to the United States as endemic. The reality was that the United States had entered an era where conflict on some level was the norm and peace by most definitions the exception. In hindsight, NDS 05 served to artificially focus this "big idea" of "persistent conflict" on the WoT. It was, however, meant to be more comprehensive than that. In our view, widespread, defense-relevant resistance to the United States was a natural by-product of primacy. By virtue of its power, the United States both drew more purposeful opposition and had a greater duty to act globally against threats to stability.

We concluded that defense-relevant competition with and resistance to the United States was neither exclusively confined to the conflict with extreme Islam (our immediate real world challenge) nor was it driven solely by a future showdown with a rising near-peer like China (the implicit focus of QDR 01). We felt strategic circumstances were more complex and irreducible than either of these suggested. And, thus, by implication, a wider range of threats and challenges would be important to DoD over time.

Some discrete challenges to the United States would arise from purposeful resistance—predictable antibodies to singular superpower. Others would originate in environmental discontinuities triggered by globalization and the dissolution of key aspects of effective sovereign control. Regardless of origin or purpose, however, most would be decidedly less traditional in their prevailing character, and all were certain to test U.S. primacy in unique ways.

In this construct, some opponents acted alone against the United States and its interests according to discrete designs. Some acted purposefully against the United States in concert with others, sharing active limitation of U.S. influence as a common goal. Few, however, enjoyed a common vision for strategic outcomes. In other instances, the environment itself—un- and under-governance, weak or failing political order, and even natural or human disaster—would inhibit successful pursuit of U.S. objectives and require defense intervention. Though uncoordinated and often competing, the strategic effects of all of these competitors and competitive forces would likely combine.

Implicit in this recognition of persistent conflict was the need to reorient much of the department's intellectual energy away from conceptual preparation for speculative future challenges and instead direct it against the near- to midterm threats about which we were more certain. After almost 9 years of constant war, the recent QDR (QDR 10) is credited with being the first to truly put the current wars at the forefront of defense strategy and planning. NDS 05, however, can take some credit for reorienting defense planning away from what amounted in QDR 01 to a more theoretical focus on future challenges and toward a much more practical near-, mid-, and long-term look based both on recent experience and known trends. Frankly, from NDS 05 forward strategy and policy by necessity would have to be far less "capabilities-based" than many would prefer, as the United States fought real wars with real enemies in two-plus active theaters.

The Second "Big Idea": The Rise Of *Irregular*, *Catastrophic*, *Hybrid*, and in the Future, *Disruptive* Challenges.[25]

Consistent with the above description, we concluded that the United States now operated inside a band of constant, unrelenting resistance and friction where a range of discrete competitors tried to limit U.S. influence through a variety of unconventional, cost-imposing strategies. Our view was that, at present and well into the future, unconventional threats would challenge U.S. interests more consequentially than any probable combination of traditional military challenges (legacy or transformational). The prominence and virulence of new unconventional threats was exacerbated by visible erosion of the authority and reach of some sovereign governments as well.

The range of consequential actors had expanded exponentially. While the United States consistently demonstrated its capacity to defeat traditional military competitors, it had not proven as successful against determined unconventional resistance. In light of this, we assumed that America's most consequential competitors had already consciously ceded much of the traditional domain to the United States, opting instead to compete in alternative domains.[26] They likely saw traditional military competition with the United States as pointless, unnecessary, and self-defeating. It engendered enormous—even existential—hazards. In short, the downsides far outpaced any possible advantages. Thus, going forward, while the United States could not ignore the traditional capabilities of hostile states, it also could not succeed without increasing its capacity to compete effectively against a broader range of less traditional threat capabilities and methods. We, therefore, concluded that irregular, catastrophic, and hybrid challenges should rise to primacy in defense strategy and planning.

The Third and Final "Big Idea": Defense "Transformation" Had To Be Remade and Retargeted.

As discussed above, mounting evidence suggested that traditional U.S. military superiority was necessary but not sufficient for success. The idea of the "lesser included case"—where the United States armed exclusively for high-intensity traditional warfare and handled everything by exception through ad hoc adjustment—was now dead. Indeed, we concluded that it was increasingly likely that the United States and its Armed Forces would confront an array of capable non-

state and state competitors under conditions of considerable strategic and operational ambiguity where success and failure are often very difficult to define. Therefore, reorientation of defense transformation away from a near-exclusive focus on high-end, traditional military capacity was an essential adjustment to 21st-century demands. Failure to do this would result in the United States accruing enormous risk precisely in those areas where recent history had proven it to be most vulnerable, leaving a great deal of the defense establishment irrelevant to combating what were becoming the likeliest and most important near- to midterm threats.

Further still, we concluded that the environment would never universally conform to the pre-conflict, war, and post-conflict model against which DoD had long pegged its relevance and readiness. DoD's pre-9/11 worldview envisioned deliberately ramping up military capabilities to fight high-intensity combat engagements, fighting those engagements, and then ceding primary responsibility for final conflict resolution to other USG agencies. Now, however, DoD was elemental to (and often responsible for leading) a constant whole-of-government effort to manage consequential competition and resistance perpetually. Thus, defense transformation—to the extent it occurred—would have to occur "in stride" as the United States actively defended its interests in perpetuity. "In stride" transformation too would have near-, mid-, and long-term components.

CONCLUSION

Starting with NDS 05, DoD began to assess and appreciate on-going environmental changes more realistically and judge the relative significance of those changes for future defense policy. Unlike QDR 01, NDS 05's strategy was not just a vehicle for articulating transformational policy and capability aspirations. Instead, it was a mechanism for adapting DoD's culture to more effectively manage the defense-specific response to persistent and largely unconventional resistance to U.S. influence. To be sure, there is a great deal of truth to the argument advanced by some critics that—like most public policy pronouncements in the national security field—NDS 05 was heavy on concept and light on detail. However, there is very little question that the strategy did have a pronounced effect on the prevailing defense culture, particularly with respect to the aperture used to examine the environment and the lexicon employed to describe the environment's principal challenges. While it was replaced by a new strategy in the summer of 2008, it did leave an indelible mark on DoD.

ENDNOTES - CHAPTER 7

1. This chapter was adapted from the author's 2007 monograph, *Strategic Competition and Resistance in the 21st Century: The Traditional, Irregular, Catastrophic, and Hybrid Challenges in Context*, Carlisle, PA: Strategic Studies Institute, U.S. Army War College. The author was one of two working-level strategists responsible for early development of the 2005 *National Defense Strategy* while assigned to the Office of the Deputy Assistant Secretary of Defense for Strategy from AY 2003 to July 2004. The other working-level strategist was Mr. D. Burgess Laird, who at the time was a civilian employee of the Department of Defense.

2. See *Quadrennial Defense Review Report*, Washington, DC: Department of Defense, September 30, 2001 , pp. 11-16, available from *www.defense.gov/pubs/pdfs/QDR2001.pdf*. (Hereafter QDR 01.)

3. See *The National Defense Strategy of the United States of America*, Washington, DC: Department of Defense, March 2005, available from *www.dami.army.pentagon.mil/offices/dami-zxg/National%20Defense%20Strategy%20 Mar05-U.pdf*. (Hereafter NDS 05.)

4. While reviewing the content of the monograph on which this work was based with Mr. D. Burgess Laird on January 17, 2007, the author was reminded of working-level conclusions about the four challenges, their interrelation-

ship, and their place in the context of past defense reviews. In those conversations in 2003-04, Laird and the author concluded that disruptive challenges would often arise through the evolution of traditional capabilities. Thus, just as irregular and catastrophic challenges likely represented a single continuum, so too did the traditional and disruptive. Employing the language of NDS 05, QDR 01's heavy emphasis on the RMA and defense transformation revolved around the United States maintaining its competitive edge along the traditional-disruptive axis while hedging against catastrophic challenges.

5. For a view of the Bush administration's pre-9/11 assumptions and defense priorities, see George W. Bush, "A Period of Consequences," Speech at The Citadel, South Carolina, September 23, 1999, available from *www.citadel.edu/pao/addresses/pres_bush.html*; Donald H. Rumsfeld, "Guidance and Terms of Reference for the 2001 Quadrennial Defense Review," Washington, DC: Department of Defense, June 22, 2001, available from *www.comw.org/qdr/qdrguidance.pdf*; and DoD, QDR 01. The most definitive and consistent expressions of the Bush administration's defense priorities prior to 9/11 came from Candidate Bush's Citadel address in September 1999, the 2001 QDR terms of reference, and the 2001 QDR report itself. These all focused defense priorities on preparing to confront rising great powers and rogue states who might challenge the United States through niche asymmetric military capabilities—including ballistic missiles, WMD, etc. Some attention was paid to terrorism in each of these. However, the thrust of the terrorist discussion in all three focuses on terrorist acquisition and employment of WMD.

6. See NDS 05, pp. 2-4.

7. Ryan Henry, "Deterrence and Dissuasion for the 21st Century," Briefing to the IFPA-Fletcher Conference, December 14, 2005, p. 3, available from *www.merln.ndu.edu/archive/NSS/DoD/Ryan_Henry.ppt*.

8. See 108th Cong., Public Law 103-186, "National Defense Authorization Act for Fiscal Year 2004," November 24, 2003, available from *www.DoD.mil/DoDgc/olc/docs/2004NDAA.pdf*.

9. This observation comes from the author's observation of events as a member of the Office of the Deputy Assistant Secretary of Defense for Strategy. While not present when the Secretary asked this, the author understands from conversations with supervisors at the time that the Secretary did ask this question in some form.

10. These informal consultations resulted in the Army's early adoption of the concept of "persistent conflict," as early versions of the strategy began with words like "the United States has entered a period of persistent conflict and resistance." Later language in the defense strategy was changed to "America is a nation at war," while the Army retained and perpetuated the concept of "persistent conflict."

11. *Ibid*.

12. QDR 01, pp. 11-12.

13. NDS 05, pp. 7-8.

14. *Ibid*., pp. 6-7.

15. Naturally, some editing occurred during official staffing. Nonetheless, the core elements of NDS 05 remained intact throughout. The strategy was released publicly on March 18, 2005.

16. The author would like to acknowledge the follow-on contributions of new strategy team members that picked up work on NDS 05, when both Mr. Laird and he left for new duties. They included: Ms. Amy Chao; Ms. Leslie Hunter, and then-Lieutenant Colonel Tom Cosentino. Mr. Laird left OSD in the spring of 2004 for the private sector, and the author left for an assignment at the U.S. Army War College.

17. See, for example, the discussion of the four challenges in Department of Defense, Report Required by Section 2912 of the Defense Base Closure and Realignment Act of 1990, as amended through the National Defense Authorization Act for Fiscal Year 2003, March 2004, pp. 19-22, available from *www.defense.gov/brac/docs/04_0_body 032403.pdf*.

18. See QDR 01, p. 3. For example, QDR 01 observes, "(T)he United States is likely to be challenged by adversaries who possess a wide range of capabilities, including asymmetric approaches to warfare, particularly weapons of mass destruction."

19. See *Ibid*.; and Bush, 1999. QDR 01 observes, "As the September 2001 events have horrifically demonstrated, the geographic position of the United States no longer guarantees immunity from attack. . . . (I)t is clear that over time an increasing number of states will acquire ballistic missiles with steadily increasing effective ranges." Later, the report observes, "The pervasiveness of proliferation . . . has increased the availability of technologies and expertise needed to create military means to challenge directly the United States and its allies and friends. This includes the spread of CBRNE weapons and their means of delivery, as well as advanced conventional weapons." In this regard, the authors of QDR 01 implied that strategically significant competition would still principally originate from state actors employing advanced military technologies in innovative ways. Toward that end, they focused primarily on state-based adversaries' operational military capabilities, particularly ballistic and cruise missile technology and weapons of mass destruction. This is consistent with the vision of Candidate Bush who observed,

(W)ith the spread of technology, distance no longer means security. North Korea is proving that even a poor and backward country, in the hands of a tyrant, can reach across oceans to threaten us. It has developed missiles capable of hitting Hawaii and Alaska. Iran has made rapid strides in its missile program, and Iraq persists in a race to do the same. In 1996 . . . a Chinese general reminded America that China possesses the means to incinerate Los Angeles with nuclear missiles.

20. See QDR 01, p. 4; and Joseph S. Nye, "US Power and Strategy After Iraq," *Foreign Affairs*, Vol. 82, Issue 4, July/August 2003, p. 2. QDR 01 has no direct references to China. However, there are strong indications of a focus on China embedded in it. For example, the report asserts, "Asia is gradually emerging as a region susceptible to large-scale military competition." Later on the same page, it observes, "Maintaining a stable [military] balance in Asia will be a complex task. The possibility exists that a military competitor with a formidable resource base will emerge in the region. The East Asian littoral—from the Bay of Bengal to the Sea of Japan—represents a particularly challenging area." Nye would argue that this reflected the administration's overall view of the international system. Nye observed later in 2003, "George W. Bush entered office committed to a realist foreign policy that would focus on great powers such as China and Russia and eschew nation-building in failed states of the less developed world. China was to be 'a strategic competitor,' not the 'strategic partner' of Bill Clinton's era."

21. See National Defense Panel (NDP), Transforming Defense: National Security in the 21st Century, Report of the National Defense Panel, December 1997, p. I, available from *www.dtic.mil/ndp*; Steven Kosiak, Andrew Krepinevich, and Michael Vickers, *A Strategy for a Long Peace*, Washington DC: Center for Strategic and Budgetary Assessments, January 2001, p. 19; and Bush, 1999. These ideas first saw quasi-official ascendancy in the 1997 report of the National Defense Panel (NDP). The NDP observed, "Today we are in a secure interlude following an era of intense international confrontation . . . The United States needs to launch a transformation strategy now that will enable it to meet a range of security challenges in 2010 to 2020." Kosiak *et al*., observe in their footnote 4, "Leap ahead, as used in a transformation context, means capabilities that are compatible with an emerging military regime. Advances within an existing warfare regime, no matter how revolutionary . . . will usually fail to meet this test." Later, Candidate Bush implied that pause and leap ahead were cornerstones of his defense transformation agenda when, during the campaign, he observed, "My third goal is to take advantage of a tremendous opportunity—given few nations in history—to extend the current peace into the far realm of the future."

22. Bush, Citadel Speech, 1999.

23. See NDS 05, p. iii. Ultimately, we captured this very idea in the SecDef's forward. In it, the Secretary states, "This National Defense Strategy outlines our approach to dealing with challenges we likely will confront, not just those we are currently best prepared to meet."

24. See, for example, Richard K. Betts, Spring 2002, p. 8; Stephen M. Walt, "American Primacy: Its Prospects and Pitfalls," *Naval War College Review*, Vol. 55, Issue 2, Spring 2002, p. 8, available from *www.nwc.navy.mil/press/Review/2002/spring/art1-sp2.htm*; and Stephen G. Brooks and William C. Wohlforth, "American Primacy in Perspective," *Foreign Affairs*, Vol. 81, Issue 4, July/August 2002, p. 5, available from *proquest.umi.com/pqdweb?did=128867981&sid=2&Fmt=3&clientld=20167&RQT=309&VName=PQD*. Betts observed, "Primacy has two edges—dominance and provocation." Walt argued, "The tendency for the strongest power to provoke widespread opposition is probably the central challenge of contemporary U.S. foreign policy." Finally, Brooks and Wohlforth observed, "The world finds it unfair,

undemocratic, annoying, and sometimes downright frightening to have so much power concentrated in the hands of one state, especially when the United States aggressively goes its own way. But given the weight and prominence of U.S. power on the world stage, some unease among other countries is inevitable no matter what Washington does."

25. See Betts, 2002, p. 2. Betts argues similarly:

Political and cultural power makes the United States a target for those who blame it for their problems. At the same time, American economic and military power prevents them from resisting and retaliating against the United States on its own terms. To smite the only superpower requires unconventional modes of force and tactics that make the combat cost exchange ratio favorable to the attacker. This offers hope to the weak that they can work their will despite their overall deficit in power.

26. For NDS 05's discussion of this, see NDS 05, pp. 2-3. For some expansion on these ideas, see Nathan Freier, *Strategic Competition and Resistance in the 21st Century: Irregular, Catastrophic, Traditional, and Hybrid Challenges in Context*, Carlisle, PA: Strategic Studies Institute, U.S. Army War College, May 2007. For a non-Western perspective on this, see Qiao Liang and Wang Xiangsui, *Unrestricted Warfare*, Beijing, China: PLA Literature and Arts Publishing House, February 1999, available from *www.terrorism.com/modules.php? op=modload&name=Documents&file=index*.

CHAPTER 8

SECURING AMERICA FROM ATTACK:
THE DEFENSE DEPARTMENT'S EVOLVING ROLE AFTER 9/11

Frank L. Jones

At 8:46 a.m. on September 11, 2001 (9/11), a clear, sunny day on the East Coast, an American Airlines plane loaded with passengers, crew, and thousands of gallons of fuel slammed into the 110-story North Tower of the World Trade Center in downtown Manhattan, exploding in a massive inferno. Seventeen minutes later, a second airplane, this time a United Airlines flight, crashed into the Center's twin South Tower, igniting another firestorm. President George W. Bush, traveling in Florida, was informed of the incidents and immediately departed for the capital. Before leaving, he made a brief statement at 9:30 a.m., confirming that the planes were part of "an apparent terrorist attack" on the United States. Less than 10 minutes after he spoke, a third airliner crashed into the U.S. Department of Defense (DoD) headquarters, more commonly known as the Pentagon, setting off an enormous fire causing hundreds of casualties; jet fuel literally ran down the corridors. The events did not end there. Shortly after 10:00 a.m., a fourth airliner plummeted to earth in a field just outside rural Shanksville, Pennsylvania, before it could reach its intended target, the result of a heroic effort by the passengers to prevent another horrific act from occurring.[1]

In a matter of less than 2 hours, both the World Trade Center's towers had collapsed, an unimaginable event, and nearly 3,000 people were killed. Manhattan was a storm of dust, ash and debris. After the Pentagon attack, the Federal Aviation Administration, for the first time in U.S. history, shut down the nation's airspace, ordering all airborne planes to land immediately at the nearest airport. In their place, U.S. fighter jets streaked into the sky above the nation, their pilots ordered to shoot down any aircraft that did not comply. The horrific events of the morning now surpassed the nation's most famous day of infamy: the Japanese attack on Pearl Harbor 60 years earlier.[2]

The terrorist attacks were stunning not only in the tragedy they produced, but also as demonstrations of the creative lengths to which enemies of the United States could go to use everyday technology as weapons of mass destruction (WMD) against us. The capacity to wreck havoc of this magnitude was not unexpected, for the signs of such an attempt had been foretold through a series of earlier events, both at home and overseas, including the 1993 World Trade Center bombing and an attack on the U.S. Navy destroyer USS *Cole* in Yemen, in which dozens of crew members were killed or injured. What was startling to many Americans was the inability of the U.S. Government agencies to discern and prevent such a clever use of civilian aircraft. It was, as one of the commissions established to investigate the incident ominously warned, "a failure of imagination" on the part of the government.[3] These words also signaled that protecting the United States from further attack would be neither simple nor immediate, despite the best intentions of U.S. Government leaders.

Years before the catastrophic events of 9/11, various commissions established by the U.S. Congress urged the President and other officials to place substantial emphasis on improving U.S. security against terrorist attack through increased resources, organizational redesign, and enhanced coordination among federal, state, and local governments.[4] Unfortunately, 9/11 would not only represent a distressing event in American history, it would take this tragedy to catalyze the government and the private sector in the United States to undertake such a massive concerted effort to prevent such an attack from recurring. However, there was always the nagging realization that such an event could happen again, and if so, then the public and private sectors needed to be prepared to respond to the consequences. Such an expectation had been noted decades before when

President Calvin Coolidge gave voice to those fears in an address delivered before the American Legion convention in Omaha, Nebraska, on October 6, 1925. "In spite of all the arguments in favor of great military forces, no nation ever had an army large enough to guarantee it against attack in time of peace or to ensure victory in time of war."[5] Nonetheless, as the preamble to the U.S. Constitution underscores, it is the duty of the U.S. Government to "insure the domestic tranquility" and "provide for the common defence." Mindful of this obligation, U.S. Government leaders initiated a number of actions to respond to this exceedingly complex mission.

The attacks on the United States forced President George W. Bush and other administration officials to concentrate intently on the possibility of threats to the U.S. homeland. For DoD officials, there was recognition that the country had become, to use military parlance, a "battlespace." There was an immediate refocusing from programs spending millions of dollars to develop a high-tech missile shield to prevent a ballistic missile attack by another state to fundamental concerns about a growing nonstate threat. Thus, DoD would be given domestic duties to fight terrorism at home because as then Deputy Secretary of Defense Paul Wolfowitz explained, "The government is just not organized to deal with catastrophes on that scale, and when we do have catastrophes on that scale we inevitably end up turning to the military." There were skeptics nonetheless who contended that the military would embrace this mission as it would justify force structure and increase the defense budget, while Republican politicians would view it as an ironclad rationale for promoting national missile defense as a component of overall homeland defense.[6] More reflective thinkers recognized that defending the U.S. homeland against terrorism required a new paradigm—a new structure for meeting a more ambiguous challenge. The Pentagon no longer had to sell the idea of homeland defense politically. The issue now was how to make it work.[7]

The first response to this challenge was conventional with the President ordering a retaliatory strike on Afghanistan, which was harboring the al-Qaeda terrorist leaders who had planned the suicide attack on Manhattan and Washington, and where this terrorist group had training camps. Nonetheless, there was no major overhaul of U.S. military forces nor was there a significant reallocation of funds to homeland defense missions, which had not even been defined. The 2001 *Quadrennial Defense Review* (QDR), presented to Congress in early-October, largely upheld traditional thinking although it claimed that homeland defense was the Pentagon's highest priority. This document continued to stress U.S. advantages in space, information, and power projection, as well as the future of its nuclear arsenal. The underlying warfighting concept remained focused on combat with nation-states, emphasizing regime change in one war and repelling an aggressor in another.[8] One critic said the thinking remains "full speed ahead with the status quo," while Andrew Krepinevich, the executive director of the Center for Strategic and Budgetary Assessments, a Washington, DC, think tank, complained that the QDR was a "thematic" document that called for transformation but provided no specifics on how this is to be accomplished. He was perplexed as to the Secretary of Defense's public statements that while the priority is on homeland defense, intelligence, and other features for the changed strategic environment, new fighter jet programs remained the major acquisition programs.[9] Krepinevich's observation was astute. Although Secretary of Defense Donald Rumsfeld heralded an ambitious program for transforming the military, the changes were marginal. The Department had already begun to deflect any serious responsibility for this new mission by declaring in the QDR that the 9/11 attacks made clear that "the Department of Defense does not and cannot have the sole responsibility for homeland security." The only concession mentioned expressly was to consider establishing a new combatant commander for homeland defense.[10] In the White House, other actions were occurring at a more rapid pace. On October 8, 2001, the President signed Executive Order 13228, which established the post of Assistant to the President for Homeland Security in the Executive Office of the President as well as a Homeland Security Council, modeled on the National Security Council, which had existed since 1947.

The creation of this post and the council required Secretary of Defense Rumsfeld to name Secretary of the Army Thomas E. White as DoD's first homeland security coordinator with responsibility for representing the department in council deliberations, as well as interacting with the new homeland security advisor, a former Pennsylvania governor and member of the U.S. House of Representatives, Thomas J. Ridge. Pundits suggested that by naming White to the coordinator mission, the Army would have a pivotal role in whatever responsibility is given to the military for homeland defense. White added to that perception by stating: "Since the early days of our nation, the Army, both active and reserve, has engaged in homeland security. The Army brings enormous experience, talent, and capabilities to this effort."[11] The rhetoric was comforting to a nation still reeling from the attacks, but the exact role that White would have remained unclear. Nonetheless, Rumsfeld soon delivered on his promise to examine whether a separate combatant command should be established for the purpose of securing the U.S. homeland.

By mid-October 2001, a review of the Unified Command Plan was in progress. Rumsfeld was convinced that the current manner in which the armed forces were organized along regional lines was inappropriate to execute a global campaign against terrorism. There was considerable concern that transnational threats such as weapons proliferation and terrorism had not received sufficient attention from senior commanders and that the capability to coordinate with law enforcement concerning these threats from region to region was nonexistent. To fasten the military's attention on homeland defense, there was also extensive discussion about the creation of an Americas Command that would be responsible for the Western Hemisphere. In addition to this effort, the Pentagon leadership released the defense planning guidance for the war on terrorism that consisted of three goals: assail state support for terrorism, weaken its nonstate support, and defend the U.S. homeland from additional terrorist attacks. Pentagon officials recognized that the current Unified Command Plan addressed the first two aims, but not the third.[12]

By the end of 2001, Ridge and his staff were largely in place, but there were continued concerns by lawmakers and anti-terrorism experts that Congress needed to create a permanent homeland security post with a large staff and consolidate government agencies as part of it. The White House disagreed, arguing that Ridge could accomplish more as an adviser with the President's mandate and a staff detailed from other U.S. agencies than as head of a separate bureaucracy. DoD cautiously adopted its new homeland defense mission. By late-January 2002, Defense officials sought to pull National Guard troops from security duties at the nation's airports, turning that responsibility over to the new Transportation Security Administration, which Congress established by law a month earlier. Approximately 6,000 troops were on duty at 400 airports across the United States to deter terrorists and reassure the public about the safety of air travel. The disengagement of the National Guard as a security force bespoke the DoD view that other federal agencies as well as state and local governments should handle the majority of the nation's homeland security duties. Ridge shared this view and declared that federal funding would be made available for this purpose. Secretary White endorsed Ridge's priorities, stating publicly that the military should have a limited role in guarding the borders and policing airports and other potential terrorist targets in the United States. Instead, it should concentrate on Afghanistan and other areas of the world. Additionally, National Guard troops assisting in border security in some states should be relieved of this duty also. Meanwhile, DoD was considering scaling back the air patrols the Air Force had been conducting over major U.S. cities and critical infrastructure locations since 9/11.[13]

White's remarks and the slow pace at which bureaucratic reorganization was occurring suggested to one observer, former U.S. ambassador and retired U.S. Army lieutenant general Edward Rowny, that there was a lack of urgency on the part of the Bush White House. Rumsfeld, however, in early-February announced a proposal to establish a new regional command, Northern Command, to deal with the military component of homeland security. Rowny applauded Rumsfeld's

initiative but contended that more needed to be done. He recommended that the Bush administration should push for a similar consolidation and reorganization of the intelligence, border security, and emergency response agencies of the federal government. He also criticized Ridge's organization as ineffective because it lacked the needed tools and resources to handle a large-scale terrorist attack. Ridge, in Rowny's opinion, also had insufficient authority: he could not order federal agencies to act. Rowny's viewpoint was not a solitary one. Even the Bush administration recognized this deficiency, and in a speech at the National Press Club in Washington, DC, Ridge remarked that the President was considering reorganizing some federal departments and agencies, which would require congressional authorization.[14]

Meanwhile, Rumsfeld, sensing the mood of the country and particularly the Congress, announced in April 2002, a military reorganization designed to give higher priority to homeland defense against terrorist attacks by the establishment of Northern Command. The new command, with headquarters in Colorado Springs, Colorado, and commanded by an Air Force general, was tasked to oversee the defense of U.S. territory except for Hawaii and the U.S. possessions in the Pacific Ocean. Responsibility for these areas would belong to the existing U.S. Pacific Command. Northern Command would not only be responsible for the homeland defense mission, but would also coordinate with other federal agencies in preparing and responding to the consequences of a terrorist attack as well as natural and manmade disasters. Canada and Mexico would be included as part of the command's regional responsibilities.

Rumsfeld's decision had its critics, particularly civil libertarians who were concerned about the use of the U.S. military for domestic security, particularly the erosion of constraints placed on the military by the Posse Comitatus Act, a federal law enacted after the Reconstruction in 1878, that prohibits the regular military from performing domestic law enforcement functions. Other critics expressed concern that the use of the military for domestic security and response diverted limited resources and weakened the military's effectiveness to fight wars overseas.[15] Almost simultaneously with the creation of the command, the Bush administration proposed the creation of a new Executive branch department, the Department of Homeland Security (DHS).

Rumsfeld remained determined, however, to limit the scope of the DoD homeland defense mission. On May 7, 2002, testifying before the Senate Appropriations Committee, he continued to stress the importance of forward deterrence, that is, the prosecution of the war on terrorism abroad. Eventually, he turned to the subject of homeland defense and in doing so, articulated clearly and for the first time, the circumstances under which DoD would be involved in operations in the United States. First, there were extraordinary circumstances that required DoD to execute its traditional military missions and therefore, DoD would take the lead with support from other federal agencies. Examples of these missions were combat air patrols and maritime defense operations. Also included in this category are cases in which the President, exercising his constitutional authority as commander in chief and chief executive, authorizes military action. This inherent authority, Rumsfeld pointed out, may only be used in instances such as terrorist attacks, where normal measures were insufficient to execute federal functions. The second category was more traditional: in emergency circumstances of a catastrophic nature. Rumsfeld offered the example of responding to an attack or assisting other federal agencies with natural disasters. In these cases, the department would be providing capabilities that other agencies did not possess. The third category he described as missions—limited in scope—where other agencies have the lead from the outset, giving the example of security at a special event such as the Olympics.[16]

Rumsfeld stressed that of the three categories, the first one was homeland defense since the department was carrying out its primary mission of defending the people and territory of the United States. The other two categories were homeland security whereby other federal agencies have the

lead, and DoD lent support. He continued by justifying the need for a $14 billion supplemental funding request for fiscal year 2002, and an increase in fiscal year 2003 funding of $48 billion. He added that both were essential for the war on terrorism but made no claim that any of the funding would be used for homeland defense. This was understandable given his limited definition of the department's role.[17]

He also announced that the President had approved a major revision of the Unified Command Plan and that one feature was the establishment of a combatant command for homeland defense, U.S. Northern Command at Peterson Air Force Base, Colorado. The primary missions of the new command were to defend the United States against external threats, coordinating military support to civil authorities, as well as responsibility for security cooperation with Canada and Mexico.[18]

He followed this announcement with another, stating that he had established his own interim Office of Homeland Defense and his intention to establish, by summer, a permanent office in the Office of the Secretary of Defense. The office would ensure internal coordination of DoD policy, provide guidance to Northern Command regarding homeland defense and support of civil authorities, and coordinate with the White House's Office of Homeland Security and other government agencies.[19]

Lastly, he assured the committee members that the department was conducting the study on the DoD role in homeland defense directed by the 2002 National Defense Authorization Act. Specifically, the comprehensive plan on how best to structure the Office of the Secretary of Defense to combat terrorism, defend the homeland, and enhance intelligence capabilities was expected to be completed during the summer.[20] The plan was completed as promised.

Acting on the recommendations in that plan, in July 2002, Rumsfeld decided to reorganize the Office of the Secretary of Defense by adding the position of Assistant Secretary of Defense for Homeland Defense based on the plan required by Congress. He selected Paul McHale, a former Democratic member of Congress from Pennsylvania, as the first to hold this position, pending Senate confirmation. One of the new assistant secretary's responsibilities would be to serve as a liaison between DoD and the proposed new homeland security department.[21]

Weeks later, Rumsfeld found himself, along with the Secretaries of State and Treasury, and the Attorney General, in the midst of the Bush administration's controversial plan to establish a new homeland security department using all or parts of 22 existing agencies, a proposal that the President laid out in June. Rumsfeld and the other cabinet officials testified in support of the President's plan before the House Select Committee on Homeland Security. The plan faced substantial opposition because the 12 committees in the House of Representatives that oversaw these agencies wanted to preserve their oversight responsibilities. Some standing committees of the House had already voted against provisions of the proposed legislation to create the department. The presence of the four cabinet heads before the select committee underscored not only the seriousness of the issue, but also the interdepartmental nature of the homeland security function and the domestic and international dimensions of the mission, ranging from border patrol and law enforcement to immigration and the issuance of visas.[22] As Attorney General John Ashcroft noted, "America's security requires a new approach, one nurtured by cooperation, collaboration, coordination, not compartmentalization, one focused on a single, overarching goal—the prevention of terrorist attacks."[23]

The emphasis on homeland defense remained more rhetoric than reality in DoD at least in terms of funds, procurement programs, and force structure changes. The Defense Planning Guidance, a document providing budgeting and planning guidance to DoD components that Secretary Rumsfeld issued in May 2002, placed greater emphasis on the new strategic concept, "forward deterrence," that is, a commitment to attacking potential threats overseas. While the projection of

U.S. forces over long distances to fight new adversaries made sense, the Defense Planning Guidance paid no attention to the support missions that DoD might have to provide federal, state, and local responders should a WMD, such as a nuclear, chemical, radiological, or biological device, be detonated in the United States. Instead, the emphasis was primarily on a global strike capability with added emphasis on overseas intelligence collection, covert special operations, unmanned air vehicles, cyber-warfare, hypersonic missiles, and the capacity to prevent an adversary from disrupting U.S. communications and intelligence assets in space and to strike underground targets.[24] This was a position Rumsfeld articulated publicly in a *Foreign Affairs* article that appeared that spring.[25]

This narrow perspective was expected to change because of two events. The first was that Northern Command became initially operational as an organization on October 1, 2002. The second event promised equally dramatic change, based on a provision in the 2003 Defense Authorization Act, which Congress passed in October 2002. The act authorized the establishment of the position of the Assistant Secretary of Defense for Homeland Defense. Four months later, in February 2003, Paul McHale was confirmed as the first person to hold this position. Additionally, Congress established the new Department of Homeland Security by the Homeland Security Act of 2002, enacted in November. Its first secretary would be Tom Ridge, and the only major provision of the law that affected DoD was that the Homeland Security Council was established statutorily, consisting of the President, Vice President, Attorney General, the Secretary of Defense, and the newly created Secretary of Homeland Security.

In February 2003, the new department and the two new DoD organizations would face the first test of their abilities to respond to a domestic event and coordinate with other U.S. Government organizations when the space shuttle Columbia broke up over Texas during reentry to earth. Within an hour after the disaster, Ridge conferred with intelligence and White House officials as well as Northern Command, and determined that the incident had not resulted from terrorism. Ridge put the Federal Emergency Management Agency (FEMA), now part of DHS, in charge of recovering debris from the shuttle, while Secretary Rumsfeld assigned Northern Command to assist with this effort; a variety of aircraft and ships responded.[26]

This experience also helped prompt a new Presidential directive, Homeland Security Presidential Directive-5, "Management of Domestic Incidents," in which DoD would ultimately have a substantial role in implementation. In this document, the President designated the Secretary of Homeland Security as the principal federal officer for domestic incident management. The Secretary of Defense was tasked to provide military support to civil authorities for domestic incidents under the President's direction or when consistent with military readiness, the appropriate circumstances, and law. The directive indicated that even during these events, military forces would remain under the command and control of the Secretary of Defense. The Secretary of Defense and the Secretary of Homeland Security were to develop mechanisms to promote cooperation and coordination between the two departments. Lastly, the directive called for the formulation of a National Response Plan (NRP) that would integrate the federal government's domestic prevention, preparedness, response, and recovery plans into a single all-hazards plan. An initial version of the NRP was due to the assistant to the President for homeland security by April 1, 2003, along with a recommendation for the time needed to develop and implement a final version of this plan.[27]

By the beginning of April 2003, with U.S. military forces having invaded Iraq a month earlier and now within 50 miles of Baghdad, Rumsfeld's view about homeland defense was apparent: the best way to secure the United States was to pursue terrorists in their havens.[28] Meanwhile, Paul McHale was busily putting his office in place with all the attendant bureaucratic headaches associated with such a venture. He also had his first appearance before Congress in April, when

he testified before the Senate Armed Services Committee regarding defense of the U.S. homeland. McHale reiterated Rumsfeld's three conditions under which DoD would be involved in activities within the United States. However, these conditions were already being eroded. As McHale indicated, since 9/11, DoD had flown more than 28,000 sorties over U.S. cities and responded to more than 1,000 requests from the Federal Aviation Administration to intercept potential air threats. Air patrols over the U.S. domestic airspace were no longer extraordinary but routine.[29]

During the summer of 2003, McHale's office would devote substantial time to a major department-wide, Secretary of Defense-directed classified study of the homeland defense mission and the force structure required to execute that mission. Later that year, the office would shape the next Strategic Planning Guidance, which required his office to formulate with assistance from other DoD components a homeland defense strategy within a year.

On December 17, 2003, President Bush approved two new homeland security directives that affected DoD. The first document, Homeland Security Presidential Directive-7, "Critical Infrastructure Identification, Prioritization and Protection," established national policy for federal departments and agencies to identify and prioritize U.S. critical infrastructure and key resources and to protect them from attack. The directive recognized that there were several critical infrastructure sectors, each with its own characteristics and operating processes. Although the DHS would have principal responsibility for implementing this directive, specific departments were designated responsible for collaborating with business and industry, conducting or facilitating vulnerability assessments, and encouraging risk management activities to protect against terrorist attacks or mitigate their effects. DoD assumed responsibility for the defense industrial base, thereby gaining another homeland security mission.[30]

The President also issued Homeland Security Presidential Directive-8, "National Preparedness," that established policies to bolster U.S. preparedness to prevent or respond to threatened or actual terrorist attacks, major disasters, and other emergencies. This measure called for the establishment of a national all-hazards preparedness goal, mechanisms for improving the delivery of federal preparedness assistance to state and local governments, and defining actions to improve preparedness at all levels of government. The DoD role, though not as major as other federal departments and agencies, was to provide the DHS with information concerning organizations and functions that could be utilized to support civil authorities during a domestic crisis.[31]

Despite the attention to these strategic issues, the tyranny of daily operational demands was also present. During the Christmas holiday season, intelligence indicators stressed that al-Qaeda's intent to carry out multiple catastrophic attacks in the United States was greater than at any point since 9/11. The indicators suggested that the terrorist group was testing the vulnerabilities of the air transportation system, both passenger and cargo. In response, Secretary Ridge announced an upgrade in the threat level from elevated risk to high risk or orange alert, the second highest level in the color-coded system, after President Bush approved the recommendation by Ridge along with senior officials of the Federal Bureau of Investigation, the Central Intelligence Agency, DoD, the Justice Department, and White House staff. Raising the threat level increased security measures across the country to protect government buildings, critical infrastructure, shopping malls, and other places where large numbers of people congregate. This decision was not made lightly. A few months earlier, in response to al-Qaeda suicide bombings in Saudi Arabia and Morocco, and after several orange alerts within a few months, Ridge and Rumsfeld opposed raising alert levels. Ridge argued that frequent changes only caused considerable psychological unease in Americans, as well as making the public cynical. Rumsfeld stated that raising the alert diverted military resources from Iraq and Afghanistan.[32] The holiday season ended uneventfully, but operational concerns continued to intrude because of the need to refine security procedures.

Slowly and subtly, the three conditions for DoD involvement in domestic activities that Rumsfeld articulated 2 years earlier were jettisoned. In March 2004, McHale appeared before the Senate Armed Services Committee to update the members on DoD ongoing homeland defense initiatives. At that time he did not mention the three conditions. Instead, McHale laid out a concept of layered defense, which he called the lines of defense. The first line of defense was combating terrorism far from U.S. territory. The second line of defense was the air and maritime approaches to the United States and interdicting terrorists before they reached U.S. borders, which was largely the responsibility of two combatant commands—Northern Command and Pacific Command. Within the United States, the domestic law enforcement community was responsible for countering terrorist attacks, in a sense a third line of defense, with DoD ready to provide its capabilities to civil authorities, consistent with U.S. law. However, McHale also stated that DoD had established and maintained a small number of reaction forces in the United States. These forces consisted of U.S. Army and Marine Corps personnel who were postured to respond to a full range of threats if ordered by the President, and when deployed, under NORTHCOM's command and control.[33]

Additionally, throughout 2004, as had been the case in 2003, DoD actively continued to enhance its homeland defense and civil support missions. It maintained the readiness of its own forces by hosting exercises and participating in those sponsored by other government entities. Further, it was implementing its responsibilities under HSPD-7 regarding critical infrastructure by consolidating funding for this effort under a single program and managing it by a program office. It also undertook a number of supporting missions including establishing a DoD presence in the DHS Operations Center, detailing personnel to DHS to fill critical specialties primarily in intelligence analysis and communication, creating various liaison mechanisms, and identifying and transferring technology items and equipment that DoD had or was developing that might be of assistance to federal, state and local governments in their homeland security roles. Simultaneously, the department was responding to requests for assistance from several civilian agencies—for example, providing emergency support in natural disasters such as Hurricane Isabel and California wildfires. It also responded to the ricin incident on Capitol Hill in January 2005. That incident saw the first operational use of NORTHCOM's Joint Force Headquarters-National Capital Region, which provided the command and control of the U.S. Marine Corps Chemical-Biological Response Force's assistance to the U.S. Capitol Police. [34]

DoD support to the interagency was broadened in August 2004, when President Bush established by executive order, the National Counterterrorism Center under the direction and control of the Director of Central Intelligence. The primary function of the center was to serve as the hub for analyzing and integrating all intelligence pertaining to terrorism, except purely domestic intelligence information. Additionally, it was to conduct strategic operational planning for counterterrorism activities by integrating all the national instruments of power.[35] To that end, DoD, as well as other partner organizations, provided personnel to assist the center with its mission.

DoD also assumed a major role in the development of the *National Response Plan* (NRP) required by HSPD-5. The development of the initial NRP met with resistance from state, local, and tribal governments as well as non-governmental organizations, since they were not consulted by DHS during its formulation. Consequently, DHS and a small group of its federal partners, including DoD personnel, began anew—mindful of outreach to other stakeholders—in an intense writing process of monumental proportions that addressed planning assumptions and considerations, roles and responsibilities of the variety of organizations involved in responding to an emergency, and a concept of operations. The NRP identified 14 emergency support functions, of which DoD (U.S. Army Corps of Engineers) would have the lead for public works and engineering, but would be a supporting agency in the remaining 13. The document also included special support annexes

dealing with myriad topics such as tribal relations and private sector coordination and incident annexes for specifically troublesome situations such as a terrorism event involving a biological agent or hazardous materials pollution.[36]

The document, consisting of more than 300 pages, was approved in December 2004 by Secretary Ridge along with 27 federal departments and agencies, the U.S. Postal Service, the American Red Cross, the Corporation for National and Community Service, and the National Voluntary Organizations Active in Disaster. Within days of the NRP's approval, President Bush issued a combined National and Homeland security directive on maritime security, an initiative of his new homeland security adviser, Frances Fragos Townsend. This directive not only established U.S. policy regarding protection of the nation's maritime interests, but directed the development of a national strategy for maritime security and eight national plans addressing such critical subjects as the USG capability to respond to a maritime threat, the nation's capacity to recover from an attack or disaster affecting the maritime infrastructure, and security of both the maritime transportation system and the related supply chain. The President tasked DoD and DHS to lead an interagency task force to formulate the national strategy for maritime security for his approval within 6 months. The eight plans were to be delivered nearly simultaneously.[37] This approach was fraught with problems since the plans relied on the guidance framed in the strategy as well as coordination with various state and local governments, transportation and port authorities, and maritime industry trade associations.

It turned out that maritime security was not the only domain that required additional attention. In May 2005, a privately owned Cessna 150 airplane inadvertently penetrated the 16-mile-radius no fly zone around Washington, DC, established after the events of 9/11, and designed to prevent air attacks on the White House and the Capitol. Federal Aviation Administration and DHS officials could not communicate with the pilot, so Secretary Rumsfeld gave military officials the authority to shoot the plane down, if necessary. Aircraft from DHS Customs and Border Protection and military fighters moved to intercept the plane, and after 11 tense minutes, the pilot heeded instructions to turn away from the city. The incident required DoD and civilian officials to review the effectiveness of the air defense system for the nation's capital. Once again, DoD and its civilian counterparts were confronting sensitive issues involving internal governmental decisionmaking, communications, and federal interagency relations as well as authorities.[38] With respect to the latter, the DHS, under the new leadership of Secretary Michael Chertoff, a former federal judge, argued that his agency should have the shoot down authority. President Bush rejected this request. Nonetheless, the incident led to increased congressional scrutiny of the procedures and agency responsiveness. The event was also a warning signal that although air transportation security had been upgraded, the focus had been limited to scrutiny of passengers and cargo security. However, the Homeland Security Council staff contended that this issue would have to be deferred since other areas such as domestic nuclear attention had priority.

A month earlier, President Bush issued another combined NSPD/HSPD, designed to enhance protection against an attack in the United States using a nuclear or radiological device, and to advance the technology and integration of detection capabilities among across federal, state, local and tribal governments. To achieve these policy goals, the chief executive directed the Secretary of Homeland Security to create a national level Domestic Nuclear Detection Office within DHS. The Secretaries of State, Defense, and Energy as well as the Attorney General were ordered to assign personnel to staff this new organization and to lend expertise to strengthen the development and deployment of a detection system, coordinate detection efforts with the other government entities in the United States, and to develop a global nuclear detection architecture consisting of domestic and international portions. The Departments of Defense, State, and Energy would design and implement the international segment.[39]

June 2005 marked a critical milestone in reshaping the DoD approach to its homeland defense and support to civil authorities' missions through the development and approval of the DoD *Strategy for Homeland Defense and Civil Support*. Although Secretary Rumsfeld directed the formulation of the strategy in the Strategic Planning Guidance of March 2004, internal delays and bureaucratic resistance associated with organizational change hampered progress. Nonetheless, these impediments were ultimately overcome, and the strategy represented the department's vision for transforming homeland defense and civil support capabilities.

The strategy specifically concentrated on the DoD paramount goal: securing the United States from direct attack. Recognizing the sensitivity associated with the role of the military in domestic affairs, the strategy made clear that it was rooted in a respect for America's constitutional principles. The strategy also sought to capitalize on Secretary Rumsfeld's commitment to transformation of U.S. military capabilities. Thus, it examined a 10-year period and gave equal recognition of terrorist and state-based threats to the United States.[40]

The strategy's foundation was the concept of an active, layered defense outlined in the *National Defense Strategy*. Specifically, this active, layered defense is understood to be global, seamlessly integrating U.S. capabilities in the foreign regions of the world, the global commons of space and cyberspace, in the geographic approaches to U.S. territory, and within the United States. In short, it is defense in depth predicated on viewing the strategic environment as an open system in which people, trade, and information move continuously and for which the entire USG contributes to its defense through a variety of capabilities in a synchronized manner. For an active, layered defense to be effective, it "requires superior intelligence collection, fusion, and analysis, calculated deterrence of enemies, a layered system of mutually supporting defensive measures that are neither ad hoc nor passive, and the capability to mass and focus sufficient warfighting assets to defeat any attack."[41]

Although the concept of an active, layered defense had a global context, the strategy focused primarily on the U.S. homeland and the approaches to U.S. territory. DoD recognized its responsibility for a number of activities in these geographic layers, but as an organizing construct, there were three principal categories: "Lead, Support, and Enable." "Lead" meant that DoD, at the direction of the President or the Secretary of Defense, executed military missions to dissuade, deter, or defeat attacks on the United States. "Support" considered the DoD traditional role of providing support to civil authorities at the direction of the President or Secretary of Defense. This support was to be part of a comprehensive national response to prevent or protect against terrorist incidents or to recover from an attack or disaster. Finally, "Enable" sought to enhance the homeland security and homeland defense capabilities of domestic and international partners and, in turn, improve DoD capabilities by sharing technology and expertise across military and civilian boundaries. The strategy also addressed key objectives of this three pronged framework as well as specific operational capabilities that were needed to achieve these objectives and the strategic risks of not doing so.[42] In addressing capabilities the authors of the strategy sought to influence other departmental processes, namely, funding, force structure, and technology development, in order to implement the strategic tenets of the document. The next opportunity to have an influence on these processes would be the QDR. However, before that review occurred, an incident of national significance[43] would also have an effect.

On August 29, the most destructive hurricane in U.S. history hammered the Gulf of Mexico, killing more than a thousand people and causing substantial devastation to the states of Louisiana, Mississippi, and Alabama. New Orleans bore the brunt of the damaging effects when the powerful storm breached the levee system and flooded 80 percent of the city.[44] Public order disintegrated because of inadequate planning by municipal and state officials and a lack of foresight regarding

potential scenarios when a category 5 hurricane hits. The federal response proved unequal to the task as well, and poor communication and coordination between federal and state authorities only exacerbated the deficient response effort. FEMA was overwhelmed by the magnitude of the destruction and the requests for assistance. It soon became apparent that even with the support of other civilian agencies, DoD and National Guard units from across the country would need to be deployed.[45]

Ultimately, more than 72,000 active duty military and National Guard personnel deployed to provide assistance to ravaged areas between August 29 and September 10. The figure was twice the record deployment of military assets in response to a natural disaster since Hurricane Andrew in 1992. The department acted on more than 90 requests for assistance from civil authorities, many of which were approved orally by the Secretary of Defense, including one that had an estimated value of one billion dollars. There were deficiencies in the department's response such as lack of pre-planned response capabilities for possible disaster scenarios, the need for closer coordination between DHS and Northern Command, and the requirement for more accurate and rapid initial damage reconnaissance and assessment. Nonetheless, the DoD evaluation was that U.S. military forces were ready and capable to execute the largest, most comprehensive, and most responsive civil support mission ever.[46]

Overall, the media, the American public, and federal authorities rated DoD's response a success. When departmental advocates pointed out, however, that an even more robust DoD response might be required in the event of a catastrophic terrorist event where the loss of life and destruction of property would exceed Katrina's devastation, the argument was dismissed because of the department's successful response.[47] The DoD leadership overseeing the ongoing QDR, which examined U.S. defense strategy in late-2005 and resulted in a report to Congress in February 2006, paid scant attention to homeland defense and civil support issues. In short, the touting of DoD's rapid and dependable response before congressional committees and in the media made these issues victims of their own success.

Publication of the QDR report is certainly not the end of the DoD involvement in homeland defense or support to civil authorities. While publication of the DoD *Strategy for Homeland Defense and Civil Support* represents the zenith of attention to these missions, the QDR review represented a plateau. The QDR report itself signaled that the department's leadership felt confident that in the more than 4 years since the tragic events of 9/11, DoD had made substantial progress in improving its capability to protect the U.S. homeland from attack and to respond effectively to a catastrophic event. The latter was a capability that required further attention, as the QDR report noted, but it was not the priority. Iraq and Afghanistan were consuming the leaders' attention and the department's resources. As the QDR report noted, DoD believed that the civilian agencies that had these missions as their primary responsibility needed to attend to them. It was a position with which the Secretary of Homeland Security and the Congress agreed. The former stated that an enhanced FEMA was needed, and the Congress obliged him by passing the FEMA Reorganization Act in 2006. For many, DoD had amply proved its ability to fulfill its three roles specified in its own strategy: lead, support, and enable. For its part, the department was confident in its strategy and its ability to accomplish the homeland defense mission.

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PART II:

THE INTERNATIONAL SYSTEM AND ENVIRONMENT

CHAPTER 9

INTERNATIONAL ORDER

Deborah L. Hanagan

Over the last 25 years, there have been a number of significant political, military, and economic events profoundly impacting international relations and world politics. Significant "shocks" in world politics include the collapse of the Soviet Union; the explosive spread of democratic political institutions across states in Central and Eastern Europe, Latin America, and Asia; terrorist attacks by Islamic jihadist movements in the United States, Europe, East Asia, the Middle East, and South Asia; and financial and economic crises in Asia, Europe, and the United States. Over the years, various scholars and policymakers have attempted to come to grips with what these events mean for interstate relations.

In general, there is a sense that these events have changed or are changing international order. For example, President George H. W. Bush argued in the early-1990s that a "new world order" was emerging with the end of the Cold War. Francis Fukuyama argued metaphorically that mankind had reached "the end of history," with democracy as a system of government now universally acknowledged as superior to other forms of government such as fascism, communism, and hereditary monarchy. He suggested that international politics was experiencing the expansion of a global order comprised of democratic states.[1] Some scholars predicted that a multipolar and conflict-prone world would inevitably emerge with the collapse of the (relatively peaceful) Cold War bipolar standoff between the United States and the Soviet Union.[2] Others argued that a stable unipolar world emerged in the 1990s, with the United States dominating world politics based on its military and economic strength.[3] Still another has argued that a new bipolar order has emerged, but that this bipolar order, comprised of the United States and the European Union, is different. Rather than competing against each other, these two political entities cooperate to solve international problems.[4] More recently, some scholars have argued that power is diffusing away from states due to globalization and technological developments, and when combined with the recent decline in U.S. power, this is making the world nonpolar or apolar.[5] Finally, a number of scholars have tried to understand the impact of the 2008 global financial crisis. They generally argue that the banking crisis and the ballooning deficit and debt problems of the United States have undermined its preeminent position. There is a sense that the world's economic system is in transition, with the engine of world economic growth, the U.S. consumer, no longer spending and overburdened with debt. But it is not yet clear what new economic order will emerge.[6]

DEFINING INTERNATIONAL ORDER

As is clear from the above, there are many views about global politics and the implications of major events for international order. The most consistent factor emerging is that there is no consensus. While the theories and arguments of international relations (IR) scholars can help in conceptualizing and understanding international politics, interstate relations, and international order, it is important to keep in mind that there is no single, or simple, definition of order. In general, IR scholars would probably agree that international order refers to the structure, functioning, and nature of the international political system, and that the term is useful for describing the broad pattern of interactions among states. However, they most definitely disagree on how order originates and how it functions. To complicate the matter, order can be global or regional, and the concept of international order does not imply peace. A given international order can be "disorderly" and

conflict-prone, such as the classical Greek city-state system, the regional order in China during the Period of Warring States, and Europe during the Napoleonic era. Furthermore, international orders can be stable or unstable. A stable order is one that can withstand, or absorb, serious political, military, and economic shocks without breaking down. A stable international order can endure over a long period. For example, the United States was largely responsible for creating and leading international order after 1945, and that order has endured under U.S. leadership despite significant shocks such as the collapse of the Soviet Union, the rise of China, and a variety of financial crises.

The structure of an international order refers to the distribution of power among states. While sources of power can be military, political, or economic, when scholars and policymakers talk about the structure of a specific international order, they are usually referring to how military power is distributed among states. All states do not possess equal quantities of power. Thus, international structures can be bipolar (with two militarily dominant states like the Soviet Union and United States during the Cold War), unipolar or hegemonic (as some scholars argue the United States dominates the post-Cold War international order), or multipolar (any order with more than two dominant states, such as the state system on the European continent during the 1800s). Further, a given state's reservoir of power is constantly changing due to demographic, economic, and technological factors, so that states are constantly rising and falling in terms of power in relation to each other. Therefore, a given international structure or distribution of power is not permanent; it changes over time. Changes in the structure of the international system (for example, from bipolar to unipolar) can lead to changes in international order. In fact, many scholars focus on the sudden major changes in the distribution of power that occur after major wars and the impact that these changes have on the breakdown of the previous international order and the construction of a new one.[7] However, changes in structure do not necessarily lead to changes in the international order. For example, with the end of the Cold War, the structure of the international system shifted from the bipolar Cold War stand-off to something that may be multipolar, unipolar, or nonpolar according to one's interpretation, but the international order created by the United States and Western Europe after 1945 has endured.

The functioning of an international order refers to the "rules of the game" that delineate how states act toward each other. These rules or governing arrangements are intentionally constructed by states to promote their goals and interests.[8] These rules may be formal, operating through mechanisms like international law, international treaties and alliances, and international organizations, or they may be informal, based on more nebulous concepts like norms, principles, and values regarding acceptable or legitimate behavior. These rules of the game identify the rights and obligations of states, and they provide mechanisms for regulating conflict among states. The post-1945 international order is unique in that it is highly formalized and institutionalized. It comprises a large number of multilateral organizations, like the United Nations (UN), the North Atlantic Treaty Organization (NATO), the European Union (EU), the World Bank, the International Monetary Fund (IMF), and the World Trade Organization (WTO), as well as a large number of international agreements and treaties like the Nuclear Non-Proliferation Treaty (NPT), the Comprehensive Test Ban Treaty (CTBT), and the Universal Declaration of Human Rights. This order has thus far been highly stable, despite the occurrence of significant political, military, and economic shocks. Most states around the world continue to abide by the rules of the game established after World War II.

The nature of an international order refers to its content or character. While most scholars agree that the dominant state in any given era has almost complete freedom to create the order it prefers, the nature of the order can vary widely depending on the type of state creating the order. Had Nazi Germany or Communist Russia had the power to create new international orders after World War II, the nature of those orders would have been entirely different from the order created by the

democratic United States. This inference is based on the types of regional orders Nazi Germany and the Union of Soviet Socialist Republics (USSR) created when their power was ascendant.

THE MAJOR IR THEORETICAL PARADIGMS

The four major theoretical paradigms in IR theory—realism, liberalism, institutionalism, and constructivism—have each attempted to explain order and changes in order.[9] They agree that international order emerges in the context of international anarchy. International anarchy refers to a situation where no central governing authority exists above and beyond states; there is no supranational world government that rules the world. Thus, there is no central political authority that can establish rules, force states to obey them, punish states that break the rules, or otherwise arbitrate among states.[10] However, the major theoretical paradigms draw different implications from anarchy.

Realism.

Realist theorizing views international relations through the prism of power. For realists, power and the distribution of power are the only important factors in IR. It is the amount of (primarily military) power a state has that drives its actions and behaviors. In international anarchy, states with lots of power have free reign to do what they want, while states with little power are constrained in what they can do. This is the very old concept that Thucydides expressed in his recounting of the Peloponnesian War. The Athenians allegedly told the Melians, "The strong do what they can and the weak suffer what they must."[11] Realists do not think regime type matters in explaining state national security policies. They argue that any state with the same amount of power would behave in the same way. They also argue that states are almost exclusively focused on survival, and since military power and the use of force are the only sure ways to guarantee survival, states concentrate on maximizing their military power. This can lead to a circlar security dilemma: actions states take to increase their military power so as to increase their security can be perceived as threatening by other states. Other states then take action to increase their military power. This can lead to an arms race spiral and ultimately to conflict. Realists, therefore, draw negative conclusions from international anarchy: states are alone and have to fend for themselves (the international environment is self-help); conflict and war are likely and prevalent; and states have no choice but to be suspicious of other states because they lack information about the intentions of other states, which in turn forces decisionmakers to make worst-case scenario calculations. Realists conclude that the nature of the international system is inherently conflictual, with cooperation among states being difficult, only short-term, and rare.[12]

To understand and explain international order, realists focus on structure (distribution of power) and functioning (balancing or domination). For realists, structure and order equate to the same thing. In the realist view, the nature of international order is unchanging—regime type is irrelevant in understanding order. Realists also consider international law irrelevant in regulating state behavior, because there is no world government to enforce it, and they further argue that international institutions and organizations exert no independent effect on state behavior. States will act to preserve their security no matter what, and they will not allow the restraining efforts of multilateral organizations or international law to obstruct their actions. For realists, international order originates from power, and it can change significantly over time as changes in the distribution of power occur. The formation of a new order is the result of dramatic international events, particularly major wars, that shift the distribution of power among states.[13] Two schools of realist thinking advance different explanations for the emergence and functioning of international order.

One realist school of thought, balance of power theory, argues that the key rule of the game in international order is balancing behavior by states. Order is achieved when there is an equilibrium of power among the great powers (the most dominant states in the system), and order is then maintained through continued balancing behavior. Balancing is essentially a process that aims to establish and maintain a given order by threatening potential transgressors with unacceptable costs if they challenge the order. Balance of power theory does not assume peace will result; war may be necessary to maintain the balance. Not only will strong states balance against each other, but weaker states will either flock together to balance against stronger states, or they will bandwagon with stronger states to ensure their survival. The assumption is that weak states fear stronger states will dominate the system and threaten the security or existence of weaker states. States engage in both internal and external balancing behavior. Internal balancing refers to a state building up of its military capabilities. External balancing refers to the formation of alliances among states to maintain an order or respond to a threatening state. Since the relative power of states is constantly changing, realists argue that alliances are also fluid and flexible. States avoid entangling alliances and other international institutions, and they constantly reassess with whom they should align in order to ensure their security and maintain the international order.[14] For realists, today's alliance partner can be tomorrow's enemy; alliances are merely "temporary marriages of convenience" that fall apart when a threatening state disappears.[15] However, this line of theorizing cannot explain the endurance of long-lived alliances like NATO.

The second school of realist thinking argues that the emergence of a preponderant or hegemonic state creates and maintains order. The rule of the game for international order is domination. The preponderant state uses its power to create the type of new order it wants and that best advances its interests. It also uses its power to organize relations among states, and it can offer both positive and negative incentives to the other states in the international system to induce them to agree to cooperate and participate in the order. Thus, preponderant power is the mechanism by which a hegemonic state creates and maintains order. However, because relative power differentials are constantly changing, there may come a time when a rising state will challenge (either by itself or in coalition with other states) the declining dominant state and subsequently change the international order.[16]

For all realists, in the struggle for state survival, international order is created after dramatic events through the emergence of one or a few strong states that are powerful enough to subordinate or counter-balance their rivals. International order is therefore a consequence of the self-help international environment and the struggle for survival. A given international order is also a manifestation of the given distribution of power. If one state emerges as the strongest, the international order will be unipolar; if two or more states emerge as the strongest, the order will be bipolar or multipolar. Realists do not deny the existence of social arrangements, international rules, international laws, or international organizations. However, they argue that the most powerful states in the international system will create the arrangements, rules, laws, and organizations that serve their interests (because in anarchy no other state can stop them), and the weaker states in the system have no choice but to accept them. Furthermore, states will also ignore the rules, laws and organizations when it suits them.[17] Realists disagree on which international structure—unipolar, bipolar, or multipolar—is the most stable and peaceful international order.

Realist theorizing, however, does not account well for the fact that states are also social actors operating in a social context, and it cannot account for why in modern times powerful states often allow international organizations, laws, and norms to constrain their actions. It also cannot account for why rising and declining democratic states do not balance against each other and rarely fight each other. Since it is impossible for states to exist alone and completely independently of

other states, and since the phenomenon of globalization makes state independence increasingly impossible, it is in even the most powerful state's interest to create and regularize some sort of social structure or pattern of relational activity with other states. Also, the type of state interaction (conflictual or cooperative) is not predetermined by the context of anarchy or the structure (distribution of power) of the international environment. Liberal, institutional, and constructivist theorists draw a more positive conclusion from international anarchy. They argue that state interaction can be either cooperative or conflictual, and that states are not doomed to self-help, the security dilemma, or constant conflict and war. Cooperative relations among states can be far-reaching and enduring.

Liberalism.

Liberal theorizing views international relations through the prism of state policy preferences. Liberal IR theory bears no relation to American political parties or philosophies. The use of the term "liberal" for politicians on the left of the political spectrum is completely different from liberalism as used in IR theory. Liberal IR theory has its foundation in the ideas of John Locke and Adam Smith, embracing the concepts of free market economics, representative democratic government, and individual liberty and equality. In liberal theorizing, regime-type matters for explaining the policies and behaviors of states. Different states behave in different ways, and internal domestic politics drive a state's policies, actions, and behaviors. State policy preferences can change dramatically over time and are not focused solely on security and the accumulation of military power. Liberal theory asserts that the incidence of conflict and cooperation is determined by domestic politics (the political competition among different sub-state actors to influence state policy) and national interests that result in state policy preferences. Policy preferences among states can converge, thus leading to cooperative behavior, especially when states share compatible political institutions and political ideology such as democratic political institutions and values or when they share economic interests.[18]

For liberal theory, international order originates from power, international society, and international law. Liberals argue that despite the condition of anarchy, a more peaceful international order is slowly emerging over time, especially since the 1648 Treaty of Westphalia, because within anarchy a slowly enlarging society of states has developed. Liberals focus less on structure and the asymmetries of power among states and more on ideas, values, processes, and rules that influence and regulate interstate relations. This is so because, from their viewpoint, states can cooperate in any given structure, whether unipolar, bipolar or multipolar.

A society of states (also called international society) comprises a group of states that have common interests or values. The states conceive of themselves as a group bound by a common set of rules that regulate the relations among them. They share in the creation and workings of common international institutions and organizations. A society of states is cooperative because the states respect one another's independence (sovereignty, autonomy, and territory), they honor the agreements they enter into with each other, and they accept limitations on the use of force against each other.[19] (Note: realists argue that international society does not exist.) An example of a society of states is the group that comprises the liberal democracies.[20] One can argue that the Organization of the Islamic Conference (OIC) comprises another international society since it includes 56 Islamic states that promote Muslim solidarity in economic, social, and political affairs, although this society is "looser" in that Muslim states have often warred against each other, and they do not have formal rules or institutions that regulate their interactions. While liberal theorists argue that states can be capable of harmonizing their interests, especially when they share liberal democratic political institutions and norms, they acknowledge that states will never be in perfect accord; therefore,

discord and coercion will continue to be an enduring aspect of international relations, especially among states that have differing domestic political institutions (i.e., democratic versus autocratic states).[21]

A society of states is not the same as a system of states. A system of states refers to a situation where two or more states have regular contact and sufficient impact on each other that the behavior of each state is an element in the calculations of the behaviors of other states. Interactions among states in a system of states can be cooperative, conflictual, neutral, or indifferent. An international society presupposes an international system of states; however, not all the states in the international system are necessarily in the society of states. Thus, the liberal democracies and the OIC represent two different international societies in the contemporary international system of states. Furthermore, a society of states is not necessarily peaceful toward states outside the society. Pariah states like North Korea, Iraq under Saddam Hussein, and Iran, as well as failed states, are outside international society, and they have been the focus of a variety of military interventions and economic sanctions by international society because the states in international society recognize that war is sometimes necessary to uphold international order. Thus, some wars are just, and international law codifies when war is permissible.[22]

Some liberal theorists have argued that there is only one modern international society, and it is a result of Western civilization. This international society encompasses particular political and economic elements: the values of constitutional government and individual liberty, capitalism, international free trade, and industrialization.[23] The rise and spread of these elements throughout the world have brought unprecedented levels of military and economic power to Western civilization, and they have made both interdependence and cooperation more prevalent. This has strengthened the ties among the members of the society of states and increased the number of states in international society. With increasing interdependence, states are concerned with more than just security, and they recognize it is possible to craft collective solutions to problems.[24] With industrialization, democratization, and interdependence, and under U.S. leadership since 1945, the functioning of the international order has become formalized and institutionalized as states in the society created formal and informal international institutions (comprised of international organizations, regimes, treaties, and conventions), international norms, and international laws as the means to encourage peaceful cooperation and peaceful resolution of conflict. The rules of the game are specified in, and operate through, the institutions, norms, and laws that promote and maintain the U.S.-led contemporary international order. They are the mechanisms through which states achieve their objectives, they regulate and control state behavior, and they identify the rights and obligations of states.[25]

This contemporary international order has a distinct and unique nature. G. John Ikenberry argues that the contemporary international order is a "constitutional" order. It is not based on the raw balancing of power or hegemony, but rather on legal, political, economic, and security institutions that limit the raw exercise of power. The internal U.S. political system (liberal democracy) exerted a major influence on the type of order it established after 1945. In the contemporary order, the United States purposefully restrained the exercise of its own power in order to lessen the fears of weaker states that it would dominate them. The United States created international institutions that constrained its room for maneuver and gave weaker states more leverage in international politics in order to obtain their willing cooperation and participation in the international order. Over the last 60 years, this order has become increasingly institutionalized, and this has increasingly restrained U.S. power.[26]

In general, liberals do not reject the importance of power, power politics, or the balance of power. Instead, they argue that these concepts are linked: the balance of power provides the foun-

dation on which diplomacy and international law operate, especially between the society of states and other states in the international system. In addition, international institutions, norms, and laws shape the game of power politics. Pariah and failed states sometimes comply with international treaties, the demands of multilateral organizations, and other rules. However, they do not share the values and political institutions of the members of international society, so they are less trusted, and their actions receive more scrutiny. When they choose to flout international law and norms, international society often engages in traditional balancing to respond to their aggression or threatening behavior. However, a problem with liberal theorizing is that it cannot predict when international society will act or how it will act, and assumes members of international society will always comply with their self-created institutions, norms, and laws.

Liberals argue that the lack of a world government does not inhibit the functioning of international law or the maintenance of order. They argue that international law does not require coercion to affect the behavior of states (both inside and outside the society); therefore, there is no requirement for a centralized, global enforcement mechanism. They argue that international law acts as a sanctioning mechanism that can deter state aggression.[27] This does not mean states always obey the law. For example, Iraq flouted international law in 1990 when it invaded Kuwait, but it was "sanctioned" by the international coalition and forced to withdraw. It also does not mean that states interpret international law the same way. For example, many states in the international community argued that the George W. Bush administration violated international law when its coalition invaded Iraq in 2003. However, the administration (along with the British government) argued that since Iraq was in material breach of UN Security Council Resolution (UNSCR) 1441, as well as 16 earlier UNSCRs that dated back to 1990, it had the authority to invade in order to force compliance and thus maintain international order.[28] Finally, liberals argue international society and cooperative relations have endured and expanded over time, encompassing more states in the international system, because states have reaped benefits they would not have otherwise received, particularly prosperity and security.[29]

Institutionalism.

Institutional theorizing focuses on how information and uncertainty influence state actions. In particular, institutional scholars argue that the creation of international institutions helps reduce uncertainties about state intentions (i.e., they help identify which states are aggressive and revisionist and which are cooperative and peaceful). They provide important information to member states, mechanisms to monitor state compliance with international law, and forums that facilitate negotiation and cooperation among states.[30]

Institutional theorists argue that cooperation under anarchy is not only possible, but it is increasingly prevalent in the modern world. States are increasingly making the calculation that it is to their benefit to cooperate to achieve their self-interests. This is evident in the creation and expansion of a wide range of international institutions, such as political, military, and economic multilateral organizations (UN, EU, NATO, OPEC, and WTO), international regimes (the post-WWII monetary regime and free trade regime), and international treaties and conventions (like the NPT and the CTBT). State cooperation through international institutions, far from being short-term, has actually been be durable and long-lasting even in the face of changes in the international distribution of power and changes in the structure of the international system.[31] NATO is an example. The defining purpose of the defensive Alliance disappeared with the end of the Cold War, the dissolution of the Soviet Union and Warsaw Pact, and the end of the bipolar international structure. However, the Alliance has endured in the absence of a defined state threat, transforming itself into a security organization capable of responding to a variety of post-Cold War challenges.

Realism has difficulty accounting for the endurance of NATO, with a number of realist scholars having predicted the near-term demise of the alliance for the last 20 years.[32] Institutional scholars, however, have proposed a number of explanations for how and why the organization has endured and transformed.[33]

Institutionalists agree with the liberal viewpoint on the origin and functioning of international order: there is international society in anarchy; the members of international society develop institutions that can be economic, military, and/or political; they adopt norms and laws to regulate state behavior and produce and maintain international order. Furthermore, states outside international society can opt to join the institutions. In particular, institutionalists emphasize that international institutions are not supranational enforcers—they are not "beyond" or "above" the state. Self-interested states create international institutions to solve problems, to facilitate cooperative agreements, and to advance their interests. International institutions can do only what their member states allow them to do.[34] Prime examples are the UN and NATO. Neither institution can autonomously decide to respond to aggression. Both organizations have decision councils, the UN Security Council and the North Atlantic Council, through which member states decide whether and how to respond to world events. Further, neither organization maintains an independent military force. Each international organization relies on member states to provide forces to respond to specific challenges.

The main function and value of international institutions is their ability to facilitate negotiation and cooperation among states. While institutionalists argue that international institutions are created when state interests converge, there is no guarantee that mutual interest will result in cooperation or even in the creation of an institution. To date, institutional theorizing cannot predict if, when, or how international institutions will emerge. Additionally, international institutions vary widely in their effectiveness, and they do not necessarily result in equal benefit to all member states. States generally obey the rules of the international institutions to which they belong via mechanisms of reciprocity (cooperative behavior begets cooperative behavior) and information sharing, although institutional scholars also recognize that cheating and free-riding behavior are never entirely eliminated and can be endemic in the larger and more complex organizations.[35]

Institutional scholars do not focus on the structure (distribution of power) of particular international orders, and they do not address the nature of particular international orders. However, some institutionalists highlight the impact of power on particular institutions. They argue that the preferences and desires of the more powerful states in any given institution will have greater weight than the less powerful states. Therefore, the international institution will do what the most powerful states want, and weaker states cannot stop this.[36] Others argue that the most powerful states in the international system create the political, military, and economic institutions they prefer and that best advance their interests. Thus, the most powerful states create the international order they want in the first place—a position that echoes the realist argument.[37] Other institutionalists believe the most powerful states do not necessarily have the advantage. In the modern world, states are interconnected in multiple political, economic, and security ways, leading to a situation of complex interdependence. With complex interdependence, states are concerned with much more than just security issues, and weak states can gain a degree of leverage over strong states in advancing their interests depending on the issue. Therefore, with multiple linkages through expanding international institutions, weak states can exercise a level of power they otherwise would not have.[38] For example, European states have had varying degrees of success in constraining U.S. actions via NATO, the UN, and the WTO, witness the 1991 Persian Gulf War. The United States approached NATO about leading the international response, but France successfully blocked the U.S. request because it objected to the Alliance operating outside allied territory, thus forcing the United States

to resort to an ad hoc "coalition of the willing."[39] International institutions can endure and increase in number despite changes in the international distribution of power when states calculate that they continue to benefit more from being in institutions than they would by being out of them.

Constructivism.

Constructivist theorizing analyzes international relations through the prism of ideas. Identity, norms, values, and beliefs all derive from ideas, and all of these concepts shape state interests, policies, and actions along with day-to-day interactions among states. Constructivist theorizing is new, and it is the least developed school of thought when it comes to analyzing international order. This theoretical paradigm argues that international order comes from and reflects the identities of states and their social interactions. In effect, states create their own realities based on their identities, cultures, values, beliefs, and day-to-day interactions with other states. In general, constructivists argue that anarchy can be positive or negative, and state interactions can be cooperative or conflictual depending on what states make of anarchy, of the nature of the world and international relations, and of each other. Different states perceive anarchy, the world, and other states differently, depending on their culture, identity, and ongoing interactions.[40]

Alexander Wendt proposes the main constructivist argument about international order. He claims self-help and aggressive power politics do not necessarily follow from anarchy. They are a result of state identity and the process of interstate interactions, not the structure or distribution of power. While power remains an important factor in international relations, what states do about it varies based on their cultures, identities, and interests.[41] For example, the United States does not view increases in the military and economic power of the EU as threatening because of shared cultures, identities, and interests. However, it does see increases in China's military and economic power as potentially very threatening due to differences in cultures, identities, and interests.

For Wendt, the structure of international order (i.e., unipolar, bipolar, or multipolar distributions of military power) does not tell one very much. States ascribe meaning to the structure based on their ideas, identities, and interests.[42] Thus, any given state can view any type of structure as prone to cooperation or conflict, depending on the state's identity and the nature of its relationships with the other states in the structure. Thus, different states can perceive the same structure differently. Similarly, the functioning (rules of the game) and nature of international order can vary widely and are directly related to the ideas, identity, values, beliefs, and interests of states. States create the organizations and rules they view as legitimate mechanisms to maintain order. Thus, different states could build different orders.

Wendt argues that different international security systems can emerge in international order. He identifies three types of systems: competitive security systems (enemy—this is the realist model); individualistic security systems (rival); and cooperative security systems (friend). In the competitive security system, states view each other as threatening enemies. The accumulation of military power is essential for survival because the logic of this system is "war of all against all." In the individualistic system, states view other states as rivals that are only potentially threatening. The logic of this system is more "live and let live" since states recognize each other's right to sovereignty, but limited war is still possible due to territorial issues, and just war is formalized in international law. (This system most nearly reflects the contemporary international order.) In the cooperative system, states view other states as friends, and nonviolence, mutual aid, and team play are the norm. The Euro-Atlantic community and the EU are two examples. These three systems are not permanently enduring, and they can change when state identities, interests, and social relationships change, although Wendt concedes that competitive security systems can be very difficult to change.[43] One should note that Wendt's three systems are theoretical models and therefore do not perfectly represent the complexity of reality.

A constructivist could argue that the end of the Cold War provides an example of a change from a competitive security system to a more cooperative one. Mikhail Gorbachev was influenced by new ideas (*perestroika*, *glasnost*, and liberal democratic ideology) that changed the Soviet Union's identity and interests. These in turn resulted in policies, actions, and signals that changed the nature of the Soviet Union's relationship with the United States, thus constituting a new type of relationship between the two states. The United States responded positively and cooperatively to the changes in beliefs and values promulgated by Mikhail Gorbachev, who advocated a shift from communism to liberal democracy and followed up this shift in ideas and ideology by beginning to establish liberal democratic political institutions.[44] This allowed the Cold War to end peacefully, it facilitated the transition to democracy of the post-communist states, and it allowed the new Russian state to begin its halting integration into the Western international order.

Wendt's model imputes to states the attributes of people (i.e., identity, values, beliefs), which can be problematic, and it assumes a state can actually have a coherent, holistic, and unified identity. It does not accommodate the to-and-fro of domestic political competitions among sub-state actors. Wendt acknowledges that world states may be operating in two different systems. That is, one state sees others as enemies, while another state sees others as rivals. In that case, the security system is likely to degenerate into the competitive system. Wendt's prize example is Hitler's Germany vs. France and Great Britain and the Munich Pact in 1938. However, he does not address the possibility that a state may have multiple identities or how it operates in multiple security systems. For example, the United States and the EU are operating in a cooperative security system, but the United States and Iran are operating in a competitive security system.

CONCLUSION

Although all of the IR paradigms provide important insights into the structure, functioning, and nature of international order, none of them by itself can fully explain or account for reality. More complete explanations of the real world require synthesis of these theories because the modern international order is hybrid, including elements of all the IR paradigms. War and the struggle for power endure among some states, especially as their relative power rises or falls. There are transnational ties of solidarity across some states based on shared values, identities, ideologies, and political institutions (examples are the Euro-Atlantic community and the EU). There are also expanding ties of cooperation and interaction among the members of international society that are regulated by rules, laws, and international institutions. This institutionalized international environment has both broadened and deepened over time. An example of an international organization that has changed, expanded, and grown over time as it brought in new member states is the WTO. That organization started as a trade regime called the General Agreement on Tariffs and Trade (GATT) and is now a formal multilateral organization that regulates more and more facets of international trade like manufactured goods, agricultural products, commodities, and services. The WTO now has the formal capacity to arbitrate disputes among states. International order therefore derives from and rests on power—both the military balance of power and economic and political power—as well as international values and norms, international institutions, international law, and state identities and culture.

Finally, concepts related to order can be applied both globally and regionally, and diverse orders can exist simultaneously. As noted previously, some have argued that the post-Cold War international order is unipolar.[45] However, the regional order in the Middle East is multipolar with both internal and external balancing occurring among the states of the region. The order in this region is further complicated by great power involvement; some argue that the United States and Soviet Union engaged in competitive balancing during the Cold War, and the United States has

exerted a hegemonic influence since 1991.[46] In addition, major nonstate actors like transnational terrorist groups, international criminal networks, multinational corporations, nongovernmental organizations, and transnational human rights and environmental movements, are increasingly playing a role in and exercising an impact (both negative and positive) on international order.

Understanding the various IR theoretical viewpoints—realist, liberal, institutional and constructivist—on the causes, structure, functioning, and nature of international order can be helpful to military practitioners in the national security arena because they provide a starting point for understanding and analyzing the contemporary international environment, including an appreciation for its astonishing complexity. Additionally, policymakers, think tanks, academics, and the news media constantly refer to international order and how it is changing (or not) as a result of significant military, political, and economic events, so it is helpful to have an understanding of this public discourse.

ENDNOTES - CHAPTER 9

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CHAPTER 10

THE INTERNATIONAL SYSTEM
IN THE 21ST CENTURY

Alan G. Stolberg

For strategic leaders of the 21st century primarily concerned with the issues of foreign policy and national security, the international system with which they will be dealing is likely to reflect only partially the traditional international system. While the nation-state, first codified by the Treaty of Westphalia in 1648, remains the dominant political body in international politics, its ability to influence events and people is being challenged by an assortment of nonstate actors, failed or failing states, and ungoverned regions. This is occurring in combination with the transnational threats posed by terror, the proliferation of weapons of mass destruction (WMD), crime, drugs, pandemics, human trafficking, and environmental degradation, as well as by elements of the system that have potentially positive impacts such as globalization and the information revolution.

The international system refers to the structure of relationships that exist at the international level. These include the roles and interaction of both state and nonstate actors, along with international organizations (IOs), multinational corporations (MNCs), and nongovernmental organizations (NGOs).[1] States make foreign and national security policy within and against this external environment. Opportunities for both conflict and cooperation arise in the context of this framework. The international community has tried for years to maintain order and prevent conflict using international institutions like the United Nations (UN) and international legal regimes like the Geneva Conventions.[2]

The international system frames the forces and trends in the global environment; it also frames the workspace of national security policymakers and makers of strategy. As they work through the formulation process, with an understanding for the interests and objectives of any actors in a given situation, those involved in the business of making policy and strategy must be able to account for the associated state and nonstate actors present in the international system. In addition, it has become particularly important that they be able to assess the competing values associated with the global actors, both state and nonstate, especially in relation to the fight against terrorism. Also, given the criticality of being able to call upon other nation-states and international or multinational organizations for support, the strategist and policymaker must know which alliances and coalitions are stakeholders in the issue in question. Another related element of the international system is the economic condition, as influenced by both the positive and negative components of globalization, that helps determine the amount of power actors can wield in the system. It is also important to be able to identify the international legal tenets and regimes that bear on the situation. Finally, the 21st-century maker of policy and strategy must be able to understand the threats to order in the international system represented by both conventional and transnational entities. If the policymaker or strategist can accurately assess all these factors, he might be able to determine friends and enemies, threats and opportunities, and capabilities and constraints inherent in the contemporary world.

Threats, challenges, and opportunities can come in many shapes and sizes. A traditional threat might take the shape of a nation-state in possession of WMD and a hostile attitude. This is also true for a nonstate actor, and potentially descending even to the individual level if one is willing to fly an airplane into a building. Less direct but also significant in the 21st-century world are the threats that can be made against the successful execution of a nation-state's policies, if other nation-states

are unwilling to provide support in a given situation. This lack of support can manifest itself as an opposing vote in an international organization like the UN, a multinational organization like the North Atlantic Treaty Organization (NATO), or an international regime such as the International Atomic Energy Agency (IAEA). It can equally be demonstrated by the refusal of a state to grant transit or over-flight rights to the forces of another state.

The international system also affords the strategist and policymaker numerous opportunities for advantage. If a nation-state can come to the assistance of another nation-state or region in time of need (e.g., natural disaster or failing economy), the opportunity exists to demonstrate concern and ultimately gain some level of influence with the entity in need. The same may be true when cooperating with other states as they transition toward democratic forms of government or market economies, or when signing on to an international regime like an arms control treaty. In all such cases, these are opportunities to gain acceptance and influence through and with other actors in the international system.

WHO ARE THE ACTORS?

Nations and states are not the same. Nations represent groupings of a people that claim certain common bonds, such as descent, language, history, or culture. Collectively, such an aggregation would constitute a national entity.[3] States, also known as nation-states, have a legal character and possess certain rights and duties under the tenets of international law. The 1933 Montevideo Convention on Rights and Duties of States, considered the classic legal definition for states, declared that states possess the following characteristics: permanent population, defined territory, and a government capable of maintaining effective control over its territory and conducting international relations with other states.[4] In addition, the government must possess a monopoly on the legitimate use of force in the state, and other states in the international system must recognize the sovereignty of that government.[5]

The concept of sovereignty came into existence with the 1648 Treaty of Westphalia ending the Thirty Years War in Europe, when, for the first time, the authority of state governments became officially recognized as greater than the authority of organized religion in formal state affairs. In contemporary international law, sovereign states are treated as equals, with every recognized state able to participate in the international system on the same plane. This sovereign equality is marked by the following elements:

1. States are legally equal.
2. Every state enjoys the rights inherent in full sovereignty.
3. Every state is obligated to respect the fact of the legal entity of other states.
4. The territorial integrity and political independence of a state are inviolable.
5. Each state has the right to freely choose and develop its own political, social, economic, and cultural systems.
6. Each state is obligated to carry out its international obligations fully and conscientiously and to live in peace with other states.[6]

Since the 17th century, the nation-state has been the dominant political entity in the international system, in part, because of the power the concept of sovereignty gave the recognized states—both in terms of absolute domestic control and independence on the international level.

But nation-states have never been alone in the international system. Various nonstate actors have always challenged their influence. The term nonstate actor typically refers to any participant in the international system that is not a government but may have an impact on the internationally related decisions or policies of one or more states. Examples of nonstate actors would be IOs,

NGOs, MNCs, the international news media, armed elements attempting to free their territory from external rule, or terrorist groups.[7] An individual may also be a nonstate actor. Examples of uniquely powerful individuals would be multibillionaire Bill Gates, financier George Soros, and terrorist Ayman al-Zawahiri.[8]

An IO is a formal institutional structure that transcends national boundaries. States create them by multilateral agreement or treaty. IOs normally function as an association of states that wield state-like power through governmental-like organs. The founding treaty defines the limits of the IO's legal competence. This is the primary difference between a state and an IO. The IO possesses only the powers granted to it in its originating document by the states that created it, and cannot legally act beyond those powers. A state possesses the rights and duties recognized by international law, subject to the provisions of that law, and can involve itself in almost any activity of its choosing. IOs depend entirely on member states for support and resources, both political and practical (like money and personnel). The result is that every IO depends on a sufficient number of member states that believe it is in their national interest to support the IO and its activities. Without member state support, the IO will not be able to function. Examples of IOs include the UN, NATO, and the European Union (EU).[9]

Different from IO's that are state-based, NGOs are voluntary organizations of private individuals, both paid and unpaid, who are committed to a wide range of issues but not on the behalf of any specific state government. Owing to increased interconnectedness, partly associated with improvements in communications technology and transportation, specialized NGO organizations, agencies, and groups have risen around the globe, and have an unprecedented level of influence in the modern international system. NGOs typically fall in one of two categories: those that have a universal noncommercial (nonprofit) and nonpartisan focus, and those that are primarily motivated by self-interest. The former are likely to involve humanitarian aid organizations, human rights groups, environmentalists, or new social movements. Representative organizations of this first type are Amnesty International, Greenpeace, the Red Cross, and Save the Children.[10]

The second NGO grouping, those that are directed by self-interest, is usually best represented by MNCs. MNCs, sometimes called transnational corporations, are global actors that execute commercial activities for profit in more than one country. Estimates are that the largest 500 MNCs control more than two-thirds of world trade. While not a new concept—given that predecessors like the Hudson Bay Company and the British East India Company were operational over 300 years ago—contemporary MNCs, such as General Motors and IBM, have been able to take advantage of advances in technology and communication to become truly global in nature, with only a corporate headquarters in their mother countries. Production no longer has to be located at the headquarters. With their enormous wealth, the impact of MNCs on the global economy is immense. Much of this influence comes in the arena of international commerce. In addition to being credited as a benign modernizing force in the international system through the establishment of hospitals, schools, and other valuable infrastructure in the Third World, MNCs are sometimes on the receiving end of less flattering epithets, charged with exploiting underdeveloped states in the conduct of corporate free trade.[11]

To combat violations of the world order, the international community has created a number of regimes to ensure that widely accepted principles, procedures, norms, and rules are in place to govern particular issues in the international system. The intent is to create opportunity for states to use these regimes as cooperation forums to achieve beneficial outcomes. Membership in these special purpose organizations is generally open to all relevant state actors. The success or failure of such regimes is based on the level of coordination and cooperation of policies among the member states.[12]

International regimes can take the form of legal conventions, international agreements, treaties, or international institutions. Special issue areas that they occupy include economics, the environment, human rights, policing, and arms control. Contemporary regimes like the World Trade Organization (WTO), General Agreement on Tariffs and Trade (GATT), World Bank, International Monetary Fund (IMF), Kyoto Protocol on the Environment, Geneva Conventions, International Criminal Court (ICC), United Nations Convention on the Law of the Sea, and the Strategic Arms Reduction Treaties (START) I and II are all intended to specify general standards of behavior and identify the rights and obligations of signatory states.[13]

The checks and balances created for the international system by the primary state actors and regimes have still been unable to assure global stability and good governance. This has been particularly manifest in the increase in the number of failed states and ungoverned spaces as well as the appearance of rogue states in the later part of the 20th century.

The problem of failed states has emerged since the end of the Cold War. It indicates that a breakdown of law, order, and basic services, such as education and health for the population, has occurred. This situation arises when a state is no longer able to maintain itself as a workable political and economic entity. A failed state is ungovernable and has lost its legitimacy from the perspective of the international community. In some cases, power lies in the hands of criminals, warlords, armed gangs, or religious fanatics. Other failed states have been enmeshed in civil war for many years. In essence, the government of the state has ceased to function (if it exists) inside the territorial borders of the original sovereign state. The end of the Cold War catalyzed the state failure process because the rival powers no longer provided economic and military assistance to former client regimes in the underdeveloped world. The governments of the failed states in countries like Haiti, Somalia, Liberia, Cambodia, and Rwanda were unable to survive without that assistance.[14]

While not necessarily a component of a failed state, ungoverned spaces feature rugged, remote, maritime, or littoral areas not effectively governed by a sovereign state. The state that theoretically should control the territory lacks either the willingness or ability to exercise authority over part or all of a country. Ungoverned spaces are areas where nonstate actors that threaten domestic or international order can exploit the lack of legal norms and processes. Examples include northern parts of sub-Saharan Africa and the Northwest Territories in Pakistan.[15]

An additional failure to maintain complete order in the international system is associated with the development of the rogue state. A rogue state is a state that frequently violates international standards of acceptable behavior. This is a sovereign entity that is openly aggressive, highly repressive, and intolerant with little or no regard for the norms of the international system. As such, it is a threat to international peace. The rogue state may attempt to exert influence over other states by several means. It might threaten to or actually develop, test, and field WMD or ballistic missile systems. It might traffic in drugs, break international treaties, or sponsor terrorism. It is likely to be aggressive toward other states. Current examples of rogue states are North Korea and Iran.[16]

Transnational threats are threats to the international system that cross state borders. Such threats emerged or increased dramatically in the latter part of the last century. While the term transnational relates to any activity that crosses state boundaries, transnational threats is a technical term that usually refers to activities with minimal or no governmental control. Three types of movement can be associated with transnational behavior: movement of physical objects, to include human beings; movement of information and ideas; and movement of money and credit.[17]

The combination of the cross border movement with illicit or dangerous activities has resulted in an emerging set of threats to human security, i.e., threats to the ability of states to govern themselves, and ultimately the stability of the international system at large. These transnational threats fall into two broad categories:

1. Direct threats from human beings (terrorism, organized crime, drug trafficking, human trafficking to include illegal alien smuggling, small arms transfers, and smuggling of WMD).

2. Threats from impersonal forces (disease and international pandemics, population growth and migration, resource shortages, global environmental degradation, climate change, and natural disaster like earthquakes, volcano eruptions, hurricanes, or tsunamis).[18]

Transnational threats have been expanding since the end of the Cold War for a number of reasons. Many emerging democracies are the vestiges of former authoritarian states where there has been a long legacy of coercion, violence, and corruption. Such states relied more on roles and relations than on rules and regulations. Thus, many emerging governments have been constrained by political norms that place factional loyalties above commitment to public policies. Also, as was the case with failing states and ungoverned spaces, diminished assistance from the developed world helped reduce the ability of governments to police their borders.[19]

Clearly, transnational threats, along with historical state-to-state threats, have created a number of significant challenges for the maintenance of stability in the international system. These threats and the problems associated with failed and rogue states, ungoverned spaces, and potential competition and conflict among the state and nonstate actors, also present some opportunities. Some states and nonstate actors can advance their individual causes in support of their national, organizational, or group interests by exploiting instability in the system. This interaction among the actors represents the international system at work.

HOW DOES THE INTERNATIONAL SYSTEM FUNCTION?

As players on the international stage, both state and nonstate actors either work alone or attempt to work with other elements of the system. Such relationships might be with other states or nonstate actors on a bilateral basis; formal groupings of states, IOs, NGOs, or other nonstate actors; or informal, even unacknowledged, cooperation with other system members. States can opt to form or join existing alliances or coalitions. An alliance is a formal security agreement between two or more states. Typically states enter into alliances to protect themselves against a common threat. By consolidating resources and acting in unison members of an alliance believe they can improve their overall position in the international system and their security relative to states that are not members of their alliance. Additional benefits to alliance membership might include the ability to offset the cost of defense. Unless an alliance partner is an actual liability, membership in an alliance allows states to supplement their military capability with those of their alliance partners. The alliance is thus, at least theoretically, less expensive than a unilateral approach to security. Also, economically related alliances can provide expanded economic benefits through increased trade, assistance, and loans between allies.[20] Alliance examples include NATO and the Warsaw Pact.

Coalitions are normally less formal than alliances. They usually represent a broad grouping of often very diverse states temporarily united for a specific purpose, typically military action.[21] States often agree to participate in a coalition strictly as a matter of convenience. Coalitions are likely to be temporary, while alliances can frequently endure for lengthy periods. Examples would be the American-led coalitions during the first Persian Gulf War (Operations DESERT SHIELD/ STORM) and the second conflict (Operation IRAQI FREEDOM).

Two ways states might use alliances or coalitions are to balance or to bandwagon. Both refer to decisions, conscious or subconscious, about relations with other system members. A state is balancing when it joins a weaker alliance or coalition to counter the influence or power of a stronger state or group of states. Balancing occurs when a weaker state decides that the dominance and influence of a stronger state are not acceptable, and the cost of allowing the stronger state to con-

tinue its policies unchecked is more than the cost of action against the stronger state. Balancing can be either external or internal in origin. In the external case, weaker states form a coalition against a stronger state, shifting the balance of power in their favor. A weaker state can also balance internally by deciding to undertake a military buildup to increase its power with respect to the stronger state.[22] Balancing in the international system can also be either a hard or soft action. It would be hard when it is intended to increase or threaten the use of military power of one state relative to another. A soft use would occur if weaker states want to balance a stronger opponent but believe that the use of military power is infeasible. In that situation, states employ nonmilitary elements of power to help neutralize the stronger states.

Bandwagoning is different from balancing because it will always refer to the act of a weaker state or states joining a stronger state, alliance, or coalition. Bandwagoning occurs when weaker states determine that the cost of opposing a stronger state exceeds the benefits to be gained from supporting it. The stronger power may offer incentives like territorial gain or trade agreements to entice the weaker actor to join with it.[23]

Actors on the global stage, both state and nonstate, decide to participate in alliances and coalitions and to conduct policies in support of balancing and bandwagoning based on their assessment of their relative power in the international system. This reflects one of the pervasive concepts about the system—that it represents or responds to a balance of power. It is important to distinguish between balancing of power as a policy (a deliberate attempt to prevent predominance on the part of another actor in the international system) and balancing of power as a description of how the international system works (where the interaction between actors tends to limit or restrict any attempt at hegemony and results in a general status of stability). The most widely accepted usage of the balance of power term is related to the latter version: the process that prevents or opposes the emergence of a single dominant actor. Theoretically, the international system works to prevent any actor from dictating to any other actor—that is, it actually works to maintain the anarchy of equal, independent, and sovereign states. Balance of power does that for the system.[24] In effect, balance of power describes the distribution of power in the international system in both equal and unequal portions. Given an assumption that unbalanced power is dangerous for the maintenance of stability, actors attempt to conduct policy that produces equilibrium of power in the system. This helps form the rationale for actors to bandwagon or balance as they form alliances or coalitions against potentially dominant competitors.[25]

The belief that equilibrium protects the sovereignty of the states, a perceived inequality of power, and the threat of violence combine to give both dominant and subordinate actors a shared (if unequal) interest in maintaining order in the international system. Balance of power becomes a type of compromise among actors that find stability preferable to anarchy, although it results in a system that favors the strong and wealthy over the weak and poor. More powerful actors, like the great power states, play leading roles in a balance of power international system because they have superior military force and the ability to wield key technology.[26]

Ultimately, the balance of power concept fulfills three functions in the international system:

1. It prevents the system from being transformed by conquest into a universal empire.

2. Localized balances of power serve to protect actors from absorption by a dominant regional actor.

3. Most important, the balance of power has helped create the conditions in which other features of the international system can develop (i.e., diplomacy, stability, anarchy, or war).[27]

Above all, this third function ensures the importance of the balance of power concept to the international system for the foreseeable future.

In contrast to the generally benign view of the balance of power concept as depicted above, a second and opposing school of thought has emerged with respect to the balance of power concept. Some theorists argue it is actually an imbalance or hierarchy of power that facilitates peace. Peace occurs most frequently when there is clear agreement in the international system about the relative power of the individual actors, and this happens when there is an accepted hierarchy as opposed to a balance among actors. To this theoretical school, "miscalculations of power and challenges leading to war are most likely to occur . . . when a large number of states are of relatively equal strength."[28]

For those actors in the international system less comfortable with operating in alliances and coalitions, universal collective security, such as membership in the League of Nations or UN, provides an alternative. In formal terms, such collective security is a framework or institution designed to prevent or neutralize aggression by a state against any member state. All state members are jointly responsible for the physical security of every other member. Membership in such an institution permits states to renounce the unilateral use of force because the institution guarantees to come to the assistance of the aggrieved state and sanction the aggressor. The overall intent of collective security is the maintenance of peace among members of the framework or institution (e.g., the UN, League of Nations), not between the system and external elements, as in the case of an alliance.[29]

The search for security is the most significant concern in some manner, shape, or form for the vast majority of actors in the international system. Security implies the absence of threats to one's interests. In absolute terms, complete security would mean freedom from all threats. Historically, the term security equated to the military dimension of security. Thus, security meant security from war or violent conflict. But the 20th century witnessed an expansion of the concept to include other security issues such as those relating to the economy or environment. Economic security is the assurance that a hostile actor cannot control the supply of goods and services, or the prices for those goods and services.[30] Examples are guarantees of water, oil, or natural gas. Environmental security implies protection from environmental dangers caused by natural or human processes due to ignorance, accident, mismanagement, or design, and originating within or across national borders.[31] Illustrative issues are air and water quality, global warming, famine, and disease pandemics.

How an actor in the international system chooses to interpret the concept of security helps determine participation in alliances or coalitions, involvement in universal collective security frameworks and balancing or bandwagoning behaviors. In all cases, these actors consider their ability to wield all the elements of power they have available, whether or not to use force, and—most significantly—what interests their ultimate policies will support.

Power in the international system is the ability of an actor or actors to influence the behavior of other actors—usually to influence them to take action in accordance with the interests of the power-wielding state. Power does not have to be actively applied to be effective. It is enough that the other actors acknowledge it either implicitly or explicitly. The reason for this is that the potential exercise of acknowledged power can be as intimidating as its actual use. Historically, some international actors have sought power for power's sake; however, states normally use power to achieve or defend goals that could include prestige, territory, or security.[32]

There are two general components of power: hard and soft. Hard power refers to the influence that comes from direct military and economic means. This is in contrast to soft power, which refers to power that originates with the more indirect means of moral authority, diplomacy, culture, and history. Hard power describes an actor's ability to induce another actor to perform or stop performing an action. This can be done using military power through threats or force. It can also be achieved using economic power—relying on assistance, bribes, or economic sanctions.[33]

In contrast to the primary tools of hard power—the ability to threaten with sticks or pay with carrots—soft power attracts others or co-opts them so that they want what you want. Soft power

is a term used to describe the ability of an actor to indirectly influence the behavior of other actors through cultural or ideological means. If a state can induce another state to want what it wants, it can conserve its carrots and sticks. The sources of soft power are culture (when it is attractive to others), values (when there is no hypocrisy in their application), and foreign policies (when they are seen as legitimate in the eyes of others). Soft power uses an attraction to shared values and the perceived justness and duty on the part of others to contribute to the achievement of those values.[34] It is much more difficult to systematically or consciously develop, manage, control, and apply than hard power.

A third take on power has recently been addressed by scholars: smart power. Smart power is described as "complementing (a state's) military and economic might with greater investments in soft power." There is recognition that the "hard" components of military and economic power have an important role to play, but are not sufficient in themselves in the 21st-century world. The result is a stated need to combine the hard elements with "soft" elements that would reflect a state's active participation in critical areas like "alliances, partnerships, and institutions, global development, public diplomacy, economic integration, and support for climate change and energy security-related technology and innovation."[35]

Whether hard, soft, or smart, an actor's power is measured in terms of the ability to wield the instruments of power that it actually possesses. Such measurement is always done in relation to another actor or actors and in the context of the specific situation in which the power might be wielded. Are the available instruments of power appropriate given the potential foe or the nature of the conflict?[36] As we recall from Chapter 4, American security professionals often categorize the instruments of power in terms of the acronym DIME for the diplomatic, informational, military, and economic elements, and that remains the current DoD doctrinal definition.[37]

Regardless of which specific instruments of power are available for potential use, the most important consideration for an actor's ability to transform potential power into operational power is political will. Effectiveness of the actor's government and depth of domestic support (or leadership effectiveness and stakeholder support for nonstate actors) are crucial for developing and sustaining political will.[39] Without either of those components, the likelihood for successful use of power is significantly reduced.

One of the most visible uses of power is in the wielding of force. There are a number of reasons for its employment. In 1966, the classic analyst of the use of force and influence, Thomas Schelling, described the use or threat of force as a kind of "vicious diplomacy." He described four different ways in which force might be used: deterrence, compellence, coercion, and brute force. Deterrence seeks to prevent another actor from doing something that it might otherwise have done. This is implemented over an indefinite period of time by convincing the deteree that he cannot successfully achieve the aim he seeks, sometimes by demonstrating sufficient force to prevent achievement and sometimes by promising a punishing response should the opponent engage in the action. An actor uses compellence when it desires to make an enemy do something by a specific time deadline. It might have the positive effect of persuading an adversary to cease unacceptable behavior, or it might cause him to retreat from seized positions or surrender assets illicitly taken. Compellence is usually used after deterrence has failed, although that condition is not a prerequisite. It can carry the promise of inflicting an escalating level of damage to a foe until it meets demands. It might also provide some type of reward for meeting the demands. For deterrence and compellence to be successful, both the threatened penalty and promised reward (if applicable) must be credible.[40]

Coercion is the intent to inflict pain if an opponent does not do what you want. It is normally most successful when held in reserve as a credible threat. Signaling the credibility and intensity of the threat are keys to success. Different from compellence, coercion only offers a threat for

noncompliance without a reward for compliance. Finally, the application of brute force is directly taking what the actor wants. It does not depend on signaling intent to the opponent and succeeds when used, based simply on the success of the application of force. Brute force is ultimately not about asking, but rather is about taking whatever the actor wants through the direct use of force.[41]

Virtually any action taken by an actor in the international system, whether it be peaceful or forceful, will likely be taken for the purpose of supporting the interests of the executing actor. The national interest is intended to identify what is most important to the actor. Until the 17th century, the national interest was usually viewed as secondary to that of religion or morality. To engage in war, rulers typically needed to justify their action in these contexts. This changed with the coming of the Treaty of Westphalia in 1648. For a state, the national interest is likely to be multifaceted and can be oriented on political, economic, military, or cultural objectives. The most significant interest is state survival and security. The terms "survival" and "vital" are frequently applied to this interest, with the "implication being that the stake is so fundamental to the well-being of the state that it cannot be compromised" and may require the use of military force to sustain it. Other types of interests considered to be important are the pursuit of wealth and economic growth, the promotion of ideological principles, and the establishment of a favorable world order. In addition, many states believe the preservation of the national culture in the state to be of great significance.[42] Ultimately, it is the state's assessment of the importance of its national interests that will determine much or all of what it will do or not do within the international system.

WHY DOES THE INTERNATIONAL SYSTEM BEHAVE THE WAY IT DOES?

Given a belief that the international system is composed of a structure and associated interacting units, political scientists in the late-1950s developed the concept known as levels of analysis to help analyze all the dynamics of interaction in the system. They believed that examining problems in international relations from the different perspectives of the actors would help determine why different elements of the international system behave as they do. These perspective echelons became known as levels. Levels represent locations where both outcomes and sources of explanation can be identified. The five most frequently used levels of analysis are:

1. International systems—largest grouping of interacting or interdependent units with no system above them. They encompass the entire planet.

2. International subsystems—groups or units within the international system that can be distinguished from the entire system by the nature or intensity of their interactions or interdependence (for example, the Association of Southeast Asian Nations [ASEAN], the Organization of African Unity [OAU], and the Organization of Petroleum Exporting Countries [OPEC]).

3. Units—actors consisting of various subgroups, organizations, communities, and many individuals, all with standing at higher levels (for example, states, nations, and multinational corporations [MNCs]).

4. Subunits—organized groups of individuals within units that are able or try to affect the behavior of the unit as a whole (for example, bureaucracies and lobbies).

5. Individuals.[43]

Making use of the levels of analysis, international relations theory attempts to provide a conceptual model with which to analyze the international system. Each theory relies on different sets of assumptions and often a different level of analysis. The respective theories act as lenses, allowing the wearer to view only the key events relevant to a particular theory. An adherent of one theory may completely disregard an event that another could view as crucial, and vice versa.[44]

International relations (IR) theories can be divided into theories that focus primarily on a state-

level analysis and those that orient on an overall systemic approach. Many, often conflicting, ways of thinking exist in international relations theory. The two most prevalent schools are: Realism and Liberalism, though increasingly, Idealism, also known as Constructivism, is becoming a competing concept.[45]

Realism has been a major, if the not the dominant, theory of international relations since the end of World War II. From the realist perspective, struggle, conflict, and competition are inevitable in the international system. Mankind is not benevolent and kind but self-centered and competitive. Realism assumes that the international system is anarchic because there is no authority above states capable of regulating their interactions; states must arrive at relations with other states on their own, rather than by obeying the dictates of some higher authority. States—not international institutions, NGOs, or MNCs—are the primary actors in the international system. For states to thrive and survive, they must orient on security as their most fundamental national interest. Without security, no other goals are possible. States must struggle for power in that system; this produces constant competition and conflict.[46] Military force is the ultimate arbiter in the struggle for power. Each state is a rational actor that always acts in accordance with its own self-interest. The primary goal is ensuring its own security. Strong leaders are key to success in this environment and will be required to exhibit realistic leadership as opposed to the morally idealistic.

Realism asserts that states are inherently aggressive, and territorial expansion is constrained only by opposing state(s). This aggressive orientation, however, leads to a security dilemma, because increasing one's own security produces greater instability as opponents build up their forces to balance. Thus, with realism, security is a zero-sum game where states make gains only to the extent that other states suffer losses.[47]

A variation of realism is neorealism. Rather than the realist view of the ascendant influence of human nature, neorealists believe that the structure of the international system controls and impacts all actors. In effect, it is the system itself that is in charge. States, with their orientation on survival, have a primary, if not sole, focus on war and peace. For a neorealist, state interests shape behavior. In neorealism, the success of regimes depends totally on the support of strong powers.[48]

The international system constrains states. The system comprises both the states and the structure within which they exist and interact. From a neorealist point of view, cooperation is more likely than a pure realist would claim because states are more interested in relative than absolute gains. In the bargaining, states are often willing to give something up in exchange for relative security.[49]

Several defining concepts, dating from Immanuel Kant's "Perpetual Peace" in 1795, have characterized liberalism as another fundamental theoretical basis for international relations:

> Peace can best be secured through the spread of democratic institutions on a worldwide basis. Governments, not people cause wars. . . . Free Markets and human nature's perfectibility would encourage interdependence and demonstrate conclusively that war does not pay. . . . Disputes would be settled by established judicial procedures. . . . Security would be a collective, communal responsibility rather than an individual one.[50]

Liberalism, which in this context differs from liberalism as used in the liberal-conservative ideological dichotomy, maintains that interaction between states goes beyond the political to the economic components of the international system—to include commercial firms, organizations, and individuals. Thus, instead of the realist anarchic international system, liberalism sees much opportunity for cooperation and broader notions of power such as cultural capital. Liberals also assume that states can make absolute gains through cooperation and interdependence—thus peace and stability are possible in the system.[51]

One primary hope of liberals for stability is the democratic peace concept. The main propositions of this concept are: peace through the expansion of democratic institutions; state populations naturally focus on their economic and social welfare as opposed to imperialistic militarism; subordination of states to an international legal system; and commitment to collective security as an enhancement of stability. Perhaps the most important element of the democratic peace concept is the belief that liberal democratic states are likely to remain at peace with one another. The international judicial system, combined with the perceived economic and social success of liberal states, normally dictates avoidance of external conflict, especially with another liberal democratic state.[52]

As with classic realism, liberalism has a related alternative called neoliberalism. This version postulates that the system is not in charge of everything; states make their own decisions. States are interested not only in survival, but also in cooperation. International institutions can promote cooperation; there are options beyond war and peace. Rules, principles, ideas, social norms, and conventions must be considered. In the view of neoliberalism, there is a much greater degree of cooperation in the international system than neorealism is willing to acknowledge. To a great degree, this cooperation is a result of the success of international regimes.[53]

International or supranational regimes, e.g., the UN, comprise a framework of rules, expectations, and prescriptions between actors that can change state behavior, particularly in the arena of cooperation.[54] Regimes often develop their own interests and become actors in the system.[55] Regimes come about for many reasons. They can benefit all actors in the system and do not require a hegemonic state for support. The more times states cooperate in a regime, the more opportunity exists to change the behavior of a particular state. There is a shared interest that can ultimately benefit all parties. Institutional incentives can motivate states to cooperate peacefully even in situations when force might be considered. A regime's intervention in state behavior makes cooperation more likely—which, in turn, could help drive change.[56]

Idealism, also known as constructivism, is still another theoretical school of international relations. It rejects standard realist and liberal views of the international system, arguing that states derive interests from ideas and norms. Idealists believe that the effects of anarchy in the system are not all-defining, but rather depend upon the different social identities that actors in the international system possess. These identities can be either cooperative or conflictual and directly related to the social structures established between actors. It is both the social structure between actors and the perceived identity of the separate actors that dictate how the system actually functions.[57] For an idealist, the state's identity shapes its interests. To understand change, an idealist must assess a state's identity. States are social beings, like people, and much of their identity is a social construct. If a state identifies itself as a hegemonic global policeman, it will shape its interests accordingly. States that self-identify as peace-loving economic powers emphasize different interests. Who a state is—primarily revealed in the form of culture—will shape that state's identity. States understand other states through their actions. Key for an idealist, one state's reaction will affect the way another state behaves.[58]

SUMMARY

In the end, there is no single answer to why any actor in the 21st-century international system behaves the way it does. There is also no single description for all the actors in the system, as well as no predictable method that any of them will use to interact. In effect, even considering the complexities of the 20th century, the 21st-century international system is highly likely to be more complex than ever. Clearly, the nation-state will continue to be the primary actor, but it will have increasing competition from the nonstate actors that have emerged in the latter part of the 20th century. Advances in communication and transportation, along with the information revolution's

contribution to globalization, have provided both emerging states and nonstate actors a degree of international influence never previously imagined. From the perspective of a 21st-century strategic leader, these emerging state and nonstate actors and the associated emerging transnational threats will create numerous challenges and opportunities. These challenges and opportunities will force leaders to address issues like determining the exact threat, assessing the intensity of national interests at stake, deciding whether to employ hard, soft, or smart power, and opting to work within alliances or coalitions or to go it alone. Ultimately, understanding these issues, and many others that depend on the situation, will be critical for the success of any actor, military or otherwise, in the 21st-century international relations system.

ENDNOTES - CHAPTER 10

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CHAPTER 11

INTERNATIONAL RELATIONS THEORY AND AMERICAN GRAND STRATEGY

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> Theory cannot equip the mind with formulas for solving problems, nor can it mark the narrow path on which the sole solution is supposed to lie by planting a hedge of principles on either side. But it can give the mind insight into the great mass of phenomena and of their relationships, then leave it free to rise into the higher realms of action.

—Carl von Clausewitz, *On War*[1]

This chapter takes as its starting point Clausewitz's view concerning the pedagogic role of theory for practitioners illustrated by the opening quote. Like Clausewitz's theory of war, scholarship from the field of international relations theory offers insights that would benefit policymakers working in the realm of American grand strategy. Bridging the gap between theory and practice in this case can be difficult because much of the specialized academic literature can seem so arcane and "impractical" since it offers no clear-cut blueprint or "hedge of principles" for conducting the optimal grand strategy. Moreover, since there are several schools of thought whose conclusions often seem to be contradictory, strategic thinkers can become bogged down trying to ascertain which theory is the "correct" one. In fact, international relations theory should not be conceived as either true or false, but as providing a way for organizing ideas about the underlying dynamics in international politics. And in this task, each school of international relations theory is equally useful.

This chapter outlines the basic tenets of three different schools in international relations that go by the labels realist, liberal institutionalist, and constructivist[2] to show the practical significance of the field's theoretical ideas. The discussion that follows will attempt to show the linkages and commonalities among the schools and avoid a characterization that paints them as rival interpretations. The discussion also aims to avoid simplistic caricatures of the three approaches under consideration. In this way, we hope to discourage the reader from becoming committed partisans to any single approach. As a starting point, each theory shares the common task of trying to answer the key questions that bedevil policymakers formulating grand strategy: How can we best shape events to serve our national interests? How will other states respond to our actions? For the United States, that began the 21st century commanding a position of hegemony that some critics labeled "hyper-power," international relations theory has the potential to suggest which courses of action are most likely to yield stability and which are most likely to corrode it.

REALISM AND THE CONSTRUCTION OF A THEORY OF INTERNATIONAL RELATIONS

We begin our discussion with the realist school because realist scholars assert their approach has an ancient lineage that can be traced back to ancient Greece. In addition, the realists were the first scholars of international politics to explicitly attempt to move beyond mere description of international politics by creating a theory for their discipline.

The basic precepts of realism are easy to summarize. The emergence of many independent, sovereign states in Europe in the 17th century, none of which acknowledged any superior authority, created an anarchical international system. Within such a system there could not be a genu-

ine international society but only a conflict of interest and struggle for survival so that interstate relations were ultimately regulated by warfare. For realists, conditions in the international state system are captured in the metaphor developed by 17th-century political philosophers of a "state of nature." Further, drawing on models of game theory, realists demonstrate that although states might recognize that cooperation would yield benefits, the very structure of their situation precludes them from cooperation because other states might cheat on agreements and thus jeopardize their security. Expressed in the jargon of game theory, the underlying dynamic of international politics is one where independent decisionmaking leads to suboptimal outcomes.[3] Realists claim the validity of their analysis is demonstrated by the fact that its precepts have been identified by classic thinkers even before the emergence of the state system.

An accurate portrayal of the origins of realism must first demolish the cliché myth that realism's explanatory power is strengthened by the fact that classic thinkers from Thucydides to Machiavelli identified its underlying principles. Proponents of the realist perspective point to the famous passage in the Peloponnesian War where the Athenians tell the Melians:

> . . . since you know as well as we do that, when these matters are discussed by practical people, the standard of justice depends on the equality of power to compel and that in fact the strong do what they have the power to do and the weak accept what they have to accept.[4]

After the speech, the Athenians go on to kill all Melian men of military age and sell the women and children into slavery. Realists cite this passage and the events that follow to support their claim to represent an understanding of the underlying dynamics of international politics that is universal across time and space and that can hardly be altered by human choice or action. Yet, scholars citing the passage omit the fact that the events Thucydides described took place in the 16th year of the war. Consequently, one cannot assert that Thucydides was stating a basic law of international politics, when he might well be drawing a lesson about the impact of prolonged war on a society. This decidedly "unrealist" reading of Thucydides can also be supported by the fact that the Athenians took quite different actions when they voted to spare the Mytilenians earlier in the same war. Further, one can even interpret Thucydides choice to recount the Athenian decision taken immediately after the Melian affair to sail to Sicily where they met with military catastrophe, as suggesting a lesson about the consequences of imperial ambition.[5]

The second classic thinker often called a founding member of realism is, of course, Niccolo Machiavelli. In one sense, Machiavelli's reputation as a realist is deserved and stems from his rejection of the medieval approach to political philosophy that focused on how men should live, rather than describe how they do live. Further, his book, *The Prince* provides the classic expression of realpolitik that has led to the negative connotation of the term "Machiavellian." However, Machiavelli's biography suggests that the book was less an effort to ascertain universal principles of political behavior than an effort to salvage his own position. As a Florentine diplomat that served in the republic, Machiavelli lost his position when the Medicis returned to power in 1512. Moreover, Machiavelli was implicated in an anti-Medici plot, imprisoned, and tortured. He wrote *The Prince* in 1513 in an effort to ingratiate himself to the Medici family—most likely in the hopes of recovering his position. The circumstances under which Machiavelli wrote *The Prince* shaped its content in a way that detracts from it as an authentic expression of realism.

One can gain a better appreciation of Machiavelli's genuine political orientation by reading his longer work, *Discourses: On the First Ten Books of Titus Livius*. This book was written over a 5-year period (1512-17) and provides a celebration of the virtues of a republican form of government that is absent in *The Prince*. His political preferences are most apparent when comparing a republican form of government with a monarchy. In one chapter he says:

> But as regards prudence and stability, I say that the people are more prudent and stable, and have better judgment than a prince; and it is not without good reason that it is said, "The voice of the people is the voice of God."

He goes on to add:

> For a licentious and mutinous people may easily be brought back to good conduct by the influence and persuasion of a good man, but an evil minded prince is not amenable to such influences, and therefore there is no remedy against him but cold steel.[6]

Although Machiavelli is not the founder of realism often claimed, the ambiguity in his work is sufficient that one can trace some contributions to both a realist and institutionalist tradition of international relations theory to him.[7]

To show as we have that realists cannot claim to be the heirs of a long-standing tradition with ancient roots is not intended to discredit that school of thought. Yet realists claim that one great virtue of their approach to understanding international politics lies in its ability to explain continuity in state behavior that is evident from the long history of realist views found in the classic works discussed above. In fact, the realism located in both Thucydides and Machiavelli is at best over-exaggerated and at worst a complete distortion of their ideas. The one classic thinker whom realists can claim as a progenitor for their ideas is Thomas Hobbes, who was one of the 17th-century writers to develop the concept of "state of nature." In this case, however, we must note that his tract on behalf of absolute monarchy, *The Leviathan*, containing as it did his pessimistic assessment of human nature, was written against the experience of the English Civil War in which all the characteristics we associate with failed states were in evidence. Therefore, the validity of drawing universal inferences about behavior from such circumstances must certainly be questioned.

Given the tenuous links with classic writers, the best place to begin an elaboration of realism lies in the work of Hans Morgenthau. Aspects of Morgenthau's biography help explain the content of his ideas, while circumstances of his era help explain why his ideas would resonate with his contemporaries. Hans Morgenthau was born in Germany in 1904. He witnessed the major 20th-century traumas of his country: defeat in the first world war, the collapse of the Weimar Republic, and the rise of Adolf Hitler. Morgenthau left Germany for the United States in 1937. Given what he saw as the irrationality of German fascism with its rabid anti-Semitism that shaped its foreign policy, it is not surprising that Morgenthau would contrive to place foreign policy on a more rational foundation. He described that foundation in his classic book, *Politics Among Nations*, first published in 1948. Needless to say, a book whose purpose was to provide a "rational theory" of international politics found fertile soil in the environment after World War II. That era was marked by a profound disillusionment with interwar diplomacy whose crusading idealism, symbolized by the League of Nations and the Kellogg-Briand Pact to outlaw war, failed to stop the conflagration that began in 1939. Morgenthau's ideas proved sufficiently compelling that his book continued to be published long after his death with the latest edition appearing in 2005.

Morgenthau began his analysis with a claim to found a science of international politics based on objective laws of human nature. From this origin he developed his core concept and one of his six principles of realism as "interest defined in terms of power."[8] This core concept served both practical and scholarly functions. For the statesman, the concept provided a yard stick for measuring policy by enabling him to ask: How does this policy affect the power of the nation? For academics, Morgenthau's stress on the rational element had the virtue of aiding theoretical understanding and could therefore account for:

    . . . that astounding continuity in foreign policy which makes American, British, or Russian foreign policy appear as an intelligible, rational continuum, by and large consistent within itself, regardless of the different motives, preferences and intellectual and moral qualities of successive statesmen.[9]

By reducing the basic motive for states to "interest defined in terms of power," Morgenthau simplified the task of understanding the actions of states for both practitioners and scholars alike. For Morgenthau, his realist view guarded against the fallacy that understanding or anticipating a state's behavior required knowledge of either its motives or its ideological preferences. The realism of Morgenthau can be summarized as favoring an understanding of state behavior based on calculations of interest and power without reference to morality. As such, Morgenthau's work became vulnerable to a charge that it was amoral, although that charge cannot really be substantiated. For Morgenthau, prudence is the supreme virtue of politics, and prudence is the necessary pre-condition for any kind of morality. Almost by definition only a rational, realist foreign policy could be moral to the extent it ensures a moderation that saves states from "moral excess and political folly."[10] One can appreciate why a refugee from Hitler's Germany would come to define and value prudence and moderation as the only sound basis for a moral foreign policy.

Morgenthau's realism is, to be sure, highly pragmatic, and he is critical of statesmen like John Foster Dulles who introduced a crusading moralism as a guiding principle of American foreign policy. Morgenthau was an early critic of the American war in Vietnam and not on legal or moral grounds, but because he believed the war did not serve American interests.[11] Morgenthau's principles of realism also have the virtue of guarding against the hubris of imperial power—particularly relevant to post-Cold War America—and he noted that the moral aspirations of any particular nation are not synonymous with the moral laws that govern the universe. On this score the profound moral vision that informs his realism was apparent when he said:

    The lighthearted equation between a particular nationalism and the counsels of Providence is morally indefensible, for it is that very sin of pride against which the Greek tragedians and the Biblical prophets have warned rulers and ruled. That equation is also politically pernicious, for it is liable to engender the distortion in judgment which, in the blindness of crusading frenzy, destroys nations and civilizations—in the name of moral principle, ideal or God himself.[12]

Before leaving our discussion of Morgenthau, it is appropriate to point out that for all of his emphasis on the struggle for power as the underlying dynamic force in international politics, and the fact that subsequent realists view him as their intellectual godfather, Morgenthau foreshadowed approaches used by the two other schools of international relations theory. In his discussion of British predominance in the 19th century, he noted that Britain was able to overcome all serious challenges to its superiority because its *self-restraint* enabled it to gain allies and minimize the incentive of other powers to challenge it. Such a view suggests that the domestic character and nature of a regime shapes its behavior as much as external circumstances.[13] The view that domestic politics deserves equal causal weight as external conditions—a view rejected by other realists—would be expanded upon subsequently by liberal institutionalists, as we will see below.

Morgenthau also foreshadowed constructivist analysis in both his discussion of the balance of power and of the impact of nationalism. Morgenthau did not conceive of the balance of power as some automatic process or universal behavior, but rather as a process that rested on the moral and political unity of Europe. Translating Morgenthau's insight into constructivist terminology, we would say that the balance of power is socially constructed by states and therefore has no independent permanent existence external to them. Similarly, Morgenthau noted that states viewed themselves and their very identity quite differently as a result of nationalism, and he denounced

the pernicious impact of nationalism on state behavior because it undermines the restraint necessary for moral conduct. He said:

> Compromise, the virtue of the old diplomacy, becomes the treason of the new; for the mutual accommodation of conflicting claims, possible or legitimate with a common framework of moral standards, amounts to surrender when the moral standards themselves are the stakes of the conflict.[14]

Morgenthau's view here is consistent with constructivist claims that socially constructed identities shape behavior of states. We will return to constructivist analysis later in this chapter.

Other realist scholars followed in Morgenthau's footsteps. Perhaps most notable among them is Kenneth Waltz, whose influential *Theory of International Politics* was published in 1979, the year that Hans Morgenthau died. Waltz came to the study of international politics from economics and drew on the logic of that discipline for his analysis of international politics.[15] Given the logic of micro-economic theory, it is not surprising that Waltz viewed all states as similarly motivated and rational, value-maximizing actors. In fact, the assumption that states apply an economic mode of reasoning pervades the work of other realists as well as the work of liberal institutionalist scholars.

Waltz moved away from Morgenthau's version of realism in some important ways that earned his work the label of neo-realism. First, Waltz's theory is more abstract than Morgenthau's, and he strives to create a theory that is both parsimonious and elegant. The greater level of abstraction is justified by his definition of the function of theory and its distinction from the related concept, "laws." For Waltz, laws identify invariant or probable associations that can be ascertained as true. Theories on the other hand explain why laws are true. He concludes from this distinction that "A theory though related to the world about which explanations are wanted, always remains distinct from the world."[16]

Second, unlike Morgenthau, Waltz sees power as a means and not as an end that states pursue. Power provides the means by which states achieve their core interest or objective, which is survival. Third, Waltz emphasizes more strongly than Morgenthau the extent to which state behavior is shaped by external conditions. Waltz asserts that his theory is a "systems" theory because it shows how the organization of units (states) affects their interaction and behavior. Waltz's focus on systems-level causes means that, for him, impersonal forces shape behavior rather than objective laws of human nature. Thus, Waltz rejects Morgenthau's pessimistic view of human nature that traced state behavior back to man's inherent lust for power.[17] The crucial component of the system lies in its structure, anarchy, and the distribution of power in the system. For all practical purposes, determining the distribution of power means counting the number of great powers to determine if the system has a multipolar or a bipolar structure. Waltz's emphasis on system structure is why the approach is sometimes labeled "structural realism."

For Waltz, the structure of the international system and power as the means by which states seek to ensure their survival are linked to shaping behavior and outcomes. Unlike Morgenthau, who saw the operation of the European balance of power as dependent on a common moral framework, Waltz conceives of the balance of power as an automatic process akin to the law of gravity in the physical sciences. Because all states have the same core interest to survive, they will balance against a greater power because *any* concentration of power has the potential to threaten their survival. Waltz logically expects then, that balancing behavior means states will tend to join the weaker of two coalitions to check the power of the stronger one. Because the structure of the international system influences the means available to balance power, different structures have different implications for peace and war. Thus, a multipolar system with many comparable power centers necessarily relies on alliances as the balancing mechanism. Reliance on alliances creates great

uncertainty among states as to who actually threatens whom. Uncertainty is also compounded by the fact that a defection from one alliance will completely alter the capability of that alliance and hence jeopardize the survival of its members. Diplomacy within a multipolar system is fraught with such uncertainty that states easily miscalculate. Pervasive miscalculation in turn, will make multipolar systems warlike. Indeed, some historians suggest that during the multipolar system from 1688 to 1939, there were not just two but nine world wars.[18]

In contrast to his expectations concerning a multipolar system, Waltz expects a bipolar system to be less warlike because the two great powers that dominated the system after 1945 relied on internal mechanisms to balance each other rather than alliances. For Waltz, such internal balancing is more reliable and precise and does not generate the uncertainty that makes states prone to miscalculation. To be sure, Waltz recognizes that each of the superpowers in the bipolar system created alliances, but these did not serve to balance power between the two alliance leaders. Rather, the alliances provided the weaker members a guarantee of protection. Furthermore, because the discrepancy in power between the superpowers and the states within their respective alliances was so great, any realignment through defection of one state to the other side would not be destabilizing. Thus, Waltz notes that both the United States and the Soviet Union experienced the loss of China to the other side, yet the loss was easily tolerated and did not prompt war because it did not fundamentally alter the balance between the two superpowers.[19]

Several observations about Waltz's analysis should be noted at this point. First, in *Theory of International Politics*, Waltz categorically puts the causal force shaping state behavior and therefore foreign policy on external factors. One does not need to know about the domestic political system or culture of a state or the character of its national leaders to infer general expectations about its behavior. Quite different states can be expected to respond in the same way to the same external structural conditions. Couched in social science terminology, the structure of the international system acts as an intervening variable between an actor's purpose and the outcome he achieves. The way the international system shapes or disciplines the behavior of states is illustrated by the famous example of Leon Trotsky. Appointed as the first Soviet Commissar for foreign relations, Trotsky believed the new Bolshevik government would be able to pursue a new revolutionary foreign policy without reference to the international system. He expected that as foreign minister he would "issue some revolutionary proclamations to the peoples and then close up the joint."[20] Of course, Trotsky was mistaken about his ability to ignore the realities of the international system. As further supporting evidence for the influence of structure on behavior, Waltz notes that for the two world wars of the 20th century, the same principal countries lined up against each other despite the domestic political upheavals and the changes in leadership that occurred during the interwar period.[21]

Yet, if Waltz's claim that the underlying dynamic of international politics is unchanging and state level factors cannot transform the system, then one must conclude logically that if the Axis powers had won World War II and a bipolar structure organized around the leadership of Germany and Japan had emerged, conditions in international politics would not have evolved much differently. Similarly, a Soviet victory in the Cold War would not be expected to have transformed the system in any meaningful way. These counterfactual examples are suggestive of the limits to an understanding of international politics that places the greatest causal weight on the external environment. Waltz himself moved away from that extreme view and admitted in a later article that "The causes of war lie not simply in states or in the state system; they are found in both."[22]

A second observation needs to be made concerning Waltz's claim about the greater peacefulness of the bipolar system that emerged in 1945. He asserts that the peacefulness was the result of the internal balancing mechanism that made the superpowers less prone to miscalculate. Yet nuclear weapons came into existence at the same time as the bipolar structure. Consequently, one

cannot ascertain for sure whether the absence of war between the superpowers was the result of the change in military technology or the bipolar structure. Finally, from the standpoint of practical policymaking, Waltz's theory has the drawback of working at such a level of generality—and one he readily admits—that statesmen are unlikely to be able to use it to evaluate courses of action.[23] However, Waltz does provide a very practical warning about the hazard of over-extension that is inherent in the excessive concentration of power found in a unipolar structure. Waltz believes such a structure is not likely to be durable because a country leading a unipolar structure will be tempted to misuse the concentration of power it enjoys, so that ". . . even if a dominant power behaves with moderation, restraint, and forbearance, weaker states will worry about its future behavior."[24]

THE LIBERAL INSTITUTIONALIST RESPONSE

Although realist scholars assert the persistence and dominance of their approach to understanding international politics, an alternative view that questions the basic tenets of realism has wide appeal. The alternative view starts with a different sense of the "state of nature" metaphor—one that is derived from John Locke rather than Hobbes. Locke, who was a contemporary of Hobbes, believed that the absence of government authority created a state of nature that was a state of liberty, but was not a state of license leading to conflict and war. Consequently, cooperation and order are feasible even in the absence of preponderant power, and the liberal institutionalist school focuses on the many factors that contribute to expanding opportunities for collaboration among states. For liberal scholars the era of total war begun by Napoleon and continuing with the two world wars of the 20th century demonstrated the growing dysfunction of the costs of great power rivalry that undermine the very ability of great powers to secure their interests. Thus, liberal scholars assert that a transformation in international politics occurred that created regions where war is virtually obsolete. These zones of peace, exemplified by the creation of the European Union, is testament to the fact that the anarchy induced competition can be overcome.

The coexistence of realist and liberal theory is illustrated by the ebb and flow of diplomatic practice that draws on the assumptions of one or the other school of thought. The notion that acceptable diplomatic practice must be based on self-interest embodied in *raison d'etat* was unquestioned by leaders until the end of World War I. That war had a sobering effect on statesmen who realized that total war among the advanced industrial states was catastrophic. This led to a wholesale rejection of realist statecraft and acceptance of a new liberal practice. The liberal practice sought to replace balance of power considerations with collective security and to regulate interstate relations on the basis of open diplomacy and law. The failure of such liberal statecraft to avert World War II seemed at the time to invalidate liberal principles and practice and reestablish the eternal verities of realism. E. H. Carr was a predominant spokesman who sought to critique the legalist-moralistic diplomacy of the interwar period in his book, *The Twenty-Year's Crisis*. In the end, Carr recognized that the pursuit of power by itself could not provide a firm foundation for international order and that any political order must rest on the twin pillars of power and legitimacy. He wrote:

> If, however, it is utopian to ignore the element of power, it is an unreal kind of realism which ignores the element of morality in any world order. Just as within the state every government though it needs power as a basis of its authority, also needs the moral basis of the consent of the governed, so an international order cannot be based on power alone, for the simple reason that mankind will in the long run always revolt against naked power.[25]

Beginning in the 1970s a new generation of scholars sought to pick up where E. H. Carr's conclusion ended to suggest that the liberal statecraft of the interwar period had not been wrong but

merely premature. This new response to realism was launched by Robert O. Keohane and Joseph S. Nye's edited volume, *Transnational Relations and World Politics* in 1970. Other works followed including Edward L. Morse, *Modernization and the Transformation of International Relations*, which appeared in 1976. What these and other works shared in common was a recognition that profound changes had occurred during the past 200 years so that state behavior could not be expected to resemble that of the European states in the 18th century. In some sense these early works reflecting liberal institutionalist views foreshadow analysis of the impact of globalization. Although states still pursue survival as an objective, that survival is more broadly defined to include satisfying the demands of the people and ensuring prosperity. Given the fact that states have broadened their goals, they need to move away from reliance on military force and power with its drive for competitive unilateral advantage toward greater cooperation. Furthermore, the search for security increasingly takes place in an environment where borders have been made more porous by changes in technology and growing interdependence. Interdependence in turn makes a strategy that relies on unilateral drives for advantage self-defeating. It is important to underscore the point that liberal theorists do not believe that states have somehow acquired new ethics that values cooperation, but that the changes wrought by technology make it impossible for them to achieve their selfish objectives without cooperation.

Liberal institutionalists share the realist assumption that states are rational actors engaged in a continuing cost-benefit analysis, so they carry over the realist notion that states apply an economic mode of reasoning. Hence, liberal institutionalists reconfirm the realist assumption that state behavior is not significantly affected by cultural variation. However, as part of that actor rationality, liberal scholars believe states to be willing to forgo competition on behalf of greater gain, as long as they can eliminate the fear that other states might cheat on their agreements. International institutions are the means for minimizing fear and hence the reason that the school carries the label "institutionalist." In addition, this liberal strand of theory shifts the causal weight for behavior away from the external conditions or structure toward the importance of domestic political institutions. Thus, liberalist scholars assert that the gradual spread of democratic governance provides states with added incentive to pursue objectives beyond a narrowly defined physical security. An additional theoretical corollary that grows from the observation of the impact that democracy has for international relations is the so-called democratic peace theory that asserts that democracies are less inclined to go to war against other democracies than they are against authoritarian states.[26]

Realists often accuse scholars writing in the liberal institutionalist tradition of paying insufficient attention to the role of power in international politics. This charge cannot really be substantiated, and we can illustrate this by looking at how liberalist scholars address the quintessentially realist phenomenon of war. In the discussion that follows we will look at liberal analysis of both the initiation of war and the nature of peace settlements that follow major wars. In each instance, liberal institutionalists draw implicitly on Morgenthau's insight concerning the British restraint in the exercise of power in the 19th century that we noted earlier.

Power transition theory provides a conceptual framework for understanding the factors that contribute to the start of war. The book, *The War Ledger* by A. F. K. Organski and Jacek Kugler, outlines a model of power transition and explains its implications.[27] As its name suggests, changes in the distribution of power play an important causal role in the initiation of war. Changes in power are driven by internal growth, and here power transition theory relies heavily on changes in gross domestic product (GDP) as a measurement. Changes in growth lead to a dynamic process of rise and decline in the power of states. From a strictly realist perspective, one would expect a dominant country to try to inhibit the growth of another state's power. Similarly, one would expect the rising country to challenge the interests of the dominant country until the tension between the two

countries becomes so great that war ensues. But changes in power are only one factor that accounts for the outbreak of war, and power transition theory is not purely realist.

The second factor that power transition theory identifies as contributing to the onset of war relates to the evaluation of the status quo. That status quo is composed of institutions, laws, and practices that govern state interactions and allocate rewards and punishments. As such, the specifics of the status quo arrangements reflect the preferences and interests of the dominant country. But it is how others, especially rising challengers, view the status quo that determines whether or not war breaks out between a challenger and the dominant country. In other words, as E. H. Carr recognized, both power and legitimacy matter in terms of maintaining or breaking the peace.

Applying both variables to the Soviet-American rivalry during the Cold War illustrates the impact that power transition theory attributes to the interaction of power parity with satisfaction/dissatisfaction of the status quo. The Soviet Union was very dissatisfied with the status quo established by the United States at the end of World War II, which included among other things the Bretton Woods system designed to foster economic openness. Yet, the Soviet Union came no where near matching the United States from the standpoint of power—particularly as measured by GDP. Consequently, no war occurred between the rising Soviet challenger and the dominant United States. One might speculate concerning the likelihood of war between the United States and China as being similarly dependent on whether or not China will reach power parity with the United States and become dissatisfied with the status quo.

The book that is most useful for understanding the nature of an acceptable status quo is G. John Ikenberry's *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order After Major Wars.* This work focuses on the origin of the status quo found in the peace settlements that conclude major wars. Like power transition theory, Ikenberry recognizes the indispensable role that power plays in establishing a status quo, for it is the victor in a major war that shapes the postwar world. From this position of power a state can choose to exercise its raw power and dominate others, or use its position to create a durable order. Realists and institutionalists differ in what they see as the likely choice of a dominant power. Ikenberry captures the two views when he notes:

> The debate about the sources of international order is typically waged between those who stress the importance of power and those who stress the importance of institutions and ideas. This is a false dichotomy. State power and its disparities determine the basic dilemmas that states face in the creation and maintenance of order, but variations in the "solutions" that states have found to these dilemmas require additional theorizing. The character and stability of postwar order hinge on the capacities of states to develop institutional mechanisms to restrain power and establish binding commitments—capacities that stem from the political character of states and prevailing strategic thinking about the sources of international order.[28]

The cases Ikenberry examines show how, beginning in 1815, the leading state resorted to an institutional strategy and how subsequent peace settlements varied from the first one. In part, the variation in the institutional arrangements created by the peace settlement shows that the greater the power disparity after the war, the greater the capacity of the leading state to adopt an institutional strategy.

Unlike other liberal institutionalist theorists who see the value of institutions in the extent to which they provide a mechanism that guards against cheating, Ikenberry sees institutions as transforming the very condition of anarchy to the point where it bears some resemblance to a "constitutional order." He defines a constitutional order as one organized around agreed upon legal and political institutions that, because they allocate rights and limit the exercise of power, make that

concentrated power less consequential.[29] Ikenberry's view of anarchy then, is quite the opposite of the realists who see anarchy as an absolute. For Ikenberry, institutions can lead international politics to resemble domestic politics more closely. Institutions can do this because both the dominant state and weaker ones have a stake in the arrangement. Institutions give weaker states a voice and ensure against their exploitation by the strong. The dominant state has an incentive to conserve its power by committing to an arrangement that explicitly limits its own exercise of power. By so doing, the dominant state acquires acceptance by the weaker states, which lowers the enforcement costs to the dominant state for maintaining the order. By limiting the expense of maintaining international order, the dominant state minimizes the corrosive effect that imperial costs might otherwise impose. Ikenberry describes the dynamic behind the bargain this way:

> . . . the leading state gets a predictable and legitimate order based on agreed-upon rules and institutions. It obtains the acquiescence in this order by weaker states, which in turn allows it to conserve its power. In return, the leading state agrees to limits on its own actions and to open itself up to a political process in which the weaker states can actively press their interests upon the more powerful state….Institutions play a two-sided role: they must bind the leading state when it is initially stronger and the subordinate states later when they are stronger.[30]

Ikenberry recognizes that nations will not under all circumstances select the solution to order that relies on institutions, and that democracies are better suited to use this strategy than nondemocracies. Several reasons account for the relative ease that democracies have in establishing an institutional order. First, democracies have a higher level of political transparency and openness. Such transparency means that other states will be fully aware of their actions and the motives behind them. Part of the transparency involves political competition inherent in democratic processes that makes leaders accountable to an electorate. Related to transparency and political competition is the fact that decisionmaking is decentralized, which offers the opportunity for many actors (including other states) to influence policy. Finally, Ikenberry notes that democracies can be characterized by "policy viscosity," which means there are institutional checks on abrupt policy shifts that reduce destabilizing surprises.[31] In essence, Ikenberry moves beyond the thesis of a democratic peace to suggest that democracies—especially great powers in a position to establish world order—have foreign policy options that are not as available to nondemocracies. Thus, using our counter factual scenario about what would have happened if the Axis powers had won World War II, Ikenberry's answer is quite a departure from what the realists like Waltz might say. The logic of Ikenberry's analysis suggests that the Axis powers would have been less able to select an institutional strategy to lock in their power position and would have faced persistent, simmering resistance from other states.

CONSTRUCTIVISTS AND THE SOCIAL-PSYCHOLOGY OF INTERNATIONAL POLITICS

Of all the approaches to international relations theory, perhaps the most difficult to summarize briefly is constructivism. Constructivism is the most recent school and its relative newness means that its precepts have not yet seeped into diplomatic practice, nor has its terminology entered public debate. Further, constructivism departs significantly from the other two schools, particularly in its rejection of the assumption that states use an economic mode of reasoning. In addition, of the three approaches constructivism is most easily misrepresented because it rejects the crudely materialist view that the physical reality of the environment governs state behavior. Consequently, constructivists are often labeled idealists. In one sense, this is an unfortunate label because idealism conjures up notions of impractical, naïve and unrealistic views of the world. However,

in another more philosophic sense, the label idealist is appropriate because constructivists focus on more intangible factors like the impact of ideas on state behavior. Thus the starting point for constructivist analysis is to consider facets of culture like norms and ideas as well as processes of social interaction as the best avenue for understanding state behavior. One way constructivists illustrate the weakness of a purely material explanation for state behavior is to consider U.S. relations with two neighbors, Cuba and Canada. From the standpoint of power, the two stand in comparable positions in relation to the United States. Yet, power is an insufficient explanation of U.S. behavior toward each.[32]

Alexander Wendt is one leading scholar who draws on a constructivist approach, which he outlines in his book, *Social Theory of International Politics*. Indeed, his work is sufficiently notable that a journal devoted to international security found it worthy as a subject of a major review essay. As a starting point, Wendt notes that:

> A fundamental principle of constructivist social theory is that people act toward objects, including other actors, on the basis of the meanings that the objects have for them. States act differently toward enemies than they do toward friends because enemies are threatening and friends are not.[33]

Given such a principle, constructivists would never accept the fact that any given condition in international politics like anarchy (or balance of power) has an effect on state behavior that is universal across time and space. There is in other words, no inherent logic to anarchy, it is, as one author phrased it, an "empty vessel."[34] That empty vessel may be filled in various ways, depending on social interaction of the states and the knowledge they gain concerning anarchy from this interaction. For example, Wendt describes three possible meanings for anarchy that he labels: competitive, individualistic, and cooperative. The first two forms of anarchy fit the classic realist conception of international politics in that they are self-help systems where states do not positively identify their security with that of others. For Wendt, there is a possible third meaning for anarchy that is cooperative because states see their security as linked to the security of others.[35] Realists would claim that the competitive meaning for anarchy is the *only* possible one, while Wendt would suggest that although it happens that our system of international politics accepts the competitive meaning for anarchy, there is nothing inevitable about this acceptance. Rather, as Wendt would have it, the meaning of anarchy was socially constructed and emerged as a result of past practice—so changes in practice can be expected to yield changes in the understanding of anarchy that will lead to changes in behavior. Indeed some scholars suggest that changes may already be taking place, and here changes in inter-subjective knowledge is viewed as prompting adoption of institutional strategies:

> To a large extent the sovereigns have tamed themselves through the construction of international institutions. They have done so only imperfectly but the trajectories are in the direction of increased peaceful coexistence between political communities. For most states most of the time, sovereignty and peace are compatible. Hobbes and Rousseau predicted permanent insecurity and war as the predominant consequence of sovereignty. Institutional development since they wrote has proved them wrong.[36]

The impact that social construction has on state behavior suggested above can be likened to the formulation of customary international law. Customary international law establishes legal norms and obligations through state practices. States are expected to carry out their obligations consistent with past accepted conduct so that customary international law is as binding on states as treaty law. The notion that world politics is socially constructed in a manner similar to customary international law is not intended to suggest that world politics is so malleable that human choice and free

will have unlimited options because any social construction and the intersubjective meanings that emerge from them will take on a self-perpetuating quality creating path dependencies difficult for new ideas or social interactions to transcend.[37] The fact that social construction of new meanings may take time and be difficult does not mean the process does not occur. For example, the meaning that people of the West give to war today is quite different from the view in 1914 when under the impact of Social Darwinist ideas, people viewed war as a means to reinvigorate society.[38]

Two more aspects of the constructivist approach are important for understanding the underlying dynamics of international politics: identity and interests. The constructivist view of these two elements is a stark contrast to that held by the other two schools. Neither realists or liberals examine the origins of state identities or interests. Realists in particular see interests and identities as "unvarying and a-contextual."[39] Liberal institutionalist scholars are closer to constructivists on the issue of the impact of ideas and norms on international politics; however, they focus on the consequences of ideas and are less concerned about their origin. For constructivists, state identities are inherently relational and thus dependent on social construction, for how can one state view another as a friend or foe a priori, without some previous interaction? Constructivists adopt the term identity from social psychology where it refers to "images of individuality and distinctiveness" held and projected by an actor and formed through relations with others. As conventionally used, therefore, the term refers to mutually constructed and evolving images of self and others.[40]

For constructivists, identities serve as a crucial link between the external world and interests. Therefore, interests are not predetermined, nor are they permanent, Lord Palmerston's assertion about British interests notwithstanding. Rather, interests emerge from social practice and depend on the state's sense of identity. One scholar stated the point this way: "Actors often cannot decide what their interests are until they know what they are representing—'who they are'—which in turn depends on their social relationships."[41] Constructivist do not take national interests for granted, but seek instead to locate their source.

Germany and Japan provide excellent cases for illustrating the way constructivists see identity as affecting national interest.[42] Both countries exhibited a xenophobic nationalism that culminated in their policies of conquest during World War II. The devastation they suffered during the war and their unconditional surrender goes a long way toward explaining their anti-militarist policies after 1945. Certainly the adoption of anti-militarist policies is consistent with a realist understanding of state behavior. However well realists may account for the origin of anti-militarism in Japan and Germany, they are not able to account for the persistence of the trend at the end of the Cold War, which enlarged German and Japanese power and opened up greater latitude for maneuver. Moreover, although a liberalist view might attribute the continued anti-militarism to the spread of democracy or growing interdependence, liberalists are less able to explain why feelings of anti-militarism run deeper in Japan and Germany—as was evident by their policies during the first Gulf War—than in Britain or France.

Thomas Berger believes that a constructivist understanding about the way identity shapes interests is useful for understanding the persistence of anti-militarism in Japan and Germany. One indicator of that anti-militarism is the extent to which each country has sought to assert civilian control of the military, albeit using different methods. Berger draws on survey data to show the increasing consensus for anti-militarist policies after the 1950s. Commitment to such policies as the means for pursing national interests can only be understood by the changing sense of national identity in each country. For Japan, that identity was defined in terms of economic expansion as a trading state. For Germany that sense of identity was defined as part of a larger European community bound together by common values and interests. So deep was the German redefinition of its identity—what one journalist described as a "deeply internalized ethics of repentance for World

War II"[43]—that once reunification was achieved, Germany further reduced its sovereignty by accelerating European integration through the Maastrict Treaty. Acceptance of Maastrict required Germany to make economic concessions that amounted to an abandonment of major sources of power and influence in a way that neither realism nor liberalism explain. To be sure, changes in German and Japanese identity is part of a broader trend concerning notions about governance that are part of a post-modern politics focusing greater emphasis on welfare than traditional conceptions of national security. Berger goes on to conclude:

> . . .Germany's decision to integrate itself into the West, and Japan's determination to stay aloof from regional security affairs were logical responses to the particular external pressures that the two countries experienced. Once made, however, these decisions were tied to the new national identities by the German and Japanese governments, which had to justify their policies to their highly critical public. In this way policies were invested with a symbolic value that linked them to the core values. . . [44]

CONCLUSION: TOWARD A GRAND STRATEGY OF HEGEMONY

If international relations theory really does offer a framework for organizing ideas about world politics as asserted at the start of this chapter, where does our review of the three approaches leave us as we contemplate American grand strategy? Interestingly, despite the differences among the schools, they tend to point in similar directions for a grand strategy for "the sole remaining superpower." All three schools see the excessive concentration of power achieved by the United States after the Cold War as problematic or at least potentially so. What follows is an attempt to apply the logic of each strand of theory to the reality of American hegemony in order to avoid the pitfall of wishful thinking that has been so damaging to policy in the past.

Realists, with their assertion of the centrality of power—whether as a means or an end—for understanding the dynamics of international politics view American hegemony with apprehension. Although on this point there is some divergence between the views of Morgenthau and Waltz, Morgenthau's belief that all states seek power as their primary goal would seemingly be more pleased with the power accumulated by the United States. Nevertheless, Morgenthau would likely question the equation of American values with universal ones articulated in the latest *National Security Strategy* published in March, 2006. That document, which declares the American objective to be "ending tyranny in our world," would likely be viewed by Morgenthau as the kind of excessive crusading that comes when a nation abandons the pursuit of "interest defined in terms of power" for absolutist goals.[45] Such messianic zeal necessarily abandons the prudence that Morgenthau believed crucial for a realist foreign policy. Morgenthau would see in the latest national security document the same kind of moralism he found such an anathema in John Foster Dulles's Cold War diplomacy.

Waltz, writing after the Cold War and in response to conditions created in its aftermath, sees the United States as responding to structural imperatives and behaving "as unchecked powers have usually done."[46] Moreover, Waltz predicted that the extension of NATO was likely to make Russia feel surrounded and isolated, which would propel them into closer alignment with China. Indeed, there is some evidence that this alignment is occurring. Russia and China held their most ambitious joint military exercise in 2005, which is quite the departure from the shooting across their common border that occurred in 1967. In addition, Vladimir Putin has made several recent remarks about the danger to world order emanating from concentrated U.S. power that offer further evidence of the automatic balancing process identified by Waltz.[47]

While realist views tend to suggest a certain inevitability to the emergence of an anti-American coalition, liberal institutionalists and constructivists are not so fatalistic in their assessment.

Whether from the perspective of power transition theory or Ikenberry's view of peace settlements, liberal scholars see the United States as able to shape the response of other states to the status quo. One key for shaping that response that might preclude the formation of a Sino-Russian condominium would be for the United States to exercise some self-imposed restraints on its power. There are several specific institutional mechanisms that would enable the United States to demonstrate self-restraint. The United States could bind itself by joining the International Criminal Court or taking the lead on the Kyoto Protocol. The United States might also renounce the unilateralism implied by the doctrine of preemptive war promulgated in the *National Security Strategy* of 2002 and re-commit to reliance on the United Nations to sanction the use of force. All of these actions would lend legitimacy to the status quo by showing other states that the strongest among them agreed to be bound by the same rule of law. In the absence of pursuing an institutional strategy as Ikenberry notes, ". . . the more that power peeks out from behind these institutions, the more that power will provoke reaction."[48] Once that reaction is provoked, the United States stands to lose more than it does by exercising self-restraint.

Finally, because the constructivists locate the source of national interests in a nation's identity, the way the United States views itself may well determine its ability to pursue the kind of institutional strategy recommended by Ikenberry. There is some evidence that the United States is moving increasingly in the direction of an imperial definition of its identity. That emerging identity can be gleaned in the statement of former Secretary of State Madeleine Albright when she declared: "If we have to use force, it is because we are the indispensable nation. We stand tall. We see further into the future." The elaboration of that imperial destiny is fully articulated in the latest national security strategy. American identity framed in imperial terms will lead to its definition of interests that shape how other states will respond to it, for as Wendt observes, how power affects state calculations "depends on the inter-subjective understandings and expectations, on the 'distribution of knowledge,' that constitutes their conception of self and others."[49]

In the end all three schools of theory converge on conclusions concerning hegemony. American leaders would do well to heed the observation of Edmund Burke in 1793 when Great Britain stood at the brink of its power:

> Among precautions against ambition, it may not be amiss to take one precaution against our own. I must fairly say, I dread our own power and our own ambition; I dread our being too much dreaded. . .we may say that we shall not abuse this astonishing and hitherto unheard-of power. But every other nation will think we shall abuse it. It is impossible but that, sooner or later, this state of things must produce a combination against us which may end in our ruin.[50]

ENDNOTES - CHAPTER 11

1. Carl von Clausewitz, *On War*, Michael Howard and Peter Paret, eds. and trans., Princeton, NJ: Princeton University Press, 1984, p. 578.

2. This chapter follows the classification used in American scholarship. For an alternative classification more typical of European scholarship see: Martin Wight, *International Theory: The Three Traditions*, London, UK: Leicester University Press, 1994. The primary difference between European and American scholarship is that the former draws heavily on classical political philosophy as its foundation while the latter draws on social science. Consequently, European scholarship tends to emphasize the normative implications of various theories while American scholarship tends implicitly to focus on the policy implications of international relations theory. Within each strand of American theory, there are various subgroupings, some of which use other labels to describe their work. For sake of clarity we will confine our discussion to the three main groups and retain one set of labels for each. I have selected particular scholars to represent each school because I believe their work provides the best example of each.

3. Robert J. Lieber, *No Common Power: Understanding International Relations*, New York: Harper Collins College Publishers, 1995, pp. 256-260.

4. Thucydides, *History of the Peloponnesian War*, Rex Warner, trans., London, UK: Penguin Books, pp. 1954, 402.

5. For further analysis that disassociates Thucydides from the realist tradition, see David A. Welch, "Why International Relations Theorists Should Stop Reading Thucydides," *Review of International Studies*, Vol. 29, 2003, pp. 301-319.

6. Niccolo Machiavelli, *The Prince and Discourses*, New York: The Modern Library, 1940, pp. 263, 265.

7. For a comprehensive discussion of the tensions and ambiguity in Machiavelli's work, see Sheldon S. Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought*, Boston: Little, Brown and Company, 1960, pp. 195-238.

8. Hans Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, 3rd Ed., New York: Alfred A. Knopf, 1961, p. 5. In fact, Morgenthau excludes state actions (legal, economic, and humanitarian) from the discipline of international politics because he does not believe they affect the power of a state and are not political. See particularly pp. 27-28.

9. *Ibid.,* p. 6.

10. *Ibid.,* pp. 11.

11. Hans Morgenthau, "We Are Deluding Ourselves in Vietnam," *The New York Times Magazine*, April 18, 1965. The logic of Morgenthau's analysis is very suggestive for the current U.S. policy in Iraq.

12. Morgenthau*, Politics Among Nations*, p. 11.

13. *Ibid.,* pp. 163, 221.

14. *Ibid.,* p. 256. Henry Kissinger, a scholar and practitioner of a realist persuasion, echoes Morgenthau's views and broadens it to apply to a foreign policy motivated by any ideology. Thus, he was critical of American containment policy as expressed in NSC-68 because it equated vital interests with moral principles. See Henry Kissinger, *Diplomacy*, New York: Simon and Schuster, 1994, p. 462.

15. Kenneth N. Waltz, *Theory of International Politics*, Reading, MA: Addison-Wesley Publishing Company, 1979. For just two of the many explicit statements that illustrate Waltz's application of economic theory to international politics, see pp. 118, 173.

16. *Ibid.,* pp. 5-6.

17. The fact that Waltz rejects human nature as a causal force may well be one reason that American scholars found his version of realism preferable to Morgenthau's whose pessimistic view of human nature runs counter to the pervasive liberalism in American scholarship. See Keith L. Shimko, "Realism, Neorealism, and American Liberalism," *The Review of Politics*, Vol. 54, Spring 1992, pp. 281-301.

18. Thomas A. Bailey, *A Diplomatic History of the American People*, New York: Appleton-Century Crofts, 1964.

19. Waltz, *Theory of International Politics*, p. 169.

20. *Ibid.,* p. 128.

21. *Ibid.,* p. 66.

22. Kenneth N. Waltz, "Structural Realism After the Cold War," *International Security*, Vol. 25, Summer 2000, p. 13.

23. Waltz, *Theory of International Politics*, p. 118. Waltz emphasizes that the requirements of a theory of international politics are different from the requirements for a theory of foreign policy. Therefore, the criticism that balance of power theory fails to explain particular policies is no more valid than to expect the theory of universal gravitation to explain the wayward path of a falling leaf, p. 121. Waltz would also challenge liberal and constructivist analysis on the grounds that what they really seek is a theory of foreign policy, not a theory of international politics. Morgenthau makes a similar point when he notes that realism's presentation of a theoretical construct of rational foreign policy will never be achieved completely in practice. Morgenthau, *Politics Among Nations*, 8.

24. Waltz, "Structural Realism After the Cold War," p. 28.

25. E. H. Carr, *The Twenty Year's Crisis, 1919-1939: An Introduction to the Study of International Relations*, New York: Harper & Row Publishers, 1939, pp. 235-236.

26. See: Jack S. Levy, "Domestic Politics and War," Robert I. Rotberg and Theodore K. Rabb, eds., *The Origin and Prevention of Major Wars*, Cambridge, MA: Cambridge University Press, 1989, pp. 79-99.

27. A. F. K. Organski and Jack Kugler, *The War Ledger*, Chicago, IL: University of Chicago Press, 1980. The description of power transition theory contained in this book more heavily focuses on the one variable of power to account for war. Therefore, our discussion of power transition theory relies on the analysis provided by Douglas Lemke, "The Continuation of History: Power Transition Theory and the End of the Cold War," *Journal of Peace Research*, Vol. 34, February 1997, pp. 23-26.

28. G. John Ikenberry, *After Victory: Institutions Strategic Restraint, and the Rebuilding of Order After Major Wars*, Princeton, NJ: Princeton University Press, 2001, p. 10.

29. *Ibid.,* p. 29.

30. *Ibid.,* p. 57. Ikenberry goes on to underscore a point based on the logic of path dependence: once institutions are in place, the sunk costs make creating new arrangements prohibitively high. This factor means institutions are likely to remain even though the power distribution that gave rise to them no longer exists.

31. *Ibid.*, pp. 75, 78.

32. Ronald L. Jepperson, Alexander Wendt, and Peter J. Katzenstein, "Norms, Identity and Culture in National Security," Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics*, New York: Columbia University Press, 1996, p. 34. All the essays in this volume apply a constructivist understanding to international politics and to the national security policies of specific countries. The focus on particular national security policies means the authors are less concerned with a theory of international politics and more concerned with theorizing about foreign policy.

33. Alexander Wendt, "Anarchy is What States Make of It: The Social Construction of Power Politics," *International Organization*, Vol. 46, Spring 1992, pp. 396-397.

34. Dale C. Copeland, "The Constructivist Challenge to Structural Realism, A Review Essay," *International Security*, Vol. 25, Fall 200, p. 198.

35. Wendt, p. 400.

36. K. J. Holsti, *Taming the Sovereigns: Institutional Change in International Politics*, Cambridge, UK: Cambridge University Press, 2004, p. 302.

37. Wendt, p. 411.

38. Joseph S. Nye, Jr., *Understanding International Conflicts: An Introduction to Theory and History*, New York: Longman, 2003, p. 80.

39. Jepperson *et al.*, p. 43.

40. *Ibid.,* p. 59.

41. *Ibid.,* p. 60.

42. The case analysis in this discussion can be found in: Thomas Berger, "Norms, Identity, and National Security in Germany and Japan," Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics*, New York: Columbia University Press, 1996, pp. 317-356.

43. Christopher Caldwell, "Where Every Generation is First Generation," *The New York Times Magazine*, May 27, 2007, p. 47.

44. Berger, p. 37.

45. *The National Security Strategy of the United States of America*, Washington, DC: March 2006, p. 1.

46. Waltz, "Structural Realism After the Cold War," p. 24.

47. See Thom Shanker and Mark Landler, "Putin Says U.S. Is Undermining Global Stability," *The New York Times*, February 11, 2007, and Andrew E. Kramer, "Putin Is Said to Compare U.S. Policies to Third Reich," *The New York Times*, May 10, 2007.

48. Ikenberry, pp. 270-271.

49. Wendt, p. 397.

50. Quoted in Morgenthau, *Politics Among Nations*, p. 163.

CHAPTER 12

MULTILATERALISM AND UNILATERALISM

James A. Helis

> Our best hope for safety in such times, as in difficult times past, is in American strength and will—the strength and will to lead a unipolar world, unashamedly laying down the rules of world order and being prepared to enforce them. [1]

> —Charles Krauthammer

> The paradox of American power at the end of this millennium is that it is too great to be challenged by any other state, yet not great enough to solve problems such as global terrorism and nuclear proliferation. America needs the help and respect of other nations. [2]

> —Sebastian Mallaby

At the beginning of the 21st century, the United States enjoys a historically unprecedented accumulation of national power. The American economy is the largest in the world and even in a slowdown far outstrips that of any other nation.[3] The prowess of America's Armed Forces has been demonstrated again and again, from Kosovo to Afghanistan to Iraq. In 2002, the United States accounted for 43 percent of the world's military spending, more than the total of the next 14 together.[4] Projected increases in American military spending will likely lead to the United States spending more on defense than the rest of the world combined, and the training and technological superiority of America's Armed Forces provide a quantum advantage that no nation is likely to even approach in the near to medium term. The combination of overwhelming economic and military power gives the United States enormous political influence throughout the world. There are few, if any, global issues that can be addressed or resolved without U.S. support and cooperation.

One central debate in U.S. foreign policy has been the degree to which the United States should be involved in the affairs of the world. World War II and the Cold War seemed to settle the question of isolationism or engagement in favor of the latter. After the Cold War, the issue of isolationism rose again, but only briefly. The real post-Cold War debate was and remains over the degree to which the United States should pursue its foreign policy alone or in partnership with other states. The debate has been framed in terms of multilateralism versus unilateralism and is heavily influenced by competing views on what the United States should do with its position of preeminent international power and influence. In one sense, "the differences [between the two views] are a matter of degree, and there are few pure unilateralists or multilateralists."[5] However, there are clear differences between the two schools of thought on when and to what extent the United States should work with others. We should keep in mind that unilateralism and multilateralism are not strategies. Strategy is about matching ends, means, and ways. Unilateralism and multilateralism are competing ways to approach problems. This chapter will examine the advantages and disadvantages offered by each approach. The goal is to identify those conditions under which it is better to work with others through coalitions and alliances and when it is might be best go it alone.

UNILATERALISM

People who advocate unilateralism tend to believe that the post-Cold War world is unpredictable and dangerous. They believe America must use its power to protect, and in many cases propagate, its interests and values. America no longer need constrain itself in the assertion and expansion of its influence out of fear of provoking a confrontation with the Soviet Union. The end of the Cold War stand-off with its threat of nuclear war created an opportunity for the United States to apply its overwhelming military, economic and political power to build an international order that will perpetuate America's preeminent position in the world.

Unilateralists contend that an assertive approach to foreign policy is justified on both pragmatic and ideological grounds. Charles Krauthammer concisely summarizes the unilateralist philosophy: "The essence of unilateralism is that we do not allow others, no matter how well-meaning, to deter us from pursuing the fundamental security interests of the United States and the free world."[6] In other words, as a practical matter, the United States should not compromise when pursuing national security interests. The terrorist attacks of September 11, 2001 (9/11) and America's subsequent pursuit of a global war on terrorism strengthened the belief that the United States was vulnerable to threats and needed to act aggressively to defeat those threats, irrespective of how the strategy played on the global stage. Ideologically, unilateralists argue that American values and ideals are essentially universal. Policies and actions intended to advance them are in the interest of not only the United States, but people throughout the world. The 2002 *National Security Strategy* states that "the United States must defend liberty and justice because these principles are right and true for all people everywhere. . . . America must stand firmly for the non-negotiable demands of human dignity."[7] The non-negotiability of interests and values calls for their uncompromising pursuit, preferably with the support of others, but alone if necessary. The United States, with its overwhelming aggregation of national power, can be a decisive player anywhere in the world on virtually any issue it desires. "It is hard for the world to ignore or work around the United States regardless of the issue—trade, finance, security, proliferation, or the environment."[8] The United States should not squander its position and capabilities by compromising and diluting its objectives in order to attract allies and partners. If the cause is right and just, the United States should pursue it without compromise. Others states can either accept America's arguments and follow its lead or be left behind as the United States does what it should and must do to advance its interests and values.

One of the main advantages of unilateral approaches to problems is that they provide maximum freedom of action. While allies and partners can bring extra capabilities to the table, they often bring constraints on how their tools can be used. Those who contribute to an enterprise normally expect to have a say in how it will operate. A common problem in United Nations (UN) military operations in the 1990s was the "phone home syndrome," under which commanders of forces assigned to UN operations had to seek approval from authorities in their home capital before accepting orders from the coalition commander. Unilateralists also point to the limitations that the North Atlantic Treaty Organization (NATO) allies placed on air operations during the Kosovo campaign as an example of how multilateral approaches can be inefficient and reduce the effectiveness of American capabilities by restricting how they will be used. Because foreign militaries cannot approximate American capabilities, their military contributions are seldom worth the inevitable constraints they add.

MULTILATERALISM

Multilateralists acknowledge that there are circumstances in which the United States should not rule out acting unilaterally, particularly when "vital survival interests" are at stake.[9] On the

other hand, multilateralists argue that most important issues facing the United States in the 21st century are not amenable to unilateral solutions. Transnational issues requiring multilateral approaches include: terrorism; the proliferation of nuclear, chemical, and biological weapons; illegal drugs; and, organized crime. Globalization has made management of international trade and finance even more important, as economic crises are susceptible to contagion that can have global impact, as was seen in the Asian financial crisis of 1997. Environmental and health problems, to include the spread of infectious diseases, can only be dealt with on a global basis.[10]

The reality is that American power, while overwhelmingly superior to that of any other state or present coalition of states, is not unlimited. Allies and coalition partners allow the consolidation and pooling of capabilities. A group of nations can almost always bring more tools of power to bear against a problem than one state can alone. While the NATO allies did place constraints on air operations over Yugoslavia, they provided the majority of the peacekeeping forces deployed to Kosovo following the air campaign. The price of their participation in post-conflict operations was a say over how the war was fought. While air planners may have chafed under the politically imposed limitations on their freedom of action, those limits were seen as an acceptable price to pay for cooperation in the peacekeeping effort. The United States certainly had the capacity to conduct the air campaign itself (in fact, the overwhelming majority of missions were flown by American aircraft). However, it was not in the interests of the United States to be the sole or main provider of ground troops for what was bound to be a protracted peacekeeping mission that would follow the air campaign. Going it alone may offer short-term efficiency, but sometimes long-term interests call for multilateral approaches and making concessions in order to have committed partners. And measuring allies' worth only in terms of their military capabilities ignores the importance of their political and diplomatic contributions.

Multilateralists agree that the United States should seek to protect and extend its status as the soul superpower. However, they believe that exercising power unilaterally could actually be counterproductive. Historically, dominant powers have faced efforts by other states to counterbalance their accumulation of power. "Balance of power theory makes a clear prediction: weaker states will resist and balance against the predominant state."[11] For the United States to maintain its position in the international system, it should endeavor to secure the cooperation of other states in addressing global problems. Such a cooperative approach might negate or lessen any perceived need to counterbalance U.S. power. Multilateralists reflect a liberal institutionalist point of view in arguing that it is easier to gain the support and cooperation of others by working within a system of norms, rules, and institutions that assure others of America's intention to act in good faith as a partner, not a hegemon. While unilateralists contend that the United States should use its power to impose an international order favorable to maintaining America's long-term supremacy, multilateralists counter that eventually that approach will generate resistance and backlash. A system developed through cooperation is more likely to stand the test of time. Given America's predominance of power, it would take a remarkable effort and investment of resources for any state or group of states to challenge America's position. If America behaves as a cooperative member of the international community and does not create the impression that it threatens international stability, there is no reason for other states to seek to balance against American power. No one doubts American capabilities. What America does with its capabilities will determine how others will react and if America's position will be accepted or challenged.

ALONE OR WITH OTHERS?

The rhetoric in the dispute between multilateralist and unilateralist approaches obscures that there are few foreign policy decisions that are purely one or the other. Advocates for both positions agree that it is better to have allies in support of a cause than to go it alone. They disagree

over what the United States should be willing to give up to recruit partners. Unilateralists favor staking out one's position and moving forward with whomever is willing to go along. Multilateralists favor rallying other nations to our cause and are more willing to accept trade-offs in building coalitions. Unilateralists and multilateralists agree that there is little room for compromise on such fundamental issues as survival interests. Time constraints may also limit the U.S. ability to drum up allies. Threats that are immediate and pose a serious threat to survival or vital interests may force the hand of the United States.

Finally, both unilateralists and multilateralists agree that the United States should seek to build an international order that will favor the expansion of American values and help preserve America's dominant position in the world. The United States has a unique opportunity to establish international rules and standards that protect American interests. They differ on how the United States should attempt to build that order. Unilateralists tend to favor more assertive, even coercive approaches. They fall more into the realist school of international relations theory and argue that ultimately power is what matters and reliance on agreements or treaties in lieu of real power is dangerous. On the other hand, multilateralists favor moving ahead in a framework of international institutions and treaties that will bind all states, America included, to rules and commitments. They feel that restrictions on the United States will assuage concerns "about a global order dominated by American power — power unprecedented, unrestrained, and unpredictable."[12] And even within the constraints of a rules-based system, America will continue to enjoy a preponderance of power.

THE CASE OF IRAQ

The U.S.-Iraq War of 2003 was a showcase for the different approaches to foreign policy. The American position was clear: Iraq would comply with UN Security Council resolutions requiring it to divest itself of all nuclear, chemical, and biological weapons and medium-range missiles; or the United States, with whomever was willing to assist, would enforce the resolutions by force. Advocates for unilateral American action argued that the UN had been ineffective in enforcing its own resolutions. Iraq posed an imminent threat to the United States, and the United States could no longer tolerate the international community's unwillingness to force Iraq to comply and disarm. While the United States welcomed other states that were willing to support the forcible disarmament of Iraq, the positions of other states, including key allies and the Security Council, would not influence the course of American foreign policy. The United States saw a need to act and was going to do so. And by acting alone, the United States could actually enhance stability in the Middle East and the globe. An America willing to use its power without the support of the international community would have greater credibility in dealing with other threats. No longer could potential adversaries hope the UN or America's allies could dissuade it from major military action. When the United States said it would act, that would be a credible threat. Knowing the consequences of defying America would deter states from doing so in the future, which could only contribute to stability and to American security.

Multilateralists approached the issue differently. While acknowledging Iraq's failure to comply with UN resolutions and the likelihood that Iraq was in possession of significant quantities of banned weapons, they questioned whether it was in America's best interest to take military action without broad support within the international community. While it would be faster and militarily more expedient for the United States to forge ahead with a unilateralist Iraq policy, the costs of such a policy were likely to be prohibitive in the long run. By acting largely alone and without broad international support, the United States risked weakening the international norm against unilateral use of military power to resolve political disputes. A war with Iraq had potentially

global consequences, both political and economic. By undertaking such a war and assuming these risks for the international community without its approval, the United States would reinforce fears of unconstrained American power and increase the potential for a future backlash. Finally, the United States risked finding itself burdened with a lengthy and expensive occupation of post-war Iraq. There would be no guarantee of significant international support for post-conflict efforts following a war the United States started and waged largely on its own. Leaving the United States saddled with post-war Iraq would serve as something of a balancing tool. An America committed to a major military presence in Iraq would not find it as easy to exercise military operations in other parts of the world without support from allies. Also, a lengthy and costly overseas commitment could undermine domestic support for future actions.

In the summer of 2003 it is still too early to assess how the Iraq war will affect America's position in the world or how the world will react to American power. However, the unilateralist and multilateralist camps used the lead up to the war to make their cases for acting more or less unilaterally or within broader international coalitions. While the war and early phases of the occupation of Iraq have not settled the debate, both have established some measures by which to determine if in this case a generally unilateral approach to foreign policy and war helped or hurt America's long-term standing in the world. The end of the war may have opened the door for progress in the Israel-Palestine conflict, but there has been relatively little international support for post-war occupation, which may leave a substantial portion of America's ground forces committed to Iraq for some time to come.

CONCLUSION: RECENT TRENDS IN U.S. FOREIGN POLICY

There is a growing view that American foreign policy has tended to be more assertively unilateral in recent years. America's refusal to join the international ban on antipersonnel land mines, its rejections of the Kyoto treaty on global warming and an inspection and verification protocol for the Biological Weapons Convention, its withdrawal from the International Criminal Court and the Anti-Ballistic Missile Treaty are offered as evidence of a policy of avoiding international commitments that might constrain America's freedom of action. Critics argue that the United States pursues its own international agenda without regard for the interests, views, or concerns of the rest of the world. The response is that the United States is acting, as all states should and must, in its own self-interests.

In spite of its overwhelming power, in the spring of 2003 the United States found itself embarking on a war with Iraq. While Saddam Hussein was undoubtedly one of the world's great villains, the United States found itself diplomatically at odds with important traditional allies, politically outmaneuvered and stymied at the UN, and opposed by public majorities in virtually every nation in the world. How did the United States, with all its advantages, become so politically isolated? One answer lies in the perception that the United States is using its national power more unilaterally than in the past. International opposition did not prevent the United States from going to war. However, the absence of allies has caused the United States to bear the overwhelming burden of post-conflict operations in Iraq. In contrast, in Bosnia and Kosovo NATO allies and other partners provided the bulk of peacekeeping troops following U.S.-led campaigns.

The perceptions and reality of the extent to which the United States pursues unilateralist policies will undoubtedly affect America's strategic choices in the future. There are clear trade-offs between sacrificing freedom of action and lowering costs and adding the capabilities of other nations. Considering these trade-offs should be part of the U.S. strategic decisionmaking process as it wages a global war on terrorism and confronts a range of critical global interests and issues.

The United States cannot limit its options by clinging to notions about whether it should act unilaterally or multilaterally. There are times and circumstances for both approaches. The art is to recognize them and select the proper tool.

ENDNOTES - CHAPTER 12

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CHAPTER 13

THE DEMOCRATIC PEACE

Deborah L. Hanagan

Support for and promotion of democracy has been an enduring national security interest of successive U.S. administrations since World War II. U.S. Presidents, both Republican and Democrat, have supported democratic principles and implemented policies to advance democratization around the world. Support for democracy was inconsistent during the Cold War era when, to counterbalance the Soviet Union, successive administrations supported various authoritarian regimes because they were anti-Communist or allied with the United States. However, this inconsistency has largely disappeared since the end of the Cold War. In fact, all four of the Presidents who have presided over U.S. foreign and national security policy since 1989 have advocated and implemented policies and strategies that actively supported democratization efforts in an expanding number of regions and countries around the world. The basis for these policies was not only that they align with American values, but also that they advance U.S. national security interests. The thinking is that the United States is more secure when more states are democracies because war becomes less likely. The political science and international relations (IR) community calls this the democratic peace theory.

POLICIES ON DEMOCRACY

The George H. W. Bush administration focused its democratization efforts on Europe. The administration's primary interest was promoting peace on the continent since policymakers and scholars feared that the disintegration of the bipolar Cold War order would result in the reemergence of war and conflict in Europe.[1] This translated into a goal of projecting stability onto a continent that was unstable and undergoing momentous changes. The administration engaged in a variety of military and political actions to promote peace; most notably, it pressed the North Atlantic Treaty Organization (NATO) to pursue overtly political goals. In May 1989, President Bush called for NATO to adopt a new mission: the "achievement of a Europe whole and free." In 1990, NATO adopted the new political mission and announced the goal of constructing a new security order in Europe. It declared it would develop the means for the alliance to encourage the growth of democratic values and democratic political institutions in the Soviet Union and Eastern Europe. This meant that the alliance set itself the task of projecting stability beyond its borders.[2] Leaders at the 1991 NATO summit meeting in Rome reiterated the new political goals.[3]

The administration's policy on NATO expansion was limited to the development of new partnership relationships, the establishment of diplomatic liaisons, and outreach efforts to increase cooperation with non-NATO countries. The administration was divided on the question of NATO enlargement due to concerns about Russia's reaction and thus did not publicly advocate the accession of post-communist countries. However, Poland, Hungary, and the Czech Republic announced in February 1991 their intention to seek full alliance membership, which kept enlargement discussions on the international agenda for years and laid the groundwork for the position of the Bill Clinton administration.[4]

President Clinton built on what the previous administration started, for he had a vision of "an integrated democratic Europe" that would promote peace and prosperity. The administration saw both the European Union (EU) and NATO as useful mechanisms to promote democracy. It encouraged the European Community to expand its membership to the east. It also built on and further

advanced the George H. W. Bush administration's political goals for NATO.[5] To support the goal of constructing a new security order in Europe, in 1994, President Clinton proposed the Partnership for Peace (PfP), which NATO subsequently adopted, and announced the Warsaw Initiative in Warsaw, Poland. PfP focused on developing cooperative relationships with the newly democratizing countries and promoting defense reform and interoperability. The Warsaw Initiative provided U.S. funding ($100 million as of 1996) to PfP countries to support their participation in NATO-PfP exercises and assist in their defense modernization and reform.[6]

The direct U.S. promotion of an integrated and democratic Europe was not limited to PfP or the Warsaw Initiative. The administration also argued that admitting states from Central and Eastern Europe would be a concrete method to support the spread of democratic values and democratic political institutions that were essential for ensuring stability and peace. It was a strong proponent of NATO enlargement, and at the Madrid Summit in Spain in 1997 pressed the allies to admit Poland, the Czech Republic, and Hungary. It also argued that NATO's doors should remain open to other candidates that meet NATO's membership criteria, which include political, military, and economic elements. The subsequent accession of the three countries in 1999 provided the Alliance valuable lessons that it used to institute the Membership Action Plan (MAP). The MAP process was intended to more quickly and effectively prepare aspirant countries. It included an annual program submitted by the aspirants on the actions they would take to prepare for membership. The plan also provided for feedback and assistance on behalf of the aspirants from the Alliance. The process ensured that future enlargement rounds would be more rigorous, structured, and transparent for prospective members.[7]

The George W. Bush administration continued the previous administrations' policies related to Europe and expanded the democratization efforts to the Arab world. In a speech in Warsaw, Poland, in June 2001, President Bush indicated he would continue to advance his predecessors' political goals related to Europe. In particular, he emphasized that "NATO's principal political mission remained the fulfillment of Europe free and whole," and strongly endorsed the enlargement process as a primary way of achieving genuine peace in Europe. The administration's rationale for enlargement was the same as the Clinton administration's had been: peace could be achieved through the spread of shared democratic values. Furthermore, in a post-September 11, 2001 (9/11) world, administration officials argued that "a Europe united on the basis of democratic principles . . . will be better able to resist and defeat terrorist threats." The administration advocated a robust enlargement round in the lead-up to the 2002 Prague summit. As a result, seven nations were invited to join NATO that year; it was the biggest round of enlargement in Alliance history. The administration mirrored the Clinton administration in another respect: it also argued that the door should remain open.[8] Consequently, another enlargement round occurred in 2008 when the Alliance extended membership invitations to two more countries, Albania and Croatia, at the Bucharest Summit.[9]

Other important administration goals were supporting the development of democratic political institutions in the Middle East and North Africa, as well as in Afghanistan and Iraq after the Taliban and Saddam Hussein regimes were overturned. The administration agreed with the 9/11 Commission Report's conclusion that political and economic stagnation and political repression were key contributing factors in generating instability and support for Islamic extremism in that region. The administration saw political and economic reform and the spread of democratic political institutions as important elements in ensuring U.S. security. To achieve the President's goals, the administration established the Middle East Partnership Initiative (MEPI) in 2002. The State Department managed and implemented the program, which was tailored to individual country desires and requirements; State also focused on gradual reform and development over the long

term. The program was welcomed in some countries and viewed skeptically in others. Critics argued that the program was internally contradictory since it advanced liberalization in the region while maintaining ties with autocratic regimes that shared similar strategic interests with the United States (such as Egypt and Saudi Arabia). However, the administration took the position that engaging in gradual democracy promotion in partnership with nondemocratic allies was a more effective way of ensuring stability and more likely to be successful in the long run.[10]

The rationale for democratization in Afghanistan related to its previous status as a failed state that had made it ripe for exploitation by Islamic radicals. Despite initial resistance to the idea of nation-building, the administration concluded that in order to achieve long-term success against international terrorism and ensure U.S. security, the United States needed to support a multilateral effort to build a stable Afghanistan. The best way to do this was through establishing security, encouraging political and economic reform, and building representative political institutions. According to President Bush, "I felt strongly that the Afghan people should be able to select their new leader. They had suffered too much—and the American people were risking too much—to let the country slide back into tyranny." He tasked the State Department to develop a plan for a transition to democracy.[11] Western support for democratization was not a unilateral or U.S.-led program. Rather, the United States endorsed the United Nations (UN) effort to create a representative Afghan government and supported the 2001 Bonn Agreement on political transition.[12] The Bush administration approached Iraq differently. While the U.S. policy goals were the creation of "a unified, democratic, and federal Iraq that can sustain, govern and defend itself and is an ally in the global war on Islamic militancy," the transition process was not UN-led. Instead, the political transition process was led by the Department of Defense (DoD), and it occurred fitfully and in stages. Initially the United States set up the Office of Reconstruction and Humanitarian Assistance (OHRA); then it established the Coalitional Provisional Authority (CPA), both of which were U.S. occupation structures; and finally, after pressure from Iraqi authorities such as Ayatollah Sistani, it transferred sovereignty to a transitional Iraqi government in June 2004. The Transitional Administrative Law (TAL) that major Iraqi factions drafted laid out a road map for the political transition process that included the drafting of a permanent constitution and elections.[13]

The Arab Spring and Arab Awakening in 2011 changed the political dynamics of the Middle East and North Africa region, but the Barack Obama administration continued the previous administration's policies and programs related to democracy promotion, to include the MEPI. In November 2011, Secretary of State Hillary Clinton explicitly linked U.S. national security interests with democratization. She declared that the United States supported the transitions to democracy in countries across the Middle East and North Africa because "democracies make for stronger and stable partners. They trade more, innovate more, and fight less." She also emphasized that democratic reform is not just possible but is necessary, even in long-standing autocratic partners like Saudi Arabia.[14]

As noted above, there have clearly been consistent U.S. policies across Republican and Democrat administrations in support of democratization, democratic values, and representative political institutions. Presidents have repeatedly based these policies on national security grounds by claiming that the spread of democracy makes the United States more secure, primarily because democracies do not fight each other. But is this conclusion valid?

LIBERAL THEORY

The democratic peace research program in political science (in the sub-field of IR) explicitly analyzes this conclusion. Most of the scholars who study democratic peace fall into the theoretical school of thought known as liberal theory. Liberal theorizing analyzes international relations and

the actions of states through the lens of state policy preferences. For liberal scholars, understanding what goes on inside a state is essential for understanding how and why states act on the international stage. (Note: liberal IR theory bears no relation to American political parties. U.S. politicians on the left side of the political spectrum, called "Liberals," do not correspond to IR theory. Liberal IR theory has its foundation in the ideas of Immanuel Kant, John Locke, and Adam Smith, and includes the concepts of free market economics, representative democratic government, individual liberty, and equality.) In liberal theorizing, regime-type matters for explaining the policies and behaviors of states. Furthermore, different states will behave in different ways in the same situation because of their differing economic, social, and political aspects. These different aspects, and the complex interaction of domestic institutions, policy networks, and political coalitions, produce broad state policy preferences that are translated into specific state policies, actions, and choices. In addition, state policy preferences can change dramatically as economic, social, and political conditions change. Liberal theory is an optimistic school of thought in IR because it concludes that state policy preferences can converge among states and that cooperation among such states is accordingly an increasingly common phenomenon. Cooperation can be long-lasting (this claim is opposed to realist theory, which is pessimistic in that it views cooperation as extremely rare and difficult to achieve, and views interstate conflict as a perpetual phenomenon among states).[15] In terms of the democratic peace research program, this means that select democracies can overcome suspicion, conflict, and war, and build enduring cooperative relationships—they can enter Immanuel Kant's zone of "perpetual peace."[16]

THE PROBLEM OF DEFINING DEMOCRACY

Democracy as a political structure emerged in Athens in ancient Greece, but the specific form it takes in states has varied widely over the ages. The minimal essence of authentic democracy focuses on two necessary elements: electoral contestation and citizen participation.[17] Under this definition, in order to be considered a democracy, a state must have an election process in which more than one individual or political party competes for office in honest balloting (this is also called political pluralism), and there must be universal suffrage (that is, all competent adult citizens are allowed to vote). However, under this minimalist definition, there are multiple forms of democracy. For example, Switzerland has a direct democracy in which all citizens have the power to participate directly in national legislation and decisionmaking.[18] Iran is also technically a "democracy" because it holds periodic elections and has universal suffrage, but its contestation is limited (individuals and parties competing for office have to be approved by the Guardian Council, an appointed committee of Islamic religious authorities). Russia and a number of countries in Latin America are also considered "democracies," but they are not systems in which politicians are representative of and accountable to the people. Instead, elected leaders depend on and answer to special interests like drug cartels, organized crime, and the Russian *nomenklatura*/ruling elite because of the overwhelming and corrupting influence of vast sums of money derived from drug trafficking and resource exploitation.[19] The western industrialized states are liberal democracies. A liberal democracy is a form of democracy based on the concepts of republican government proposed by Immanuel Kant. It has the following attributes:

- It derives from the will of the people.
- It is a representative government with the separation of political power across executive, legislative, and judicial branches as defined in a constitution.
- All citizens have legal equality.
- It is based on the rule of law.
- It protects private property, minority rights, individual liberty, and freedom of expression.

- It has a free market economy.
- It possesses a free press.

A liberal democracy not only has distinct political institutions, but is also founded on a distinct set of ideas, values, and principles—respect for the individual, support for freedom and individual liberty, and the belief that individuals are better off cooperating to achieve self-preservation and well-being. This also translates into concepts of just and unjust war. For a liberal democracy, war for conquest and plunder is unjust, but war for self-preservation or to protect oppressed peoples in a nondemocratic state is just.[20] The various scholars in the democratic peace research program have not consistently used the same definition of democracy, so the conclusions they have drawn are inconsistent, which opened their theories to criticism. Recognizing this problem, a number of modern scholars have tended to limit the scope of their analysis to liberal democracies. Their conclusion that democracies are highly unlikely to fight each other applies only to liberal democracies, and this is based on the historical record in which no liberal democracy has fought another liberal democracy.

Scholar Andrew Moravcsik has derived three variants of liberal theory based on three distinct variables or factors—ideas, commercial/economic, and republican institutions. He argues that these variables can be used to develop theories for explaining state preferences and behaviors. They can be employed individually, but when combined, they produce more complete explanations of international relations.[21] These three variants form the basis for democratic peace theorizing, which is focused on explaining cooperation, conflict, and war among states.

Ideas Variant.

The ideas variant focuses on divergent and convergent beliefs, values, ideology, and identity. When states share compatible social/cultural identities, values, ideologies, or beliefs, they are likely to cooperate. For example, liberal democracies share norms emphasizing the peaceful resolution of conflict (they have convergent preferences), thus they are less likely to fight each other because they will go out of their way to find nonviolent ways of resolving their differences. Conversely, states with opposing ideologies are likely to have divergent preferences because they disagree on what constitutes legitimate political and economic institutions and the proper regulation of conflict. Thus, they are more likely to fight each other.[22] The Cold War standoff between Soviet Marxist totalitarianism and American representative democracy is a prime example. Both states embodied diametrically opposed political and economic systems (one-party versus multi-party politics, and command versus free market economics). While the Soviet Union and United States did not directly engage in war with each other due to the inhibitory effects of nuclear weapons, they did engage in multiple proxy wars in Asia, Africa, Latin America, and the Middle East.

A number of scholars have developed theories based on the ideas variant. For example, John Mueller has argued that major war among the developed countries has decreased in frequency and likelihood over the last 100 years because of the rise of the idea of "war aversion," that has made war increasingly obsolescent. He argued that states have attitudes toward war that change over time, and that the developed states have increasingly viewed war as an illegitimate way to advance their interests and resolve conflicts.[23] A problem with this argument is its assumption that development alone leads to changes in ideas and beliefs that ultimately converge among developed states. Mueller's argument does not consider regime type—democratic versus nondemocratic—or the effects of democratization. Mueller's analysis concentrates on the rise of war aversion among European states and the United States, and he generalizes his conclusion to all states. However, European domestic political institutions changed over those 100 years—they eventually

all became democratic. So the change in ideas was accompanied by changes in domestic political institutions and processes. China today contradicts his conclusion. It has advanced rapidly on the development scale over the last 30 years, but, as seen by its increasingly belligerent behavior in the South China Sea, it has not become war averse. The lack of convergence in ideas may be explained by the fact that China has retained its nondemocratic form of government.

Bruce Russett developed a model based on shared norms and values to explain peaceful relations among democracies. In this model, stable democracies (those that have been in existence at least 3 years) respect each other because they recognize that each side protects the rights and freedoms of its own citizens (in contrast, nondemocratic states are viewed as being "in a state of aggression with their own people"). Democracies not only share norms of peaceful conflict resolution, they also consider war against each other to be illegitimate. He concludes that war between democracies will be rare, and war between democracies and nondemocracies can be frequent. Russett acknowledges that this model is insufficient for fully explaining patterns of peace and war because democratic states can elect illiberal leaders.[24] For example, charismatic, warmongering, demagogic leaders such as Adolf Hitler have successfully contested elections and led their states to war against other democracies (it should be noted that once Hitler became Chancellor, he dismantled Germany's democratic political institutions). Russett thus finds it necessary to propose a second model, based on democratic political institutions. When normative constraints are insufficient, institutional constraints are necessary to prevent war among democracies. We examine this model under the discussion of the republican institutions variant below.

Thomas Risse-Kappen links norms to identity. He argues that norms and values shape state identity, thus liberal democratic norms shape the identity of democracies. Democracies consequently perceive each other as peaceful, and they perceive themselves as a common group—as "we." This also helps explain why democracies do not use violence against each other: shared identities "prescribe norms of appropriate behavior toward those perceived as part of 'us' as well as toward" other states that are perceived as adversaries. Risse-Kappen carries his argument further by asserting that shared norms and identity among the democracies explains their creation of "security communities" such as NATO. While he acknowledges that norms are violated and that collective identities are not permanent, he does not analyze when or how this happens or how it would affect the relations among states.[25] Overall, his variant of liberal theory is insufficient by itself to explain patterns of conflict and cooperation over time.

Commercial/Economic Variant.

The commercial/economic variant focuses on economic interdependence and international economic exchanges. This strand of theory largely argues that an important concern of states is the accumulation of wealth, and that trade is a less costly way for states to become wealthy than war (war often entails the acquisition of territory and thus is an indirect way to accumulate wealth). The more extensive, diversified, and complex international economic exchanges become, the more wealthy states become and thus war becomes less likely.[26]

Arguments linking economics, trade, and war date from the 17th century when a French monk, Eméric Crucé, argued that war could be eliminated through free trade.[27] In the 18th century, thinkers such as Adam Smith and Thomas Paine argued that commercial capitalism and free trade have pacifying effects—they reduce the incidence of war.[28] In the mid-1800s, Richard Cobden united an ongoing peace movement with a free trade movement because he believed that free trade was a mechanism for the abolition of war.[29] The argument was more recently updated by Richard Rosecrance in 1986 when he argued that states are rational, and the states embedded in the international financial and trading system will not wage war because it could destroy the very system

of economic exchanges on which their wealth depends. They "recognize that they can do better through internal economic development sustained by a worldwide market for their goods and services than by trying to conquer and assimilate large tracts of land."[30] In general, these arguments rise from the concept that free international economic exchange not only creates wealth for the productive elements of society who own the businesses that engage in trade, but it also creates transnational ties among people; it breaks down the barriers that separate nations. Constant contact exposes citizens to the ideas and perspectives of citizens in other countries and makes them recognize they share a community of interests. Since citizens bear the main burden and their businesses would suffer from loss of trade in war, as they become wealthier, as their transnational ties strengthen, and as the size of the middle class grows, they will press their governments not to engage in war.[31]

In 1910, Norman Angell shifted the argument slightly when he asserted that in the modern, industrialized world the "dramatic transformations in production, transportation, and communication technologies had made national economies so interdependent that war could only be disruptive and costly to all." He did not think war would naturally disappear, but argued rather that political leaders were still under the illusion that war paid off economically. Thus, in his view, the solution lay in educating politicians about the costliness of war.[32] This variant is insufficient by itself in explaining patterns of conflict and cooperation over time, especially since war has occurred when international economic exchanges have been intensely active. The preeminent example is World War I. Despite extensive transnational ties among citizens, when war erupted, citizens rallied to their national governments rather than petition them not to go to war.[33] In the decades before 1914, international economic exchanges (free trade and financial flows) had reached historic levels.[34] However, this economic interdependence did not prevent a war that produced unprecedented levels of financial loss and destruction, not to mention the loss of some 10 million lives.[35] This explanatory strand by itself is insufficient—economic exchange does not necessarily produce peace because powerful countervailing factors may be in play besides trade. Recognizing the limitations of trade and economic factors as an explanation, thinkers such as Jeremy Bentham and Joseph Schumpeter proposed theories that combined free markets, capitalism, trade, and democratic political institutions as the key factors in reducing conflict and war. We examine these arguments later.

Republican Institutions Variant.

The republican institutions variant focuses on the way domestic political institutions influence state preferences, policies, and actions.[36] The concept of the republican form of government comes from Kant and is a particular type of democratic government. Modern scholars use the phrases "republican government" and "liberal democracy" interchangeably. A republican form of government is derived from the will of the people and is based on the protection of individual freedom through the rule of law. This form of government is codified in a constitution. Elected representatives advance the interests of the people. More importantly, a republican government distributes political power across different institutions at the national level (typically in executive, legislative, and judicial bodies) so that power is balanced or held in check. A fundamental aspect of the republican form of government (or liberal democracy) is that national political leaders represent the people and are accountable to the people at the ballot. In matters of war, this means counterbalancing national institutions (executive versus legislative branch) in order to restrain political leaders, who must weigh carefully whether or not to wage war. Not only must they have the consent of the people through their elected representatives to wage war, but also the people will hold them accountable for defeat or excessive or needless expenditure of blood and treasure.[37] According to

this strand of liberal theory, republican democracies therefore tend to be cautious and less war prone than other forms of government.[38]

A number of scholars have developed theories based on democratic political institutions. As noted above, Russett developed a model that explains peaceful relations among democracies based on shared democratic political institutions. In this model, a democratic political system in which there is a division of power (executive versus legislative branch) results in constraints, or checks and balances. When the inhibitory mechanisms combine with the need for public support, decisions by politicians to go to war will be slow and will be unlikely against other democracies. This is because the leaders in democracies see the leaders in other democracies as constrained as they are. The slowness of decisionmaking also provides time for efforts at peaceful conflict resolution. Russett argues that because it takes democracies so long to gear up for war and the decisionmaking process is so public, democracies are unlikely to engage in surprise or preemptive attacks.[39]

Charles Lipson, James Fearon, and Kenneth Schultz focus on how democratic political institutions help states signal their intentions clearly, which reduces the likelihood of war. In general, they argue that war often occurs because states misread each other, or they are unable to reach a negotiated bargain. That is, they are unsure of each other's intentions (they cannot tell how seriously a state views a given security issue or how serious it is about using force), or they cannot reach a negotiated settlement because of bargaining tactics (a state's threat of war may be a bluff to get a better deal rather than to facilitate a settlement). Either case can lead inadvertently to war. They argue that democracies can overcome these problems. Constitutional systems that have competing political structures (executive and legislative), opposition parties, and public debate reduce uncertainty because they provide transparent information about state intentions toward other states. When a state leader issues a threat that has legislative, opposition party, and public backing, it shows clear resolve that is likely to induce the rival state to back down. Constitutional systems also make state commitments and promises more credible. That is, constitutional arrangements make it hard for democracies to act, but they also make it unlikely that a state's promises will be reversed later. Political leaders are constrained by the need for public support so they are unlikely to bluff or make idle threats about war, and they are less likely to renege on agreements. Therefore, they are better able to produce negotiated settlements that avoid war.[40] A problem with this strand of theory is that it assumes states with democratic political structures will tend to be cautious and slow about going to war in all situations, when the evidence shows that democracies can be quite war prone against nondemocratic states and quick to go to war against them. It also cannot explain inconsistency, that is, why democratic political structures constrain war decisions among democracies, but seem "to matter less when liberal states are faced with authoritarian adversaries."[41] As noted earlier, Russett acknowledged these problems and argued that comprehensive democratic peace explanations need to combine both democratic values and democratic political institutions, but he did not explicitly build a theory that combines his two models. Other scholars have combined the different variants of liberal theory.

COMBINATIONS OF THE VARIANTS OF LIBERAL THEORY

Jeremy Bentham and Joseph Schumpeter argued that one could reduce the incidence of war through a combination of different liberal factors. Bentham argued in 1789 that war could be eliminated through the combination of representative democratic government, international free trade, the abandonment of colonies, disarmament measures, and the establishment of collective security institutions.[42] Schumpeter argued in 1919 that the interaction of capitalism, free trade, and democracy would result in pacifism and thus international peace. He argued that capitalism and democracy are inextricably linked—they develop together, and they not only produce citizens who have

"an unwarlike disposition" but also result in the extinction of war because democracies replace the war prone tendencies of traditional autocracies.[43] A major flaw in the pacifism argument is, of course, that citizens in democracies are not necessarily pacifist, and democracies have been quite war prone against a variety of nondemocratic states.

John Owen proposed an alternative liberal argument that combined the factors of liberal ideas, liberal ideology, and domestic democratic political institutions to explain the peace among liberal democracies. He argued that liberal ideas "produce the ideology which prohibits war with fellow liberal democracies and sometime calls for war with illiberal states. The ideas also give rise to democratic institutions. Working in tandem, the ideology and institutions push liberal democracies toward democratic peace." A critical element of Owen's argument is that states must perceive each other as liberal democracies. Thus the Anglo-American War of 1812, the American Civil War, and the Spanish-American War of 1898 resulted because America did not consider England democratic in 1812, the Union did not consider the Confederacy a liberal democracy in 1861, and America did not consider Spain a democracy in 1898.[44]

THEORIES THAT GO BEYOND LIBERALISM

There are number of theories on this subject that have subsumed and grown beyond liberalism. They incorporate and synthesize factors and insights from other theoretical perspectives like realism. For example, Randall Schweller combined domestic political institutions with the international distribution of power (so he combined liberal and realist insights) in his analysis of power shifts and preventive war. His study of all preventive wars since 1665 found that declining democracies do not launch preventive war against rising opponents. When the rising rival is a democracy, the declining democracy will accommodate to the rising state (for example, Great Britain's accommodation of the rise of the United States in the late-1800s and early-1900s). When the rising rival is nondemocratic, the declining democracy will form a counterbalancing alliance. He also found that declining nondemocracies are likely to launch preventive wars against both rising democracies and other nondemocracies.[45]

Lars-Erik Cederman proposes a reinterpretation of Kant's democratic peace hypothesis by arguing that Kant's logic on the development of perpetual peace among democratic republics "depends on the idea of progress through learning." Thus, Cederman argues it is possible to explain the "near misses" in the 1800s when democracies almost went to war with each other, as well as the increasingly stable and peaceful relationships among democracies subsequently, through two learning processes. Democratic states undergo dynamic learning processes in which they alter their behavior by taking into account their experiences. As they mature over time, democracies become more peaceful and more cooperative with each other. They also undergo a dialectical learning process because there is not always positive progress. In other words, major reversals occur in the form of world wars, and these events drive home the point that it is better to eliminate the use of force in interstate relations. He concludes that history supports his point: democratic state interactions have become more peaceful over time since 1837. Not only does war not occur among mature democracies, but also the use of military force has come to be considered illegitimate except in exceptional circumstances. Interestingly, Cederman found that norms of peaceful conflict resolution exist not only among democracies, but have spread to a limited extent among nondemocracies.[46]

Bruce Russett and John Oneal propose a different reinterpretation of Kant. Kant contended, in their view, that perpetual peace among states is possible, but it must be founded on three elements: republican democracies, free trade and economic interdependence, and international organizations. While these three elements are obviously linked—democracies engage in high levels of

trade, and economic exchanges have resulted in the creation of a large number of international organizations to manage and regulate international economic intercourse and interstate relations—they are not combined in a single theory explaining democratic peace. Instead, Russett and Oneal make a general argument that the elements interact to produce a "virtuous circle" resulting in peace. They test the individual elements by analyzing war, conflict, and militarized disputes over two centuries. They conclude that there is clearly "a separate peace among democratic states." Furthermore, the overall risk of war and conflict declined as the number of democracies increased. They also found there is strong evidence that increasing economic interdependence among states reduces the incidence of conflict among them and that states "open to the global economy are more peaceful than average." Finally, they found that a dense network of international organizations reduces the incidence of conflict.[47]

Mark Haas focuses on political ideology and how this influences the likelihood of conflict and war. He synthesizes concepts from liberalism, realism, social identity theory, and transnationalism to build the argument that the greater the ideological gap between countries, the more likely war will occur. This is because different views on the proper ordering of domestic politics operate through various social and communications mechanisms to produce a high threat perception. For example, the political ideologies that underlay liberal democracy and communism are diametrically opposed—the gap between the ideologies is wide. For the United States and the Soviet Union, this produced a fear of subversion by the other side, an "us" versus "them" dynamic that encouraged mistrust and undermined the effectiveness of communications. Taken together, these processes produced mutual high-threat perceptions. Relative power capabilities were then factored in by political leaders to produce specific foreign policies. In the case of the Cold War, each side viewed the other as a threat, fearing the rise of the other's power, and therefore each side adopted hard-line policies such as nuclear armament. This process can reverse when the gap in political ideologies lessens. An example is the political reforms undertaken by Mikhail Gorbachev in 1988. As Gorbachev implemented democratic reforms, the threat perceptions changed significantly, as did foreign policies. This ultimately led to a peaceful end to the Cold War. Haas applied his argument to all great power conflict between 1789 and 1989, finding that the evidence supports his argument.[48] Interestingly, this argument can be applied to nonstate actors, and it provides a compelling explanation for why the United States views al-Qaeda's Islamic jihadism as so threatening. It also explains why al-Qaeda has repeatedly attacked the United States and a variety of other targets.

CONCLUSION

Democracy as a form of political organization fundamentally changed the relationship between the people/citizens and the state/political leaders. It meant that leaders were representative of and accountable to their voters. It also changed the nature of international relations. As democracy has spread around the world, the reasons states go to war and the states they go to war against have changed. The democratic peace research program has studied the patterns of cooperation and conflict among states based upon its wide variety of tools for scientific inquiry, reaching a number of important conclusions. Democratic peace theory does not claim that "democracies do not fight each other." Rather, it takes the position that "democracies are highly unlikely to fight each other." It also observes that there is no instance in history in which liberal democracies have fought each other.[49] Democracies are slow to go to war, but when they do, they are more likely to prevail. Democracies join the same side in war, and they are more likely than other forms of government to ally with one another. Democracies are also more reliable alliance partners. Democracies are not necessarily less war prone than other types of states (they are not pacifist), but they are peace

prone in their relations with each other, and they tend to be war prone only with nondemocracies. Democracies trade with each other, they form long-lasting international organizations, and they obey international law.[50] Only liberal democracies have been able to form a separate peace among themselves; no other form of government has accomplished this. Throughout history, tribes, clans, feudal societies, monarchies, autocracies, and communist states have fought each other. The liberal democratic zone of peace has endured over time, despite periodic conflicts of interest, and it has expanded as more states have democratized.

Democratic peace theory poses a challenge to realism. It does not refute realism, but it narrows the scope of conditions under which realist assumptions and factors apply. For this reason, it has been repeatedly challenged. The critics of democratic peace theory have argued there is insufficient empirical evidence to draw firm conclusions. John Mearsheimer avers that "democracies have been few in number over the past two centuries, and thus there have not been many cases where two democracies were in a position to fight each other."[51] This view was valid until the mid-20th century. However, since decolonization and the modern waves of democratization across Asia, Latin America, Europe, and the former Soviet Union in the 1970s, 1980s and 1990s, democracies are no longer few. In the 1800s, there were only a handful of developing democracies; by 1900, there were 33 democracies; by the 1960s, there were 52;[52] and by 2011, there were 115.[53] To respond to the critics, democratic peace researchers strive to conduct scientifically rigorous analysis. They use multiple methodologies, such as case studies and statistical analysis, to maximize reliability and validity. They have analyzed all interstate conflict over the last 2 centuries (and in some cases beyond), and they have developed sophisticated explanations for how peace is achieved through the interaction of multiple variables such as ideas, ideology, democratic political institutions, economic interdependence, international organizations, perception, and learning. This research has led to the indisputable observation that the democratic peace exists. Some even assert that the absence of war among democracies is the closest thing international relations theory has to an empirical law.[54]

Liberal scholars and democratic peace analysts do not argue that war will disappear in international relations. In fact, they argue war is sometimes necessary and that war can be just, such as war to protect self and territory, to protect friends, and to free the oppressed. Since war will never be eliminated, however, it must be codified and brought under some form of civilized containment. Various scholars have worked to identify just and unjust war. This goal is very old, for it dates back to Saint Thomas More (early-16th century), Hugo Grotius (early-17th century), and Eméric Vattel (18th century).[55]

All such scholarly investigation has implications for U.S. policy. A state's transition to democracy will not necessarily make the United States more secure, especially if the standard for labeling a nation a democracy is whether it formally goes through the motions of holding periodic elections. Only liberal democracies will ensure security. Furthermore, the liberal democracies must be mature, and their political institutions and democratic values consolidated.[56] However, democratic consolidation takes time, and regression to autocracy during the transition process from a non-democratic to a democratic regime is common.[57] Fortunately, transitional states in the modern era are not alone, and the international community has mechanisms to assist them as they transition and democratize. The transition of the post-communist countries in Central and Eastern Europe is a prime example. The United States and Western Europe were able to capitalize on trade opportunities and the desire of the transitioning states to join Euro-Atlantic international institutions. The accession criteria for NATO and EU membership required substantial social, economic, and political reforms—in effect, they required the aspirant countries to become consolidated liberal democracies. In the end, the policies of the Clinton and both Bush administrations achieved their

goals for Europe—today the European continent is stable and secure, and most of the post-communist states are largely consolidated liberal democracies. Whether the Arab Awakening and the democratic transitions in Iraq and Afghanistan will also result in consolidated liberal democracies is an open question. Arguably, more extensive social and cultural changes need to take place in the Arab world than in the post-communist states. Without similar internal aspiration for democratic reform and external incentives linked to trade and membership in international organizations, the road to democratic consolidation will be longer and harder and is not a sure thing.

ENDNOTES - CHAPTER 13

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20. John M. Owen, "How Liberalism Produces Democratic Peace," *International Security*, Vol. 19, No. 2, Autumn 1994, pp. 89, 95-96, 99, 102; Doyle, pp. 206-207.

21. Moravcsik, pp. 515, 524, 533-534.

22. *Ibid.*, pp. 515, 525-528.

23. John Mueller, *Quiet Cataclysm: Reflections on the Recent Transformation of World Politics*, New York: HarperCollins College Publishers, 1995, pp. 125-129.

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36. Moravcsik, pp. 515, 530-532.

37. Kant, pp. 3-5.

38. Moravcsik, p. 531.

39. Russett, pp. 38-40.

40. Charles Lipson, *Reliable Partners: How Democracies Have Made a Separate Peace*, Princeton, NJ: Princeton University Press, 2003, pp. 4-7, 47-48, 51-54, 77; James Fearon, "Domestic Political Audiences and the Escalation of International Disputes," *American Political Science Review*, Vol. 88, No. 3, September, 1994, pp. 577-587; Kenneth A. Schultz, *Democracy and Coercive Diplomacy*, Cambridge, UK: Cambridge University Press, 2001, pp. 1-8, 54-67, 231-235. Lipson, Fearon, and Schultz present their arguments as Rational Choice theories, but since their arguments are based on the assumption that regime type and domestic political institutions matter in explaining state behavior, I have categorized them as liberal theories that utilize the rational choice methodology.

41. Risse-Kappen, p. 366.

42. Doyle, pp. 226-228; Howard, pp. 31-35.

43. Doyle, pp. 241-250, 300.

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45. Randall L. Schweller, "Domestic Structure and Preventive War: Are Democracies More Pacific?" *World Politics*, Vol. 44, No. 2, January 1992, pp. 236-238, 248-252.

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47. Russett and Oneal, pp. 29-42, 271-281.

48. Mark L. Haas, *The Ideological Origins of Great Power Politics, 1789-1989*, Ithaca, NY: Cornell University Press, 2005, pp. 4-18, 38-39, 179-181, 194-205, 211-213.

49. Lipson, pp. 1, 18.

50. Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences*, Cambridge, MA: MIT Press, 2005, p. 38.

51. Mearsheimer, pp. 50-51.

52. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman, OK: University of Oklahoma Press, 1991, pp. 13-26.

53. Freedom House, "Freedom in the World 2011: The Authoritarian Challenge to Democracy," Press Release, January 13, 2011, available from *freedomhouse.org/template.cfm?page=70&release=1310*.

54. Lipson, p. 21.

55. Howard, pp. 17-19.

56. Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*, Baltimore, MD: Johns Hopkins University Press, 1996, pp. 3-15. Linz and Stepan argue that a consolidated democracy has five attributes: civil society, political society, rule of law, state bureaucracy, and institutionalized economic society. Furthermore, they argue that citizens and political leaders must internalize the values and habits of liberal democracy. In a consolidated democracy, democracy is the "only game in town."

57. Huntington, pp. 15-25.

CHAPTER 14

REGIONAL STUDIES IN A GLOBAL AGE

R. Craig Nation

THE NEW REGIONALISM

Global conflict dominated 20th century strategy. World Wars I and II were implacable struggles waged on the world stage, and they were followed by the Cold War, a militarized contest between superpower rivals described by Colin Gray as "a virtual World War III."[1] Not surprisingly, interstate rivalry propelled by Fritz Fischer's *Griff nach der Weltmacht* (Strike for World Power) gave rise to theoretical perspectives concerning the dynamic of international relations dominated by globalist perspectives.[2] From the founding of the first university department devoted to the formal study of International Relations at the University of Aberystwyth (Wales) in 1919 to the present, globalist and universalizing theoretical models have been at the core of the profession.

Such models have also defined the practice of American foreign and security policy. The venerable traditions of American isolationism and exceptionalism, integral to the founding of the republic, and through most of the 19th century the inspiration for a cautious and discrete U.S. world role, were gradually pushed aside against the background of the Great War (World War I) by the liberal tradition of benign engagement under the aegis of international law, international organization, and collective security. Though Woodrow Wilson's project for a U.S.-led League of Nations was frustrated by congressional opposition, in the larger picture there would be no return from "over there." America was a dominant world power from at least 1916 (when the United States became a creditor for the major European powers), and the range of its interests no longer permitted the luxury of an exclusively national or even hemispheric policy focus

Already on the eve of World War II, E. H. Carr argued in his seminal work, *The Twenty Years' Crisis*, that a relative neglect of the role of power and coercion in international affairs had paved the way for the rise of fascism.[3] Carr's "realist" perspective, lent theoretical substance in the United States by transplanted Europeans, such as Hans Morgenthau, Arnold Wolfers, and Stanley Hoffman, who viewed themselves as tutors for powerful but naive American elites, became the dominant conceptual framework for postwar U.S. policy.[4] The classical realism of postwar theorists was never a vulgar philosophy of might makes right, though it is sometimes interpreted in that way. Its most prominent promulgators, often European Jews like Morgenthau who had fled the Holocaust and were lucidly aware of what unchecked power set to evil ends could affect, were preoccupied with ethical concerns and the need to constrain the inherent violence of anarchic interstate competition.[5] But the realist tradition made no bones about the need to place power, the global balance of power, and strategic rivalry between competing sovereignties at the center of a globalist worldview. During World War II, State Department planners carefully prepared for policy of engagement based upon the purposeful use of U.S. power to shape a congenial international environment.[6] George Kennan's containment doctrine, the backbone of U.S. security policy through most of the Cold War decades, was little more than an astute application of realist premises to the management of U.S.-Soviet relations.[7]

Regional conflict was a significant part of Cold War competition, but it too was usually interpreted in a global perspective, as a projection of superpower rivalry into peripheral regions. Architects of U.S. Cold War strategy like Henry Kissinger could publicly opine about the marginality of third world regions, and assert a great power orientation that perceived the essence of foreign

policy as an elegant game of balance between power centers in Washington, London, Paris, Bonn, Moscow, and Beijing.[8] Nuclear competition between the superpowers, and the theory of strategic deterrence that was crafted to direct it, encouraged ever more abstract modeling of interstate rivalry. These trends culminated in the 1980s with the emergence of "neo" versions of traditional theoretical paradigms that consciously sought to void international theory of its historicist and humanistic foundations. Kenneth Waltz's neo-realist argument used austere logic in interpreting interstate competition as an abstract calculus of power.[9] The related schools of game and rational choice theory sought to use mathematical modeling to reproduce the dynamics of foreign policy decisionmaking. Neo-liberal institutionalist models built alternatives to realism upon the universalizing trends of interdependence and globalization, sometimes built upon a simplistic Benthamite utilitarianism.[10] By the end of the Cold War, much of the rationale for U.S. foreign and security policy rested upon assumptions integral to these approaches—the centrality of great power rivalry, the balance of power as the axis of interstate competition, the changing nature of power in an age of globalization where economic strength and various soft power options have accrued in importance, and the need for a competitive strategy to maintain and extend U.S. advantage.

Part of the reigning confusion surrounding the nature of post-Cold War world order derives from the fact that it is no longer defined by an all-consuming rivalry between peer competitors. With a Gross Domestic Product (GDP) far outdistancing the nearest competitor, levels of defense spending superior to any imaginable combination of rivals, a clear-cut technological advantage, and a strong and stable domestic order, the United States stands head and shoulders above any real or potential rival. The current distribution of world power is objectively hegemonic, and American leadership is less a goal than a fact. In the absence, now and for the foreseeable future, of an authentic peer competitor capable of posing a serious challenge to U.S. dominance, balancing strategies such as that promulgated by Russia's former Prime Minister Evgenii Primakov, seeking to regenerate a "multipolar" world order in which America would be limited to the status of first among equals, must remain essentially rhetorical.[11] Maintaining U.S. status and using the advantages of preeminence to good ends have become primary responsibilities for U.S. security planners.[12] These are tasks that demand different kinds of perceptions and priorities than those motivating policy during the Cold War.

Analyses of new directions in global security policy tend to similar conclusions concerning the kinds of threats that the United States will be required to respond to. In contrast with the focused strategic environment of the Cold War years, these threats will be dispersed rather than concentrated, unpredictable and often unexpected, and significantly derived from regional and state-centered contingencies. The threat of global terrorism, in particular, driven forward by widely dispersed terror networks, is rooted in failed states and marginalized regions denied the benefits of balanced modernization and development. These conclusions rest upon shared assumptions about the emerging 21st-century world order, the changing contours of global security, and the evolving U.S. world role. The new configuration of global power, which combines U.S. preeminence with considerable regional fragmentation and turbulence, ensures that major world regions will be an ever more important target for U.S. engagement—as sources of critical strategic resources, as platforms for geostrategic leverage, as breeding grounds for terrorism, as integral parts of an increasingly interdependent global economy, and as testing grounds for great power will and determination to impose rules of the game. Preeminence does not imply total control. Influence in key world regions will be a significant apple of discord between the hegemonic leader, great power rivals, and influential local powers. Regions and subregions will remain the primary forums for armed conflict and instability, with a variety of small wars and protracted stabilization operations posing the greatest demands upon a U.S. military committed to engagement and shaping strate-

gies. Aspiring regional hegemons, sometimes tempted by hopes of gaining access to weapons of mass destruction (WMD), will continue to promote disorder and pose direct threats to important U.S. interests. To navigate effectively under these circumstances, U.S. strategists will have to base international engagement upon a sophisticated understanding of major world regions, viewed not only in regard to their place within an overarching structure of world power, but as entities in their own right, including the underlying social, political, and cultural processes that make the national and regional context unique.

For all of these reasons, regional studies will remain a necessary foundation for an integrated curriculum in national security policy and planning. If the 20th century has been the century of global conflagration, the 21st century seems poised to become the century of regional disaggregation. New directions in international relations theory, cast around concepts such as turbulence and chaos theory, have been honed to highlight these trends.[13] For U.S. policymakers, the challenge will be to integrate regional perspectives, and sensitivities to national and regional dynamics, into a realistic and balanced approach to the pursuit of global security; not to question the relevance of regional perspectives (which should be self-evident), but to better understand the ways in which they need to be joined to a comprehensive strategy for the pursuit of national interest.

WHAT IS A REGION?

Regions may be defined and distinguished according to an approximate combination of geographic, social, cultural, and political variables. Unambiguous distinctions, however, will always be elusive. As an analytical category in international relations, the "region" is fated to remain contingent and contentious. Geographical contiguity is clearly a prerequisite for regional identity, but drawing uncontested boundaries is usually an impossible task.[14] The concept of "eastern Europe" once had a fairly high degree of integrity, but since 1989 it has virtually disappeared from the political lexicon. The phrase "Middle East," which was originally the product of colonialist and Eurocentric world views, continues to be used (often rendered as a "Greater Middle East") to describe an extremely diverse area stretching from the Maghreb into distant Central Asia. Meanwhile, the designation of an eastern Mediterranean Levant has fallen out of fashion. The Balkans has been regarded as a distinctive European sub-region for well over a century, but almost any Balkan state with elsewhere to turn rejects the designation unambiguously.[15] "All regions," writes Andrew Hurrell with some justification, "are socially constructed and hence politically contested."[16]

One of the more influential recent attempts to delineate regions according to cultural criteria has been Samuel Huntington's clash of civilizations thesis. Huntington identifies nine world civilization zones based significantly, though not entirely, upon confessional affiliation.[17] The argument that geostrategy will be increasingly dominated by civilization conflict waged along the "faultlines" dividing these zones has been widely used to explain the apparent upsurge in ethnic conflict of the recent past. Huntington's argument, however, is neither entirely novel nor altogether convincing. Geopolitical analysis has long used the idea of the "shatterbelt," defined as a politically fragmented and ethnically divided zone that serves as a field of competition between continental and maritime powers.[18] Great civilizations cannot be precisely bounded spatially, and they are rarely either entirely homogenous or mutually exclusive. Huntington's attempt to designate geographically bounded civilization zones, and to use these zones as the foundation for a theory of geostrategy, rests on suspect premises.

Barry Buzan has developed the concept of the "regional security complex" in an effort "to offset the tendency of power theorists to underplay the importance of the regional level in international security affairs."[19] He makes the assertion that in security terms, "'region' means that a distinct and significant subsystem of security relations exists among a set of states whose fate is that they

have been locked into geographical proximity with each other."[20] The existence of a "subsystem" of security relations presumes high levels of interdependence, multiple interactions, and shared sensitivities and vulnerabilities. Any attempt to identify such complexes empirically, however, poses obvious problems.[21] Regional security complexes are rarely if ever defined exclusively by geographical proximity, they are often dominated by external powers, and they are sometimes held hostage by national-cultural variables or systemic dynamics. The United States is the focus of functioning security complexes in both Europe and Asia. Turkey and Israel lie within different security complexes according to most of Buzan's criteria, but they have developed a close bilateral relationship that impacts significantly upon their relations with contiguous states. Transnational threats such as terrorism, international crime, drug trafficking, illegal migration, or environmental disintegration also overlap regions and create dynamics of association that prevent security complexes from becoming significantly self-contained.

The United States makes an approximate distinction between geographic regions in the Unified Command Plan that lies at the basis of its warfighting strategy, by fixing the contours of unified command areas assigned to combatant commanders. This approach originally evolved from the division of responsibilities adapted by the United States to fight World War II, and was formalized by the National Security Act of 1947. Over the years, the geographic division of responsibility has been adapted repeatedly on the basis of changes in the international security structure, techno-logical advances, and strategic calculation, but also bureaucratic infighting over areas of responsibility and access to resources. Combatant commanders have recently been required to draw up an annual Theater Engagement Plan defining regional shaping priorities, but they are primarily warfighters, and the division of responsibility that the current unified command plan structure embodies is geared to position the United States to prevail in armed confrontations. Contemporary U.S. national security strategy, mandating readiness to fight two nearly simultaneous major theater wars, has concentrated the attention of the combatant commanders on the areas where such conflicts are presumed to be most likely—in the Middle East/Southwest Asian and Western Pacific/Northeast Asian theaters. The regional distinctions built into the Unified Command Plan are arbitrary, but they are geared to the performance of the functional tasks of warriors and do not always rest upon careful conceptual distinctions.

David Lake and Patrick Morgan define region minimally, as "a set of countries linked by geography and one or more common trends, such as level of development, culture or political institutions."[22] Their definition has the advantages of simplicity, but it is potentially too broad to be really useful, and also possibly misleading. The nation-state is sometimes an inadequate building bloc for regional complexes. Any viable definition of the post-Soviet Central Asian region would have to include China's Xinjiang province, whose population is composed of 60 percent Turkic Muslims. Russia's far eastern provinces are an integral part of the Asia-Pacific region, while the core of historic Russia is an extension, both geographically and culturally, of a greater Europe. Ukraine's population is divided politically along the line of the Dnipro River, with the western provinces affiliating with an enlarged central Europe and the eastern provinces oriented toward the Russian Federation and Eurasia. Northern Mexico and southern California have become intimately associated as a result of high levels of economic interaction and cross-border movement of peoples.[23] The European Union has even sought to institutionalize transnational communities, by creating multi-state districts designated as "Euro-regions."[24] The commonalities used to distinguish regions cannot be terminated artificially at national boundaries, and "one or more common trends" is too weak a foundation for association to give regional designations analytical substance.

In its regional studies curriculum, the U.S. Army War College designates six major world regions on the basis of broad geographical criteria—Europe, the Middle East, Africa, Russia and Eurasia, the Asia-Pacific region, and the Americas. These are designations of convenience

intended primarily for pedagogical purposes. Our working definition of what constitutes a region is of necessity broad and multidimensional. Geographical propinquity; a sense of identity and self-awareness based upon shared experience, ascribed traits, or language; a degree of autonomy within the international state system; relatively high levels of transactions; economic interdependencies; and political and cultural affinity may all be cited as relevant criteria. It is presumed that there will be gray areas and significant overlap between regions however they are defined. The Turkish Republic, for example, is simultaneously part of a wider Europe, a greater Middle East, and post-Soviet Eurasia. No single set of associations is essential, and in the best of cases fixing the contours of major world regions and sub-regions will remain a problematic exercise.

WORLD REGIONS AND WORLD ORDER

However regions are defined and differentiated, the impact of local, national, and regional dynamics upon world politics is substantial and destined to grow larger. For the foreseeable future, effective strategy will require sensitivity to the various ways in which regional affairs condition the global security agenda, channel and constrain U.S. priorities, and affect a changing world order.

Regional Instability, Regional Conflict, and Embedded Terrorism.

Regional instability poses diverse kinds of challenges to U.S. interests. Iraq's occupation of Kuwait in 1990 placed a critical mass of Middle Eastern oil reserves in the hands of an ambitious and hostile regional power, thus posing a clear threat to vital interests. Such dramatic scenarios will not occur very often, but the potential consequences are so great as to demand high degrees of readiness. "Rogue states," which aspire to regional hegemony and whose leaders are often defiant of international norms, are now acknowledged as a distinct threat in their own right. The most persistent challenges of recent years have been the chronic instability born of flawed regional orders marked by severe impoverishment, unequal development, frustrated nationalism, ethnic rivalry, and the "failed state" phenomenon where weak polities lose the capacity to carry out the basic tasks of governance. Embedded terrorism, exploiting failed regional systems as sanctuaries for the pursuit of global agendas, has been a dramatic consequence.

In the post-Cold War period, the U.S. Armed Forces have been called upon to participate in an unprecedented number of complex contingency operations ranging from simple noncombatant evacuations to extensive, protracted, and dangerous peace enforcement and peacekeeping duties. The logic of U.S. engagement is usually impeccable. Unchecked regional or civil conflicts risk escalation with broadening consequences; threaten the credibility of the United States, its allies, and major international instances as guarantors of world order; and confront decisionmakers with horrendous and morally intolerable humanitarian abuses. But the United States should not feel obligated, nor can it afford, to take on the role of global policeman. Protracted and open-ended peacekeeping deployments undermine combat readiness by disrupting training routines, erode the morale of the volunteer force, and pose the constant possibility of deeper and higher-risk engagement. *Shaping* regional complexes to head off resorts to coercive conflict behavior, and *responding* to regional challenges, if possible preemptively and under the aegis of international organizations or multinational coalitions, have as a result become pillars of U.S. security policy.

The challenges of civil war and low-intensity regional conflict will not go away or diminish. In a larger historical perspective it seems clear that the total wars of the 20th century have been exceptional events rather than typical ones. Prior to our century, technological limitations made the concept of "world" war unthinkable—warfare, of necessity, was waged within physically constrained theaters on the regional level. Ironically, the technological possibilities unveiled with the creation of massive nuclear arsenals during the Cold War have once again made the outbreak of

hegemonic warfare between great power rivals highly unlikely, as well an eminently undesirable. The increasing lethality (and expense) of modern conventional armaments only further raises the threshold of total war. While the Kantian thesis that great power warfare has become obsolete may or may not be credible, it rests upon substantial foundations.[25] If for no other reasons than those imposed by the evolving technology of violence, wars and armed confrontations are today once again being contested almost exclusively as low- and medium-intensity conflicts on the local and regional level. "In the foreseeable future," write Lake and Morgan, "violent conflict will mostly arise out of regional concerns and will be viewed by political actors through a regional, rather than global, lens."[26]

In some ways, Cold War bipolarity worked to constrain regional conflict. Neither superpower could afford to tolerate an uncontrolled escalation of regional rivalry that risked to draw it into a direct confrontation, and regional allies were consistently pressured to limit their aspirations and bend to the will of their great power sponsors.[27] It is difficult to imagine that the anarchic disintegration of the Yugoslav Federation would have been allowed to proceed unchecked in 1991 had the fragile European balance of terror of the Cold War system still been at risk. The extent of such constraint may nonetheless be exaggerated. Many of the regional conflicts of the Cold War era—in southern Africa, the Horn of Africa, Afghanistan, the Middle East, or southern Asia—have perpetuated themselves into the post-Cold War period. Cumulatively, post-World War II regional conflicts have occasioned the deaths of over 25 million individuals, and the incidence and intensity of such conflicts continues to increase.

A composite portrait of post-Cold War regional conflict calls attention to the difficulties involved in programming effective responses. The large majority of contemporary "limited" wars are civil wars or wars of secession, waged with the ferocity that is typical of such contests. Combat operations often include the significant engagement of poorly controlled and disciplined irregular forces. The bulk of casualties are imposed upon innocent civilians, sometimes including genocidal massacre and forced population transfers (ethnic cleansing). While often obscure in terms of their origins, such conflicts are usually highly visible. The modern mass media, commercially driven and chronically in search of sensation, brings regional chaos "into the living room" and generates popular pressure to respond that political leaders often find difficult to ignore. Limited and often frustrated or only partly successful intervention by the international community in the role of would-be peacemaker is another shared trait that gives many contemporary regional conflicts a fairly uniform contour. Wayne Burt notes correctly that, in comparison with the structured context of Cold War bipolarity, the "post-Cold War world is a much 'messier' world where limited conflict will be fought for limited and often shifting objectives, and with strategies that are difficult to formulate, costs that are uncertain, and entrance and exit points that are not obvious."[28]

As undisputed world leader, and the only major power with significant global power projection capacity, the United States is often compelled to react to such conflicts whether or not it has truly vital interests at stake. America's ability to manage and shape the conflict process is nonetheless severely limited. A decade of struggling with regional conflict in post-communist Yugoslavia, including intensive diplomatic efforts, punitive air strikes, large and open-ended peacekeeping deployments, and a full-scale war over Kosovo, has led to what may at best be described as a mixed result.[29] Peace enforcement and peacekeeping responsibilities have been carried out with impressive efficiency, but the much more problematic, and politically charged task of post-conflict peace building has proven to be something close to a mission impossible.[30]

Since the terrorist attacks against New York and Washington on 9/11, the phenomenon of embedded terrorism has become another manifestation of how regional instability may provoke intense political violence. U.S. military actions in Afghanistan and Iraq have been designed to

strike at terror nests, but it has quickly become apparent that defeating designated enemies is only part of the challenge. Post-conflict reconstruction efforts have demanded an increasingly sophisticated awareness of local norms and values, and heightened sensitivities to the cultural context within which stability operations are being pursued. Army Provincial Reconstruction Teams in Afghanistan have striven to develop closer working relations with local populations and build a foundation of trust based upon mutual understanding that will make it more difficult for terrorist cells to relocate in the areas in the future.

The United States has made the maintenance of regional stability a pillar of its security strategy, but the forces of disintegration at work within many world regions are daunting. Effective responses will first of all require some selectivity in choosing targets for intervention. When we do elect to become involved, our efforts should be based upon a much greater awareness of regional realities than has been manifested in the recent past. We will also need to make better use of friends and allies. Regional instability is often best addressed by local actors, who usually have the largest vested interest in blocking escalation, and in some cases regionally based conflict management initiatives can become a significant stimulus to broader patterns of regional cooperation. Engaging allies and relevant multilateral forums in managing regional conflict, as the United States has sought to do with the African Crisis Response Initiative, should be a high national priority.

Geopolitics.

Many currently fashionable approaches to international relations assume the decline of territoriality as a motive for state behavior. The dominant trend in world politics is persistently, albeit vaguely, described as globalization, implying a rapid increase in interactions fueled by revolutions in communications and information management, the emergence of a truly global market and world economy, the primacy of economic competition as a mode of interstate rivalry, and an unprecedented space-time compression that places unique demands upon decisionmakers.[31] The globalization scenario is built on overarching generalizations about world order and it rests upon universalizing premises that leave little space for sticky concern with the intricacies of regional affairs. There are alternatives to theoretical perspectives cast on so high a level of abstraction however, and they bring regional issues into the forefront of international discourse. Most important among them is the tradition of geopolitics.

The core challenge of geopolitical analysis is to link the systematic study of spatial and geographical relations with the dynamic of interstate politics. As a formal discipline, geopolitics dates from the late-19th-century work of the Leipzig professor Friedrich Ratzel. His 1897 study *Politische Geographie* (Political Geography) presents states as organisms with a quasi-biological character, rooted in their native soil, embedded in a distinctive spatial context or *Lebensraum* (living space), and condemned to either grow and expand or wither away.[32] In the works of various contemporaries and successors, including Alfred Thayer Mahan, Rudolf Kjellén, Halford Mackinder, Alfred de Severing, Klaus Haushofer, and Nicholas John Spykman, these insights have been pushed in a number of directions. The strong influence of geopolitical categories, especially as transmitted through the work of Haushofer, upon Adolf Hitler's strategic program during the 1930s has brought enduring discredit upon the discipline, widely but unfairly regarded as a vulgar amalgam of social Darwinism and military expansionism. In fact, in its manifold and not always consistent manifestations, geopolitical analysis presents a range of alternative strategic perceptions whose common ground is a sense of the permanent and enduring relevance of spatial, cultural, and environmental factors in world politics.[33] These are also the factors that stand at the foundation of regional studies.

Geopolitics is rooted in the study of geography, broadly but relevantly defined by Saul Cohen as "spatial patterns and relations that reflect dynamic physical and human processes."[34] Geography is a rich and complex construct that provides a context for weighing the impact of a number of significant but often neglected variables. These include ethnicity, nationalism, and the politics of identity; access to natural and strategic resources; geostrategy and the role of lines of communication and strategic choke points; relations between human communities and their natural environment; and the strategic implications of increasing environmental stress. It encompasses demographic issues such as population growth, cycles of migration and changing patterns of population distribution, and "decisionmaking milieus" including Huntingtonian civilization zones, political systems and political cultures, as well as the spatial distribution of power within the world system.

Geopolitical analysis is best known in the West as refracted by Halford Mackinder's heartland concept, which defines control of the Eurasian landmass as the key to world power. Mackinder distinguished between a *World-Island* encompassing the joined continents of Europe, Asia, and Africa, the Eurasian *Heartland* approximately equivalent to Russia and Central Asia, and the *Rimlands* (including east-central Europe) along the Eurasian periphery. "Who rules East Europe," he wrote in a famous passage, "controls the Heartland. Who rules the Heartland commands the World-Island. Who rules the World-Island commands the World."[35] Mackinder was not a fascist militarist, but a moderate professor and civil servant, whose thinking lay at the foundation of British strategy through much of the 20th century. By calling attention to the spatial dimensions of grand strategy, his work points out the extent to which geostrategic concepts have been and continue to be at the heart of modern statecraft.

A striking contemporary illustration of the continuing impact of geopolitical perspectives is provided by the heartland power *par excellence*, the Russian Federation, where disillusionment with the gilded promises of globalization and integration with the U.S.-led world economy have led to a rapid and broadly influential revival of geopolitical theory.[36] The new Russian geopolitics has been dismissed in the West as a manifestation of radical extremism, a sort of Russian fascism born of the post-communist malaise.[37] In fact, core geopolitical perceptions (the need to maintain the integrity of the Russian Federation, the call to reassert a strong sphere of influence in the territories of the former Soviet Union, the cultural distinctiveness of the Russian Idea and its historical role as a force for integration in the expanses of Eurasia, the need for alliances to balance and contest American hegemony) have moved into the mainstream of Russian strategic thought and enjoy strong support.

Haushofer has written that "geopolitics is the science of the conditioning of political processes by the earth," and that "the essence of regions as comprehended from the geopolitical point of view provides the framework for geopolitics."[38] This is a *plaidoyer* for the concrete and substantial, for a theory of world politics built from the ground up. Effective geopolitical reasoning leads us back to the earth, to the distinctive political communities nested upon it, to the patterns of association that develop between them, and to the conflicts that emerge from their interactions. It is not the only school of thought that prioritizes the relevance of geography and regional studies, but it provides a particularly good example of the relevance of the textured study of peoples and places as a foundation for effective strategy.

THE CULTURAL DIMENSION OF WARFARE

The maxim "know thy enemy" is often counted as the acme of strategic wisdom. It is unfortunately a maxim that has not always been highly respected in the U.S. military and security communities. War has organizational and technological dimensions which make it a rigorous,

practical, and precise enterprise, but wars are also waged between calculating rivals in a domain of uncertainty, and by distinctive political communities in ways that reflect deeply rooted, culturally conditioned preferences.

During the Cold War the United States made an intense effort to understand the societal and cultural dynamics shaping the perceptions of its Soviet rival, arguably to good effect. In general, however, in depth knowledge of national and regional cultural dynamics has not been a strong point for U.S. strategy, which has tended to rest upon the sturdy pillars of relative invulnerability and the capacity to mobilize overwhelming force.[39] In the volatile and uncertain security environment of the years to come, however, the assumption of technological and material advantage may not be a safe one, nor will these advantages always suffice to ensure superiority in every possible contingency. The People's Republic of China (PRC) represents a potential long-term rival with considerable assets and great self-confidence, derived in part from a highly distinctive and ancient culture.[40] Russia's current Time of Troubles has temporarily brought her low, but eventually the inherent strengths that made the Union of Soviet Socialist Republics (USSR) so formidable, a rival during the Cold War decades will reassert themselves. We confront a long-term struggle to manage the dilemmas of modernization in the Arab and Muslim worlds, and the associated dynamic of terrorism, that will demand sophisticated cultural awareness. The United States will need to know "what makes them tick" if it wants to manage its relations with potential peer competitors and troubled world regions successfully. Effective intervention in complex contingencies will likewise demand in depth knowledge of real or potential rivals. Strategy is not uniquely the product of culture, and culture itself is not a lucid or unambiguous construct. But all strategy unfolds in a cultural context, and cannot be fully or properly understood outside it.

Colin Gray defines strategic culture as "the socially constructed and transmitted assumptions, habits of mind, traditions, and preferred methods of operation . . . that are more or less specific to a particular geographically based security community."[41] The foundations of strategic culture are the fundaments of culture itself; shared experience, language, common governance, and values. The cultural orientation that derives from these commonalities, it can be argued, affects the ways in which polities conduct diplomacy, define and pursue interests, and wage war. In his controversial *History of Warfare*, John Keegan suggests that throughout history war has always been an essentially cultural phenomenon, an atavism derived from patterns of group identification and interaction rather than the purposeful activity implied in Clausewitz's famous dictum that "war is the continuation of politics by other means."[42] Victor Hanson argues that the ancient Greek preference for physical confrontation and quick decision has created a "Western way of war," dominated by a search for decisive battle and strategies of annihilation, a tradition that remains alive to this day.[43] Such conclusions are extreme, but they are useful in underlining the fact that wars are conceived, plotted, and waged by socially conditioned human agents.

As a dominant global power the United States will be called upon to wage war in a variety of contexts in the years to come. A better understanding of the strategic cultures of real or potential adversaries will place another weapon in its arsenal and strengthen prospects for success. In Bernard Brodie's classic formulation, "good strategy presumes good anthropology and sociology. Some of the greatest military blunders of all time have resulted from juvenile evaluations in this department."[44] Knowing the enemy goes well beyond order of battle, to the sources of strategic preference and military operational codes that are grounded in the social and cultural context of distinctive nations and regions.[45]

ESPACES DE SENS: REGIONAL ALLIANCE AND ASSOCIATION

The Cold War was a phase of intense global competition manifested in ideological polarization, arms racing, and militarized regional rivalry. It nonetheless offered a structure of purposeful

endeavor for its leading protagonists, as well as for critics who sought alternatives to what they perceived as the dead-end of belligerent bipolarity. The USSR justified its international policy on the basis of a distinctively Soviet variant of Marxism-Leninism. The United States consciously developed its Cold War strategy as a defense of the values of freedom and democracy. Various non-aligned alternatives called for a plague upon both houses, and sought to develop a third way independent of either power bloc. Regardless of where one stood, world politics took on the contours of a moral tale infused with meaning.

The end of the Cold War was accompanied by a certain euphoria, captured by Francis Fukuyama's "End of History" thesis, according to which the demise of the communist challenge meant "the end of history as such: that is, the end point in mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government."[46] Fukuyama's sweepingly optimistic argument promised an era of global harmony in which interstate strategic rivalry would give way to cooperation under the impetus of democratization, development, and consumerism, promoted by a benign American hegemony. In place of a contest of values, Fukuyama's Hegelian vision looked forward to the unchallenged primacy of the culture of the West.

Needless to say, nothing of the kind has transpired. The post-Cold War period has been marked by regional turbulence, torturous, and sometimes unsuccessful post-communist transitions, violent ethnic conflict, the rise of global terrorism as a major challenge to the premises of world order, and continued, if sometimes muted, great power rivalry. Western values are contested rather than embraced, and the absence of a compelling sense of overall direction, of a larger domestic or international project, of a source of signification and meaning, has arguably become a problem in its own right. Uncertainly about direction has also contributed to strategic confusion. The suspicion or rejection of large civilization projects that has become so prominent a part of contemporary post-structuralist and social constructivist approaches to international theory, often accompanied by quasi-indifference to any kind of strategic analysis whatsoever, reflects the state of affairs with great clarity.[47]

The United Nations (UN), symbol of an earlier generation's aspirations for a more peaceful world order, has languished during the post-Cold War decade. In contrast, projects for regional association have flourished. Realist theory portrays the formation of alliances and regional blocs as an "outside-in" phenomenon, occurring as a response to real or perceived external challenges, whether via "balancing" efforts to correct a maldistribution of power, or "bandwagoning" whereby weak polities seek to dilute threats through association with a hegemonic leader.[48] Neo-mercantilist approaches follow an identical pattern in explaining regional association as a logical response to enhanced international economic competition. But regional association may also be understood as a function of "inside-out" dynamics driven by social and cultural trends. Zaki Laïdi has argued that, in the face of the universalizing tendencies of globalization, meaningful civilization projects can only be constructed on a regional basis, as *espaces de sens* (spaces of meaning) bound together by a complex of historical, social, cultural, political, and economic associations.[49] These are contrasting arguments, but they are not mutually exclusive. Both "outside-in" and "inside-out" approaches to regional association need to be combined in an effort to come to terms with a phenomenon that has the potential to transform world politics root and branch.[50]

The "new regionalism" is manifested both by the revitalization of traditional regional organizations and the creation of new forms of regional association. Large regional or subregional blocs with a history of institutionalization, such as the European Union (EU), the African Union (AU), the Organization of American States (OAS), the Association of Southeast Asian Nations (ASEAN), and the Gulf Cooperation Council (GCC), often have a strong security orientation, though today their focus is more often placed upon internal conflict management than external threats.[51] The

proliferation of regional projects for economic integration, including some of the organizations listed above as well as others such as the North American Free Trade Association (NAFTA), the Asia-Pacific Economic Cooperation Forum (APEC), the Southern African Development Community (SADC), the Arab Magreb Union (AMU), the Black Sea Economic Cooperation (BSEC), the Southern Cone Common Market (MERCOSUR), the Andean Pact, the Central America Common Market (CACM), the Commonwealth of Independent States (CIS), and the South Asian Association for Regional Cooperation (SAARC), has an obvious economic logic, but also a strong cultural foundation; within these broadly drawn and sometimes overlapping zones of association one may observe a powerful revival of regional and subregional awareness and identity. In other cases, functionalist logic prevails. Regional associations are sometimes appropriate forums for approaching large global problems such as environmental disintegration, occasioned on the systemic level but not always effectively addressed on that level.

Regional alliances and associations play a critical role in U.S. strategy. The most important by far is the Atlantic Alliance, uniquely successful as a formal security association over many decades, but an organization whose *raison d'être* has been called into question in the new circumstances of the post-Cold War. NATO was originally built up and maintained as an organization for collective defense against a clear and present external threat. The collapse of the USSR and the disappearance of the Warsaw Pact have made this aspect of its identity considerably less important, if not altogether irrelevant, but the Alliance has adapted by restructuring itself as a "new NATO" including commitments to enlargement, out of area peace operations, and gradual movement toward a broader collective security orientation. Former Secretary General Javier Solana describes the process extravagantly, as a "root and branch transformation" aimed to create "a new Alliance, far removed in purpose and structure from its Cold War ancestor," inspired by the premise of "cooperative security."[52] This "new" NATO is arguably more important than ever in the broader context of U.S. security policy, as a platform for power projection, as a forum for managing relations with key allies, as an instrument for reaching out to the emerging democracies of eastern Europe, as the foundation for a new European security order, and as a context for engaging the Russian Federation in a cooperative security effort.

The Atlantic Alliance is also a regional pact, whose stability has always been presumed to rest in part upon close historical and cultural associations between the United States and its European partners. Unfortunately, the new NATO will not have the luxury of assuming that a close cultural affinity will continue to link both sides of the Atlantic indefinitely. Changing U.S. demographic balances are reducing the proportion of citizens with European roots and heritage. Enlargement has made NATO itself a politically and culturally more diverse organization, where decision by consensus will be harder to achieve. Most of all, the project for European unification is moving slowly but steadily toward the goal of a more autonomous European subject possessed of the capacity to pursue an independent foreign and security policy. Managing regional conflict in the Balkans placed strains upon Alliance mechanisms. The Kosovo conflict generated considerable tension between the United States and its European allies, key allies were disappointed by the U.S. decision not to leverage the Alliance in a more significant way during its initial campaign in Afghanistan, and differences over the choice of a military option against Saddam Hussein's Iraq in 2003 brought alliance partners to the brink of an overt break. NATO continues to rest upon secure foundations, but friction in trans-Atlantic relations persists and is likely to grow stronger as the European project continues to unfold and efforts to bolster a European defense identity progress. Alliance management, based upon a careful appreciation of changing European realities and awareness of the cultural specificities of key European partners, will be an ever more important strategic task.

Other forms of regional association represent potential dangers. At least since the Iranian revolution of 1979, concern for an emerging "Islamic threat" has been prominent in U.S. policy circles. These concerns, to some extent understandably, have become considerably more prominent since the attacks of 9/11. Somewhat less prominent, unfortunately, has been an informed understanding of what Islam is and is not, as a religion, as a philosophy of governance, and a way of life.[53] The possible solidification of a Russian-Chinese strategic axis, which would rest in large measure upon mutual alienation from the West, has the potential significantly to effect global power balances, and the European Union (EU) clearly aspires to challenge the United States economically. Contesting, co-opting, and counteracting these kinds of patterns will remain an important priority for U.S. planners.

There is an unmistakable momentum pushing in the direction of stronger local and regional identities, and more robust regional association. For some analysts, the trend is part and parcel of a "retreat from the state" occasioned by changes in the locus of power in the global political economy, whose logical endpoint will be a "new medievalism" in which alternative forms of political association, with a more pronounced regional character, will eventually come to prevail.[54] Whether or not such forecasts are correct, shifting patterns of association and the heightened visibility of a variety of regional forums are clear manifestations of the increased relevance of regional perspectives in global security affairs.

CONCLUSIONS

The foundations of regional studies have changed remarkably little over time. Substantive understanding of major world regions demands a thorough mastery of the relevant specialized literature, careful and persistent monitoring of events and trends, appropriate language skills, and a period of sustained residence allowing for immersion in regional realities, accompanied by periodic visits to keep perceptions up-to-date. Regionalists need refined skills that demand a considerable investment of time and resources to create and maintain. If the argument presented in this chapter is correct, however, and regional dynamics will in fact become an increasingly important part of the international security agenda in the years to come, the investment will be well worth making.

Although the confines of major world regions and subregions are difficult to fix with a great deal of consistency and rigor, the relevance of local, national, and regional perspectives in international political analysis is more or less uncontested. For U.S. strategists in the post-Cold War period, the importance of such perspectives is particularly great. In the absence of a peer competitor, significant challenges to U.S. interests are most likely to emerge from various kinds of regional instability, including threatened access to critical strategic resources, the emergence of "rogue" states with revisionist agendas, embedded terrorism, and persistent low and medium intensity conflict. In an increasingly integrated world system, geographic, cultural, and environmental factors that are importantly or uniquely manifested in the regional context will play an increasingly important role in shaping national priorities and international realities. Strategic culture is a vital context for warfighting, as relevant to contests with peer competitors as it is to clashes with less imposing adversaries in regional contingencies. Shifting patterns of regional association, often motivated by a heightened sense of regional identity and a search for meaning and relative security in the face of the impersonal and sometimes dehumanizing forces of globalization, is an important worldwide trend. None of these dynamics can be properly incorporated into U.S. security strategy without a solid understanding of regional decisionmaking milieus and cultural proclivities.

To assert the importance of regional approaches in a balanced strategic studies curriculum is not to deny the relevance of alternative perspectives. Universalizing theory is essential and

unavoidable. The formal and technical specializations necessary to make sense of political and military affairs are ineluctable. And there is the ever-present danger of regionalists falling into a narrow preoccupation with local problems and personalities, while missing the larger, structural forces at work in the background. In context, however, and approached with appropriate modesty, regional perspectives have an essential place in strategy formulation.

The U.S. Army War College builds a regional studies component into its core curriculum, structured around the six major world regions mentioned above and focused on the effort to define and understand U.S. interests at stake on the regional level. Students are exposed to an in-depth study of a particular region, and to an overview of all six world regions, as a foundation for the school's capstone exercise, which tests their ability to manage a series of overlapping regional crises in an integrated political-military framework. Students are expected to become familiar with the general historical, cultural, political, military, and economic characteristics of the six major world regions; to evaluate U.S. national and security interests in these regions and to identify the kinds of challenges that are most likely to emerge; and to develop a regional strategic assessment that identifies alternative courses of action that can lead toward the achievement of U.S. national security objectives. The skills and expertise garnered during this bloc of instruction should make a vital contribution to the cultivation of future strategic leaders.

Regional strategic analysis is also of particular relevance to Army leaders. Though we live in the age of jointness, the Army remains the service branch primarily charged with placing boots on the ground in regional contingencies. Its operational environment is the land, where people live and societies are rooted, and it must at a minimum come to terms with the geographical realities of the places where it is constrained to operate, and the cultural characteristics of the peoples it is charged to fight or to protect. The emphasis on regional studies in the U.S. Army War College strategy curriculum stands out among our senior service schools. Experience, as well as common sense, shows that it is an emphasis well-placed.

ENDNOTES - CHAPTER 14

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2. *Griff nach der Weltmacht* is the original title of Fischer's influential book asserting German responsibility for the outbreak of the First World War, translated into English as Fritz Fischer, *Germany's Aims in the First World War*, New York: W. W. Norton, 1967.

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6. Patrick J. Hearden, *Architects of Globalism: Building a New World Order During World War II*, Fayetteville, AR: The University of Arkansas Press, 2002.

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8. Note the analysis in Henry Kissinger, *Diplomacy*, New York: Simon & Schuster, 1994, pp. 703-732.

9. Kenneth Waltz, *Theory of International Politics*, Reading, MA: Addison-Wesley, 1979.

10. See, for example, Robert O. Keohane, *International Institutions and State Power*, Boulder, CO: Westview Press, 1989; and David A. Baldwin, ed., *Neorealism and Neoliberalism*, New York: Columbia University Press, 1993.

11. Evgenii Primakov, "*Na gorizonte – mnogopolisnyi mir*," *Mezhdunarodnaia zhizn'*, No. 10, 1996, pp. 3-13.

12. Richard N. Haas, "What to do With American Primacy," *Foreign Affairs*, September-October 1999, pp. 37-49.

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14. See Bruce Russett, *International Regions and the International System*, Chicago, IL: Rand McNally, 1967.

15. Elena Zamfirescu, "The 'Flight' From the Balkans," *Südosteuropa*, Nos. 1-2, 1995, pp. 51-62.

16. Andrew Hurrell, "Explaining the Resurgence of Regionalism in World Politics," *Review of International Studies*, Vol. 21, No. 4, October 1995, p. 334.

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18. Philip Kelly, "Escalation of Regional Conflict: Testing the Shatterbelt Concept," *Political Geography Quarterly*, Vol. 5, No. 2, 1986, pp. 161-180.

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20. *Ibid.,* p. 188; and the entire discussion on pp. 186-229.

21. For an example of regional analaysis inspired by Buzan's premises, see Svante E. Cornell, *Small Nations and Great Powers: A Study of Ethnopolitical Conflict in the Caucasus*, Richmond, UK: Curzon Caucasus World, 2002.

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35. Cited from Glassner, *Political Geography*, pp. 226-227.

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CHAPTER 15

"LAWYERS, GUNS, AND MONEY": TRANSNATIONAL THREATS AND U.S. NATIONAL SECURITY

Paul Rexton Kan

Although the singer Warren Zevon may not have been aware, the title of his song, "Lawyers, Guns, and Money," represents several facets of transnational threats, like cross-border crime, that comprise the international security environment in which the United States must operate. Transnational threats do not recognize the significance of borders, their effects are wide ranging with consequences in multiple nation-states, they transcend the capacity of a single nation-state to confront them adequately, and they are loosely structured, if structured at all. Transnational threats represent a type of nonconventional threat that are not directed by the actions or policies of the government of a nation-state. Such threats include actors like terrorists, drug traffickers, and organized criminal syndicates who are involved in activities like mass murder, extortion, bribery, kidnapping, money laundering, drug trafficking, human smuggling, illegal arms trading, sea piracy, theft of art and cultural objects, cybercrime, and the illicit trade of gemstones, timber, and oil. Such activities are estimated to generate a volume of financial flow on the order of $600 billion annually.[1]

Moreover, these actors and actions are increasingly multifaceted. Several terror groups like Al Qaeda and Hezbollah are involved in drug trafficking and money laundering, while traditional drug smuggling groups in Mexico have evolved into "trafficking network organizations" since they are also involved in a range of smuggling activities like human smuggling and arms trafficking.[2] Such actors combine corporate and criminal cultures, "conducting criminal business not only with ruthlessness but also with a degree of business skill worthy of many CEOs" (chief executive officers).[3]

An equally important, but routinely overlooked, quality of transnational threats is that they are increasingly difficult, if not impossible, to peel away from the process of globalization. In fact, the potency of transnational threats has grown as border enforcement and capital controls have loosened and as free trade agreements have expanded. As a result, responding to them with governmental action is exceptionally thorny. Attempting to tackle transnational threats in a comprehensive manner would mean greatly reducing the efficiencies of globalization like the speed of transportation and commercial transactions—to have all ports worldwide routinely check every shipping container for illicit commodities is not feasible, while any attempts to do so would reduce a government's capacity to provide for the economic well-being of its citizenry.

There are also other transnational threats like the H1N1 or swine flu virus and climate change that are "threats without threateners" since they do not have an agent at all.[4] Pathogens are not "actors" on the international stage—a virus does not seek a seat in the United Nations (UN) General Assembly. Even without an actor who is responsible for these phenomena, pathogens and natural catastrophes share the qualities of transnational threats by ignoring borders, affecting multiple nation-states, transcending the capacity of a single nation-state to confront them adequately while not emanating from a structured organization. Likewise, tackling them in a comprehensive manner would significantly affect the process of globalization—screening all airline passengers for infectious disease would dramatically interfere with global transportation. And, as of this writing, no one has been able to control tsunamis, earthquakes and rising sea levels.

Facetiously labeled as "thugs, bugs, and drugs," transnational threats are, as James Rosenau describes, "sovereignty-free" and serve to remind national security professionals that there are other issues beyond the conventional state-centered ones that can rise to high levels of national importance. The challenge is that "traditional or Westphalian states are not prepared to deal with nongovernmental dynamics operating outside the domains of state and alliance systems. Doctrine and force structures are designed around traditional concepts of overwhelming conventional force to achieve decisive victory against established state militaries."[5] While these threats are unfamiliar and responses cannot solely rely on traditional approaches, transnational threats are not immune from treatment; they must be addressed in priority of their importance to U.S. national interests just like any conventional security challenge. This chapter examines the ways that transnational threats can affect the U.S. national security agenda and demonstrates how decisionmakers will need to become more comfortable in developing complex responses to them.

TRANSNATIONAL THREATS AS DIRECT THREATS

Transnational threats are direct threats to U.S. national security. One can argue that threats like drug dealing, terrorism, organized crime, and pandemics directly challenge the authority of the U.S. Government to provide for the general welfare while protecting the U.S. homeland from events that can lead to the undermining of its territorial integrity, economic prosperity or vital institutions of government. Such a case is not difficult to make—leaders have argued that the use and abuse of hard core narcotics by U.S. citizens undermines law and order. Indeed, in 1989, President George H. W. Bush addressed the nation on prime time television, held up a bag of crack cocaine seized across from the White House days prior to the speech and proclaimed that "the gravest domestic threat facing our nation today is drugs."[6] Just a few weeks after that speech, President Bush sent the U.S. military in a major joint operation to capture Panamanian President Manuel Noriega for drug trafficking crimes. In both word and deed, President Bush elevated the battle against the drug trade to the same level as combating Soviet-inspired communism.

The terrorist attacks of September 11, 2001 (9/11) demonstrated the dramatic increase in the lethality of violent nonstate actors. By utilizing the benefits of globalization—the internet, electronic banking, air travel, student visas—less than two dozen individuals were able to kill thousands of U.S. citizens and cost the U.S. economy billions of dollars. These series of attacks on a single morning revealed the catastrophic potential of terrorist groups' acquisition and use of a weapon of mass destruction.

Transnational organized crime syndicates are also a direct threat to U.S. national security since they challenge state power from beneath—they assume the role of the state at local levels by enforcing their own code of conduct, entering into illegal contracts and using violence to guarantee their private interests.[7] The result is the diminishing of legitimacy and authority of core governmental institutions. Mafia violence of the Al Capone era should not be confused with the "rapid growth and global reach that appear to have given transnational organized crime an unprecedented capacity to challenge states."[8]

Beyond the drug trade, terrorism, and organized crime, the outbreak of a pandemic in the United States would arguably pose a direct threat to the welfare of the American population. Although sustained and efficient human-to-human transmission of avian influenza has not yet taken place, its occurrence could result in over 140 million deaths worldwide and staggering economic losses.[9] The most recent near human pandemic was the SARS outbreak in Asia between 2002 and 2003. While not directly threatening the U.S. population, it did demonstrate the potential for a pandemic to undermine the authority of a government. This outbreak had a 7 to 15 percent

mortality rate and created fears in the Chinese government of a "Chinese Chernobyl" that would create the conditions for a popular outcry against the government to force greater openness.

TRANSNATIONAL THREATS AS INDIRECT THREATS

There is not universal agreement that transnational threats should be labeled a direct threat and placed high on the national security agenda. Although they can certainly challenge core U.S. interests, transnational threats create indirect effects that complicate, but do not have the potency to destroy the American homeland, wipeout the economy, or exterminate the writ of the U.S. Government. As such, they can only create second order effects that, while significant, do not jeopardize America's ability to continue to exist as a nation-state.

Arguably, the drug trade and transnational criminal groups are indirect threats to U.S. national security. Criminals and drug smugglers generally seek to evade government authority rather than to directly confront it. While certain criminal groups, like the Russian *mafiya*, are exceptionally violent, they do not seek to replace the authority of the U.S. Government with their own. Corruption of public officials and law enforcement do undermine the authority of the government while drug use and associated criminality can be deleterious to public health and civil order. The extent of organized crime and illegal activities penetrates legitimate institutions of government, society, and the economy can be quite damaging. Drug trafficking alone requires the participation of members of legitimate professions—chemists, lawyers, accountants, realtors, and bankers. Such widespread involvement can jeopardize fundamental elements of the American way of life based on transparency and accountability of vital institutions.

Geo-strategically, transnational threats do have the ability to destabilize other nation-states that are key to U.S. interests. Drug violence in neighboring Mexico has risen sharply since the 1990s, includes former members of the Mexican military, and has spilled over into U.S. cities and towns along the border. Drug violence continues to plague Colombia, a country pivotal to the stability of Latin America. Russian organized crime has penetrated multiple levels of Russian society and has spread to a variety of nations. Such criminality threatens a central pillar of U.S. foreign policy—the expansion of democracy. One observer of the rise of transnational crime was forced to ask: "Can democracy be promoted in countries in which criminal networks are the most powerful political players?"[10]

While the United States may be able to fend off the more serious consequences of transnational threats, more fragile countries are much more susceptible to greater damage. Research on civil wars and armed conflict in the 1990s revealed that "the pursuit of criminal agendas by warring parties is often difficult to distinguish from other objectives, supposedly of a more 'political' nature, that are commonly assumed to be driving conflict."[11] Such protraction of conflicts creates regional instability, exacerbates human rights abuses, and allows for the development of "brown areas" that are isolated from the power of legitimate governmental authority. The result may be a failed state that serves as a sanctuary for additional criminal activity and political violence. Such a state has been raised to the level of a direct threat due to its ability to harbor international terrorist groups. As President George W. Bush's first *National Security Strategy* put it, "America is now threatened less by conquering states than we are by failing ones."[12]

TRANSNATIONAL THREATS AS ENABLERS OF DIRECT THREATS

Another way to conceptualize transnational threats is to view them as enablers to more direct threats to the U.S. national security interests. In other words, adversaries can take advantage of the illicit global economy to earn money for their activities that challenge U.S. actions or work in collusion with criminal groups to procure expertise and material to attack the United States and its

citizens. Participation in the international drug trade is especially empowering for many warring groups that the United States confronts.[13] The drug trade is seductive for many groups since it can be used as a weapon against the United States as well as a generator of profit. Reportedly, Hezbollah imports raw materials for heroin and cocaine production into Lebanon and sells the finished products to the United States and Western Europe as a way to continue its campaign against Israel and the West.[14] The Taliban has engaged in heroin trafficking as a way to promote its insurgency against North Atlantic Treaty Organization (NATO) forces. The result was that, in September 2006, it became statistically as dangerous for an American service member to serve in Afghanistan as it was in Iraq.[15] Al Qaeda ran a number of criminal schemes to keep their operations financially viable. One member of Al Qaeda is wanted on federal charges for trafficking methamphetamine. After the attacks of 9/11, Al Qaeda attempted to buy illegal diamonds from Liberian President Charles Taylor to shield its hard currency assets from seizure.

Rogue states can also be empowered by linking themselves to the illicit global economy. The North Korean regime is actively engaged in the production, distribution, and sale of drugs as part of government policy coordinated by Central Committee Bureau 39. In fact, North Korean military personnel have been used to smuggle drugs for nearly 30 years.[16] North Korean infiltration craft (manned by North Korean Special Operations Forces) have often been found in Japanese waters since the late-1990s engaged in "drug drops."[17] North Korean uniformed personnel have reportedly been involved in the transfer of illegal drugs both off the coasts of Japan and Taiwan.[18]

TRANSNATIONAL THREATS AS STRATEGIC DISTRACTIONS

Transnational threats and their effects may also be viewed as strategic distractions; they appear as exaggerations that pose nowhere near the same level of danger as conventional threats. By focusing so much attention to them, some argue policymakers overstate the threat at the expense of focusing limited time, attention, and resources on more pressing issues like rising powers, rogue states, and the competition for oil. There is also the danger of a self-fulfilling prophecy—raising transnational threats like terror groups or criminals to high levels of importance legitimizes these actors on the global stage in ways that they may not have been able to do themselves with their own resources or actions. Even "threats without threateners" become problematic for national security professionals. Placing pandemics on the security agenda has meant a more active role for the U.S. Department of Defense (DoD), a role that is added to an already crowded agenda for the U.S. military.

To hold the view that transnational threats are distractions is not to argue that they are unimportant, but that they should not be seen as residing in the province of national security. They are not in the realm of "high politics." They belong where they always have, be they in the arena of law enforcement (for terrorism, drug trafficking), private business (for money laundering), or the scientific community (in the cases of pandemics and climate change). Corruption and crime are not so ingrained or widespread as to cripple U.S. vital functions; the United States routinely scores low as a country in corruption indexes and the level of drug use and rate of drug related crimes has not significantly risen in the years the Office of National Drug Control Policy has been keeping records. Money laundering has not significantly eroded public confidence in U.S. financial institutions or the economy itself. Pandemics and the effects of climate change have been effectively managed by the current configuration of the institutions of government.

RESPONSES TO TRANSNATIONAL THREATS

However one chooses to prioritize transnational threats, responding to them requires a high level of interaction among a variety of actors in the United States and the international arena.

Be they viewed as direct threats, indirect threats, enablers or distractions, transnational threats require that responses be as complex as the threats to produce meaningful results. Ironically, since transnational threats seemingly undermine the sovereignty of states, confronting them will mean that the U.S. national security community must more fully integrate and harness the elements of its own national sovereignty—diplomacy, information, military, economics, financial, intelligence and law enforcement (DIMEFIL).

Since these threats are enmeshed in the process of globalization, the speed at which they move means that governments are always playing catch-up. For example, the multifaceted nature of criminal networks permits them to rapidly adapt to many of the countermeasures used by governments. Human trafficking is on the rise and uses many of the same routes and techniques as drug trafficking—one reason is that jail time for smuggling a person into the United States is less than for smuggling a load of marijuana. The legal system has not caught up to the practice, meaning that the risk is lower, but the profit is roughly the same and, therefore, the incentive is greater. Even seemingly innocuous laws that were designed to mitigate some of the damages the global economy can inflict also serve to empower transnational activities. After the signing of an agreement among several Pacific nations to place limits on tuna fishermen to avoid capturing dolphins in their nets, Chinese organized crime was able to take advantage of excess room in the holds of Taiwanese fishing vessels to smuggle people from Fujian (the Chinese province closest to Taiwan) to other vessels bound for the United States and other countries.[19] Migrants became the new commodity.

For leaders of America's armed services, transnational threats appear especially frustrating; for a number of reasons cited above they are resistant to one of America's strongest instruments of power—military might. For example, it is difficult to wage war on a product (for example, drugs) or phenomenon (for example, terrorism). After all, an adversary should be able to fight back. While the U.S. Government is waging a war on drugs, drugs are not fighting a war against the U.S. Government; and this is not because drugs declined to participate, but because drugs are not the sort of thing that could.[20] Transnational threats are also frustrating for policymakers and strategists because there does not seem to be a point at which they can be said to be vanquished. Policymakers and strategists are more comfortable defining a particular goal or end-state for U.S. action. "It would not make sense to say, 'at the moment we are fighting fascism (or poverty or drugs), but we hope at a future time we'll be on better terms with fascism (or poverty or drugs) and the reason for fighting it will have gone away.'"[21] Furthermore, as previously mentioned, tackling any particular transnational threat in a comprehensive way would be debilitating to the global order; "to declare war on [all] organized crime would in these conditions be more tantamount to writing a suicide note than embarking on a crusade."[22]

Although transnational threats are frustrating, elusive, and resilient, national security professionals are not powerless in the face of them. Such threats must be met with innovative, flexible and sustainable strategies. Depending on the specific transnational threat, the coordinated use of the elements of national power should be targeted to go after an organization, a product, a process, or a combination. Traditional approaches that focus purely at the level of the nation-state and holding a government responsible for transnational threats is of limited utility. While sovereignty implies the ability of a government to control affairs within its boundaries, some nation-states are more capable than others. As one scholar put it, "Afghanistan is not Sweden with bad roads."[23] While options like Foreign Internal Defense and nation-building should not be dismissed, adopting a broader perspective has greater strategic advantages. Adversaries must be viewed as "adaptive competitors" in ways that conventional adversaries are not. Adaptive competitors "address

problems, change practices, and create identities in response to knowledge and experience, sometimes improving their performance and aiding their bureaucratic survival."[24] As such, they are able to exploit seams and respond more flexibly than traditional nation-states.

To tackle adaptive competitors, strategists must make them face disincentives like lessening demand, lowering profit margins, and raising risks.[25] As such, a central feature any policy or strategy to deal with transnational threats will be cooperation in building new networks to track, monitor, and trace specific organizations, illicit markets, and global trends. Organized crime is not invincible. In fact, each time a criminal cartel has been attacked with the right resources, legal tools, and political determination, it has been defeated; the most important accomplishment has been to challenge and destroy the myth of invincibility among criminal cartels.[26]

When it comes to threats without threateners, cooperation is still required. Networks of multinational, multilayered and established actors need to be put in place to prepare to mitigate the effects of pandemics and climate change. National public health systems are relatively new to human social organizations—it was only during the early-20th century that cities became self-sustaining and did not have to rely on healthy bodies coming from the countryside to replenish their populations. The global public health system is even younger and inherently more fragile, yet the tools of globalization can aid in strengthening this system. In many ways, efforts to combat the H5N1 bird flu pandemics were successful in tracking and tracing suspect poultry and taking action to cull flocks. These efforts have not led to any "cure," but containment proved to be possible given the cooperative efforts of several actors in the international arena.

Maneuvering through an international security environment that is volatile, uncertain, complex and ambiguous means working through such diverse entities as the World Bank, World Health Organization, Interpol, and multinational corporations in a coordinated way will become the norm for policymakers and strategists when confronting transnational threats. The national elements of power must be used in multinational, multilayered, and sustained ways, and those charged with creating policy and strategy must develop the "kind of competitive intelligence that is now pervasive in the business world."[27] Transnational threats will continue to bedevil U.S. national security, as will designing successful policies and strategies to mitigate their effects. Such are the challenges for decisionmakers, military officers, and national security professionals in the era of globalization.

ENDNOTES - CHAPTER 15

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PART III:
STRATEGIC ISSUES AND CONSIDERATIONS

CHAPTER 16

ETHICAL ISSUES IN WAR:
AN OVERVIEW

Martin L. Cook

Violent conflict among human beings is, unfortunately, one of the great constants in our history as a species. As far back as we can see, the human species has engaged in war and other forms of organized violence. But it is equally true that, as far back as human culture and thought have left written records, humans have thought about morality and ethics. Although cultures vary widely in how they interpret death and killing from a moral and religious perspective, every human culture has recognized that taking human life is a morally grave matter; every human culture has felt the need to justify taking of life in moral and religious terms.

In the modern world, a large body of ethical and legal thought attempts to limit, constrain, and to establish criteria that sanction the use of violence in the name of the state and society. Through the mechanisms of the Hague and Geneva Conventions, the Charter of the United Nations, military manuals such as the U.S. Army's "Law of Land Warfare," and similar documents, modern governments and militaries attempt to distinguish "just war" and just conduct in war from other types of killing of human beings. Morally conscientious military personnel need to understand and frame their actions in moral terms so as to maintain moral integrity in the midst of the actions and stress of combat. They do so to explain to themselves and others how the killing of human beings they do is distinguishable from the criminal act of murder.

Attempts to conduct warfare within moral limits have met with uneven success. Many cultures and militaries fail to recognize these restraints, or do so in name only. The realities of combat, even for the best trained and disciplined military forces, place severe strains on respect for those limits and sometimes cause military leaders to grow impatient with them in the midst of their need to "get the job done." In the history of the U.S. Army, events like My Lai in Vietnam show that even forces officially committed to just conduct in war are still capable of atrocities in combat—and are slow to discipline such violations.

Despite these limitations, the idea of just war is one to which the well-led and disciplined military forces of the world remain committed. The fact that the constraints of just war are routinely overridden is no more a proof of their falsity and irrelevance than are similar points about morality: we know the standard, and we also know human beings fall short of that standard with depressing regularity. The fact of moral failure, rather than proving the falsity of morality, points instead to the source of our disappointment in such failures: our abiding knowledge of the morally right.

Because of the importance of just war thinking, the general history, key provisions, and moral underpinnings of just war are things that every military person, and especially every senior leader, must understand and be able to communicate to subordinates and the public. It is important that senior leaders understand just war more deeply and see that the positive laws of war emerge from a long moral tradition that rests on fundamental moral principles. This chapter will provide that history, background, and moral context of ethics and war.

BACKGROUND OF JUST WAR THEORY

Most cultures of antiquity attempted to place some restraints on war. All recognized that there are some causes of war which are justifiable and others that are not. All recognized that some

persons are legitimate objects of attack in war and others are not. All recognized that there were times, seasons, and religious festivals, etc., during which warfare would be morally wrong or religiously inappropriate.

The roots of modern international law come from one specific strand of thought emerging out of Antiquity: the Christian Roman Empire that took shape after the conversion to Christianity of the Emperor Constantine in the year 312 AD. Although there were important ideas of restraint in war in pre-Christian Greek and Roman thought and indeed in cultures all over the world, it is the blend of Christian and Greco-Roman thought that set the context of the development of full-blown just war thinking over a period of centuries.

Christianity before this time had been suspicious of entanglement in the affairs of the Empire. For the first several centuries of the movement, Christians interpreted the teaching of Jesus in the Sermon on the Mount and other places quite literally, and saw themselves as committed to pacifism (the refusal to use force or violence in all circumstances). Although many appreciated the relative peace, prosperity and ease of travel the Empire's military force made possible, Christians felt prayer on behalf of the Emperor was the limit of their direct support for it.

Much changed with Constantine. For many, war fought on behalf of a "Christian Empire" was a very different thing than war on behalf of a pagan one. Further, during the century following Constantine's conversion, the Empire began to experience wave after wave of invasion from the north, culminating in the fall of the city of Rome itself in 410 AD—a mere 100 years after Constantine.

It was in that context that Christian thinkers, most notably St. Augustine, a doctor of the church and bishop of Hippo in North Africa, first worked out the foundations of Christian just war thought. History, Augustine argued, is morally ambiguous. Human beings hope for pure justice and absolute righteousness. Augustine firmly believed that the faithful will experience such purity only at the end of time when God's kingdom comes. But until that happens, we will experience only justice of a sort, righteousness of a sort.

What passes for justice will require force and coercion, since there will always be people who strive to take more than their share, to harm, and steal from others. In that world, the peacemakers who are blessed are those who use force appropriately and mournfully to keep as much order and peace as possible under these conditions. The military officer is that peacemaker when he or she accepts this sad necessity. Out of genuine care and concern for the weak and helpless, the soldier shoulders the burden of fighting to maintain an order and system of justice which, while far short of the deepest hopes of human beings, keeps the world from sliding into complete anarchy and chaos. It is a sad necessity imposed on the soldier by an aggressor. It inevitably is tinged with guilt and mournfulness. The conscientious soldier longs for a world where conflict is unnecessary, but sees that the order of well-ordered states must be defended lest chaos rule.

For Augustine and the tradition that develops after him, just war is an attempt to balance two competing moral principles. It attempts to maintain the Christian concern with nonviolence and to honor the principle that taking human life is a grave moral evil. But it attempts to balance that concern with the recognition that, the world being what it is, important moral principles and protection of innocent human life requires the willingness to use force and violence.

As it wends its way through history, the tradition of just war thought grows and becomes more precise and more elaborate. In that development, it faces new challenges and makes new accommodations.

The Spanish in the New World, for example, were challenged to rethink the tradition as they encountered and warred against indigenous populations. Are such wars, too, governed by moral principles? Are all things permitted against such people? Or, it was seriously debated, are they

even people, as opposed to some new kind of animal? Through that discussion came an expansion of the scope of just war principles to populations that did not share common cultures.

After the Protestant Reformation, as wars raged throughout Europe in the attempt to restore religious unity to "Christendom," some thinkers (most notably Hugo Grotius) argued that just war must be severed from a distinctively Christian religious foundation. Human reason instead must provide a system for the restraint of war that will be valid despite religious difference, valid *etsi deus non daretur*, even if God did not exist! In other words, for Grotius and others, human reason is a commonality all people share, regardless of religious, ethnic, and cultural differences. That rationality, rather than revealed religion or religious authority, could suffice to ground moral thinking about war.

As a result of that "secularization" of just war thinking in Europe, the foundation was laid for the universal international law of the present international system. As a result, the foundation was laid for that system in Natural Law (moral rules believed to be known by reason alone, apart from particular religious ideas and institutions) and in the *jus Gentium*, the "law of Peoples," those customary practices that are widely shared across cultures. In current international law these accepted practices are called "customary international law" and set the standard of practices of "civilized nations."

Since virtually all modern states have committed themselves by treaty and by membership in the UN to the principles of international law, in one sense there is no question of their universal applicability around the globe. But the fact that the tradition has roots in the West and in the Christian tradition does raise important multicultural questions about it.

How does one deal with the important fact that Muslims have their own ways of framing moral issues of war and conflict and even of the national state itself that track imperfectly at best with the just war framework? How does one factor into one's thinking the idea of "Asian Values" which differ in their interpretation of the rights of individuals and the meaning of the society and state from this supposedly universal framework? What weight should the fact that much of the world, while nominally nation-states on the model established by the Peace of Westphalia in 1648 in Europe, are in reality better described as "tribes with flags"? How does one deal with the fact that, in much of the world, membership in a particular ethnic group within an internationally recognized border is more an indicator of one's identity than the name of the country on one's passport?

All of these questions are subject of intense scholarly debate and practical importance. All have very real-world applications when we think about the roots of conflict around the modern world and attempt to think about those conflicts in the ways many of the participants do. But for our purposes, we will need to set them aside in favor of making sure we understand the just war criteria as they frame U.S. military policy and the existing framework of international law.

This limitation of focus is justified not only by the limitations of time, but also by legal reality. Whatever one might want to say about the important cross-cultural issues posed above, it remains true that the United States and its allies around the world are committed by treaty, policy, and moral commitment to conduct military operations within the framework of the existing just war criteria. That fact alone makes it important that strategic leaders possess a good working knowledge of those criteria and some facility in using them to reason about war.

Ideally, however, strategic leaders will also have some grasp of the ongoing debate about cultural diversity and the understanding of war in fundamentally differing cultural contexts as well.

THE PURPOSES OF THE JUST WAR FRAMEWORK

The framework of principles, commonly called "Just War Criteria," provide an organized schema for determining whether a particular conflict is morally justified. As one might imagine, any such framework will inevitably fall short of providing moral certainty. When applied to the real world in all its complexity, inevitably persons of intelligence and good will, can, and do disagree whether those criteria are met in a given case.

Furthermore, some governments and leaders lie. No matter how heinous their deeds, they will strive to cast their actions in just war terms to provide at least the appearance of justification for what they do. If hypocrisy is the tribute that vice pays to virtue, it is testimony to the moral weight of the just war principles that even the most extreme lies follow the shape of just war principles. Just war language provides the shape of the lie even the greatest war criminals must tell. Rare indeed are the aggressors or tyrants willing to declare forthrightly the real causes and motives of their actions.

The twin realities of real-world complexity and the prevalence of lying about these matters suggest the importance not only of *knowing* the just war criteria as a kind of list, but also of skillful and careful reasoning using the just war framework as a strategic leader competency. Only if a leader is capable of careful and judicious application of just war thinking can he or she distinguish valid application of just war thinking from specious and self-serving attempts to cloak unjust action in its terms.

THE JUST WAR FRAMEWORK

Moral judgments about war fall into two discrete areas: the reasons for going to war in first place, and the way the war is conducted. The first is traditionally called *jus ad bellum*, or justice of going to war, and the second *jus in bello*, or law during war. Two interesting features of this two-part division are that different agents are primarily responsible for each, and that they are to a large degree logically independent of each other.

Judgments about going to war are, in the American context, made by the National Command Authority and the Congress. Except at the highest levels where military officers advise those decisionmakers, military leaders are not involved in those discussions and bear no moral responsibility for the decisions that result. Still, military personnel and ordinary citizens can and do judge the reasons given for entering into military conflict by those decisionmakers and make their own determinations whether the reasons given make sense or not. A morally interesting but difficult question arises concerning one's obligations and responsibilities when one is convinced that recourse to war is not justified in a particular case.

Just conduct in war concerns the rules of engagement, choice of weapons and targets, treatment of civilian populations and prisoners of war and so forth. These concern the "nuts and bolts" of how the war is actually conducted. Here the primary responsibility shifts from the civilian policymakers to the military leadership at all levels. Of course political leaders and ordinary citizens have an interest in and make judgments about how their troops conduct themselves in war. Militaries conduct themselves in light of national values, and must be seen as behaving in war in ways citizens at home can accept morally.

Modern war, usually fought in plain sight of CNN and other media, is for good and for ill especially subject to immediate scrutiny. Political leaders and ordinary citizens react to virtually every event and require of their leaders explanations for why they do what they do and conduct war as they do. This fact, too, indicates why strategic leaders must be adept in explaining clearly and honestly the conduct of their forces within the framework of the just war criteria.

I turn now to a discussion of the criteria of just war in some detail. These are the "tests" one uses to determine the justification of recourse to war in particular circumstances. We begin with the criteria for judging a war just *ad bellum* (in terms of going to war in the first place). In detail lists of these criteria vary somewhat, but the following captures the essential elements:

- Just Cause
- Legitimate Authority
- Public Declaration
- Just Intent
- Proportionality
- Last Resort
- Reasonable Hope of Success

Recall that the moral impulse behind just war thinking is a strong sense of the moral evils involved in taking human life. Consequently, the *ad bellum* tests of just war are meant to set a high bar to a too-easy recourse to force and violence to resolve conflict. Each of the "tests" is meant to impose a restraint on the decision to go to war.

Just Cause asks for a legitimate and morally weighty reason to go to war. Once, causes like "offended honor" or religious difference were considered good reasons for war. As it has developed, just war tradition and international law have restricted greatly the kinds of reasons deemed acceptable for entering into military confrontation. The baseline standard in modern just war thinking is *aggression*. States are justified in going to war to respond to aggression received. Classically, this means borders have been crossed in force. Such direct attacks on the territorial integrity and political sovereignty of an internationally recognized state provide the clear case of just cause, recognized in just war and in international law (for example, in the UN Charter).

Of course, there are a number of justifications for wars that do not fit this classic model. Humanitarian interventions, preemptive strikes, assistance to a wronged party in an internal military conflict in a state, just to name some examples, can in some circumstances also justify use of military force, even though they do not fit the classic model of response to aggression. But the farther one departs from the baseline model of response to aggression, the more difficult and confusing the arguments become.

As one moves into these justifications, the scope for states to lie and try to justify meddling in each other's affairs grows. For that reason, international law and ethics gives an especially hard look at claims of just cause other than response to aggression already received. To do otherwise risks opening too permissive a door for states to interfere with each other's territory and sovereignty.

Legitimate authority restricts the number of agents who may authorize use of force. In the Middle Ages, for example, there was the very real problem that local lords and their private armies would engage in warfare without consulting with, let alone receiving authorization from, the national sovereign.

In the modern context, different countries will vary in their internal political structure and assign legitimate authority for issues of war and peace of different functionaries and groups. In the American context, there is the unresolved tension between the President as commander in chief and the authority of Congress to declare war. The present War Powers Act (viewed by all Presidents since it was enacted as unconstitutional, but not yet subjected to judicial review) has still not clarified that issue. But while one can invent a scenario where this lack of clarity would raise very real problems, in practice so far the National Command Authority and the Congress have found pragmatic solutions in every deployment of American forces so far.

The **public declaration** requirement has both a moral purpose and (in the American context) a legal one. The legal one refers to the issue we were just discussing: the role of Congress in declaring war. As we all know, few 20th-century military conflicts in American history have been authorized by a formal congressional declaration of war. While this is an important and unresolved U.S. constitutional issue, it is not the moral point of the requirement.

The moral point is perhaps better captured as a requirement for delivery of an ultimatum before initiation of hostilities. Recall that the moral concern of just war is to make recourse to armed conflict as infrequent as possible. The requirement of a declaration or ultimatum gives a potential adversary formal notice that the issue at hand is judged serious enough to warrant the use of military force and that the nation is prepared to do so unless that issue is successfully resolved peacefully immediately.

The **just intent** requirement serves to keep the war aims limited and within the context of the just cause used to authorize the war. Every conflict is subject to "mission creep." Once hostilities commence, there is always the temptation to forget what cause warranted the use of force and to press on to achieve other purposes—purposes that, had they been offered as justifications for the use of force prior to the conflict, would have clearly been seen as unjustifiable. The just intent requirement limits war aims by keeping the mind focused on the purpose of the war. Although there are justified exceptions, the general rule is that the purpose of war is to restore the *status quo ante bellum*, the state of affairs that existed before the violation that provided the war's just cause.

Proportionality is a common sense requirement that the damage done in the war should be worth it. That is to say, even if one has a just cause, it might be so costly in lives and property damage that it is better to accept the loss rather than to pay highly disproportionately to redress the issue. In practice, of course, this is a hard criterion to apply. It is a commonplace that leaders and nations are notoriously inaccurate at predicting the costs of conflict as things snowball out of control.

But here too, the moral point of just war criteria is to restrain war. And one important implication of that requirement is the demand for a good faith and well-informed estimate of the costs and feasibility of redressing grievances through the use of military force.

The requirement that war be the *ultima ratio*, the **last resort**, stems too from a commitment to restrict the use of force to cases of sad necessity. No matter how just the cause, and no matter how well the other criteria may be met, the last resort requirement acknowledges that the actual commencement of armed conflict crosses a decisive line. Diplomatic solutions to end conflicts, even if they are less than perfect, are to be preferred to military ones in most, if not all cases. This is because the costs of armed conflict in terms of money and lives are so high and because armed conflict, once begun, is inherently unpredictable.

In practical reality, judging that this criterion has been met is particularly difficult. Obviously, it cannot require that one has done every conceivable thing short of use of force: there is *always* more one could think to do. It has to mean doing everything that seems to a reasonable person promising. But reasonable people disagree about this. In the First Gulf War, for example, many (including Colin Powell) argued that more time for sanctions and diplomacy would be preferable to initiation of armed conflict.

The last requirement *ad bellum* is **reasonable hope of success**. Because use of force inevitably entails loss of human life, civilian and military, it is a morally grave decision to use it. The reasonable hope criterion simply focuses thinking on the practical question: if you're going to do all that damage and cause death, are you likely to get what you want as a result? If you are not, if despite your best efforts it is unlikely that you will succeed in reversing the cause that brings you to war, then you are causing death and destruction to no purpose.

An interesting question does arise whether heroic but futile resistance is ever justified. Some have argued that the long-term welfare of a state or group may well require a memory of resistance and noble struggle, even in the face of overwhelming odds. Since the alternative is acquiescence to conquest and injustice, might it justifiable for a group's long-term self-understanding to be able look back and say, "at least we didn't die like sheep"?

This completes the overview of the *jus ad bellum* requirements of just war. Recall that the categories and distinctions of the theory are not simple and clear. Neither individually nor together do they provide an algorithm that can generate a clear-cut and obvious judgment about a particular war in the minds of all fair-minded people.

On the other hand, it is important not to overemphasize the difficulty here. Although the language of just war is used by virtually all states and leaders in the attempt to justify their actions, not all uses are equally valid. Often it is not that difficult to identify uses that are inaccurate, dishonest, or self-serving. While there certainly is a range of cases where individuals of good will and intelligence will disagree in their judgments, there is also a good range where the misuse is transparent.

Recall, for example, Iraq's initial (and brief) attempt to justify its invasion of Kuwait on grounds that there had been a revolution in the Kuwaiti government and the new legitimate government of Kuwait had requested Iraq's fraternal assistance in stabilizing the new government. Had this story been true, of course, Iraq would have been acting in conformity with international law and just war tradition by being in Kuwait. It is important to note that Iraq did apparently feel obliged to tell a tale like this, since that itself is a perverse testimony to the need of states to attempt to justify their actions in the court of world opinion in just war terms. Of course, the story was so obviously false that even Iraq stopped telling it in a matter of hours (how many of you even recall that they told it?).

My point in citing this example is to forestall an easy relativism. It is simple intellectual laziness to conclude that, because these judgments are hard and people disagree about them in particular cases, that the principles have no moral force or, worse, that all uses of them are mere window-dressing. In all moral matters, as Aristotle pointed out, it is a mark of an educated person not to expect more precision than the matter at hand permits. And in complex moral judgments of matters of international relations, one cannot expect more than thoughtful, well-informed, and good-faith judgments.

JUS IN BELLO

I turn now to the *jus in bello* side of just war thinking. As I noted above, except at the highest levels of the military command structure, officers do not make the decision to commit forces to conflict. The moral weight of those judgments lies with the political leadership and its military advisors. On the other hand, strategic military leaders, whether they are technically responsible for decisions to go to war or not, will often be placed in the position of justifying military action to the press and the people. Further, thoughtful officers will often feel a need to justify a particular use of force in which they participate to themselves. For all these reasons, therefore, facility with just war reasoning in both its dimensions (*jus ad bellum* and *jus in bello*) is a strategic leader competency.

The practical conduct of war *is*, however, the primary responsibility of military officers. They bear the responsibility for the training and discipline of military personnel. They issue the orders that determine what is attacked, with what weapons and tactics. They set the tone for how civilians are treated, how POWs are captured, confined, and cared for. They determine how soldiers who violate order and the laws of war are disciplined, and what examples they allow to be set for acceptable conduct in their commands.

Because of this weight of responsibility, the officer at all levels must thoroughly incorporate thought about the *jus in bello* side of just war into standard operating procedure. It is an integral part of military planning at all levels, from the tactical issues of employing small units to the highest levels of grand strategy. U.S. policy, national and universal values, and political prudence combine to require officers at all levels to plan and execute military operations with a clear understanding of just war requirements.

The major moral requirements of just war *in bello* boil down to two: discrimination and proportionality. Together, they set limits in the conduct of war—limits on *who* can be deliberately attacked and on *how* war can legitimately be conducted.

Although we use the term **"discrimination"** almost wholly negatively (as in racial discrimination), the core meaning of the word is morally neutral. It refers to distinguishing between groups or people or things on the basis of some characteristic that distinguishes one group from another.

In the context of thought about war, the relevant characteristic upon which just war requires the United States to discriminate is **combatant status**. In any conflict, there are individuals who are combatants—actively engaged in prosecuting the war efforts—and there are noncombatants. The central moral idea of just war is that only the first, the combatants, are legitimate objects of deliberate attack. By virtue of their "choosing" to be combatants, they have made themselves objects of attack and have lost that immunity from deliberate attack all human beings have in normal life, and which civilians retain even in wartime. I put "choosing" in quotes, of course, because we all know soldiers become soldiers in lots of ways, many of which are highly coerced. But they are at least voluntary in this sense: they did not run away. They allow themselves to be in harm's way as combatants.

Of course, in modern war, there are lots of borderline cases between combatant and noncombatant. The definition of the war conventions is straightforward: combatants wear a fixed distinct sign, visible at a distance, and carry arms openly. But in guerilla war, to take the extreme case, combatants go to great lengths to blend in to the civilian population. In such a war, discrimination poses very real practical and moral problems.

But the presence of contractors on a battlefield, or combat in urban environments where fighters (whether uniformed or not) are mixed in with civilian populations and property (to point to only two examples) also make discrimination between combatants and noncombatants challenging both morally and practically.

It is less critical to focus on the hard case than on the central moral point. War can only be conducted justly insofar as a sustained and good faith commitment is made to discriminate between combatants and noncombatants and to deliberately target only the combatants.

Of course civilians die in war. And sometimes those deaths are the unavoidable byproduct of even the most careful and conscientious planning and execution of military operations. Intelligence may be mistaken and identify as a military target something that turns out in the event to be occupied by civilians or dedicated only to civilian use. Weapons and guidance systems may malfunction; placing weapons in places they were not intended to go.

Just war recognizes these realities. It has long used the "principle of double effect" to sort through the morality of such events and justifies those which, no matter how terrible, do not result from *deliberate* attacks on civilians. Such accidents in the context of an overall discriminate campaign conducted with weapons that are not inherently indiscriminate are acceptable as "collateral damage."

What is *not* acceptable in just war thinking is the deliberate targeting of civilians, their use as "human shields," or use of indiscriminate warfare on populations. In practice this means choosing weapons, tactics, and plans that strive to the limit of the possible to protect innocent civilian populations, even if they place soldiers at (acceptably) greater risk.

The other major requirement of *jus in bello* is **proportionality**. It, too, attempts to place limits on war by the apparently common-sense requirement that attacks be proportionate to the military value of the target. Judgments about these matters are highly contextual and depend on many dimensions of practical military reality. But a massive bombardment of a town, for example, would be disproportionate if the military object of the attack is a single sniper.

It is true, of course, that all sides violated these rules in World War II, especially in the uses of airpower. But the development of precision munitions and platforms for their delivery have, since that conflict, allowed the U.S. military to return to more careful respect for the laws of war, even in air war. Furthermore, it is a testimony to the moral need to do so that, at least in part, drove that development—along with the obvious point that munitions that hit what they're aimed at with consistency and regularity are more militarily effective as well.

CONTEMPORARY CHALLENGES TO THE WESTPHALIAN MODEL OF JUST WAR

Recent history has put considerable pressure on the understanding of just war described above. From World War II forward, a growing body of human rights and humanitarian law has evolved that, at least on paper, restrains the sovereignty of states in the name of protecting the rights of individual citizens. The Genocide Convention, for example, sets limits to what states may do to their own citizens and creates the right (and perhaps the obligation) of states to intervene to protect the rights of individuals when their violation rises to an unacceptable (and unfortunately, somewhat vaguely specified) degree.

The conflict in Kosovo was clearly an example of intervention by the North Atlantic Treaty Organization (NATO) into the "internal affairs" of Serbia (recall that Kosovo was an integral part of Serbia in the policy of all the states involved). Very little of the national interest of the NATO powers, narrowly conceived, was involved in Kosovo. It was a case where humanitarian causes and human rights were cited to "trump" Serbian sovereignty. Further, it was not authorized by resolution of the UN Security Council, to a large degree because the Chinese and the Russians feared the "porous sovereignty" precedent it would set.

Conversely, the failure to intervene in Rwanda was widely cited as a case where humanitarian concerns ought to have overridden sovereignty and national interest questions.

These examples point to one large and unresolved issue in contemporary international ethics and law: the harmonization of state sovereignty with issues of human rights and humanitarian intervention.

Another even deeper challenge is posed by the Global "War" against Terrorism (GWOT). The term "war" is in quotations, of course, because in many respects the nature of the conflict with al Qaeda and similar terrorist groups of global reach departs markedly from the model of war between Westphalian sovereign states. Most obviously, terrorist groups are not state actors, so many of the conventions governing conflict between states apply imperfectly at best.

Of course, unless terrorist groups are in international waters or in space, they necessarily exist in some relationship to states. Some states deliberately and consciously sponsor and encourage them; others harbor them unknowingly and perhaps even unwillingly; still others would like nothing better than to be rid of them, but have weak or non-existent governments with the capability to dislodge them.

For states that deliberately harbor them, no great stretch is required to extend the Westphalian paradigm to cover such cases. At some point the existence of a threat within the border of such states that the government is disinclined to rein in constitutes a just cause of war between the United States and its allies and the harboring state. One way of construing the conflict in Afghani-

stan is precisely this: that the Taliban government wished to shelter and protect al Qaeda on its territory and, after sufficient warning, placed its own continued existence in jeopardy.

For states that lack the power to dislodge terrorist groups, if they can be persuaded to request assistance from the United States or other powers to dislodge them, even if that "persuasion" results from considerable pressure, the formalities of the current international system are maintained.

But other possibilities present themselves. By one interpretation of the Bush administration's National Security Strategy, the nature of the terrorist threat, combined with the possible destructive power of weapons of mass destruction (WMD), warrants abandoning the "just cause" restriction to aggression received in favor of a more aggressive "preemptive" (or, perhaps better, "preventative") use of military force. If this indeed becomes policy and customary international law, it might take one of two forms. It might be a simple assertion of U.S. military supremacy and lead to a fundamental recasting of the Westphalian assumption of the equality of sovereign states.

On the other hand, the nature of the threat might also lead to a reformulation of a common understanding of "terrorism" among the major powers that generates a multilateral agreement, implicit or explicit, that some threats warrant interventions that might not pass the inherited "just war" tests of recent centuries. In that respect, just war would be returning to it origins: rather than seeing war as a conflict among sovereign states in response to aggression, the international community might see itself once again (as Augustine did in the 5th century) as defending a "tranquility of order" in the international system against incursions of alien systems and ideologies whose sole purpose is a disruption and displacement of that order. In other words, the globalized civilization grounded in democracy, human rights, free trade, and communication, technology and science may be defending its civilization itself against forces that seek its complete destruction.

These aspects of the contemporary scene more than any others point to the need to think about just war in deeper historical terms than simply international law, precisely because existing international law has been formed almost entirely in the European, post-Reformation and Enlightment, Westphalian system. If the second interpretation of the GWOT has some validity, the central point is precisely that those shared assumptions of the past several centuries may have less and less relevance, and the original concerns of defending the stability of a system of civilization against fundamental attack may be the better analog to present circumstances.

CONCLUSION

The moral tradition of just war, and its partial embodiment in the laws of war at any moment is part of on-going evolution. They represent a drive to make practical restraints on war that honor the moral claim of individuals not to be unjustly attacked while at the same time recognizing that use of military force in defense of individuals and values is sometimes a necessity.

All military officers charged with the grave moral responsibility of commanding and controlling military units and weapons must, if they are to conduct war morally, have a good working knowledge of the just war tradition and of the moral principles it strives to enshrine.

Above all, strategic leaders who set large-scale military policy, control training and organizational culture, and supervise the preparation of operational plans for national militaries need to understand and think in ways deeply conditioned by just war principles. Because their responsibility is so great and because the weapons and personnel under their control are capable of causing such destruction, they above all bear the responsibility to ensure that those forces observe the greatest possible moral responsibility in their actions.

No amount of knowledge of the terms and concepts of just war will make morally complex decisions miraculously clear. But clear understanding of the concepts of just war theory and of

the moral principles that underlie them can provide clarity of thought and a way to sharpen one's thinking about those choices. And in the rapidly changing international scene characterized by American military supremacy and nonstate actor attack, it may be that we are entering into a rare fundamental shift in the understanding of the international system such as we have not seen in four centuries.

If our military is to conduct itself in war in ways compatible with American national values, and if individual soldiers and officers are to be able to see themselves and their activities as morally acceptable, they must be able to understand the moral structure of just conduct in war. Further, it is imperative that they integrate that understanding into the routines of decisionmaking in military operations.

In the Gulf War, and in major operations since then, the language and concerns of just war are integrated increasingly into planning and execution of military operations. Military lawyers are fully integrated into modern targeting and operations planning cells of the U.S. military. In light of those realities, facility in just war thinking is, indeed, a strategic leader competency. This chapter is only an introduction to the terms and grammar of that thought. True facility in just war thinking will come from careful and critical application of its categories to the complexities of real life and real military operations.

CHAPTER 17

INTERNATIONAL LAW, SOVEREIGNTY, AND WORLD ORDER REVISITED

Thomas W. McShane

> We have before us the opportunity to forge for ourselves and for future generations a new world order, a world where the rule of law, not the law of the jungle, governs the conduct of nations.

> —President George H. W. Bush

An earlier version of this chapter entitled "International Law and the New World Order: Redefining Sovereignty," first published in 2004,[1] analyzed the nature of contemporary international order and the impact of democratization, international organizations, and international law on the Westphalian[2] system that has shaped international relations since 1648. It concluded that sovereignty of individual states remained the organizing principle of international relations, but that state sovereignty was increasingly challenged in practice by international organizations, international agreements, and a concerted agenda advancing human rights at the expense of states.

The major theme of the chapter was the triumph of the liberal western democracies, led by the United States and the North Atlantic Treaty Organization (NATO), over the Soviet Union and its partners in the Cold War. It discussed conditions for the expansion of democracy and economic opportunity under a rule of law sustained and nurtured by western military power. Key developments included the formation of the United Nations (UN) following World War II and leadership by the UN, regional organizations such as NATO, and ad hoc "coalitions of the willing" in international interventions seeking to repel aggression, enforce stability, and protect human rights.[3] These developments coincided with the spread of globalization and international agreements governing many aspects of modern global life including arms control, human rights, war crimes, the environment, finance, and communications. States were, the chapter concluded, increasingly constrained in the exercise of their sovereign rights, or acted as if they were.

Events over the past decade compel us to reexamine these conclusions. Strategic leaders must constantly reassess forces shaping the global environment. These forces are both enduring and dynamic, representing continuity and change. Strategists need to understand which are which and make decisions as to how to proceed, continually reassessing ends, ways, and means. The theory is simple, but the application is not. A strategy based on false, outdated, or erroneous assumptions and conclusions about how the world works is doomed to failure.

Sovereignty, it appears, is amazingly (and stubbornly) resilient. The "new world order" envisioned by President George H. W. Bush, Francis Fukuyama, and Thomas Friedman, among others, has not developed as expected.[4] Traditional forces of religion, nationalism, and culture continue to shape and define international order today in ways not foreseen a decade ago.[5] Chaos and uncertainty, not stability, more accurately describe our contemporary world. The difficulty of the United States and its western allies in transplanting democracy abroad, the decline of American military hegemony, and the lingering recession in western economies, cast doubt on the vitality and validity of the liberal world order previously ascendant. We cannot assume that world order's inevitability. Rogue states such as North Korea and Iran defy accepted diplomatic and

political norms with relative impunity. Even acknowledged powers, such as China and Russia, unabashedly pursue their national interests independent of the United States and the established international power structure. Rising powers such as India and China do not consider themselves constrained by western, i.e., "foreign" norms and institutions. They steer independent courses in finance, trade, and even military relations when it suits their purposes.[6]

This chapter will examine how these developments shape contemporary events, how the international system currently operates, strategy and policy options available to American leaders, and possible future outcomes. First, however, it is important to look back at historical events that helped create the world we inhabit today.

ORGANIZING PRINCIPLES: SOVEREIGNTY, LAW, AND FOUNDATIONS OF ORDER

Sovereignty and international law are not new concepts. They merge common experiences and ideas that date to ancient times. Humans seek order, meaning, and purpose to life, and have usually looked to religion and social institutions to provide them. Families evolved into tribes, cities, states, and empires. With social order came security and predictability. Order promoted prosperity and growth—both individual and collective. At the same time, order discouraged destructive social behavior and competition for scarce resources.[7] However, order required some degree of cooperation, even sacrifice, and by implication some inherent limitation on individual freedoms and on the right of states to do as they pleased.

Cooperation can be imposed externally or internally, but it is usually some political process that determines societal norms and mores. Law facilitates and supports this process. Our ancestors created many forms of government: rule by kings, queens, tribal elders, religious elites, emperors, and even citizens. Yet the international system remained largely unstructured, even anarchic. States competed for land, power, populations, and resources. Some states sought dominance, or hegemony, over their neighbors. National interests drove state behavior. International politics was and remains a "ruthless and dangerous business . . . [t]his situation, which no one consciously designed or intended, is genuinely tragic."[8]

On occasion, hegemonic powers imposed order and stability over wide areas. Examples include the Roman Empire, the British Empire at its height in the 19th century, and, many would argue, the United States since 1945. Historians, political scientists, and international relations specialists have theories that attempt to describe and predict how the international system works. One model focuses on the dynamics of international order, e.g., balance of power, bipolar, or hegemonic systems; another focuses on the nature of state actors, e.g., democracies act one way, dictatorships another way.

Rule of law helps promote order, typically in conjunction with Westphalian principles of state sovereignty. President George W. Bush, in his first *National Security Strategy of the United States*, told us that the "nonnegotiable demands of human dignity [include] the rule of law; limits on the absolute power of the state; free speech; freedom of worship; equal justice; respect for women, religious tolerance; and respect for private property."[9] We have seen determined resistance to international efforts to establish rule of law and promote individual freedoms in Iraq, Somalia, Afghanistan, and Iran. Some would say that China too resists such outside influences,[10] which illustrates an unresolved tension between international law and sovereignty that we will examine in greater detail.

Law prescribes norms of proper behavior or, as Blackstone says in his Commentaries, "a rule of civil conduct, commanding what is right, and prohibiting what is wrong."[11] The sovereign prescribes rules, but they are typically rooted in religious, cultural, and moral values. As such, law depends on voluntary compliance or social pressure to conform. Sanctions may be imposed in cases

where individuals will not or cannot comply. Others feel that laws by definition require sanctions: "It is essential to the idea of a law that it be attended with a sanction; or, in other words, a penalty or punishment for disobedience. If there be no penalty annexed to disobedience, the resolutions or commands, which pretend to be laws will, in fact, amount to nothing more than advice."[12] Law provides a foundation for order, stability, and predictability, and enjoys general acceptance by the population at large. Laws that conflict with widely-held beliefs or community morals are often ignored and prove particularly difficult to enforce.[13] Finally, law, like society, constantly changes and evolves over time.

Does international law operate by the same principles? International law has been defined as "the body of rules and principles of action which are binding upon civilized states in their relations with one another."[14] Critics question whether international law can be "binding" and also question its efficacy outside its Western European incubator—the so-called "civilized" states. In practice, international law plays an essential role in global commerce, regulating disputes, compensation, and banking. It regulates sea and air routes, privileges and immunities, and claims for loss or damage.[15] International treaties establish standards for the sciences, health, and the environment.[16]

In order of precedence, there are four recognized sources of international law: (1) conventions and treaties; (2) customary international law; (3) principles of law recognized by major states; and (4) judicial opinions and scholarly writings.[17] Conventions and treaties include the UN Charter, the Law of the Sea Treaty, and other international agreements. These represent contractual relationships between sovereign states.[18] Customary international law is the practice of states, reflecting their behavior over time in accordance with what they believe to be the dominant rules of international order. Customary law is evolutionary and independent of treaty law, although treaty law influences customary law.[19] Next are principles of law recognized by the leading states. International politics and municipal law help define these principles.[20] The final source of international law consists of judicial decisions and writings of jurists and scholars. These include opinions issued by the International Court of Justice, the European Court of Human Rights, and International Criminal Tribunals. Writings of scholars supplement these decisions, illustrating and explaining the state of the law based on their experience and study. Changes in the law are often preceded by debate among jurists and scholars over what the law should be, but their authority is persuasive only.[21]

The law of war is a branch of public international law regulating armed conflict between states and within states experiencing civil war or internal conflict. Sources of the law of war include treaties, customs, and judicial opinions. The Hague and Geneva Conventions are key components of the law of war. They provided the foundation for the war crimes tribunals at Nuremberg, Germany, and Tokyo, Japan, following World War II and for international tribunals to adjudicate war crimes and crimes against humanity in Yugoslavia and Rwanda. In 1998, the Rome Statute established the International Criminal Court (ICC), a permanent tribunal for war crimes and crimes against humanity whose jurisdiction is theoretically unlimited, but whose effectiveness has yet to be demonstrated.[22] U.S. forces, by policy, comply with the law of war in all overseas military operations, and war crimes by soldiers are prosecuted as violations of the Uniform Code of Military Justice while civilians are tried in U.S. Courts.[23]

In general, international law serves the same purposes as domestic or municipal law and shares common attributes. It provides a foundation for order; is founded on religious, cultural, and moral values; provides stability and predictability; and enjoys general acceptance among the international community. International law protects the rights of states and individuals alike. It differs from municipal law in one important particular—it lacks a guaranteed sanction for noncompliance and a higher authority to impose penalties outside the politicized processes of the UN Security Council and the ICC. There are consequences for violations of the law of war, but compared to most

domestic criminal justice systems, those consequences are much less well defined (or certain). International law has no table of minimum or maximum punishments.[24]

Elements of modern international law existed before creation of the Westphalian system in 1648. Ancient philosophers in Greece and Rome articulated a concept of "natural law," a higher law of nature that controls human endeavors and to which all are bound, even kings. An expression of this concept is found in the term *jus gentium* (law of nations), meaning a principle of universal application that all follow because it has been independently discovered by application of reason, a "natural law." Our contemporary use of the phrase "human rights" examined in this context is a form of natural law or *jus gentium* and remains a fundamental principle of international law.[25]

Concluding the European religious wars of the 16th and 17th centuries, the Treaty of Westphalia in 1648 reestablished order, stabilized borders, and defined relationships. Kings could dictate any religion they wished within their borders, but foreswore any rights to interfere in the religious affairs of other sovereign states. This principle was occasionally violated for political reasons, but the treaty achieved its purpose. Sovereign states had to find a way to interact on a basis of nominal equality. Five basic principles came to guide international relations. States have the right (1) to make laws, (2) to act independently in international affairs, (3) to control their territory and people, (4) to issue currency, and (5) to use the resources of the state. Sovereignty became the organizing element of modern history, but sovereignty had limits.

FROM WESTPHALIA TO SARAJEVO

Early models of sovereignty were based on the prevailing form of government in 17th-century Europe—monarchies ruled by hereditary dynasties of kings or emperors. Consistent with historical practice, individuals were subordinate to the state, represented by the king. Alternative models existed going back to classical Greece and its democratic ideals,[26] but prevailing norms made kings absolute rulers of their states, and they often exercised their authority with little regard for the sensibilities of their subjects.

Contemporary writers described the nature of this relationship. Jean Bodin wrote in 1576 that law comes from the king, who was not bound by his own laws but was not beyond the law of nature.[27] Thomas Hobbes wrote in *Leviathan*, "It appeareth plainly that the sovereign power . . . is as great as possibly men can be imagined to make it."[28] Louis XIV of France, the "Sun King," epitomized the classic sovereign—not merely the head of the state, but its embodiment anointed by God to rule. Subjects owed unquestioning loyalty to the king, whose interests were the state's interests. The dynastic wars of Louis XIV, waged to expand the glory of France, and of Louis XVI, were the business of the king and his advisors, not the people of France. As characterized in popular culture: "It's good to be the King!"[29]

Not everyone regarded sovereignty this way. Hugo de Groot, or Grotius, is called the father of international law for his treatises on international law and the law of war. Grotius was a proponent of natural law and reason. He saw excesses in unbridled sovereignty. "I saw prevailing throughout the Christian world a license in making war of which even barbarous nations should be ashamed; men resorting to arms for trivial or for no reasons at all . . . exactly as if a single edict had released a madness driving men to all kinds of crime."[30]

In the 18th century, scholars and popular writers rediscovered the classical writings, combining them with Christian philosophy and natural law into the doctrine of Enlightenment. Locke, Rousseau, and Jefferson, among others, emphasized individual rights and the obligations of sovereigns toward their citizens.[31] Their beliefs were incorporated in the Declaration of Independence and fueled the American and French Revolutions. The established order did not change, but regime change in America and France was a harbinger of things to come. It advanced the idea that

sovereignty was vested in the people rather than in the government or the ruler and demonstrated the strength of ideas and of a higher law. These themes would resurface periodically in the 19th century and explode in the 20th. International agreements and treaties began to recognize that individuals as well as states have rights.[32]

Following their defeat of Napoleon Bonaparte's imperial ambitions in 1815, the major powers of Europe sought to reestablish international order. The politicians who met in Vienna, Austria, created a system grounded in sovereignty and designed to preclude the return of revolution or hegemony. Under the leadership of Prince Metternich of Austria and Lord Castlereagh of Great Britain, they established a framework for peace called the "Concert of Europe" that survived essentially intact for 100 years.[33]

Other influences shaped the 19th century. Charles Darwin's work on evolution stimulated a social philosophy known as social Darwinism, extrapolating Darwin's theories of natural selection and survival of the fittest species into international politics. Those nations that were strongest were most likely and best suited to survive. Social Darwinism heavily influenced political leaders such as Otto von Bismarck and Theodore Roosevelt.[34] States exerted a robust rivalry in their international relations, demonstrating their superiority by economic growth and territorial acquisition. The last great era of colonialism was the result, as France, Great Britain, and Germany competed to acquire overseas colonies. The United States, too, acquired overseas interests in Hawaii, the Philippines, Cuba, and Panama, among others.[35] The sovereign rights of underdeveloped, militarily weak states counted for little in this environment.

Facilitating economic expansion in an era of relative peace were the modern technologies of steamships, railroads, and telegraphs. The speed of communication and transportation caused the world to "shrink" as commerce and banking connected the continents, creating the first era of "globalization." The modern unified industrial state came into its own as the United States, Germany, and Italy consolidated their territorial boundaries and joined the ranks of the great powers.[36] In many regards, it was the apogee of sovereignty. Yet the Concert of Europe maintained a precarious peace.

Other largely unseen developments reflected the dark side of the modern industrial state and hinted at issues that would rise to prominence in the 20th century. The Industrial Revolution prompted upward mobility and increased the size of the middle class in Western nations, yet it also created a new urban underclass with associated problems of disease, pollution, family breakup, and child labor. Visible disparity in wealth and power caused socialism to flourish, creating revolutionary pressures that threatened the established order. Karl Marx promulgated his economic theories preaching class warfare. Modest political reform helped to defuse tensions and postpone the final accounting for at least another generation.[37]

Developments in international law began to play a small role in international affairs. Henri Dunant founded the International Red Cross in Geneva, Switzerland, in 1863 to mitigate the destructive effect of modern war.[38] In that same year, The Lieber Code[39] promulgated laws of war for Union armies in the American Civil War. The First Geneva Convention covering treatment of sick and wounded on the battlefield was signed in 1864.[40] The Hague Conventions of 1899 and 1907[41] prescribed norms, means, and methods of warfare consistent with existing humanitarian principles, incorporating many provisions of the Lieber Code. In recent conflicts, American Soldiers have fought enemy combatants who used civilian hostages, fought from protected places such as hospitals or mosques, and did not wear military uniforms—all prohibited by the Hague Conventions.[42]

SARAJEVO 1914 TO SARAJEVO 1994

In many ways, the 20th century started and ended in Sarajevo. It was a period marked by inter-state conflict on a scale not previously envisioned. The best and the worst of human nature were on public display, often at the same time. It featured three major world wars, two hot and one cold, and the clash of powerful ideologies. Socialism, communism, nazism, and fascism emerged fully grown on the world stage, competing with democracy for primacy in the hearts and minds of nations. Tentative steps to form world government were taken. Natural law resurfaced in the guise of anti-colonialism, self-determination, the human rights movement, and demands for equality by the non-Western world. Change accelerated development, redefining political and cultural priorities. The second great era of globalization and progress brought the world closer, yet left others even farther behind.

World War I created conditions that would define the 20th century. The war all but destroyed the established order. Choices made by the Allied powers in Versailles, France, and over the next decade dictated the course of events for the remainder of the century. International law emerged as a key component of international politics. The victorious allies attempted to address several problems at Versailles in 1919. First, the scale of destruction between 1914 and 1918 and its resulting trauma prompted calls for vengeance, war reparations to be paid by the losers, and trials of those responsible for the conflict. Second was the collapse of major empires—the German, Austrian-Hungarian, and Ottoman Empires on the losing side, and the Russian Empire in 1917 on the Allied side—and the emergence of the United States as the predominant military and economic power.[43] The third problem was the creation of new nation-states out of the former empires. Lastly, a lack of consensus concerning the results of the war and what the Allies had won plagued the peace and designs for international order.

Revolutionary efforts in 1919 to create a world government fell short—the League of Nations was a start but insufficient. President Woodrow Wilson's visions for the postwar order clashed with the national interests of the Allies and frustrated effective unified action. The Versailles Treaty became a compromise. Complicating matters, Wilson failed to persuade the American public or the U.S. Senate to ratify the treaty creating the League of Nations, and without American participation, the League proved too weak to enforce Wilson's vision of collective security—peace through rule of law supported by military force.[44] Wilson's vision would be revived in 1945 and again in 1990 with relatively greater success. Attempts to try the Kaiser and others for war crimes encountered similar problems. The Allies could not agree, and the Germans would not cooperate. Ambitious plans drawn up at the Paris Peace Conference in 1920 called for some 900 war criminals to be tried, but Allied disunity and German recalcitrance prevailed. As a compromise, 12 German soldiers ranging in rank from private to lieutenant general were tried in German courts; six were convicted, but none received a sentence in excess of 4 years.[45]

One major development at Versailles was public debate over rule of law and ethics as constraints on national interests and international politics. The conflict between these poles of international order would continue throughout the 20th century. We still struggle with this question today. As Henry Kissinger characterizes it, "At the end of the First World War, the age-old debate about the relative roles of morality and interest in international affairs seemed to have been resolved in favor of the dominance of law and ethics. Under the shock of the cataclysm, many hoped for a better world as free as possible from the kind of Realpolitik which, in their view, had decimated the youth of a generation."[46] Efforts to enforce peace through rule of law continued for over a decade following Versailles. Arms control agreements took the place of serious collective security enforcement. The Naval Conferences at Washington, DC, in 1922 and London, England, in 1930 regulated the number and size of battleships, cruisers, destroyers, and submarines, then

considered the major strategic weapons of the great powers.[47] In the Kellogg-Briand Pact of 1928, the signatory parties agreed to renounce war as an instrument of national policy.[48]

In the end, sovereignty and national interests proved too strong for the Wilsonians. International law became just another diplomatic tool as the great powers rearmed for World War II. Former President Theodore Roosevelt, who lived until 1919 and remained a keen observer of world events, captured the essence of prevailing international power politics: "As yet there is no likelihood of establishing any kind of international power . . . which can effectively check wrong-doing . . . I regard . . . trusting to fantastic peace treaties, to impossible promises, to all kinds of scraps of paper without any backing in efficient force, as abhorrent."[49]

The world got a second chance to recreate international order in 1945. The unprecedented devastation of the second major war in a generation dwarfed that of 1914-18 and brought modern war to the home front. Millions of noncombatants became casualties of war. The discovery of nuclear fission at the end of the war threatened even greater destruction in any future conflict. Sovereignty had to be checked, and international law was applied to the task. One study neatly defined the problem. "A sovereign state at the present time claims the power to judge its own controversies, to enforce its own conception of its rights, to increase its armaments without limit, to treat its own nationals as it sees fit, and to regulate its economic life without regard to the effect of such regulations upon its neighbors. These attributes of sovereignty must be limited."[50]

The creation of the United Nations in 1945 and the proceedings of the Nuremberg Tribunal immediately following were watershed events that permanently altered the nature of the debate regarding a state's right to wage war and mistreat its citizens. Together they sent the message that aggressive war would no longer be tolerated, and that individuals who commit aggression and crimes against humanity would be held criminally responsible for their acts. It was a sincere effort and a good start that enjoyed almost universal support. One of the early UN proclamations, the Universal Declaration of Human Rights,[51] outlined fundamental human rights in terms reminiscent of the Declaration of Independence and the Bill of Rights, setting a common standard for "all peoples and all nations."[52] Although aspirational in tone and lacking any enforcement mechanism, it has served for more than 60 years as a beacon for people in search of freedom and justice. Over the following decades, international agreements outlawing genocide, recognizing the rights of minorities, and emphasizing humanitarian concerns consistently advanced individual rights at the expense of state sovereignty.[53]

Collective security acquired new life after World War II with the creation of the UN, NATO, the Organization of American States (OAS), and other international and regional organizations. Although the Cold War provided the initial impetus for NATO, it survives today as a viable, productive organization. It was NATO that intervened in the Balkan Wars following the breakup of Yugoslavia in the early-1990s, and later in Kosovo. With expanded membership and new missions, NATO today provides collective security and promotes democracy to the nations of Eastern Europe and further afield in Afghanistan—developments unimagined a generation ago. NATO advanced the concept of international humanitarian intervention over the past 2 decades in Somalia, Kosovo, East Timor, Sudan, and more recently Libya. International humanitarian intervention remains an emerging, if controversial, concept that demands attention although it is not recognized as customary international law. Lively debate on the subject tends to redefine how we view sovereignty.[54] Such argument advances values articulated by Wilson at Versailles almost a century ago. The principles of the American and French revolutions have become universal, but more than a few states (most notably China) reject in principle that individual rights supersede the welfare of the state. Sovereignty, as we will see, is resilient and has devoted followers.

SOVEREIGNTY IN THE NEW MILLENNIUM: THE RESURGENCE OF NATIONAL SELF-INTEREST

Two distinct periods have dominated international relations in the first 2 decades of the post-Cold War era. The first, from roughly 1991 until 2003, featured the aggressive use of international institutions and military intervention to defeat or constrain despots and protect civilians caught up in civil wars. The objective was to expand freedom, peace, stability, and economic prosperity. It was an optimistic era dominated by liberal democratic values, ideals, and belief that concerted effort could and would make the world a better place.[55] The second, from 2003 until the present, has been dominated by states pursuing their own national interests in the face of international pressure and overcoming minimal resistance from international organizations and other actors opposing them. It is a pessimistic era dominated by realist concerns about threats to their own national security, the practical limits of enforcing international law, and the risks that accompany outside intervention in the internal affairs of sovereign states.[56]

As a practical matter, the UN, other international organizations (IOs), and nongovernmental organizations (NGOs) play important roles in maintaining peace and economic stability,[57] but they struggle to make rogue regimes comply with their guidelines and wishes. Treaties regulate nuclear and conventional weapons and have effectively eliminated chemical and biological weapons,[58] but treaties alone cannot defeat terrorists, rebel groups, or even global warming. The ICC seeks to bring international war criminals, despots, and others to justice when their governments will not or cannot do so.[59] Yet, the ICC lacks jurisdiction over terrorism and piracy, two major threats facing global society in the 21st century. Leading powers including the United States, Russia, and China are not signatories to the ICC, weakening its authority and influence. Despite Security Council resolutions and international sanctions, Iran's nuclear program continues.[60] Pakistan and North Korea developed nuclear weapons outside the Nuclear Nonproliferation Treaty, and Iran may soon join them. That these states were able to thumb their noses at international institutions and treaties with relative impunity demonstrates the weakness of international law when confronted with stubborn, relatively well-armed sovereign states that refuse to play by the rules of globalization.[61]

Disregarding for the moment the relative merits of recent international interventions, the legal basis for humanitarian intervention remains suspect after 2 decades of experimentation. International law recognizes the authority of the UN Security Council to address threats to peace and acts of aggression and to decide how "to maintain or restore international peace and security."[62] The UN recognizes the right of states individually and collectively to act in self-defense. However, the UN Charter does not provide a third option. The UN was designed to maintain international peace, promote friendly relations among states, and achieve international cooperation, but it "is based on the principle of the sovereign equality of all its Members."[63] States are reasserting that principle. One might ask why the UN has never suspended or expelled states that fail to live up to UN principles or comply with UN resolutions, but that subject is best left for another time and place.[64]

States and organizations inclined toward intervention in the internal affairs of sovereign states must think twice about the relative costs and benefits of their actions in light of history and recent events. Intervention may succeed in instances where the oppressor lacks serious capability to oppose the effort or inflict broader damage. The Libyan intervention by NATO in 2011 represents a recent case in point, although what kind of government replaces that of Moammar Khadafy remains to be seen. Intervention is not an option in the case of North Korea, despite the fact that the regime has oppressed or killed millions of its own citizens and threatened its neighbors. In-

tervention is off the table because it would likely kill or injure millions more. After the UN failed in 1992 and 1993, NATO intervened in Bosnia in 1995. NATO encountered little or no opposition from Serbia or ethnic Serbs but never resolved the underlying socio-political issues.[65] Similarly, following a brief bombing campaign against Serbia, NATO forces and the UN peacefully entered Kosovo in 1999.[66] U.S.-led interventions in Iraq and Afghanistan demonstrated the difficulty of establishing stability, much less democracy, in larger states where significant armed opposition exists. Another consideration is that some interventions over the past 2 decades failed to create prosperity or democracy, leaving instability in their wake. Finally, intervention must take into account the possibility of wider conflict. Several of these factors apply to Iran today, counseling caution. Interstate conflict may be at a historic low, but that is always subject to change. Trying to define a norm governing humanitarian intervention is difficult. The answer appears to be that the UN Security Council acts when it can pass a resolution without veto; individual states and coalitions act when they consider the costs and risks affordable. In practice, only weaker states need worry.

Recent economic setbacks remind us that globalization has a dark side. The World Bank and the International Monetary Fund appeared largely impotent in the face of a global crisis in banking and finance.[67] Bad economic times seem to bring out latent tribal and nationalist sentiments and make us suspicious of outsiders. Some states capitalize on opportunities to benefit at another state's expense. Ruling elites in Russia and in China successfully invoke nationalism as cover for pursuing their strategic objectives, while shirking what others perceive to be their responsibilities as global powers, such as supporting sanctions against Iran.[68] The United States, a leader in promoting and shaping international law for almost 2 centuries, shares responsibility for the current environment. The United States and the United Kingdom (UK) invaded Iraq in 2003 despite international objections (or outright opposition), without formal endorsement by the UN Security Council, and against the advice of key allies such as France and Germany. Powerful or even not-so-powerful sovereign states, once committed to a course of action, are difficult to restrain, and are acting in their own interest with increasing regularity.[69] Even relatively weak states such as North Korea, Myanmar, and Sudan, not to mention Somalia—by most accounts a failed state and a haven for terrorists and pirates—have managed to survive as international outlaws. Political scientist John Mearsheimer reminded us that great powers behave as their interests dictate.[70] Sovereignty is alive and well after all; reports of its death are greatly exaggerated.[71]

Based on the foregoing discussion, we can draw several conclusions about contemporary international relations. First, international institutions, shared principles, and an interlocking network of international agreements remain important tools for solving today's world problems. These include a stagnant global economy, intrastate conflict, environmental degradation, terrorism, and transnational crime.[72] Global problems require global solutions; sovereign states cannot solve them, although they can address symptoms within their borders. Most will eventually require international cooperation. As former UN Secretary General Kofi Annan said, contemporary international law is "more readily seen as the reflection of a collective juridical conscience and as a response to the social necessities of States organized as a community."[73] According to Annan, state sovereignty has been redefined. States are now widely understood to be instruments at the service of their peoples and not vice versa.[74] Annan was a practical politician, not a revolutionary; his language evokes Jefferson's in the Declaration of Independence: "That to secure these rights, Governments are instituted among Men, deriving their just power from the consent of the governed." Our founding fathers believed that states exist to promote and protect individual freedoms. The challenge for leaders today is to discover what action to take as part of an international community when states deliberately and systematically violate the human rights of their citizens.[75] It is easy to say it is not our problem unless our citizens or interests are directly threatened, but it is more complicated than that.

The second conclusion we can draw is that unilateral action by states acting in their national interests can sometimes achieve equal or better results than international efforts. Competition is not inherently negative and does not preclude cooperation on important matters. European states competed for trade, military parity, and overseas empires throughout the 19th century, but co-operated enough to maintain European peace from 1815 to 1914.[76] The United States spent huge amounts on the Marshall Plan to rebuild Europe for both selfish and humanitarian reasons, and it turned out to be a great bargain.[77] Determined American resistance to Soviet threats from 1945 to 1990, encompassing wars in Korea and Vietnam and continual Cold War, drew frequent criticism at the UN and occasionally from our allies, but it appeared brilliant in hindsight after the Berlin Wall fell. Israel acted unilaterally to destroy an Iraqi nuclear reactor in 1981 and a Syrian nuclear reactor in 2007 when international initiatives would have failed.[78] Even if these attacks violated international law as some maintain, most commentators would probably applaud the outcomes.

Third, recent events have shown the practical limits of collective action and American power. We live in a multipolar world where the United States may remain the single strongest and richest state, but it faces competition from the EU, China, India, and Japan, among others.[79] The United States faces military competition from China, Russia, and even North Korea and Iran. Humanitarian intervention has a mixed record. Kosovo's status remains unclear after more than a dozen years. Bosnia-Herzegovina is essentially two separate mini-states more than 16 years after the Dayton Accords. Haiti remains a failed state despite numerous interventions and continual international assistance. Somalia is a basket case. Prospects for democracy and human rights in Iraq and Afghanistan after years of war and hundreds of billions of dollars in reconstruction costs are less than ideal. We need to choose our interventions carefully.[80]

THE ROAD AHEAD: DÉJÀ VU AGAIN

Whatever strategy the United States pursues in the contemporary environment, economic realities will reduce the American military to something approximating its size before September 11, 2001.[81] The volunteer Army (even with help from the Marine Corps) is not large enough for extended campaigns abroad, as the wars in Iraq and Afghanistan have shown. Fielding sufficient forces for almost a decade of war has proven difficult and extremely expensive, and both the active and reserve forces are exhausted. Foreign intervention may become a limited commodity before this decade is over. At the same time, many would argue that vital American interests are not seriously threatened anywhere and some sort of "peace dividend" like the country took in the 1990s drawdown is in order.[82] At present, the U.S. military has no peer competitor. It spends close to 10 times as much as the next 10 countries combined, although some of that has gone to our wars in Iraq and Afghanistan. While other potential competitors such as China are modernizing and expanding their military capabilities, economic competition remains a more immediate threat to the United States than a military conflict. Flash points such as North Korea, Iran, and Taiwan remain, but for now patient vigilance rather than direct action is our most likely course of action.

The world looks much as it did before World War I or before the Axis powers rearmed in the 1930s. It is an era of interstate peace, not conflict.[83] Those conflicts that exist are intrastate and localized. Friendly, peaceful relations are the norm and "[w]ar between the great powers is unthinkable."[84] At the same time, someone or some collection of states must address international security threats such as piracy and terrorism and protect the global commons. Global trade depends on freedom of navigation and open markets. Pirates and terrorists are bad for business. We face some tough questions. Can the United States, its allies, and friends maintain the security and prosperity we have enjoyed? Can the rule of law accommodate both the national interests of the great powers and the interests of weaker states threatened by demagogues, genocide, civil war, and internal

armed conflict? Sadly, international tribunals have been disappointing in their efforts to dispense justice.[85] A clear-eyed, realistic appraisal of our world is a good starting point. After that, we need to decide what issues are important enough to risk lives, treasure, reputation, and international peace to solve.

We cannot simply disregard international structures because they are "foreign" institutions and do not always do what we want them to do; many are useful, and there are limits to what sovereign states acting alone can accomplish. Failed states, corruption, economic disparity, and rising birthrates in poorer countries hold large segments of the world's population hostage. International cooperation will be necessary to advance individual rights and enforce collective security. At present, however, championing freedom and democracy depends on the good will and determination of powerful sovereign states acting in concert. The United States took the lead in combating terrorists with global reach because no one else could or would. The American experience encourages internationalism in the promotion of democratic values, and we believe that the security of America is inseparable from the security of all the rest of mankind. However, it is a long way from there to what we might call the Woodrow Wilson-George W. Bush doctrine that it is therefore "America's duty to oppose aggression everywhere."[86]

Not every crisis requires international intervention or the use of military force. Though the threat posed by global terrorist networks is real, most international crises are local and have little impact on global security. Many of them, we need to remind ourselves, may be safely ignored or left to others to solve. There are regional organizations, UN agencies, and private agencies that routinely provide nonmilitary humanitarian assistance to people around the world. Unless international stability is seriously threatened, mobilizing the international community and its resources might prove counterproductive. We have learned since the heady days of the Gulf War Coalition forged by President Bush in 1991 that the new world order promised by the collapse of the Soviet Union and the end of the Cold War has not come to pass, at least not in the way we imagined it. However, despite our collective mistakes, blunders, and miscalculations, we have survived some serious and unexpected threats to global order and come out in relatively good shape. It is a foundation on which we can build.

ENDNOTES - CHAPTER 17

1. J. Boone Bartholomees, Jr., ed., *U.S. Army War College Guide to National Security Policy and Strategy*, Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2004. The chapter was reprinted in the 2nd Ed., 2006, the 3rd Ed., 2008, and the 4th Ed., 2010.

2. Referring to the system of international relations predicated on the behavior of sovereign states that arose after the Treaty of Westphalia in 1648. The Treaty of Westphalia ended the Thirty Years War, motivated in part by rulers seeking to impose their religion, either Catholicism or Protestantism, on other states.

3. International interventions in Kuwait, Somalia, Bosnia, East Timor, Haiti, and Kosovo during the 1990s reflected an aggressive consensus on human rights, peacekeeping, and even peace enforcement when required.

4. See Francis Fukuyama, *The End of History and the Last Man*, New York: Free Press, 1992; and Thomas Friedman, *The Lexus and the Olive Tree*, New York: Farrar, Straus and Giroux, 1999.

5. Other observers looked at the power vacuum left in Yugoslavia and the Middle East after the Cold War and forecasted more conflict, not more stability. See Robert D. Kaplan, "The Coming Anarchy: How Scarcity, Crime, Overpopulation, Tribalism and Disease are Rapidly Destroying the Social Fabric of our Planet," *The Atlantic Monthly*, February 1994; and Samuel P. Huntington, "The Clash of Civilizations?" *Foreign Affairs*, Summer 1993.

6. Fareed Zakaria, *The Post-American World*, New York: W. W. Norton & Company, Inc., 2009, p. xxiii.

7. Werner Levi, *Contemporary International Law*, Boulder, CO: Westview, 1991, p. 14.

8. John J. Mearsheimer, *The Tragedy of Great Power Politics*, New York, W. W. Norton & Company, 2001, pp. 2-3.

9. George W. Bush, *The National Security Strategy of the United States of America*, Washington, DC: The White House, September 2002, p. 3.

10. China adheres to its Communist hierarchy and government, while promoting free enterprise at home and abroad. Individual rights to worship, protest, and form other political parties are extremely restricted.

11. William Blackstone, *Commentaries on the Laws of England*, Book One, Chap. One, The Avalon Project, New Haven, CT: Yale Law School, p. 118, available from *www.yale.edu/lawweb/avalon/blackstone*.

12. J. L. Brierly, *The Law of Nations*, 6th Ed., Oxford, UK: Oxford Press, 1991, p. 1.

13. E.g., the prohibition of alcohol, *U.S. Constitution*, Amendment 18. It was repealed by the Twenty-First Amendment 14 years later.

14. Brierly, *The Law of Nations*, 6th Ed. p. 1.

15. E.g., Convention on International Civil Aviation, held in Chicago, IL, 1944; UN Convention on the Law of the Sea (UNCLOS III), 1982.

16. E.g., The UN Framework Convention on Climate Change, May 9, 1992; Kyoto Protocol to the UN Framework Convention on Climate Change, December 11, 1997.

17. Statute of the International Court of Justice, Art. 38.

18. The SS Lotus Case, Fr. v. Turk., Permanent Court of International Justice, 1927, Ser. A, No. 10, September 7, 2917, pp. 18-19: "The rules of law binding upon States therefore emanate from their own free will as expressed in conventions or by usages generally accepted as expressing principles of law. . . ." International law scholars disagree on the fundamental nature of law. There are two distinct schools of thought. The Monist view holds that international law and municipal (state) law are simply parts of an integrated system. The focus is on the individual. Dualists believe that international law and municipal law are two distinct systems. The focus of domestic law is the individual; the focus of international law is on states. These views influence contemporary debate. See Levi, pp. 22-23.

19. Levi, *Contemporary International Law,* n. 7, p. 35. Levi cites as an example the launching of Sputnik by the Soviet Union, which claimed that artificial satellites, like commercial airliners, could fly unimpeded over state territory, and the general acceptance of this proposition.

20. *Ibid.*, p. 5.

21. Brierly, *The Law of Nations, 6th Ed.,* p. 66.

22. Rome Statute of the International Criminal Court, UN Diplomatic conference of Plenipotentiaries on the Establishment of an International Criminal Court, July 17, 1998.

23. *Department of Defense Directive 2311.01E*, May 9, 2006, para. 4.1: "It is DoD policy that . . . [m]embers of the DOD Components, including U.S. civilians and contractors assigned to or accompanying the armed forces] comply with the LOW during all armed conflicts, however such conflicts are characterized, and in all other military operations." See also *Chairman of the Joint Chiefs of Staff Instruction 5810.01D*, April 30, 2010; and *The Uniform Code of Military Justice*, 10 U.S.C. §§ 801-941.

24. Horace B. Robertson, Jr., "Contemporary International Law: Relevant to Today's World?" John Norton Moore and Robert F. Turner, eds., *U.S. Naval War College International Law Studies,* Vol. 68, Newport, RI: Naval War College

Press, 1995, p. 3. Consequences include UN Security Council sanctions, unilateral or coalition reprisals against offenders, loss of financial and other support, and adverse international opinion.

25. Brierly, *The Law of Nations, 6th Ed.,* p. 17.

26. Democracy in ancient Greece, notably Athens, was real and vibrant but limited by modern standards: only citizens could exercise political rights or hold land, women had few rights, and slavery was an essential institution. None of this, however, diminishes the power and influence of Greek thought on leaders of the Enlightenment. See William Y. Elliott and Neil A. McDonald, *Western Political Heritage*, New York, Prentice-Hall, 1955, pp. 63-74.

27. Brierly, *The Law of Nations, 6th Ed.,* n. 12, p. 7. The idea that rulers were subject to the law of nature played an important part in later developments granting citizens political rights to participate in their governments, and ultimately to change those governments.

28. *Ibid.*, p. 13.

29. Mel Brooks, Director, *History of the World, Part I*, Fox Films, 1981.

30. Levi, *Contemporary International Law*, p. 10.

31. *Ibid.*, p. 8.

32. *Ibid*, p. 9.

33. Henry Kissinger, *Diplomacy*, New York: Touchstone, 1994, p. 78.

34. *Ibid.*, pp. 40, 127.

35. See Fareed Zakaria, Chap. 5: "The New Diplomacy, 1889-1908," *From Wealth to Power*, Princeton, NJ: Princeton University Press, 1998.

36. *Ibid*.

37. Michael Bernhard, "The Leadership Secrets of Bismarck," *Foreign Affairs*, November/December 2011, p. 150.

38. Eric. S. Krauss and Mike O. Lacey: "Utilitarian vs. Humanitarian: The Battle Over the Law of War," *Parameters*, Vol. 32, Summer 2002, pp. 73, 76.

39. General Order (GO) No. 100, supra note 1. U.S. War Department, General Orders, GO, No. 100, Instructions for the Government of the Armies of the United States in the Field, April 24, 1863. The first comprehensive summary and codification of the humanitarian rules governing land warfare. Frequently called the "Lieber Code" after its author, Dr. Francis Lieber, G.O. No. 100 furnished inspiration for the Geneva Conventions of 1864 and 1929 and the Hague Conventions of 1899 and 1907.

40. Krauss and Lacey. p. 76.

41. The Hague Conventions of 1899 were largely incorporated in the Conventions of 1907, of which five are important: (1) Convention Relative to the Opening of Hostilities, October 18, 1907, 36 Stat. 2259, (2) Convention Respecting the Laws and Customs of War on Land and Annex, October 18, 1907, 36 Stat. 2277, (3) Convention Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land, October 18, 1907, 36 Stat. 2310, (4) Convention Concerning Bombardment by Naval Forces in Time of War, October 18, 1907, 36 Stat. 2351, and (5) Convention for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention of July 6, 1906, October 18, 1907, 36 Stat. 2371.

42. Kenneth Anderson, "Who Owns the Rules of War?" *New York Times Magazine*, April 13, 2003, p. 38.

43. Kissinger, *Diplomacy,* p. 259.

44. *Ibid.*, p. 247.

45. *Pamphlet (PAM) 27-161-2, International Law*, Vol. II, Washington, DC: Headquarters, Department of the Army, 1962, p. 221. These trials, known as the Leipzig trials, demonstrated the problem in obtaining jurisdiction over war criminals—Germany was not defeated and occupied as in World War II. The Leipzig trials did motivate the Allies in 1945 to establish an international tribunal at Nuremberg.

46. Kissinger, *Diplomacy*, p. 247.

47. *Ibid.*, p. 373. The Washington Conference of 1922 attempted to regulate capital ships (battleships); the London Conference of 1930 attempted to regulate submarines as well. See *PAM 27-161-2*, supra, p. 16. For a detailed study of the Naval Treaties, see W. Hays Parks, "Making Law of War Treaties: Lessons from Submarine Warfare Regulation," Michael N. Schmitt, ed., *U.S. Naval War College International Law Studies,* Vol. 75, Newport, RI: Naval War College Press, 2000, p. 339.

48. The Kellogg-Briand Pact, or Pact of Paris, is formally known as The General Treaty for the Renunciation of War, August 27, 1928, 46 Stat. 2343.

49. Kissinger, *Diplomacy*, p. 40.

50. Brierly, *The Law of Nations, 6th Ed.*, p. 7, quoting from the International Conciliation Pamphlet, 1941.

51. Universal Declaration of Human Rights, UN General Assembly, December 10, 1948.

52. *Ibid.*, Preamble.

53. See the Convention on the Prevention and Punishment of the Crime of Genocide, December 9, 1948, 78 U.N.T.S. 277, Art.VI; the Geneva Conventions of 1949, four separate conventions—on the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, on the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Geneva Convention Relative to the Treatment of Prisoners of War, and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War; and Protocols to the Geneva Conventions of 1949, 1977. These conventions form the nucleus of what is commonly called "International Humanitarian Law."

54. See, e.g., George K. Walker, "Principles for Collective Humanitarian Intervention to Succor Other Countries' Imperiled Indigenous Nationals," *American University International Law Review*, Vol. 18, No. 1, 35; John C. Yoo, "The Dogs That Didn't Bark: Why Were International Legal Scholars MIA on Kosovo?" *Chicago Journal of International Law*, Spring 2000, p. 149.

55. See Fukuyama, n. 4. Recently, Jon Western and Joshua S. Goldstein's article "Humanitarian Intervention Comes of Age" argues that NATO's Libya intervention in 2011 was a success and demonstrates the need for more international intervention. *Foreign Affairs*, November/December 2011. Critics might say it's too early to draw such a conclusion.

56. Mearsheimer, *The Tragedy of Great Power Politics*; Kaplan.

57. E.g., The Food and Agriculture Organization, the World Health Organization, the International Civil Aviation Organization, the UN Educational, Scientific and Cultural Organization, the International Labor Organization, and the International Monetary Fund, to name only a few.

58. E.g., the START and SALT strategic arms negotiations and Anti Ballistic Missile (ABM) treaties with the USSR, and multilateral international agreements, including the Conventional Weapons Treaty, 1980, the Chemical Weapons Convention, 1993, and the Ottawa Treaty on Anti-Personnel Land Mines, 1997.

59. The Rome Statute.

60. UN Security Council Resolutions 1737, 2006; 1747, 2007; 1803, 2008; and 1929, 2010.

61. Friedman, *The Lexus and the Olive Tree,* n. 4. Friedman postulated that eventually everyone who wanted to participate in the benefits of globalization would be bound by its rules—the "golden straitjacket," as he called it.

62. Charter of the UN, Article 39.

63. *Ibid.*, Article 2.

64. *Ibid.*, Article 5, provides for suspension; Article 6, for expulsion.

65. *The World Factbook*, Washington, DC: Central Intelligence Agency, available from *https://www.cia.gov/library/publications/the-world-factbook/geos/bk.html* . The General Framework Agreement for Peace in Bosnia and Herzegovina, November 21, 1995, commonly called the Dayton Peace Accords, created two semi-autonomous entities, the Bosniak/Bosnian Croat Federation and the Bosnian Serb-led Republika Sprska (RS).

66. *Ibid.* NATO intervened in Kosovo in 1999. Kosovo declared independence in 2008 and is currently recognized by more than 70 states, but Serbian objections and Russian backing have kept Kosovo from gaining admission to the UN.

67. World Trade Organization sessions have attracted enormous demonstrations by diverse groups ranging from environmentalists to religious organizations to unrepentant communists. Recent "Occupy Wall Street" and related protests in the United States bear a disturbing resemblance to these WTO protests.

68. Josh Rogin, "Senators accuse China of violating sanctions against Iran," *Foreign Policy* on-line edition, December 18, 2011, available from *thecable.foreignpolicy.com/posts/2011/01/18*.

69. In Russia, Putin's autocratic government seems constantly at odds with American interests. Venezuela charts its own course, has suppressed liberties at home, enjoys close relationships with Cuba and Iran, and plots international mischief. Hugo Chavez fortunately wields little power, and only limited leverage is afforded by his oil wells. Chavez is a two-bit dictator hoping to become a four-bit one. We have already discussed Iran. China is harder to figure, but always pursues its own interests and is not a reliable partner in international efforts against Iran, among other issues. For more on why China behaves as it does, see Henry Kissinger, *On China*, New York: The Penguin Press, 2011.

70. Mearsheimer, *The Tragedy of Great Power Politics.* p. 8.

71. Paraphrasing Mark Twain's "The reports of my death are greatly exaggerated." See *www.cs.cmu.edu/~ralf/quotes.html*.

72. There is, in fact, little international law governing terrorism. No international agreement on terrorism exists, and no international agreement defines the term. Several treaties address individual terrorist acts—hijacking, murder, money laundering, illegal crossing of borders, etc., but their solutions require state action—apprehension, extradition, and prosecution of individual terrorists.

73. Kofi A. Annan, "Two Concepts of Sovereignty," *The Economist*, September 18, 1999, p. 49.

74. *Ibid*.

75. See Thomas W. McShane, "Blame it on the Romans: Pax Americana and the Rule of Law," *Parameter*s, Vol. 32, Summer 2002, p. 57.

76. G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and The Rebuilding of Order after Major Wars*, Princeton, NJ: Princeton University Press, 2001, p. 29.

77. Kissinger, *Diplomacy,* n. 33, p. 453: "Only a country as idealistic, as pioneering, and as relatively inexperienced as the United States could have advanced a plan for *global* economic recovery based solely on its own resources."

78. David E. Sanger and Mark Mazzetti, "Israel Struck Syrian Nuclear Project, Analysts Say," *New York Times*, October 14, 2007, available from *www.nytimes.com/2007/10/14/washington/14weapons.html?adxnnl=1&pagewanted=print&adxnnlx=1325174984-erXf1aH1VRgmqusnHc+KaA*. Both attacks were criticized, and preemptive attack remains a controversial issue in international law. Iranian efforts for several years to expand its nuclear program to produce weapons-grade plutonium keeps the issue in the public spotlight.

79. Fareed Zakaria, *The Post-American World*, New York: W. W. Norton & Company, 2009.

80. See Benjamin A. Valentino, "The True Costs of Humanitarian Intervention," *Foreign Affairs*, November/December 2011, p. 60.

81. Craig Whitlock, "Pentagon trimming ranks of generals, admirals," *The Washington Post,* December 29, 2011, available from *www.washingtonpost.com/world/national-security/pentagon-trimming-ranks-of-generals-admirals/2011/12/20/gIQAhAU7MP_story.html?tid=pm_world_pop*.

82. Andrew J. Bacevich, *Washington Rules: America's Path to Permanent War,* New York: Henry Holt and Company, 2010, pp. 15-16. Bacevich, a retired Army officer and college professor, writes extensively on the need to curtail what he describes as "the national security state," which he feels has not been necessary since the end of the Cold War. Bacevich argues that we will be more secure with less intervention abroad and rejects the need for global primacy. We do not need it and cannot afford it, he says.

83. Despite DoD documents styling this "an era of persistent conflict," it is actually an era of widespread peace when measured by the current numbers of interstate conflicts. See Joshua S. Goldstein and Steven Pinker, "War Really is Going Out of Style," *New York Times*, December 18, 2011, available from *www.nytimes.com/2011/12/18/opinion/sunday/war-really-is-going-out-out-of-style.html?ref=todayspaper*.

84. Zakaria, *The Post-American World*, p. xxvii. He describes the world as ". . . a messy and contentious one, with few easy answers. But for all its problems, it is still a remarkably peaceful one." At the other end of the spectrum, James Reston, Jr., reminds us that war is a "natural condition of mankind." James Reston, Jr., "Is It Worth One More Soldier?" *USA Today,* August 17, 2011.

85. E.g., the Cambodia Tribunal, known as the Extraordinary Chambers in the Courts of Cambodia, is a joint effort with the Cambodians in the lead and the UN in support. The tribunal has been in existence for 10 years, and so far has tried and convicted only one of the five indicted leaders of the Khmer Rouge genocide from 1975-79, which killed some 1.7 million Cambodians. The convicted defendant, Kaing Guek Eav, received a sentence of 35 years which was reduced to 19 years on appeal. See the Yale University website at *www.yale.edu/cgp/news.html*, or the Tribunal website at *www.eccc.gov.kh/en*.

86. Kissinger, *Diplomacy,* n. 33, p. 47. With apologies to the so-called Powell-Weinberger doctrine, named after General Colin Powell and former Defense Secretary Caspar Weinberger, which enunciates conditions under which American military forces should be engaged in conflict abroad. The Powell-Weinberger doctrine is Realist and Conservative in viewpoint and would severely restrict the use of American military force abroad. The Wilson-Bush doctrine is Idealist and Liberal in its orientation—the promotion of liberty is the highest value.

CHAPTER 18

THE UNITED STATES AND THE INTERNATIONAL CRIMINAL COURT

Thomas W. McShane

Our greatest strength . . . is not our military might . . . [o]ur greatest strength is the rightness of our cause. For generations, Americans have stood tall for the Rule of Law and in support of human rights . . . that's why other civilized nations look to us for leadership and then follow that lead. If we lose that, we will have lost our greatest weapon.[1]

—Admiral John D. Hutson (Judge Advocate General, U.S. Navy, Ret.)
in testimony to the Senate Armed Service Committee, July 14, 2005.

The American experience illustrates the paradox of international law. Americans have been instrumental in the development and evolution of international law for more than a century.[2] It is no accident that the United Nations (UN) was created in San Francisco in 1945 and is housed in New York City. Americans played key roles in revising the laws of war and expanding protections for all in the 1949 Geneva Conventions. Throughout the 20th century, Americans supported the use of international tribunals as a means to bring war criminals to justice and to demonstrate the power and rule of law. The Nuremburg Tribunal was a landmark in international law. Despite these achievements, segments of the American public regard international law as something sinister—a foreign conspiracy to illegitimately restrain the exercise of American sovereignty and the use of American power to pursue national interests. This was demonstrated in 1919 by Woodrow Wilson's ambitious but doomed efforts to persuade the Senate to ratify the Versailles Treaty creating the League of Nations. Similar fears of infringement on American sovereignty still color public discussions about the UN, the International Criminal Court (ICC), and treaties banning the employment of land mines and cluster munitions. For a time, distrust of foreign entanglements even delayed the establishment of the North Atlantic Treaty Organization (NATO), until bipartisan congressional leadership made the treaty a national priority.[3] Yet history reveals that international organizations, particularly NATO, have been instrumental in helping to achieve American foreign policy objectives for over 60 years.

The ICC is the latest example of this paradox. The ICC represents the most comprehensive and successful effort thus far to create a standing international court to deal with international crimes. On July 17, 1998, 120 nations signed an international agreement in Rome establishing the ICC (also referred to as the Rome Statute).[4] The United States was heavily involved in all aspects of the conference, from drafting treaty articles to negotiations over specific treaty language, and American representatives made significant contributions to the rules of procedure and evidence. Because of disagreement over several key provisions of the treaty,[5] the U.S. delegation eventually parted company with key allies such as Canada, Australia, and most of NATO, and refused to sign the Rome Statute. The United States joined a small group of dissenting states that included China, Libya, Iraq, Israel, Qatar, and Yemen.[6] The ICC commenced operations at The Hague on July 1, 2002, following ratification of the treaty by the 60th signatory state. The ICC continues operations today without American participation or support. As of this writing, 139 states have signed the treaty, and 110 of those have ratified it, becoming parties to the treaty and the Court. The United States continues to encounter criticism and second and third order effects as a result of its failure to join the ICC.[7]

The U.S. objections to the ICC are both legal and political in nature. The ICC on its face promises to deter or punish rogue states and corrupt leaders who commit war crimes and murder their own citizens, a goal we share. Yet many Americans believe that international (or "foreign") law and courts violate American concepts of sovereignty and justice.[8] This standoff has lasted for a decade, and it is time to revisit the ICC. Contemporary challenges of terrorism and piracy and failure of the U.S. Military Commission at Guantanamo, Cuba, to successfully prosecute terrorist suspects (and the prospect of trying them in U.S. federal courts) indicate that we should consider other possible solutions that further U.S. interests. The ICC might be one of those solutions.

This chapter will examine the ICC in the context of international norms regarding the rule of law. In other words, how does the international community promote stability, security, predictability and accountability while combating genocide, war crimes, terrorism, piracy, and the like? What are the standards? What role should the ICC play in all this? This chapter will trace the development of international courts from the end of World War I to creation of the ICC, reviewing their composition, characteristics, and relative strengths and weaknesses. It will compare and contrast alternative means of bringing international criminals to justice, including domestic courts, military commissions and international tribunals. It will examine key events leading up to the signing of the Rome Statute (Treaty) establishing the ICC in 1998 and analyze key provisions of the treaty. Lastly, it will discuss American reservations, the effects of nonparticipation, and prospects for accommodation.

THE DEVELOPMENT OF INTERNATIONAL COURTS[9]

Crime and Punishment: The Search for International Justice.

We need to briefly define law international law. Law provides a foundation for order, stability, and predictability. Reduced to its basics, law prescribes norms of societal behavior, or as Blackstone says in his *Commentaries*, "a rule of civil conduct, commanding what is right, and prohibiting what is wrong."[10] Laws are prescribed by the state, but they are usually based on widely-shared religious, cultural and moral values. As such, the law depends on voluntary compliance, or more precisely on social pressure to conform. Sanctions are imposed in cases where individuals will not or cannot comply.

The population at large broadly accepts most laws because they reflect societal values; laws that do not reflect widely-held moral beliefs or serve no constructive societal purpose are often ignored, and prove difficult to enforce.[11] Law is evolutionary, not stagnant. Laws change constantly and considerably over time to address societal needs. This reasoning underlies municipal or domestic law, but does it apply to international law? Does international law promote stability and predictability, and if it does, can it do so as effectively as domestic law?

International law has been defined as "the body of rules and principles of action which are binding upon civilized states in their relations with one another."[12] Critics question international law's Eurocentric origins (states that share Western ideals and norms) and its effectiveness in today's global society. Nonetheless, international law plays an essential role in global trade, commerce, banking, politics, public health, and law enforcement. International treaties regulate sea and air routes, privileges and immunities, and claims for loss or damage,[13] and establish standards for the sciences, health, and the environment.[14] By tradition, international law regulates the conduct of states, not individuals. The international system is predicated on the sovereignty of individual states.

International law is both "public" and "private." The law of war is a branch of public international law regulating armed conflict between states and within states suffering from religious,

tribal, or civil conflict. The law of war, often referred to as International Humanitarian Law,[15] was the foundation for the tribunals at Nuremberg, Germany, and Tokyo, Japan, following World War II, and later for the international tribunals organized to adjudicate war crimes and crimes against humanity in the former Yugoslavia, Rwanda, and Sierra Leone.[16] These efforts represent a dramatic change of events—asserting international legal norms over individuals. The ICC takes international justice to a new level; the ICC is a permanent, standing tribunal exercising global jurisdiction.[17]

In most respects international law resembles municipal law: it provides a foundation for order, is founded on religious, cultural and moral values, ensures stability and predictability, and enjoys general acceptance among states. International law protects rights of states and individuals alike. In one way, however, the international system differs from municipal systems. It provides no sanction for noncompliance, no penalty imposed by a higher authority. International Courts have long suffered from deficiencies of jurisdiction, justice, and enforcement. Hence, international law is often criticized for its lack of predictability and its inability to impose judgment on violators, whether states or individuals.[18] These problems stem from lack of consensus and political will in several areas: inability to define crimes, inability to agree on rules and procedures, and inability to obtain jurisdiction over potential defendants.

The ICC addresses these concerns. It can seize and try individuals who violate international treaties, laws of war, and human rights in cases where states fail to bring them to justice. The Court's jurisdiction is much broader than any previous international court has enjoyed. The ICC has the authority, though perhaps not the means, to enforce its writ virtually anywhere—a concept referred to as "Universal Jurisdiction."[19]

Universal Jurisdiction in Theory and Practice.

Universal jurisdiction seeks to regulate and punish behavior considered to be outside civilized norms. It allows any state to enforce such norms anytime and anyplace in accordance with treaty, custom, or practice. Universal jurisdiction is not a new idea, but an important one if states and international organizations want to enforce international law.

Universal jurisdiction proved itself effective in the 18th and 19th centuries in suppressing piracy. The community of nations regarded pirates as dangerous, stateless criminals, answering to no law, and they were bad for business. Therefore any state with a sufficiently strong navy could deal with pirates as it deemed appropriate—death, capture, trial, imprisonment, or summary execution. Neither domestic nor international law afforded pirates any meaningful protection.[20] Western nations largely eliminated piracy in the 19th century without any formal international agreement because the British, the French, and other nations dedicated their considerable naval power to the problem.[21] The United States played a small but significant part in this fight by dealing with the Barbary pirates, providing the fledgling Navy and Marine Corps legendary heroes and feats of daring for the ages.[22] Similarly, when Great Britain outlawed slave trading in 1807,[23] the Royal Navy led an aggressive campaign against those operating slave ships, disrupting and effectively ending the international slave trade. Both piracy and a modern form of the slave trade continue to make headlines today, but the ICC as currently constituted lacks jurisdiction over either crime. We will revisit this rather glaring oversight later.

At the end of World War I, the United States led a movement to try the Kaiser and other German military and civilian leaders for war crimes arising from their role in initiating hostilities and for atrocities committed against noncombatants by the German Army. President Woodrow Wilson wanted to convene an international tribunal to try these defendants, but the Allies could not agree, and the Germans would not cooperate. The Allies eventually settled for a few German

domestic trials, resulting in a handful of convictions and relatively mild sentences.[24] The Kaiser lived out his life in exile in the Netherlands. Woodrow Wilson's vision for a League of Nations with its own court, the Permanent Court of International Justice, did materialize, but Wilson could not persuade Americans to join it.[25] The League and its Court eventually proved ineffectual in preventing the creation, arming, and expansion of the fascist and communist dictatorships, and could not prevent World War II.[26]

Contemporary application of universal jurisdiction traces its origin to the War Crimes Trials following World War II and the Geneva Conventions of 1949.[27] The Nuremburg tribunals charged high-ranking government and military leaders with crimes against peace, war crimes, and crimes against humanity. The tribunal characterized the defendants as international criminals, although the major trials were held in Germany by virtue of the Allied occupation. Since then, various Nazi war criminals have been seized in many countries. Most were returned to states such as France or Germany where their crimes occurred, but in 1960 Israeli operatives captured Nazi fugitive Adolf Eichmann in South America and returned him for trial in Israel in 1961 in a clear exercise of universal jurisdiction.[28]

Modern examples of universal jurisdiction include a series of international agreements outlawing hijacking and terrorism dating from the 1960s.[29] Almost all those captured for these crimes have been tried in various state or national courts because no international forum was available. The Torture Convention of 1984[30] and the UN-Sanctioned Tribunals for Yugoslavia and Rwanda specifically provide for universal jurisdiction.[31] Individual states may assert universal jurisdiction based on domestic laws or constitutions. Belgium and Spain, among others, have charged third party nationals with violating Spanish law for crimes of war or crimes against humanity occurring on other continents, though not without controversy.[32] Whether it is wise or practical to have both international and national judicial systems asserting universal jurisdiction is a subject worthy of debate, but it is outside the scope of this chapter. It certainly affects the political equation.[33]

The United States asserts extraterritorial jurisdiction over individuals who commit crimes against American citizens or property anywhere in the world based on U.S. Federal Law. Although similar in some respects to universal jurisdiction, extraterritorial jurisdiction is a fundamentally different concept. A good example of extraterritorial jurisdiction is the trial and incarceration in the United States of former Panamanian President Manuel Noriega for complicity in the American drug trade. Other states were not obligated to treat Noriega as an international criminal, but were obligated to comply with traditional criminal extradition treaties.[34] The United States uses both extraterritorial jurisdiction and universal jurisdiction in its efforts to prosecute terrorists; extraterritorial jurisdiction for attacks in the United States or on Americans abroad, and universal jurisdiction for war crimes and other terrorist acts wherever committed.

In practice, universal jurisdiction has proven more effective in combating piracy and slavery than in bringing terrorists to justice, but there are successful examples of states tracking down and convicting international terrorists. NATO nations such as Germany and Italy successfully fought the Red Brigade terrorists operating in Europe in the 1970s and 1980s and brought them to justice in European national courts. The United States successfully prosecuted Islamic extremists who conspired to blow up the World Trade Center in 1993. The United States has been largely successful in capturing and detaining terrorists since September 11, 2001, but less successful in trying and convicting them. Trials at Guantanamo Bay, Cuba, by military tribunal have run aground on political and legal shoals. A handful of terrorists have been tried for federal crimes in U.S. domestic courts, and several high-profile cases have been successfully prosecuted.[35] Other states including Canada, the United Kingdom, Spain, Germany, Saudi Arabia, Pakistan, and Indonesia have successfully prosecuted terrorists in domestic courts.[36] Most, but not all, of those convicted were

captured in the territorial jurisdiction of the states where they committed their crimes. Some were extradited under existing treaty obligations.

The prime motivation for creating the ICC and applying universal jurisdiction is the ability to capture and try state leaders for war crimes or crimes against their own people. This process uses international law to prevent or punish crimes committed by governments against their citizens, but works by targeting individuals, particularly heads of state and other culpable senior leaders. The strategic goal is a legal framework that promotes stability and rule of law and deters criminal conduct, yet retains the ability to prosecute individuals or groups that are not deterred. Over the course of the 20th century, the percentage of noncombatants killed, wounded, and murdered in conflicts has risen steadily.[37] Additional millions have been victims of calculated violence by their own government, and these crimes would fall within the purview of the ICC.[38] The list of perpetrators includes Hitler's Germany, Stalin's Soviet Union, Pol Pot's Cambodia, Pinochet of Chile, successive Governments of China and North Korea, and the former Hutu Government of Rwanda. In this respect, a targeted legal tool like an ICC indictment may be at least as effective in addressing genocide, war crimes, etc., as a UN Security Council Resolution or the threat of military intervention. War, by comparison, is a blunt instrument with unpredictable second and third-order effects, as Clausewitz reminds us.[39]

THE INTERNATIONAL CRIMINAL COURT

The Rome Statute and the Limits of American Diplomacy.

The 20th century featured three major world wars, two hot, one cold, and the clash of powerful ideologies such as liberalism, communism, and fascism. The best and the worst of human nature were on public display, often at the same time. Tentative steps to form world government were taken, but neither the League of Nations nor the United Nations were designed to govern effectively. International Courts, including the Permanent Court of International Justice (affiliated with the League of Nations) and its successor, the International Court of Justice (of the UN), could resolve legal disputes between states but lacked jurisdiction over individuals.[40] In the end, states were left with diplomacy, economic power, and military force to deter aggression and restore peace, but no means to adjudicate guilt.

The Allied tribunals that tried German and Japanese civilians and military personnel at Nuremburg and Tokyo after World War II succeeded for the first time in prosecuting individual criminals in an international forum. Nuremburg also represented the idea that it was possible to enforce individual rights against state encroachment. After the trials of the major war criminals at Nuremberg and Tokyo, thousands of lower-ranking officials and soldiers were tried and convicted in subsidiary tribunals run by the United States, the United Kingdom, France, and the Soviet Union. Still, despite overwhelming evidence of guilt and scrupulous attention to due process, these tribunals have never escaped criticism as exemplifying "victor's justice."

The creation of the UN in 1945 and the proceedings of the postwar tribunals were watershed events. They altered the rules regarding a state's right to wage war and the way it treats its citizens. Together they announced to the world that the international community would not tolerate aggressive war, and it would hold individuals who commit war crimes and crimes against humanity personally responsible for their acts.

The Cold War prevented the UN and the international community from establishing an effective international court. For obvious reasons—political disagreement over ideology, terminology, and procedural hurdles—no agreement could be reached. The Soviet Union and China wielded veto powers over any UN action initiated by the West to create an international criminal court.

In the 1990s, after the Cold War and the dissolution of the Soviet Union, the UN enjoyed more success in creating international tribunals to deal with abuses in the former Yugoslavia, Rwanda, Sierra Leone, and even Cambodia. Yet these courts, like Nuremburg, were ad hoc creations, dealing with only one specific state or region at a time. Creating a new court every time it might become necessary was neither an effective nor efficient remedy. The obvious solution was a standing criminal court with the authority to assert its writ and jurisdiction worldwide.[41]

The UN International Law Commission began drafting provisions for an ICC as early as 1949, but efforts faltered because of the Cold War stalemate and because the Commission could not agree on a definition of crimes, particularly genocide. Subsequent proposals surfaced in 1989, 1993, and 1994. The work of the Preparatory Committee for the Establishment of a permanent International Criminal Court, begun in 1995, formed the basis for the meeting in Rome in 1998.[42]

The United States, contrary to popular opinion, was favorably predisposed toward an International Court when the Rome Conference began in 1998. As a leading proponent of international criminal trials, including the Nuremburg, Tokyo, Yugoslavia, and Rwanda tribunals, the United States had a vested interest in a standing court. It would be more accessible, probably more efficient, and in the long run much less expensive than a succession of ad hoc courts.[43]

Discussions in Rome over crimes that would be brought before the court focused on the most well-established international crimes, those that traced their origins to the Nuremburg prosecutions: genocide, crimes against humanity, and war crimes. These became Article 6 (Genocide), Article 7 (Crimes against Humanity) and Article 8 (War Crimes) of the eventual treaty. The fourth major crime at the center of deliberations, the crime of Aggression, resembles the Nuremburg charge of "Crimes against Peace,"[44] but the representatives could not agree on a definition. Article 5, paragraph 2 states: "The Court shall exercise jurisdiction over the crime of aggression once a provision is adopted in accordance with articles 121 and 123 defining the crime and setting out the conditions under which the Court shall exercise jurisdiction with respect to this crime. . . ."[45] While the failure to define aggression caused the American negotiators some concern, the debate over the Court's jurisdiction became the principle source of conflict.

The jurisdictional debates focused on two alternative models for asserting ICC jurisdiction. The first required that all cases originate in the United Nations Security Council (UNSC) the second permitted states or individuals to present evidence to ICC prosecutors for investigation and, if substantiated, prosecution.

The United States preferred to have jurisdiction originate with the UNSC, where it exercised veto power. Unfortunately, other permanent Security Council members, including Russia and China, also possess veto authority. The outcome would protect U.S. citizens, but reduce the likelihood of effectively responding to genocide, crimes against humanity, and war crimes. It would not significantly alter the status quo. U.S. negotiators sought an option that would protect American service members, deployed in some 100 countries, from politically-motivated prosecution for acts that would otherwise fall within the law of armed conflict.[46]

The majority of the states represented in Rome preferred an independent court not controlled by the Security Council that would afford even small states an equal say in pursuing prosecution.[47] Over the course of the Conference, these states clarified their positions and solidified their resolve for an independent ICC—independent of the UN, although loosely affiliated with it, and independent of the great powers. The Conference went on to construct a model favoring universal jurisdiction. Any state party to the treaty could bring a complaint for ICC investigation against any crime committed on its territory. Hence, states that did not sign the treaty might find their citizens subject to ICC prosecution if they committed a crime in the territory of a signatory state.[48]

The representatives in Rome realized that universal jurisdiction did not automatically provide a sufficient or practical basis for capturing and trying offenders. Their goal was to promote states to act responsibly and prosecute their own criminals, not to usurp state jurisdiction as a matter of routine. The ICC was to be a "safety net" to complement national courts.[49] The theoretically unlimited powers of states to refer cases to the ICC Prosecutor under Articles 12 and 13 of the Statute were deliberately limited by Article 17.[50] Article 17 makes "inadmissible" any potential case that is investigated or tried by a state having "jurisdiction over it."[51] To prevent sham or half-hearted investigations and prosecutions from rendering a case inadmissible, Article 17 excludes from its protection instances where the "State is unwilling or unable genuinely to carry out the investigation or prosecution[.]"[52] Under Article 18, the ICC prosecutor must give notice of any proposed investigation to states exercising jurisdiction over the case; the states then have 30 days to initiate their own investigation. Any state investigation begun under Article 18 automatically renders the case inadmissible before the ICC for a minimum of 6 months, and in practice longer given procedural requirements. Because the United States pursues war crimes and other offenses committed by U.S. service members under the Uniform Code of Military Justice (UCMJ),[53] Articles 17 and 18 provide substantial immunity from ICC prosecution. These articles provide significantly less protection, however, to American political leaders, such as the President or Secretary of Defense, who do not fall under the UCMJ.

Despite the additional protections of Articles 17 and 18, the U.S. delegation continued to oppose the treaty unless the Conference provided specific safeguards to U.S. nationals. Others perceive this position as a demand for immunity for Americans. Those states already inclined to support the ICC, including most major U.S. allies, became even more entrenched in their determination not to concede to U.S. demands and even more committed to adopting the treaty. The final vote on July 17, 1998, was a lopsided 120-7.[54]

The ICC meets the U.S. Congress.

The American negotiators in Rome supported Department of Defense (DoD) positions at the expense of those advocated by the Department of State (DoS)[55], but in reality the DoD positions represented the prevailing view in the U.S. Senate. The Senate must ratify most international agreements before they become binding as part of the "Supreme Law of the Land."[56] The leading opponent of the treaty in the Senate, Jesse Helms of North Carolina, distrusted both the UN and international law in general. The American public tends to share his opinion both then and now.[57] In 1998, American forces had been actively engaged in Peacekeeping and Peace Enforcement missions for almost a decade, including Somalia, Haiti, and Bosnia, and narrowly missed participating in international missions to Rwanda and East Timor. U.S. Soldiers, Sailors, Marines, and Airmen were stationed in hot spots around the world, and Helms portrayed the treaty as surrendering U.S. sovereignty and abandoning American Soldiers to foreign prosecution in violation of the U.S. Constitution.[58]

President Clinton personally supported U.S. participation in the ICC, and the United States officially signed the ICC Treaty on December 31, 2000, the last day it was open for signature. Clinton was a sufficiently shrewd politician to realize the treaty would never be confirmed by the Senate, and it languished in limbo until President Bush directed U.S. Undersecretary of State John R. Bolton to deliver a note to the UN on May 6, 2002, announcing U.S. intentions to withdraw from the treaty, in effect "un-signing" it.[59]

Congress reacted forcefully to the Rome Statute. As an additional roadblock to American participation in the ICC, the U.S. Service-members' Protection Act (usually referred to as the American Service-members' Protection Act of 2001, or ASPA, from an earlier version of the bill), was passed

into law and signed by President Bush on August 3, 2002.[60] The ASPA required the United States to withdraw military assistance from countries belonging to the ICC and restricted U.S. participation in UN operations unless the United States received immunity from prosecution before the ICC. This began a chain-reaction of events.

After the ICC began operations on July 1, 2002, the UNSC, at the behest of the United States and acting under Article 16 of the Statute, requested the Court to exempt from prosecution for a period of 12 months "former officials or personnel from a contributing State not a party to the Rome Statute over acts or omissions relating to a United Nations established or authorized operation" unless the Security Council requested otherwise.[61] This resolution, UNSC Resolution (UNSCR) 1422, effective July 1, 2002, was designed to ensure continued American participation in UN and coalition military operations around the world, including Afghanistan and later Iraq. The UNSC renewed the request for a second year effective July 1, 2003. In the face of increasing UN opposition in 2004, the United States declined to seek further extensions. In the interim, the State Department engaged in negotiations with friends and allies to create Article 98 Agreements, under Article 98 of the ICC Statue. Article 98 states that no request to surrender anyone to the ICC would proceed "which would require the requested State to act inconsistently with its obligations under international law pursuant to which the consent of a sending State is required to surrender a person of that State to the Court[.]"[62] The ASPA made U.S. participation in UN Peacekeeping and Peace Enforcement Operations contingent on either a grant of immunity by the UNSC or the existence of an agreement with the host country under Article 98.[63] This kept State Department and DoD representatives who had to negotiate these agreements extremely busy. The United States negotiated its 100th Article 98 agreement on May 2, 2005.[64]

What's Wrong with the ICC?

The debate over the ICC continues, at least periodically, in defense and international security circles. A recent edition of the *Joint Force Quarterly*[65] contains articles debating the pros and cons of American participation in the ICC. Arguments against the ICC may be summarized as follows: first, the ICC does not comply with U.S. constitutional and procedural safeguards; second, participation in the ICC would represent an improper surrender of U.S. sovereignty to an unaccountable international body, and closely connected to this is U.S. opposition to ICC claims of jurisdiction over individuals of states that did not sign the treaty; third, the ICC usurps the primary role of the UNSC in maintaining international peace and security, further weakening the UN as an international institution. As Colonel James P. Terry, USMC (Ret), former Deputy Assistant Secretary in the Department of State and former Legal Counsel to the Chairman of the Joint Chief of Staff writes, "The ICC represents a step forward in the evolution of a justice process addressing more than national interests and prerogatives. But a great deal more remains to be done before the United States should ratify the Rome Statute."[66]

Sovereignty allows states to act in their best interests without foreign interference. States need not join international organizations, although enforcing collective security requires international cooperation. Globalization promises prosperity and freedom, but disease, poverty, drought, and rising birthrates cripples many states and promotes conflict. Bad governance aggravates the problem. As a practical matter, enforcing stability and protecting human rights depends on the good will and determination of powerful sovereign states. In this regard, the United States has become the indispensable power[67] out of necessity; international order and security of the global "commons" depends on the security umbrella provided by the U.S. military. The U.S. military, Terry and others argue, must be free to act unhindered by the threat of prosecution at the discretion of international judges who work for a court the United States does not recognize.[68]

A brief look at the American-led war on terrorism illustrates the nature of the challenge facing American policymakers and provides insights as to why so many of them do not believe the ICC furthers U.S. national security. The United States leads international efforts to locate, isolate and destroy international terrorist groups with global reach. These groups threaten international order and prosperity. A great many states (at least in private) support and encourage American efforts to eradicate this plague, but the international system is not well-suited for the struggle.[69] There is no international agreement on terrorism, and none that even attempts to define the term. Several treaties address individual terrorist acts—hijacking, murder, money laundering, illegal crossing of borders, etc.—but their solutions require state action: apprehension, extradition, and prosecution of individual terrorists in national courts.[70] The ICC, many feel, is nothing more than a distraction that adds nothing to the struggle, especially since the ICC's list of crimes excludes terrorism.

To date, therefore, the international response to terrorism depends on American leadership, moral and physical. In Afghanistan a multilateral effort still enjoys broad international support;[71] in Iraq, the anticipated coalition never materialized, and the intervention remains controversial.[72] The search for order and the rule of law means different things to different states. America may lead, but others need not follow. Building international institutions takes patience, skill, and faith.

The tension between sovereignty and international cooperation raises a question of how best to pursue what G. John Ikenberry refers to as an international "constitutional order."[73] While most states agree in theory with the need for international institutions such as the UN and the need for order and rule of law among states, international law must contend with the "friction" of sovereignty.[74] This uneasy relationship is likely to continue with a rising China and reenergized Russia aggressively pursuing national interests while cynically honoring UN formalities. Sovereignty remains a powerful force in international politics and the foundation for both the UN and the ICC. Individuals and human rights groups have the power to contest actions by sovereign states or even international organizations that disproportionately impact civilians. An example is the case against NATO military actions in Yugoslavia in 1999, actions initiated for purely humanitarian purposes. The complaint to the European Court of Human Rights alleged that NATO illegally used military force to target a television station in Belgrade.[75] Hundreds of complaints have been made to the ICC against U.S. military actions in Iraq and Afghanistan since the ICC began operations in 2002.[76] From these events, one might conclude that the international order is chaotic, and that the ICC has yet to demonstrate its relevance or effectiveness.

Other events, including indictment by the ICC of the President of Sudan over alleged crimes in Darfur[77] and the ICC Review Conference scheduled for 2010, may help define how effectively the ICC will operate in the future. Many critics of the current treaty expect the Review Conference to consider changes that may make the ICC more acceptable to the United States and other reluctant partners.[78]

Why is the ICC a Good Idea?

The traditional, positivist approach to international law is expressed in the S.S. *Lotus* case: "Restrictions upon the independence of States cannot therefore be presumed."[79] This approach is challenged by a new paradigm: "a law more readily seen as the reflection of a collective juridical conscience and as a response to the social necessities of States organized as a community."[80] In the words of former UN Secretary General Kofi Annan:

> State sovereignty, in its most basic sense, is being redefined—not least by the forces of globalization and international cooperation. States are now widely understood to be instruments at the service of their peoples, and not vice versa.[81]

The concept that individuals have rights enforceable against states has strategic implications, but it is not revolutionary. Kofi Annan's language is reminiscent of Thomas Jefferson's in the Declaration of Independence: "That to secure these rights, Governments are instituted among Men, deriving their just power from the consent of the governed." As the philosophers of the Enlightenment told us, states exist to promote and protect individual rights and freedoms. These principles, unfortunately, are not universally recognized. The challenge today is what action the world community should take in cases where states deliberately and systematically violate the human rights of their citizens.[82] Global threats require global solutions. The ICC was created to help address these concerns, but the Court's ability to succeed in a volatile, uncertain, chaotic, and ambiguous world is uncertain.

The ICC is an old idea but a young institution. Almost 80 years in the making, from Versailles in 1919 to the Rome Statute in 1998, it reflects a new consensus on international justice and the rule of law. Recognizing that sovereignty protected rulers and their agents from accountability for crimes ranging from aggressive war to democide,[83] the ICC provides a permanent forum for prosecution when state courts cannot or will not act. As of this writing, 139 nations have signed the treaty, and 110 have ratified it. The Court commenced operations on July 1, 2002, and has initiated a number of prosecutions while investigating others.[84] Its potential impact is enormous, even without U.S. participation.[85]

Can the ICC fulfill its promise? The Rome Statute was adopted in 1998, in the aftermath of the Cold War, when Western powers felt they could impose law and order on failed states and renegade governments in Somalia, Rwanda, Kosovo, and East Timor. Setbacks in Somalia, lack of will in Rwanda, and modest results in Bosnia, Kosovo, and East Timor failed to discourage the interventionists. And while the International Criminal Tribunal for Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) achieved modest success, a permanent court seemed more promising than a string of ad hoc tribunals.[86]

Arguments supporting U.S. participation in the ICC feature the following points. First, all international agreements signed and ratified by the United States cede some amount of national sovereignty in order to achieve other national interests; treaties once ratified, like the U.S. Constitution itself, become the "Supreme Law of the Land." Second, the ICC is a court of last resort and the protections of Article 17, known as Complementarity, virtually ensure that U.S. Soldiers will be not be investigated and tried by the ICC because it is U.S. policy to investigate and try war crimes. U.S. civilians too are subject to federal prosecution for war crimes under Federal Criminal Law.[87] Third, U.S. credibility and its dedication to the rule of law have been damaged by failure to participate in the ICC. As Commander Bryan A. Hoyt, USN, writes, "At the strategic level, U.S. policy on the ICC separates the United States from the overwhelming majority of the world's modern societies and is further isolating America from its partners and potential partners."[88]

Both sides concede that the creation of a standing international court that serves as a safety valve or court of last resort is a positive development. The U.S. Government has supported international courts since the end of World War I. It serves little purpose for the United States and its allies to place their soldiers at risk to impose order and dispossess outlaw regimes if the perpetrators can simply seek asylum in a safe place and avoid extradition and reckoning. The ICC is designed to eliminate (or at least greatly reduce) safe havens for dictators and tyrants.

ICC advocates argue that military power alone cannot maintain stability indefinitely, and that unilateral effort will eventually fail.[89] The Congress of Vienna in 1815, which created the "Concert of Europe," was a collective effort but predicated on the sovereignty of the great powers. It took enormous cooperation to maintain international stability for 100 years. Even the British Empire at its height in the 19th century realized its limitations and sought a favorable balance of power. In

his book *After Victory*, John Ikenberry analyzed the rebuilding of international order after major wars. He says the diplomats of 1815 created a "constitutional order," which he describes as "political orders organized around agreed-upon legal and political institutions that operate to allocate rights and limit the exercise of power."[90] Drawing on British and American constitutional models, most would agree that a strong and independent judicial system would be a desirable element of any such "constitutional order."

Ikenberry's concept of "constitutional order" helps to explain how the current international system evolved after World War II, and how it operates today. At its heart was the sharing of its vast power by the United States in 1945. The United States created an extensive system of multilateral institutions, including alliances that bound the United States and its primary partners in Europe together.[91] The Cold War accelerated this process, but it did not create it.[92] As history proves, these international institutions have performed as designed. It should come as no surprise, therefore, that international organizations and politics restrain the choices and actions of sovereign states. From this perspective, international order displays many of the characteristics of municipal order.[93] Ikenberry explains: "if institutions—wielded by democracies—play a restraining role . . . it is possible to argue that international orders under particular circumstances can indeed exhibit constitutional characteristics."[94]

Can the United States and the ICC Reconcile Their Differences?

U.S. reservations to the ICC sometimes seem irreconcilable, but the two sides may not be as far apart as it appears. American policymakers are not opposed to some of the advantages the ICC offers, such as global reach and international legitimacy, but the devil, as always, is in the details. Key sticking points include protections for U.S. nationals, ICC jurisdiction over nonparties, prosecutorial discretion to bring charges without UNSC review, and the civil law orientation of the Court. A brief discussion follows.

It is unlikely the ICC will concede blanket immunity or special exemptions in return for American participation. The UNSC asked the ICC to refrain from prosecuting officials or personnel from UN contributing states not parties to the ICC (read United States) in 2002 and 2003,[95] but this proved embarrassing for both the United States and the UN. The United States has now negotiated bilateral Article 98 agreements with most allies and partners, and no longer needs blanket immunity. The best deal the United States might be able to secure for its membership in the ICC is the possibility of a UNSC override of an ICC indictment. An alternative resolution might include modifying the ICC Treaty to prevent prosecution of third-party nationals without the consent of their governments.

Either of these changes would reduce the likelihood of ICC prosecution in the unlikely event that the ICC Prosecutor indicted an American and both the ICC pre-trial judges and the appellate panel voted to uphold the Prosecutor's decision.[96] They address the practical problem of asserting international jurisdiction over individuals and alleviate concerns about sovereignty. The civil law orientation of the ICC, however, will remain a sticking point for Americans who cannot conceive of handing over U.S. citizens for prosecution by any court that does not recognize U.S. constitutional safeguards.

Most of the world uses the civil law model, which is code-based as opposed to the precedent-based Anglo-Saxon common law model.[97] Civil law courts do not use juries for criminal cases, and instead use "prosecutors" who are frequently judges serving as prosecutors in trials before other judges. Despite safeguards including free defense counsel for indigent defendants, presumption of innocence, proof of guilt beyond a reasonable doubt, and evidentiary protections found in U.S. courts, the ICC is still a "foreign" court. Prosecutors can appeal acquittals, and the death penalty is

prohibited. No one under 18 may be tried. Adherents of American "Exceptionalism" will not readily accept that any foreign system of justice can adequately protect American freedoms. In truth, Americans are routinely tried in foreign courts for crimes they commit abroad, and even U.S. military members are subject to host-nation prosecution for off-duty crimes in foreign communities.[98]

Piracy and terrorism were not major issues in 1998, but the United States should ask the ICC to add them to its list of crimes. An agreement on piracy is not beyond reach. The danger and impact of piracy are well-known, and every state that benefits from global trade has a stake in reducing or eliminating the practice. The problem is finite and a concerted effort is likely to achieve results. A coalition of states is already working to deter and defeat pirates off the Somalia coast, but one persistent problem has been what to do with captured pirates. Disregarding for a moment that any state that wishes can invoke universal jurisdiction today and prosecute pirates, the ICC provides an ideal international forum for prosecution with little down side.

Terrorism remains the elephant in the room that no one wants to notice. We have treaties that address terrorism's symptoms, but none that deals with the act of terrorism itself. If the ICC were to make terrorism a crime, it would open up new possibilities for attacking terrorist sanctuaries, funding, and support streams. It may not be possible to reach an agreement on terrorism that satisfies everyone,[99] but any solution that enables the ICC to try terrorists and incarcerate them for the duration of their sentence will symbolize international resolve.[100] Too many Guantanamo detainees released by the United States to their home countries under international pressure have subsequently been turned loose and implicated in terrorist activity. The current system obviously does not work.

CONCLUSION

Key players both in and out of the U.S. Government need to revive national debate over the ICC; in particular what conditions would be necessary to ensure U.S. participation. Reasoned debate about the ICC and possible benefits of membership is a rare commodity at present. Most of those who express a viewpoint on the ICC do so as a matter of faith, reinforced by commentators on both ends of the political spectrum. It is likely most have never read the Rome Statute or the Court's Rules of Procedure and Evidence, drawing their information from secondary sources instead. This is true even in the military, which has a greater interest than most in the progress of the ICC. A study by the Henry L. Stimson Center characterized this "knowledge gap": "Most interviewed within the military—outside of the experts in the legal and academic communities—had only a rudimentary understanding of how the Court is designed to operate."[101] Debate over the ICC between 1998 and 2002 was commonplace, but ended rather abruptly after the Court began operations in July of 2002. The American media appear to have lost interest after President Bush's note to the UN in May, 2002, effectively withdrawing from the treaty.

Recent events surrounding the war on terrorism, notably the pending closure of the U.S. confinement facility at Guantanamo Bay and the transfer and trial of dangerous terrorists in federal courts, should generate discussion of alternative forums, including the ICC. Piracy off the coast of Somalia has had a significant impact on global trade and inspired an international debate over what to do with captured pirates. But at present the ICC lacks jurisdiction over either terrorism or piracy. These omissions need to be addressed before the ICC Assembly of State Members that usually meets annually, as well as other changes that might improve the Court's visibility and credibility.[102] The United States will need to actively pursue the inclusion of these agenda items through its allies and partners, since the United States is not a member of the ICC. The ICC ought to be interested in securing U.S. participation (and other nonparticipants such as India and China) for financial reasons at least. Obviously, politicians, the public, and the Departments of Justice,

State, and Defense will disagree over what form those changes should take and what baseline protections must exist, but agreement is possible.

Is the ICC vital to American interests? The answer is probably not. American policy pursues the same goals as the ICC but on a parallel track. On the other hand, there is a cost to nonparticipation that is not quantifiable, but is real. It is embarrassing that an American Secretary of Defense might be unable to travel to Europe for fear of arrest for war crimes.[103] Of the 192 UN member states, 139 have signed the Rome Statute in spite of U.S. objections. The United States will have to make concessions if it wishes to join, but the risk of American Soldiers being prosecuted by the ICC has been greatly exaggerated. Sustaining the rule of law and accountability for crimes on a global scale is indispensable. Too many states at present cannot or will not bring perpetrators to justice, while other states grant them sanctuary. The world can do better. The ICC can help, and U.S. leadership would make the ICC more effective. It is important enough to study and debate in a broader national dialogue.

ENDNOTES - CHAPTER 18

1. Admiral John D. Hutson, Judge Advocate General, U.S. Navy, Ret., testimony to the Senate Armed Services Committee, July 14, 2005.

2. U.S. War Department, General Orders (GO) No. 100, Instructions for the Government of the Armies of the United States in the Field, April 24, 1863. The first comprehensive summary and codification of the humanitarian rules governing land warfare. Frequently called the "Lieber Code" after its author, Dr. Francis Lieber, G.O. No. 100, furnished inspiration for the Geneva Conventions of 1864 and 1929 and the Hague Conventions of 1899 and 1907.

3. See Stanley A. Weiss, "Lott's Choice: It's Henry Cabot Lodge or Arthur Vandenberg," *New York Times*, April 21, 1997, available from *www.nytimes.com/1997/04/21/opinion/*; State Department History of NATO, available from *www.state.gov/r/pg/ho/time/cwr/102468.htm.*

4. Rome Statute of the International Criminal Court, UN Doc. A/CONF.183/9 (1998), UN Diplomatic conference of Plenipotentiaries on the Establishment of an International Criminal Court, July 17, 1998, reprinted in 37 I.L.M. 998, 1998.

5. Controversial provisions include jurisdiction over nationals of states that do not join the ICC. We will discuss this provision and others in greater detail later in this chapter.

6. Yemen and Israel later signed the treaty, as did the United States, but none of them ratified it, and are not participants in the Court.

7. See Bill Richardson, "A New Realism," *Foreign Affairs*, January/February 2008, available from *www.foreignaffairs.com*; Kenneth Roth, "The Case for Universal Jurisdiction," originally published in *Foreign Affairs*, September/October, 2001, reprinted in Global Policy Forum, available from *www.globalpolicy.org/intljustice/general/2001/roth08.htm.*

8. These include constitutional rights such as trial by jury, and American independence in international affairs. We'll examine them in more detail later in the chapter.

9. Portions of this section are taken from the author's chapter in an earlier edition in this series entitled "International Law and the New World Order: Redefining Sovereignty," Chapter 16, J. Boone Bartholomees, Jr., ed., *U.S. Army War College Guide to National Security Issues, Volume II: National Security Policy and Strategy*, (3rd Ed.), Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2008.

10. William Blackstone, *Commentaries on the Laws of England*, Book One, Chapter One, New Haven, CT: The Avalon Project, Yale Law School, p. 118, available from *avalon.law.yale.edu/18th_century/blackstone_bk1ch1.asp.*

11. E.g., the prohibition of alcohol, U.S. Constitution, Amendment 18, repealed by the 21st Amendment 14 years later. "Recreational" use of marijuana in the United States today may reflect the same phenomenon.

12. J.L. Brierly, *The Law of Nations*, 6th Ed., Oxford, UK: Oxford Press, 1991, p. 1.

13. E.g., Convention on International Civil Aviation, Chicago Convention, 1944; UN Convention on the Law of the Sea (UNCLOS III), 1982.

14. E.g., the UN Framework Convention on Climate Change, May 9, 1992; Kyoto Protocol to the UN Framework Convention on Climate Change, December 11, 1997.

15. The terms are essentially interchangeable. The foundation of International Humanitarian Law (IHL) rests on the Nuremburg Tribunals, the UN Charter, and the Geneva Conventions of 1949 and their protocols. Modern Law of War, or Law of Armed Conflict, abbreviated as LOW or LOAC, shares the same foundation, which includes the customary Law of War. IHL also incorporates so-called "human rights" treaties on Genocide and Torture, among others (the crime of Genocide owes its roots to the Nuremburg prosecutions.)

16. The International Criminal Tribunal for the former Yugoslavia, S/RES/827, 1993, May 25, 1993; The International Criminal Tribunal for Rwanda, S/RES/955, 1994, November 8, 1994; The Special Court for Sierra Leone, S/RES/1315, 2000, August 14, 2000. The tribunals for Yugoslavia and Rwanda were created by the UN; the tribunal for Sierra Leone is a joint venture between the UN and the government of Sierra Leone. More recently, the UN assisted in establishing the Special Tribunal for Lebanon in concert with the Lebanese Republic, S/RES/1664, 2006, March 29, 2006, and the UN supports the Cambodian Khmer Rouge Trials into the mass murders that occurred between 1975 and 1979, available from *www.unakrt-online.org/01_home.htm*.

17. Rome Statute of the International Criminal Court, Articles 12 and 13.

18. Horace B. Robertson, Jr., "Contemporary International Law: Relevant to Today's World?" John Norton Moore and Robert F. Turner, eds., *U.S. Naval War College International Law Studies*, Vol. 68, Newport, RI: Naval War College Press, 1995, p. 3.

19. The term appears to be of relatively recent origin, but the concept is not. It may reflect customary international law. Universal jurisdiction is the concept that some crimes are so fundamentally wrong that they violate all international norms, and perpetrators may be captured and tried for their crimes by any country, or by an international tribunal. See *The Princeton Principles on Universal Jurisdiction*, the Princeton Project on Universal Jurisdiction, Princeton, NJ: Program in Law and Public Affairs, 2001.

20. See Max Boot, "Pirates Then and Now," *Foreign Affairs*, July/August 2009, pp. 94-107.

21. *Ibid.*

22. The Marine Corps Hymn recalls battles "from the Halls of Montezuma, to the shores of Tripoli." Tripoli, Libya, was the site of action by the U.S. Navy and Marine Corps during the war against the Barbary pirates in the first decades of the 19th century. Names of the heroes include Lieutenant Presley O'Bannon, Captain Stephen Decatur, and Commodore Edward Preble.

23. Slavery remained legal in the United States until the passage of the 13th Amendment in 1865, but Congress banned the importation of slaves into the United States effective January 1, 1808, pursuant to Article I, Section 9, of the U.S. Constitution. See Eric Foner, "Forgotten Step Toward Freedom," *New York Times*, December 30, 2007, available from *www.nytimes.com/2007/12/30/opinion/30foner.html*.

24. *Pamphlet (PAM) 27-161-2, International Law, Vol. II*, Washington, DC: Headquarters, Department of the Army, 1962, p. 221. Ambitious plans drawn up at the Paris Peace Conference in 1920 called for some 900 war criminals to be tried in international trials, but Allied disunity and German recalcitrance prevailed. As a compromise 12 German soldiers ranging from private to lieutenant general were tried in German courts; six were convicted, but the most severe jail sentence issued was 4 years. These trials, known as the Leipzig trials, demonstrated the problem obtaining jurisdiction over war criminals—Germany was not defeated and occupied as in World War II. The Leipzig trials did help motivate the Allies in 1945 to establish an international tribunal at Nuremberg.

25. See Weiss, "Lott's Choice," (n. 3 above).

26. Henry Kissinger, *Does America Need a Foreign Policy?* New York: Touchstone, 2002, p. 43.

27. The Geneva Conventions of 1949 expanded protections to civilians caught up in conflict. The four Conventions are: for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949, 6 U.S.T. 3114, 75 U.N.T.S. 31 (GWS); for the Amelioration of the Condition of Wounded Sick, and Shipwrecked Members, August 12, 1949, 6 U.S.T. 3217, 75 U.N.T.S. 85 (GWS Sea); Relative to the Treatment of Prisoners of War, August 12, 1949, 6 U.S.T. 3316, 75 U.N.T.S. 135 (GPW); Relative to the Protection of Civilian Persons in Time of War, August 12, 1949, 6 U.S.T. 3516, 75 U.N.T.S. 287 (GC). Common Article 3, which is the same in all four Geneva Conventions, prescribes minimum humanitarian standards that apply everywhere at all times.

28. Roth, "The Case for Universal Jurisdiction" (n. 7 above). The seizure of Eichmann was widely criticized at the time as a glorified kidnapping, since the Israelis captured Eichmann and brought him back to Israel without the knowledge or the consent of the Argentine government.

29. See, e.g., Convention on Offenses and Certain Other Acts Committed on Board Aircraft, September 14, 1963, 20 U.S.T. 2941; Convention for the Suppression of Unlawful Seizure of Aircraft (Hijacking), December 16, 1970, 22 U.S.T. 1641; Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation Sabotage, September 23, 1971, 24 U.S.T. 564.

30. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, UN GA/res 39/46, December 10, 1984.

31. *Ibid.*

32. Spain created an international uproar in 1998 when it demanded that the UK extradite exiled Chilean dictator Augusto Pinochet to stand trial in Spain for alleged human rights violations committed years earlier in Chile. The UK declined to extradite Pinochet because of his declining health. Belgium brought charges against Rwandans for the genocide there in the 1990s, and later threatened U.S. officials, including Secretary of Defense Donald Rumsfeld, with prosecution for alleged war crimes in Iraq. Rumsfeld responded by threatening to move NATO Headquarters out of Brussels. Both countries have since reduced their aggressive stance, but Germany and France have recently considered cases arising out of U.S. actions at Abu Ghraib. See Rachel Kerr, "Prosecuting War Crimes: Trials and Tribulations, *The International Journal of Human Rights,* Vol. 10, No. 1, March 2006, p. 79; Adam Zagorin, "Exclusive: Charges Sought Against Rumsfeld Over Prison Abuse," *Time,* November 10, 2006, available from *www.time.com/time/printout/0,8816,1557842,00.html*; Paul Chevigny, "The Limitations of Universal Jurisdiction," *Global Policy Forum,* March 2006, available from *www.globalpolicy.org/*.

33. See Chevigny; Christiane Wilke, "A Particular Universality: Universal Jurisdiction for Crimes Against Humanity in Domestic Courts," *Constellations,* Vol. 12, No. 1, 2005, p. 83.

34. Noriega's capture as part of Operation Just Cause in 1989 is controversial because of the American invasion of Panama to stop acts of aggression against American citizens and to eject Noriega from office. Whether the intervention was authorized under international law remains disputed, but there's no real controversy over trying Noriega for drug crimes that affected U.S. citizens and violated U.S. law. More recently, the 2007 Italian trial, *in absentia*, of a U.S. Soldier who shot and killed an Italian intelligence officer and wounded an Italian journalist at a checkpoint near the Baghdad airport in 2005 is another example of extraterritorial jurisdiction, though the Italian courts eventually determined they lacked jurisdiction over U.S. Soldiers acting within the scope of their duties.

35. E.g., Richard Reid, the infamous "Shoe Bomber," and Jose Padilla, an American arrested in Chicago returning from a terrorist-related trip abroad, both had their cases resolved in U.S. District Courts. Reid pleaded guilty, but Padilla was convicted by a jury. As a rule, prosecutors in U.S. Federal Court face the highest evidentiary and proof standards—higher than international courts, including the ICC.

36. The ICC has jurisdiction only over crimes that occurred after July 1, 2002, the date the Court officially commenced operations. Any offenses committed before that date must be resolved by domestic courts or military commissions. The ICC has no jurisdiction over terrorism.

37. See John Norton Moore, "Opening Comments," *Military Law Review,* Vol. 149, 1995, pp. 7-12.

38. *Ibid.,* p. 10. Democide refers to the torture and killing of citizens by their own governments. John Norton Moore cited a figure as high as 170 million, a number two to four times greater than the number killed in war. Professor Moore, Director of the Center for National Security Law at the University of Virginia School of Law, made these comments in a symposium on "Nuremberg and the Rule of Law: A Fifty Year Verdict" at the U.S. Army Judge Advocate General's School, November 17, 1995.

39. War is "Composed of primordial violence, hatred, and enmity, which are to be regarded as a blind natural force; of the play of chance and probability within which the creative spirit is free to roam; and of its element of sub-ordination, as an instrument of policy. . . ." Carl von Clausewitz, *On War,* Michael Howard and Peter Paret, eds. and trans., Princeton NJ, Princeton University Press, 1984, p. 89.

40. See Article 14, The Covenant of the League of Nations, Article 14, The Avalon Project, available from *avalon. law.yale.edu/20th_century/leagcov.asp*; The Statute of the Permanent Court of International Justice, Article 36, available from *www.worldcourts.com/pcij/eng/documents/1920.12.16_statute.htm*; and the UN Charter, Chap. XIV, "The International Court of Justice," available from *www.un.org/en/documents/charter/index.shtml*.

41. Michael P. Scharf, *The Debate over the Permanent International Criminal Court*, International Debate Series, No. 1, St. Louis, MO: Washington University School of Law, Whitney R. Harris Institute for Global Studies, 2002.

42. Global Policy Forum, "Timeline of International Humanitarian Law," available from *www.globalpolicy.org/intljustice/general/2001/timeline.htm*. The meeting was formally known as the United Nations *Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court,* commonly known as the "Rome Conference." See Michael A. Newton, "Comparative Complementarity: Domestic Jurisdiction Consistent with the Rome Statute of the International Criminal Court," *Military Law Review,* Vol. 167, 2001, pp. 20-73, note 3 at 21.

43. Newton, n. 43; Scharf.

44. See M. Cherif Bassiouni, "Establishing an International Criminal Court: Historical Survey," *Military Law Review,* Vol. 149, 1995, pp. 49-63, at p. 54.

45. Rome Statute, Art. 5, para. 2.

46. ICC cases arise in one of four ways. See Arts. 13 and 15 of the Rome Statute: first, any member of the assembly of states who have signed on to the ICC may refer a case for investigation; second, the UNSC may refer a case under its Chap. VII powers; third, the ICC Prosecutor initiates investigation on his own authority (*proprio motu*); the fourth possible way, under Art. 12, allows states not parties to the ICC to refer a case against one of their nationals if the state consents to the jurisdiction of the ICC for the case.

47. Not unlike the U.S. Constitution, which created an independent Judiciary to balance the Executive and Legislative branches.

48. Rome Statute, Art. 12. The court has jurisdiction over crimes committed after July 1, 2002, within the territory of a signatory state, or committed by a national of a signatory state. Therefore crimes committed by U.S. citizens in Iraq would not fall under ICC jurisdiction, since neither Iraq nor the United States is an ICC member. Afghanistan, however, is a member state, and war crimes by U.S. citizens in Afghanistan could be subject to ICC jurisdiction unless barred by an Art. 98 or other superseding agreement.

49. Newton, p. 45.

50. *Ibid.*, 49. Newton also argues that the UNSC could use its powers under Art. 13(b) to refer a case to the ICC to preempt a self-interested state prosecution which might render the case inadmissible under Art. 17.

51. Rome Statute, Art. 17, para. 1.(a).

52. *Ibid.*

53. Title 10, United States Code, Sections 801-940.

54. See Newton, pp. 22, 23. The final package was submitted by the officers running the conference after a late-night meeting that excluded the United States and voted on without further meetings or discussion. Last-minute amendments proposed by the United States and India were never considered as a groundswell of the "like-minded" states. Only China, Libya, Iraq, Qatar, Yemen, and Israel voted with the United States against the final Statute.

55. Victoria K. Holt and Elisabeth W. Dallas, *On Trial: The U.S. Military and the International Criminal Court*, Report No. 55, Washington, DC: The Henry L. Stimson Center, March 2006, p. 19.

56. U.S. Constitution, Art. VI.

57. While American opinion polls on the UN go up and down, a majority of Americans don't think the UN does a good job. The Gallup Poll, February 9-12, 2009, shows 26 peercent of Americans believe the UN does a good job, while 65 percent say it does a poor job. The same poll reflected historical results going back to 1995; figures range from 35 percent in August 1995 to a high of 58 percent in February 2002. Except for the period 2000 to 2003, fewer than 50 percent of the respondents said the UN did a good job. The Rasmussen Poll dated September 24, 2009, showed 29 percent of Americans regard the UN as an ally of the United States. On a slightly different subject of international law, the *World Public Opinion.Org* poll taken between April and July 2009 reflects that 69 percent of Americans believe the United States should follow international law. Whether this indicates a similar percentage might endorse the ICC is questionable.

58. Holt and Dallas, p. 20.

59. The note read "This is to inform you, in connection with the Rome Statute of the ICC adopted on July 17, 1998, that the United States does not intend to become a party to the treaty. Accordingly, the United States has no legal obligations arising from its signature on December 31, 2000. The United States requests that its intention not to become a party, as expressed in this letter, be reflected in the depository's status lists relating to this treaty."

60. Public Law 107-206, 2006, 22 U.S.C. 7401-7433, 2003. See James P. Terry, "The International Criminal Court: A Concept Whose Time Has *Not* Come," *Joint Forces Quarterly*, Issue 48, 1st Quarter, 2008, p. 36.

61. UN Press Release SG/SM8749 SC/7790, June 12, 2003, Statement to the Security Council by Secretary-General Kofi Annan over Extending UN Peacekeepers' Immunity from ICC Action, September 8, 2009, available from *www.un.org/News/Press/docs/2003/sgsm8749.doc.htm*.

62. Rome Statute, Art. 98.

63. ASPA, note 44, SEC. 5.

64. U.S. State Department Press Statement, May 3, 2005. Some states, such as Brazil, have been adamant against signing Art. 98 agreements, and that led to these states being barred for several years from attending U.S. military schools under the International Military Education and Training (IMET) program. This is an important aspect of international security cooperation and builds strong relationships. See Robert D. Ruiz, "Negative Impact of Article 98 Sanctions in the Western Hemisphere," Strategy Research Project, Carlisle, PA: U.S. Army War College, March 30, 2007.

65. James P. Terry, "The International Criminal Court: A Concept Whose Time Has *Not* Come," (n. 59 above); Brian A. Hoyt, "Rethinking the U.S. Policy on the International Criminal Court, *Joint Forces Quarterly*, Issue 48, 1st Quarter, 2008, pp. 30-35.

66. Terry, p. 40.

67. Various references have been used to describe America's relative position over the past 2 decades: "a unipolar world," "hyperpower," and "global hegemon" are three common ones. Oddly, there has been little public debate in the United States over what global role Americans think the United States should play. Since September 11, 2001,

American policy has been reactive, focused on the war on terrorism. After a year in office, the Obama administration has laid the groundwork for a different national strategy, but what that will be remains unclear.

68. The term "global commons" refers to the international airspace and the oceans. It is the space that is indispensable for international trade and commerce to operate efficiently. The United States secures this space, with assistance from partners, much as the British did in the days of the Empire.

69. Amos N. Guiora, *Global Perspectives on Counterterrorism*, New York, Aspen, 2007. Guiora, a former Israeli judge advocate, discusses the tension between terrorism as an act of war and terrorism as a crime. While al Qaeda may be waging war on the West, only the United States and a few Allies apply a wartime paradigm incorporating military commissions as appropriate to adjudicate war crimes. A majority of states apply a criminal paradigm treating terrorist acts as crimes, and adjudicating them in national courts along with other crimes. The international system has never come to grips with this tension. See Guiora, chaps. 9 and 10.

70. See, e.g., Convention on Offenses and Certain Other Acts Committed on Board Aircraft, September 14, 1963, 20 U.S.T. 2941; Convention for the Suppression of Unlawful Seizure of Aircraft (Hijacking), December 16, 1970, 22 U.S.T. 1641; Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Sabotage), September 23, 1971, 24 U.S.T. 564.

71. The UNSC endorsed, although it did not direct, efforts to remove the Taliban and destroy al Qaeda bases in Afghanistan since 2001.

72. The UNSC did not support intervention in Iraq beyond sending weapons inspectors. With at least two of the permanent members, France and Russia, likely to veto any Security Council Resolution sanctioning invasion, the United States led a "coalition of the willing."

73. G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and The Rebuilding of Order after Major Wars*, Princeton, NJ: Princeton University Press, 2001, p. 29.

74. Undersecretary of State Marc Grossman explained why the United States withdrew from the ICC Treaty: "We believe that states, not international institutions are primarily responsible for ensuring justice in the international system." Remarks at the Center for Strategic and International Studies," May 6, 2002, available from *2001-2009.state.gov/p/us/rm9949.htm*.

75. *Bankovic & Others v. Belgium, the Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, the Netherlands, Norway, Poland, Portugal, Spain, Turkey and the United Kingdom, European Court of Human Rights Application no. 52207/99.* The case was investigated and dismissed. UNSC approval is not a prerequisite for intervention, but the Kosovo precedent of international humanitarian intervention remains controversial.

76. These complaints raise the issue of political prosecution. Between July 1, 2002, when the ICC began operations, and February 9, 2006, the Office of the Prosecutor of the ICC received some 750 communications accusing the United States of criminal acts, although to date no one has been prosecuted. See Holt and Dallas, p. 72.

77. The ICC indicted President Omar Hassan Ahmad Al-Bashir of Sudan in July 2008. See Andrew Natsios, "Waltz with Bashir," *Foreign Affairs,* available from *www.foreignaffairs.com*.

78. Holt and Dallas, p. 74.

79. *S.S. Lotus Case*, Fr. v. Turk., Permanent Court of International Justice, 1927, Ser. A, No. 10, September 7, 1927, pp.18-19: "The rules of law binding upon States therefore emanate from their own free will as expressed in conventions or by usages generally accepted as expressing principles of law. . . ." In other words, states retain all sovereign rights except those they concede by treaty or other international agreement.

80. *Legality of the Threat or Use of Nuclear Weapons*, International Court of Justice, July 8, 1996, Declaration of President Bedjaoui at para. 13., quoted in Robert F. Turner, "Nuclear Weapons and the World Court: The ICJ's Advisory Opinion and Its Significance for U.S. Strategic Doctrine," *U.S. Naval War College International Law Studies*, Vol. 72, Michael N. Schmitt, ed., Newport, RI: Naval War College Press, 1998, pp. 309, 312.

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82. See Thomas W. McShane, "Blame it on the Romans: Pax Americana and the Rule of Law," *Parameters*, Vol. 32, Summer 2002, p. 57.

83. John Norton Moore, pp. 7, 10.

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85. President Clinton signed the treaty on behalf of the United States on December 31, 2000. It was never sent to the Senate for ratification, and on May 6, 2002, the United States officially notified the UN of its intention not to become a party. See U.S. Department of State Press Release, available from *2001-2009.state.gov.pa/prs/ps/2002/9968.htm*.

86. Other international tribunals have since been created and currently operate in Sierre Leone and Cambodia under at least nominal UN auspices. See note 15 above.

87. Title 18, U.S. Code, Section 2441.

88. Hoyt, p. 30.

89. Imperial overstretch is a common theme of many books, including Edward Gibbon's classic, *The History of the Decline and Fall of the Roman Empire*, Paul Kennedy's *Rise and Fall of the Great Powers*, and more recently Fareed Zakaria's *The Post-American World*.

90. Ikenberry, p. 29.

91. *Ibid.,* p. 163. These institutions included the UN, NATO, The Marshall Plan, and the World Bank, among others.

92. *Ibid.,* p. 166.

93. *Ibid.,* p. 4.

94. *Ibid.,* p. 6

95. UN Press Release SG/SM8749/SC 7790.

96. Under Art. 18, any state, whether a party or not, may appeal the indictment of one of its nationals.

97. Civil Law systems are based upon Roman Law. Laws are compiled into "codes" that cover virtually any contingency. Ultimate authority rests in the code, not case precedent as in common-law systems. Many European states still use legal systems heavily influenced by the Code of Napoleon. A brief summary of civil law is available from *www.infoplease.com/ce6/society/A0812355.htm*l.

98. Status of Forces Agreements (SOFAs) are international agreements that spell out the rights, privileges, immunities, and duties of the host nation and visiting military. For example, serious crimes committed off U.S. bases in Germany are frequently handled by German authorities under both the NATO SOFA and the separate German-American Supplemental Agreement. DoD policy is to maximize U.S. jurisdiction over U.S. Forces stationed overseas, DoDD 5525.1. For further information on SOFAs and their language, see the Center for Law and Military Operations (CLAMO) website, available from *www.jagcnet.army.mil*.

99. The problem of defining who is a terrorist will remain. The old cliché "one's man terrorist is another man's freedom fighter" is alive and well. A focus on terrorist acts and defining elements of the crime seems the only way to attack the problem. A narrow, focused approach should succeed with most states, who share the same goal of reducing, and eventually marginalizing, terrorism as a strategy or tactic.

100. The author is convinced that international or military tribunals are fully capable of adjudicating terrorist acts, but the backlash against the U.S. military commissions at Guantanamo indicates the ICC might be perceived as a more "legitimate" forum. See Kenneth Anderson, "The Failed Madrid Verdicts," *The Weekly Standard,* November 26, 2007, p. 14.

101. Holt and Dallas, p. 66.

102. Rome State, Art. 112. The 8th Assembly of State Parties met November 18-26, 2009. Under Arts. 121 and 123, the first formal Review Conference of the Assembly of States to consider amendments to the Rome Statute was to have take place 7 years after the Court began operations, which was 2009. As of this writing, the first Review Conference was scheduled to begin on May 31, 2010, in Kampala, Uganda.

103. Peter Weiss, "Run, Rummy, Run," *Global Policy Forum*, December 6, 2006, available from *www.globalpolicy.org*.

CHAPTER 19

RETOOLING U.S. PUBLIC DIPLOMACY
AS A STRATEGIC INSTRUMENT OF FOREIGN POLICY

Marybeth P. Ulrich

The shape of the world a generation from now will be influenced far more by how well we communicate the values of our society to others than by our military or diplomatic superiority.

—Senator William Fulbright, 1964[1]

Public diplomacy refers to U.S. programs dedicated to promoting U.S. interests, values, culture, and policies within foreign audiences. The United States employs cultural exchanges, education programs, and foreign broadcasts to convey U.S. interests and ideals to foreign audiences.[2] Public diplomacy aims to facilitate the understanding of the American people and its policies and to broaden the dialogue between American citizens and institutions and their counterparts abroad.[3]

Joseph Nye's introduction of the concept of "soft power" as an essential complement to "hard power" captures the essence of public diplomacy. Nye wrote of the "soft power of attraction" essential "to draw target publics into the U.S. web of influence."[4] The achievement of U.S. foreign policy goals is greatly facilitated when more friends and allies share our interests and contribute to their accomplishment. In the case of the War on Terror, victory is directly related to prevailing in a battle of ideas, which public diplomacy tools seek to shape.

The 9/11 Commission called for action "to compete as vigorously on the ideological battlefield as we do on the military and intelligence fronts."[5] The Department of State (DoS) Advisory Group on Public Diplomacy, the General Accounting Office, the Heritage Foundation, the Council on Foreign Relations, and the 9/11 Commission have all issued reports stating that a greater emphasis is needed by the U.S. Government on public diplomacy.[6]

This chapter takes the position that current approaches to public diplomacy are flawed and must be reconsidered and appropriately funded in order to acquire the public diplomacy capabilities needed to win the War on Terror. Furthermore, public diplomacy must be integrated into the policymaking process in the form of a comprehensive and coherent strategy. Specific recommendations will follow from the evaluation of three criteria: national interests, costs, and public opinion. The research method draws on extensive studies by government bodies and think tanks like the Council on Foreign Relations, the Heritage Foundation, the Congressional Research Service, and the Pew Research Center, in order to cull the most essential findings and recommendations to convince senior policymakers that more must be done to improve U.S. public diplomacy.

BACKGROUND

The Gulf War coincided with the end of the Cold War. In Operations DESERT SHIELD and DESERT STORM, the United States assembled the greatest international coalition in history. America's former chief adversary, the Soviet Union, supported the U.S.-led initiative to push Saddam Hussein's troops out of Kuwait. President George H. W. Bush's "new world order" became a moniker for what was perceived to be a more benign international environment. U.S. political leaders, in turn, called for the reduction of the Cold War era force structure and deemphasized public diplomacy as a Cold War relic.[7] In 1999, between 50 percent and 83 percent of foreign populations polled held favorable views of the United States, further mitigating the priority for public

diplomacy funding.[8] In 1999 Congress disbanded the United States Information Agency (USIA), which had been the U.S. Government agency dedicated exclusively to public diplomacy. USIA's information and exchange programs were integrated into the State Department under the new Under Secretary for Public Diplomacy and Public Affairs. The broadcasting arm of USIA fell under a new independent entity, the International Broadcasting Bureau (IBB).[9] Meanwhile, the forces of globalization increased the accessibility of information among people worldwide requiring the United States to adapt its strategic communications to suit the needs of a global information society. The biggest technological change has been the globalization of information via the internet.[10]

Since September 11, 2001 (9/11), public diplomacy tools have been employed to influence Muslim and Arab populations to combat terrorism. European and other U.S. friends and allies have also been targeted to bolster coalition support for the War on Terror. The establishment of a Policy Coordinating Committee (PCC) to improve interagency coordination of public diplomacy activities, increased funding, and new initiatives both within the Department of State, USAID, and the Department of Defense (DoD) point to the importance of public diplomacy as a tool in a long term struggle where the battle of ideas is the center of gravity.

The areas of public diplomacy used to influence foreign target audiences are international information programs, educational and cultural exchange programs, and international nonmilitary broadcasting.[11] Often included in a canvas of public diplomacy programs is the National Endowment for Democracy (NED), which operates at arm's length from the DoS, but which DoS principally funds. NED's mission is to assist democratic movements worldwide by leveraging its status as a private, nonprofit entity primarily in the area of foreign elections.[12]

The primary agencies involved in these areas are the DoS, the IBB, and the NED.[13] Within the DoS, the Office of International Information Programs (IIP) and the Bureau for Educational and Cultural Affairs (ECA) focus on strategic communications and international exchanges respectively. In addition, the bipartisan Broadcasting Board of Governors (BBG) administers the Voice of America (VOA) and numerous surrogate entities such as Radio Free Europe/Radio Liberty (RFE/RL) and Radio *Marti* (broadcast to Cuba).[14] Several new initiatives launched since 9/11 include Radio *Sawa* and a 24-hour news channel, *Alhurra* (the free one), broadcast to the Middle East. The newest DoS entry aimed at "Telling America's Story" is a web site for foreign audiences, *www.america.gov*.[15]

According to the Congressional Research Service, the $1.2 billion budgeted for public diplomacy activities in FY07 is comparable in constant dollars to the amount spent in 1980 (actual dollars level is about double).[16] Since 2001, congressional appropriations for public diplomacy programs have increased by 57 percent (in actual dollars) with an average increase of 8 percent per year.[17] Later, I will examine the debate over whether these levels are adequate to meet the threat.

The National Security Strategy of the United States of America (NSS), published in March 2006, establishes two inseparable priorities: "fighting and winning the war on terror and promoting freedom as the alternative to tyranny and despair."[18] The NSS posits further:

> From the beginning, the War on Terror has been both a battle of arms and a battle of ideas—a fight against the terrorists and against their murderous ideology. . . . In the long run, winning the war on terror means winning the battle of ideas, for it is ideas that can turn the disenchanted into murderers willing to kill innocent victims.[19]

The diplomatic instrument of power is a critical component in the NSS's objective to advance freedom and human dignity through democracy as the long-term antidote for transnational terrorism. Essential to this end is the continued reorientation of the DoS toward transformational

diplomacy.[20] A key component of transformational diplomacy is the strengthening of public diplomacy to:

> advocate the policies and values of the United States in a clear, accurate, and persuasive way to a watching and listening world. This includes actively engaging foreign audiences, expanding educational opportunities for Americans to learn about foreign languages and cultures and for foreign students and scholars to study in the United States; empowering the voices of our citizen ambassadors as well as those foreigners who share our commitment to a safer, more compassionate world; enlisting the support of the private sector; increasing our channels for dialogue with Muslim leaders and citizens; and confronting propaganda quickly, before myths and distortions have time to take root in the hearts and minds of people across the world.[21]

Since 9/11, there has been an increased focus on departments and agencies across the government contributing to the mission of improving America's image. Besides the NED mentioned above, other U.S. Government agencies involved in de facto public diplomacy include the Peace Corps and USAID. Both involve people-to-people communication in U.S. Government funded programs in pursuit of U.S. policy interests, and as such both perform a strategic public relations function.[22] USAID, in particular, is charged with publicizing U.S. humanitarian assistance.[23] Additionally, the DoD has embarked on initiatives to aggressively conduct foreign communications. The much maligned Office of Strategic Influence was a short-lived effort that came on the scene in the fall of 2001 and was later replaced by the Office of Strategic Communication, which has the mission of coordinating and disseminating combat information. The DoD funded contracts worth $300 million over 5 years to create media products aimed at improving the U.S. public image abroad. The Joint Psychological Operations Support Element of the U.S. Special Operations Command has been coordinating these efforts.[24]

EVALUATION

Next, we will evaluate the effectiveness of U.S. public diplomacy efforts according to three criteria: national interests, costs, and public opinion.

National Interests.

In the aftermath of 9/11, one question weighed most heavily on Americans' minds, "Why do they hate us?" Public diplomacy in the Cold War was aimed at countering Soviet power and influence. The primary objective now is to counter the influence of Islamic extremism in order to defuse the root cause of terrorism.[25] Policymakers and the public alike now share the realization that strong negative opinions of the United States affect the propensity of friends and allies to be helpful in the War on Terror and assist terrorist groups in their efforts to recruit new members.[26]

Furthermore, consensus is growing that public diplomacy can no longer be viewed simply as a means of marketing or selling the "American brand." Public diplomacy must be integrated into the policymaking process at the earliest stages, because global attitudes increasingly determine the success of American strategy. This is especially true in the war of ideas that is at the heart of the War on Terror. In the Bush administration, U.S. strategic choices have been largely unconstrained by international opinion.[27] Shifting efforts toward shaping public opinion to enhance U.S. credibility and the acceptability of U.S. policies will pay off in the long term.

There is an inextricable link between American foreign policy choices and public diplomacy. Regardless of the correctness of the various policy choices, each policy decision has consequences in terms of how it resonates abroad.[28] Improving America's image abroad is a specific foreign

policy goal but cannot be disconnected from the overall U.S. foreign policy agenda.[29] Multiple analyses reiterate the conclusion that America's image in the Middle East and around the world can only be changed with good policies.[30]

So which policy goals are being helped and which are being hurt by the current approach to public diplomacy? The first pillar of the March 2006 *National Security Strategy* is to promote freedom, justice, and human dignity.[31] Opportunities to provide humanitarian aid to populations with poor perceptions of the United States have paid off and should be leveraged through greater spending on foreign aid. The United States saw a spike in favorable opinion among Indonesians after the United States provided disaster relief in areas hard hit by the December 2004 tsunami. Relief work in Pakistan after the October 2005 earthquake had similar positive effects.[32] These examples indicate that greater public diplomacy payoffs could have occurred with an even quicker and more generous response to these critical populations in the battle for ideas.

On the negative side, continuing to pursue national interests through a foreign policy that is perceived as aggressive, unilateral, narrowly self-interested, and unconstrained will not result in improving the U.S. global image.[33] Effective public diplomacy is critical to winning the war of ideas, but simply focusing on communicating a message that in policy terms is loathed by its target audience will not sway public opinion. Polls show that Arab respondents understand and respect American values, but they do not see American policy reflecting those values. The images from the Abu Ghraib Prison in Iraq and Guantanamo Bay in Cuba detracted from American credibility and have undermined even the best public diplomacy efforts.

Change must fall along two main dimensions. First, the United States must increase public diplomacy capabilities through an integrated approach that transcends departments and agencies and even the private and public sectors. Resources should be increased (this aspect is developed in the next criteria). Funding should be commensurate with the potential for return on investment in the overall strategy for winning the War on Terror. The United States also needs to address personnel issues in terms of positions and training. Second, beyond building public diplomacy capabilities, the most significant change needed is to integrate public diplomacy into the policymaking process in the form of a comprehensive and coherent strategy. Such a strategy would consider the benefits of proactively shaping public opinion as policy is being developed. A proactive approach would also take into account the constraint that public opinion abroad may have on the achievement of foreign policy ends, especially the ways through which they are achieved.

Costs.

Considering the important role public diplomacy plays in the overall success of U.S. foreign policy, especially in combating the rise of terrorists bent on the destruction of the American way of life, U.S. spending on public diplomacy is inadequate. The DoS Bureau of Resource Management called the state of funding "absurdly and dangerously inadequate," especially in the Middle East.[34] A team of Heritage Foundation researchers noted that the United States spends $30 billion annually on intelligence gathering in an effort to find out what others around the world are thinking, but only $1.2 billion per year on trying to shape these thoughts.[35]

The legacy of underfunded and uncoordinated public diplomacy programs can be corrected by elevating funding to a level commensurate with its role as a vital component of U.S. foreign policy. Current levels of public diplomacy funding represent only 4 percent of the international affairs budget. In contrast, investing one percent of the nation's proposed $379B military budget on public diplomacy would result in a budget increase to $3B to $4B.[36]

A specific funding program that experts argue would dramatically enhance the overall effectiveness of public diplomacy is foreign public opinion polling. Such spending would enable

the identification of potential target audiences along a continuum of support. Gains could subsequently be made by targeting moderate audiences and those who self-identify as "undecided" or offering "soft support" for U.S. policies. Currently the "U.S. government spends only $5 million annually on foreign public-opinion polling, far less than the research costs of many U.S. senatorial campaigns and only a fraction of the $6 billion spend for these purposes by American private-sector organizations."[37]

VOA and NED funding should be restored to and eventually exceed Cold War levels. In the decade following the Cold War, Congress cut funding for international broadcasting by 40 percent. Since 9/11, however, VOA's budget increased 45 percent to the level of $652 million in FY 2006.[38] New international broadcasting initiatives targeting the Middle East should continue to receive new funding while programmers experiment with formats that effectively mix substance and "ratings." The bottom line is that U.S. public diplomacy must be funded at significantly higher levels—with funding increases phased in over several years. The increased resources should be tied to specific objectives and monitored closely for effectiveness.[39]

Increased spending, especially funding targeted at the areas outlined above, will improve the effectiveness of U.S. public diplomacy. Real progress, however, depends on a sensible organization that eliminates the legacy of stove-piping and enhances coordination within the State Department and across the relevant government agencies. The development of a public diplomacy doctrine and overall strategy laying out working principles, coordination procedures, and criteria for evaluating the success of the strategy over time will also ensure that increased spending produces better results.[40]

The cost of ineffective public diplomacy is already evident. Five years into the Iraq war, the U.S. global image continues to slip, even among the public in countries closely allied with the United States. Short-term gains made through disaster relief in Indonesia and Pakistan have eroded to pre-disaster levels.[41] The final criteria evaluated below, public opinion, will elaborate on the most recent polling. Coalition partners have steadily withdrawn troops and announced their mission in Iraq complete in the face of weak public support for continued assistance to the United States. Every effort must be made now to improve the funding and execution of U.S. public diplomacy programs. The opportunity to prevail in the battle of ideas may be slipping away.

Public Opinion.

The Pew Research Center's Global Attitudes Survey indicates that America's global image continues to slip while international support for the War on Terror continues to wane.[42] However, the effectiveness of public diplomacy efforts is limited by the substance of American policies. As former congressman Lee Hamilton observed, "public diplomacy can only present policies, it cannot shape them."[43] For example, the 2006 Pew survey showed that the Iraq war continues to be a drag on the U.S. global image, with majorities in 10 of the 14 countries surveyed responding that the war has made the world a more dangerous place. In addition, favorable opinions of the United States fell in most of the countries surveyed.[44] The polling data indicate that U.S. public diplomacy efforts are not making inroads into global attitudes toward either Americans or U.S. foreign policy.

Majority support for the U.S.-led War on Terror can be found in only two of the 15 countries surveyed, India and Russia, both of which have significant problems with domestic terrorists. However, in the case of India, America's favorability rating dropped 15 points in 1 year.[45] Unfavorable attitudes persist in predominantly Muslim countries. By all accounts public diplomacy efforts in the Middle East are a failure. For example, in Egypt, a country that has received more U.S. aid in the past 20 years than any Muslim country by far, only 15 percent of Egyptians have a favorable opinion of the United States.[46] In the 2006 Pew survey, the percentage of Egyptians supporting the US-led war on terror remained at 10 percent, where it has hovered since 2002.[47]

A 2006 GAO audit evaluating the effectiveness of the State Department's public diplomacy programs focused on a continued inability to engage Muslim audiences. While some resources have been shifted to the Muslim world ranging from a 25 percent increase in the Near East to a 39 percent plus up in South Asia, the number of authorized overseas positions in regional bureaus held steady. Furthermore, the report concluded that human capital challenges, such as poor language proficiency and short tours of duty, are compounded by security concerns at most posts in the Muslim world. Consequently, public diplomacy officers in the Muslim world spent less time communicating with local audiences than their positions require.The current mix of information programs, media programs, and cultural and educational exchanges should be reconsidered with greater emphasis placed on cultural and educational exchanges. Objective reports assessing the effectiveness of U.S. public diplomacy cited the cultural and educational exchange programs as the most effective. The media programs have been perceived as less effective due to the U.S. credibility problem in the target populations. While these perceptions persist, the United State will benefit from investing in local moderate media operations and those of our Allies with common interests, but without the credibility stigma of the United States in the Middle East. Finally, an underdeveloped aspect of the information programs is translating more English language texts into Arabic. In the past century, only 10,000 English language books have been translated into Arabic.[49]

The current trends in the effectiveness of U.S. public diplomacy are poor.

> In sum, the promise of America's public diplomacy has not been realized due to a lack of political will, the absence of an overall strategy, a deficit of trained professionals, cultural constraints, structural shortcomings, and a scarcity of resources. Money alone will not solve the problem. Strong leadership and imaginative thinking, planning, and coordination are critical.[50]

Policymakers are beginning to understand that the Cold War public diplomacy structure must be retooled and appropriately resourced to make a more effective contribution to U.S. national security interests. At a minimum, the conceptualization and execution of public diplomacy programs must reach its full potential. The goal of spreading freedom and democracy throughout the globe is unrealizable "unless America has a more coordinated, cooperative mechanism tailored for public outreach."[51]

CONCLUSIONS AND RECOMMENDATIONS

This chapter argued that current approaches to public diplomacy are flawed and must be reconsidered and appropriately funded in order to acquire the public diplomacy capabilities needed to win the War on Terror. Evaluation of three criteria: national interests, costs, and public opinion illustrated that the Bush administration efforts have fallen short in every area. A new public diplomacy paradigm is needed that integrates public diplomacy into a comprehensive strategy for winning the War on Terror. Such a strategy would recognize that improving America's image abroad is in and of itself in the national interest. Effectively communicating U.S. policies is essential to building the coalitions critical to the policies' successes and for dissuading potential terrorists to do harm to U.S. interests. As the 2006 NSS asserted, winning the War on Terror depends on winning the battle of ideas.[52]

Beyond this strategic reconceptualization of public diplomacy's role among all national instruments of power, much work can be done in the short term to improve the effectiveness of public diplomacy programs currently underway. Attentive oversight, strong leadership, cultural literacy, and adequate funding will contribute to improving the U.S. image across the globe. Furthermore, public diplomacy must be integrated into the policymaking process in the form of a comprehensive and coherent strategy.

Specific Recommendations.

Overall Public Diplomacy Strategy.

1. Develop a comprehensive and coherent strategy for public diplomacy.

2. Incorporate public diplomacy tools into policy formulation to shift toward proactive vs. reactive actions.

3. Create an independent not for profit "Corporation for Public Diplomacy" to bridge gap between public and private sector initiatives akin to the Corporation for Public Broadcasting (CPB).

Improving Communications to Target Audiences.

1. Move toward two-way dialogue in place of one-way push-down mass communication.

2. Increase funding for broadcasts to Arab and Muslim populations and rebuild scholarship, exchange, and library programs targeted at young people.

3. Use supportive indigenous, influential messengers whenever possible to help foster internal dialogue and debate.

4. Recognize that the Muslim world, in particular, responds more favorably to U.S. values and freedoms than it does to U.S. policies. (Messages that focus on Muslims "hating freedom" are ineffective.)

Maximize Multilateral Approaches.

1. Maximize opportunities to engage in multilateral approaches to communicate Western values and the benefits of modernity.

2. Coordinate strategic communications efforts with sympathetic allies that may be regarded as more credible than the US.

3. Improve relationship with foreign press and increase access of foreign journalists to senior U.S. officials.

Retool Public Diplomacy Instrument for Greater Effect.

1. Reconstitute the USIA or a similar entity with public diplomacy as its sole mission.

2. Invest in foreign public opinion research, recruiting, training, media studies, and expanded field staffing.

3. Improve the language and cultural training of public diplomacy officers.

4. Increase opportunities for educational and cultural exchanges.

Implementing Recommendations in the National Security Process.

The first three recommendations focus on increasing the role of public diplomacy in the overall strategy formulation process. Implementation requires a shift in bureaucratic mind-set recogniz-

ing that public diplomacy must be part and parcel of policy involvement. All members of the national security community should be involved, including those in the public sector.

The next four recommendations emphasize the message itself, and in particular, the means through which the message is delivered. Implementation requires abandoning Cold War structures and methodologies in order to employ more effective ways to deliver America's message. The following three recommendations explore multilateral approaches. Too often the United States is perceived as being the sole advocate for its message abroad, when the principles of freedom, democracy, and human rights are shared by much of the world. Implementation requires the adoption of a multilateral mindset and the initiation of public diplomacy campaigns to turn around negative U.S. images in societies that largely share our values.

The final four recommendations focus on retooling the public diplomacy instrument. Implementation requires financial investment as well as revamping training policies. Restructuring DoS to separate USIA or creating a similar stand-alone entity is also required. Recognizing that exchanges have the greatest potential to contribute to the long term national interests requires a shift in priorities among current programs.

Many challenges face the United States as it seeks to reverse a steady decline in the world's regard for its image and policies. The beginning of a new presidential administration in 2009 is a critical window of opportunity to take concrete steps to regain America's "soft power," the power to attract the world to U.S. values and culture. Public diplomacy should be regarded as a strategic instrument of foreign policy and given resources and leadership commensurate with that role. Success in the War on Terror will remain elusive absent such action.

ENDNOTES - CHAPTER 19

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CHAPTER 20

**NAVIGATING THE LINKAGE BETWEEN CULTURE AND STRATEGY:
A GUIDE TO UNDERSTANDING THE
ANALYTICAL CULTURAL FRAMEWORK
FOR STRATEGY AND POLICY**

Thomas Sheperd

"Poor strategy is expensive, bad strategy can be lethal," begins Colin Gray in *Modern Strategy*.[1] Some may think the U.S. turn toward looking at culture based on experiences in Iraq and Afghanistan reflects this statement. Numerous comments by strategic thinkers in government and academia underscore that the United States has realized, again, that culture matters.[2] However, our current focus on culture's effect on the conduct of war, while predominantly at the tactical and operational levels, is not new. The idea that culture matters is a thread woven deeply throughout the history of strategic and operational thought. One can make a strong argument that Carl von Clausewitz, based on studies at the Prussian *Kriegsakademie* and his own experience and analysis, understood and reflected in *Vom Krieg* (*On War*) the impact of culture on the development of strategy, operations, and tactics.[3] The U.S. Marine Corps emphasized the need to understand the cultural patterns of conflict as early as the 1940s.[4] Strategic planning for the eventual successful occupation of Japan relied heavily on cultural insights.[5] Bernard Brodie, in his Cold War era exploration of the reason *why* one fights, posits that good strategy presumes an understanding of culture.[6] Recent demands for greater language and cultural competencies, the advent of human terrain teams, and the realization that we operate and fight among the people provide additional proof that we have "rediscovered" the importance of culture.

Realizing that culture matters does not resolve the question of how to address the qualitative difference between culture's relation to strategy on one hand, and its relation to tactics/operations on the other.[7] Strategy is an inherently human endeavor.[8] As such, culture must inform strategy and policy; it cannot help doing so.[9] However, given the inherent complexity of culture, focusing on an adversary's culture from a purely academic perspective without understanding its relevance to the *effective* use of power in the international system can result in poor strategy. An unfocused examination of culture obfuscates key actor perceptions and motivations by burying them in an unassimilated mass of information.

Our issue as strategic leaders and practitioners is how to sift through a massive amount of data to identify the important points of strategic significance. The objective is to focus on those critical factors that have the greatest possibility to influence the strategic environment in ways favorable to achieving the national interest—to identify the so-what factor of information.[10] Identifying this so-what factor entails answering three questions: What are friends and adversaries thinking about United States actions? Why are they thinking it? What are they likely to do in relation to our actions?[11] The answers provide the strategic leader relevant insights to the effects of culture upon strategy and thus upon achieving the national interest. Culture adds context to strategic behavior.[12]

Despite their apparent simplicity, these are surprisingly complex questions. Answering them is a highly subjective process that demands intellectual rigor.[13] Realizing this, the U.S. Army War College developed the Analytical Cultural Framework for Strategy and Policy (ACFSP) as a way to provide a structured approach for addressing the impact of culture on strategy and policy. The ACFSP is a tool for examining the strategic environment from multiple perspectives to assist in determining which cultural dimensions of a situation, both ours and other actors', are fundamentally important in both determining and interpreting political and other strategic behavior.[14]

Here lies the difference between the nature of culture at the strategic vis-à-vis the tactical and operational levels. Answering the so-what questions can provide insight into the reasons states and other actors do the things they do within the context of the strategic environment. The questions let us address others' perception of the threats, challenges, and opportunities presented by the system and a determination of the ends, ways, and means necessary to achieve the national interest. This knowledge enables a deeper analysis of strategic options by providing insights into how actors may perceive and therefore react to an action. Factoring these insights into our own analysis of strategic options at every stage, from initial formulation of a strategy or policy through the determination of its success or failure, lets us develop more *effective* policy and strategy. It is with this goal in mind, the development of more effective policy and strategy, that one approaches the application of the ACFSP. Effective use of the ACFSP is grounded in our understanding of how culture and strategy interact with one another in our thinking, the formulation of values and interests in relation to strategy, and the development of strategy for the use of power in relation to the overall strategic environment.

The first area where culture and strategy interact at the qualitative level, and the first step in effectively using the ACFSP, is the way we think about culture in the first place.[15] An exploration of the concepts behind strategic thinking identifies several lenses through which one approaches problem-framing. Successful strategic thinking requires the integration of multiple perspectives in order to find the optimal solution set to strategic problems in terms of efficiency and effectiveness.[16] The foundation for successful strategic thinking demands that a strategic leader know himself—especially his analytical biases and preferences—know the same about others, and use self-reflection to integrate the insights gained for a clearer understanding of the facts, assumptions, and considerations relative to the national interest.[17]

Culture is an intrinsic part of the strategic thought process.[18] Culture both shapes strategic vision and serves as an analytic tool that provides the leader the keys to knowing self (and society) and others (and their viewpoints) as well as enabling critical self-reflection regarding the complex problems inherent in the strategic realm. What this means in simple terms is that culture weaves itself throughout the strategic thought process, either consciously or unconsciously, by influencing our decisions and acting as a prime mover of thought, judgment, policy, and the subsequent actions flowing from them.[19]

Realizing that culture both shapes our thought processes and provides a tool for analyzing the strategic environment gives one an insight into answering the so-what questions demanded of a strategic leader. Here are just a few of the potential questions affecting policy and strategy:[20]

- How stable is culture? What elements of culture enhance or detract from stability in relation to the strategic environment? Can this tension be used, managed, or diminished over time?
- Where is there a connection between policy formulation and culture? How sustainable is the policy in terms of culture?
- Does cultural understanding have a bearing on policy legitimacy both internally and externally? How does culture influence power and decisionmaking on various issues?
- Does globalization enhance or stress culture? How are the forces of globalization reflected, both internally and externally, in a culture? What is the effect on the strategic environment?
- What—if anything—limits or bounds culture in time and geographical space? How does this affect the strategic environment?
- Are all cultures compatible or are some destined to clash and at what level of intensity? Under what circumstances is conflict seemingly inevitable? How can we build on compatible structures and otherwise deflect or manage potential conflict?

- Through what theoretical lens should we consider culture and the actions or behavior of other actors? Are their actions consistent with:
  - Realist/Interest-based lens?
  - Liberal lens?
  - Idealist (Constructivist) lens?
  - Traditional (non-Weberian secular state) lens?

Answering these questions and the others that become known through our analysis of the situation is the first indicator of the difference between the impact of culture on the strategic versus the tactical or operational levels. Answering these questions also cuts straight to the heart of the purpose of the ACFSP and its effective use. *Simply put, the ACFSP identifies areas where culture effectively adds context to actor behavior in the strategic environment.*[21] This is not a matter of understanding culture for culture's sake, but the deliberate focus on only those aspects of culture with the greatest salience in efforts to achieve the national interest. Answering these qualitative questions forces an in-depth exploration of the strategic environment for the clues to understanding how actors see themselves, define their purpose or reason for existence, mobilize political power, organize politically and socially, conceive of security, ask security-related questions, use force, and adapt to or resist changes in their relationship to the strategic environment.[22]

Answering the so-what questions is not a linear, cause-and-effect process. Culture's effect at the strategic level is based on the concept that in *any* set of circumstances, given certain biases and preconceptions, a leader or a society will likely act in a particular manner; but because context matters, strategic behavior will change to reflect an actor's perception of the specific circumstances.[23] Our challenge as strategic leaders and planners is to find how best to shape the other actor's strategic behavior to our benefit. The ACFSP, with its three dimensions of Identity, Political Culture, and Resilience, helps sort through information to find the clues needed to do that shaping.[24] Effective use of the ACFSP demands that we view the ACFSP as an approach to how to think through the complexities of the strategic environment.

Effective use of the ACFSP clarifies the role of culture in the formulation of an actor's values and interests.[25] A basic tenet of strategy is that *all* actors in the international system have interests and will pursue those interests to the best of their abilities.[26] Achieving these interests defines what is best for the actor's continued existence and overall well-being. Culture, as the shaper of vision, influences the formation of interests in a fundamental way by providing the framework for viewing and interacting with the world. This framework manifests itself in the "world view" or "frame of reference" used to develop and express the actor's interests. Figure 20-1 illustrates how this framing takes place using the United States as the actor analyzed.
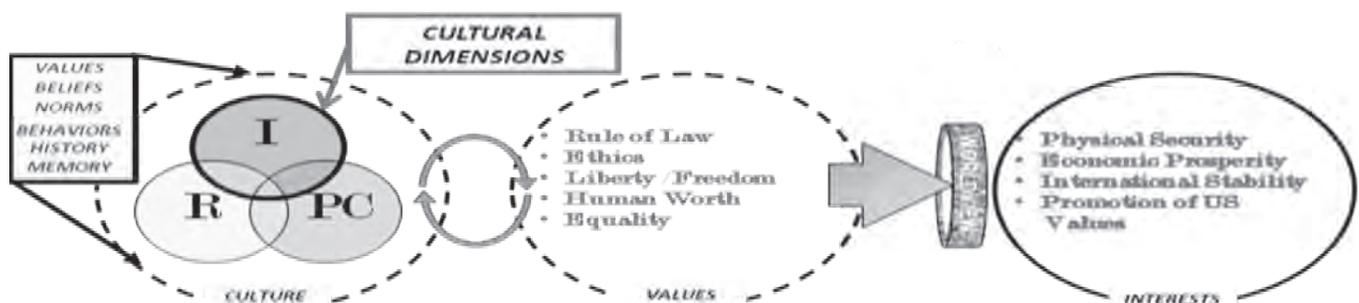

**Figure 20-1. The ACFSP's Three Dimensions:
Identity, Political Culture, and Resilience.**

Identity provides the actor's purpose, or reason for existence. This purpose unifies the group, giving it the basis for achieving political power. Political Culture builds on this unity by expressing how the group organizes itself to achieve and maintain the purpose resulting from identity. Resiliency expresses the rigidity of the actor's identity and political culture in relation to the influences of the strategic environment; it is an indicator of how well or poorly a group can reconcile itself to change. In direct terms, the process illustrated in Figure 20-1 works as follows: Identity, Political Culture, and Resiliency inform national culture which, in turn, helps determine national values. National values provide the lens through which one sees the world and defines what is the desired or acceptable environment, effectively defining the actor's vision of the ideal future, which, in turn, frames how the actor determines and expresses its national interests. Once interests are determined, culture, through the three dimensions specified in the ACFSP, continues to influence an actor's actions and perceptions as it informs the development of strategy. The government as an expression of the nexus of culture, values, and interests, develops policy and the strategies to achieve these interests and interprets the success or failure of their efforts against their intended outcomes as well as their national values, culture, and interests.

Interests are the starting point for the formulation of strategy and policy.[27] Strategy is the calculation of objectives, concepts, and resources within the bounds of risk to create more favorable outcomes than might otherwise exist by chance or at the hands of others.[28] Strategy attempts to provide a coherent blueprint to bridge the gap between the realities of today and a desired future by creating specific effects in the environment—namely advancing favorable outcomes while precluding or mitigating the consequences of unfavorable ones.[29] Accepting the dynamic nature of the strategic environment, strategy is a series of choices developed with the intent of actively shaping this environment across time as opposed to simply reacting to it.[30] The best way to predict the future is to create it yourself. In simple terms, strategy is designed to move an actor along the path to their "ideal future" in view of, and in reaction to, the threats, challenges, and opportunities presented by the strategic environment. One can say this roughly corresponds with Liddell Hart's concept that the purpose of using power must be to create a better state of peace, if only *from our own point of view*.[31] Figure 20-2 illustrates this relationship schematically.
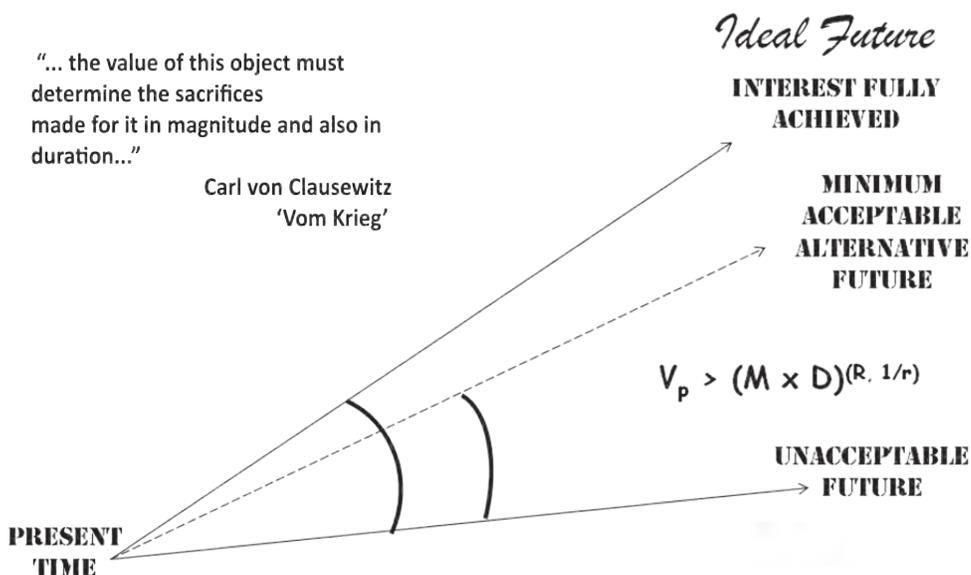

Figure 20-2. Relation of Strategy to Future States.

Given that culture provides the framework for defining interests by influencing an actor's ideal outcome, culture is an inherent part of the strategy formulation process.[32] Culture is part of the formulation of values and interests (via Identity). Culture is part of the formulation of governing or decisionmaking structures designed to achieve those interests (via Political Culture). Culture is also reflected in how a group filters and interprets (Identity and Resilience) the various stimuli from the strategic environment in relation to its interests (Identity). Obviously, threats, challenges, and opportunities are among such stimuli. In short, culture influences the selection of strategic interests and behaviors through perception of, interpretation of, and reaction to political and strategic stimuli in the environment.

For some, strategy and policy formulation are a monolithic process.[33] However, the ACFSP illustrates how monolithic approaches can be overly simplistic, failing to reflect the complexity of the strategic environment. Strategy is never independent from the environment and is always affected by it.[34] This relationship demands a holistic approach to analyzing the environment and formulating ways to achieve the national interest.[35] When one factors in the totality of effects as prescribed by the ACFSP, the path to an ideal future becomes much more complex. Multiple actors at various levels are all executing strategies to achieve their own particular ideal future or at least an acceptable alternative. As strategy focuses on the achievement of our own national interest, visions of the ideal by other actors are all potentially competing visions of what is an acceptable outcome.

The ACFSP provides a thought template that permits us to attempt to address and shape the likely actions of the other actors in the strategic environment in terms of our own interests. It helps ensure that we know what motivates us and what motivates others. It points out the limits of internal/external acceptability as demanded by good strategy and helps identify the likely second and third-order effects of decisions and actions in the strategic environment.[36] Using the ACFSP to explore the relationship between culture and strategy does not mean we choose not to execute a strategic option solely because it is in conflict with another actor's desired ends. It does mean, however, that the execution of any option is a fully informed choice. It is an informed choice because we have been made aware of the friction points between desired ends and the potential strategies to achieve them and can thus anticipate the likely effects of our decision. This is the key to understanding the role of the ACFSP in the formulation of strategy. The ACFSP assists with strategy formulation by informing our understanding of the strategic environment and how key factors in that environment frame the problem.

It is culture's effect on problem-framing at the strategic level that leads us to another important point concerning the relationship of culture and strategy—culture's role in the development of strategy and the use of power in relation to the strategic environment. As already suggested, strategy is a series of choices based on how an actor wishes to shape the strategic environment in order to achieve his interests. It is the balanced application of ends (objectives), ways (strategic concepts), and means (resources) focused on the optimal achievement of a positive strategic effect.[37] In brief, it is the creative application of resources for the achievement of a desired end-state. Culture, as previously discussed, provides the framework for determining that end-state. The ACFSP dimensions identify how an actor develops concepts and organizes as a group to achieve the desired end-state in the context of an extremely volatile and complex strategic environment. Formulation of strategy thus implies organization and activity. These are the stimuli that trigger interpretations of threats, challenges, and opportunities in relation to interests and influence the use of power in the system.

It is in the interpretation of threats, challenges, and opportunities that cultural considerations become strategically important. There are multiple competing visions of what "optimal" and

"acceptable" look like. Actions designed to achieve one actor's interests can, and in some cases do, negatively affect the interests of another. Conflict occurs when there are conflicting versions of the ideal future without any understanding of how to move to an acceptable alternative future for both parties. This tension provides the basis for the security dilemma that is inherent in all strategy.[38] The depth of the security dilemma depends on where the competition or friction points lie and the perceived level of intensity of the interests at stake. While an actor's response may appear irrational—even mad—to outsiders, it is important to realize that the interpretation of threats, challenges, and opportunities is an *individual* act.[39]

Differences in perceived threat are very possible on a cultural level because culture not only shapes what is an interest, culture also defines what is acceptable or unacceptable for a group or actor in terms of its own system outcomes or the behavior of other actors. Actors in the international system will likely perceive actions striking seriously at their identity as a threat and will respond accordingly given the effect on their reason for being, *regardless of the power differential between the actors involved.*[40] This is because matters of honor (perceptions of self) and faith (religion) that tend to go hand in hand with identity are hard to compromise on or negotiate away.[41] Clausewitz reflects this understanding with the claim that two inducements lead people to fight—hostile feelings and hostile intent—or as Thucydides so aptly framed it, "Fear, Honor, and Interest."[42] In effect, according to our culture, rationality, as well as perceptions of feelings and intent, lies in the eyes of the doer. We can safely say that such knowledge of the foregoing foibles of human nature is crucial to knowing the type of war in which we are engaged.[43] Strategists must be sensitively attuned to the emotions and thinking of other actors lest they fall victim to the strategic hubris of assuming that other actors think as they.

An example of this mirror-image thinking was the inability of the North Atlantic Treaty Organization (NATO) to even conceive of the possibility of long-term Serbian resistance to a coercive bombing campaign over Kosovo. From a Serbian, especially President Slobodan Milosevic's, perspective, Kosovo was a survival interest because of its importance to his power base. Another example is the U.S. misjudgment of the impact of its economic sanctions against Japan prior to World War II. The United States failed to realize that Japan perceived the potential effects of those as a direct threat to its survival and would react accordingly.[44] More current examples of the salience of culture in shaping actor strategic choices may be in the decisions by the Muammar Quadhafi and Bashar al-Assad regimes to use military force against portions of their populations. Movements for greater political openness by elements of their population may have been viewed by them as a greater threat to regime survival than economic sanctions or limited military reprisals in response to their use of force.

Culture, as filtered through the ACFSP dimensions of Identity, Political Culture, and Resilience, can help strategic leaders ask the right questions to identify and understand what threats, challenges, and opportunities are inherent in a situation, from their viewpoint *and the other's*, and what is the best way to apply ends, ways, and means to achieve their desired outcome within acceptable risk. This is fully in line with the idea that one purpose of strategy is to diminish the possibility of resistance. Thus, understanding culture's effects on the other actor's perceptions facilitates the positive shaping of the environment on our terms.[45]

This point brings us back to the nature of culture's relationship with strategy. Strategy assumes that while no one can predict the future with any certainty, one can study it, assess it, and shape it to varying degrees. Only through proper analysis can we identify and shape trends, issues, opportunities, and threats.[46] In ACFSP terms, Identity, Political Culture, and Resiliency help identify the trends in the strategic environment and point out ways to shape and influence the future—or help identify how others are attempting to shape and influence your future in relation to their

ideal strategic outcomes. These insights directly touch on the underlying assumption of strategy from a national perspective—that states and other actors have interests that they pursue to the best of their abilities. The issue becomes one of how to influence this environment in one's favor. We accomplish that goal through the creative application of power to achieve strategic effects in the international system.

Strategy is the use of power to create specific effects in the strategic environment and sustain those positive effects at and through multiple levels of the environment.[47] The search for positive effect implies that power has to be intelligently applied.[48] It is, after all, a reflection of the imposition of our will in the international system, be it to compel another to do our will, create a better peace, or overcome the other without fighting.[49] In discrete terms, strategic concepts (ways) use power in varying combinations to reassure friends and allies, dissuade potential competitors, and coerce, compel, or deter other actors in order to shape their behavior in ways that support the achievement of the national interest. Given that culture shapes an actor's interests and perceptions of the strategic environment, culture provides the necessary context for actualizing power in the international system. But contemplating the use of power creates friction in the system due to the existence of multiple competing viewpoints on whether power is latent or real, whether there are differences in power relationships between actors, and the overall effectiveness and legitimacy of how actors use their power in relation to the system. Culture's "context" tells us that perceptions of power are just as much in the eyes of the beholder as in the eye of the wielder of that power.

One must consider culture's conditioning of the use of power in the development of strategy since that strategy is rooted in political purpose and focuses on root causes.[50] This means that culture effectively turns each strategic choice into a balancing act, given that all actors have differing identities (vision and purpose), interests (desired outcomes and preferences), perceptions of threats, challenges, and opportunities, and decisionmaking structures (politically and culturally based biases and preconceptions) that combine to influence their decisions on the costs and benefits of strategic action or inaction.[51] The ACFSP dimensions of Identity, Political Culture, and Resilience become especially important in identifying and assessing the potential effectiveness of strategic options. What motivates "the other," and his or her perception of the acceptability of our actions, helps define the nature of the varying security dilemmas that *any* use of power, regardless of its form, creates in the system.

Undertaking this type of problem-framing—comparing our interests to those of the other—before applying power, forces us to ask whether strategic options will produce the desired effect at multiple levels and ensures power will be effective when used. Issues of Identity are inherently more difficult to solve and require a longer time horizon than issues of Political Culture. The ACFSP helps us look at a situation through the eyes of the other to see how he or she views our actions. A course of action that appears suitable from our perspective but is likely to produce significant resistance due to its impact on the other's identity may not be the best course of action to follow. The balance of political suitability from our and their perspective identifies where interests of differing intensity collide with negative effect (our peripheral versus their vital or survival level interests). This same level of analysis also applies to the identification of our own internal limitations, as strategy must be consistent with national values.[52] In that aspect, culture, particularly via the ACFSP dimension of Identity, plays an important role in ensuring our actions remain consistent with our own perceptions of who we are.

The identification of the potential effectiveness of power compared to internal and external acceptability has an impact in the articulation of risk—not in terms of resources, but in terms of likely and most dangerous potential second and third-order effects. It is in this regard that an analysis of culture's relationship with strategy helps ensure that our actions have a better chance of "winning

the peace." This is not an issue of rejecting a policy option, particularly if the intensity level of the interest in question from our perspective is high, if it clashes with the other's culture. It is an issue of framing the problem from multiple perspectives so as to identify any complicating factors that enhance or detract from the potential effectiveness of the available policy options. Understanding the role culture plays in determining strategy adds clarity to the Clausewitzian dictum that the value of the policy objective must be greater than the value of the resources expended to achieve it.[53] Culture helps define the policy objective through the identification of interests, and the ACFSP dimensions help define the value of the resources expended to achieve the interest in terms of potential effectiveness and risk.

In conclusion, there is a difference between the nature of the relationship of culture to the tactical and operational levels and its relationship to the strategic level. Culture and strategy interact with one another at multiple points through our thinking, our conceptions of power, and our formulation of values and interests. It is in this manner that culture adds context to the entire strategic endeavor by the way it shapes how actors perceive their environment, ask security-related questions, and consider various options to influence that environment. Cultural understanding when skillfully applied helps one define both the possibilities of strategy in a given context and the risks inherent in various strategic options through the better identification of the second- and third-order effects resulting from each option. That clarity helps ensure that strategy is anticipatory and holistic and, most importantly, that it provides a balance among ends-ways-means in pursuit of national interests. In short—it ensures that the most important so-what factor from the practitioner's standpoint (what do we *need* to do) is correctly answered.

Cultural knowledge does not guarantee success—the very complexity of the system guarantees that chance will produce both good and bad, both intended and unintended, outcomes and effects. Nevertheless, cultural knowledge may help reduce the possibility of resistance to, or serve as a way of anticipating, the possible outcomes of strategic choices. The ACFSP assists in this by reminding us that strategy is an inherently human process. It reinforces the idea that ends, the objectives to be accomplished, are what drive strategy and policy. Interests determine those ends. Interests derive from an actor's sense of purpose and the core values that are the foundation of who they are. Sense of purpose and core values arise from the elements that constitute the actor's identity. Identity is the foundation for collective mobilization. The actor's peculiar political culture launches the group into action to achieve its desired political purposes and provides the ways and the means of strategy. The resilience of the group's culture, grounded in its common identity and shared sense of purpose and values, determines whether an actor will be inclined to resist, succumb to, or adapt to challenges to these shared values and purpose.[54] Integrated correctly, these factors help us wrestle successfully with the perennially wicked problem at the heart of strategy: how do we achieve the national interest in a competitive, anarchical environment made up of multiple competing visions of the ideal strategic future? In this regard, the rediscovery of culture's relationship with strategy in the United States is simply a return to the roots of strategy.

ENDNOTES - CHAPTER 20

1. Collin S. Gray, *Modern Strategy*, New York: Oxford University Press, 199, p. 1.

2. Representative Ike Skelton, "Weekly Column for the Week of March 13, 2005," available from *www.house.gov/skelton/columns/col050313.htm*; Representative Ike Skelton and Representative Jim Cooper, "You're Not From Around Here, Are You," in *Whispers of Warriors – Essays on the New Joint Era*, Washington, DC: National Defense University Press, 2004, pp. 132-134; Robert H. Scales, "Culture-Centric Warfare," *Proceedings*, Vol. 130, No. 10, October 2004.

3. Carl von Clausewitz, *On War*, Michael Howard and Peter Paret, eds. and trans., Princeton, NJ: Princeton University Press, 1976, pp. 149, 592-593, 609-610; Barak A. Salmoni and Paula Holmes-Eber, *Operational Culture for the Warf-*

ighter, Quantico, VA: Marine Corps University Press, 2008, pp. 5-6; Michael Howard, *Clausewitz*, New York: Oxford University Press, 1983, p. 7; Peter Paret, "Clausewitz," in Peter Paret, ed., *Makers of Modern Strategy: from Machiavelli to the Nuclear Age*, Princeton, NJ: Princeton University Press, 1986, pp. 189, 191.

4. Skelton and Cooper, *Whispers of Warriors,* p. 133.

5. Sheila Miyoshi Jager, "On the Uses of Cultural Knowledge," Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2007, pp. 7-8, available from www.strategicstudiesinstitute.army.mil/pubs/display.cfm?PubID=817.

6. Bernard Brodie, *War and Politics*, New York: MacMillan Publishing Company, 1973, pp. vii, 332.

7. Jager, "Uses of Cultural Knowledge," pp. vi, 3-4.

8. Harry R. Yarger, *Strategic Theory for the 21st Century: The Little Book on Big Strategy,* Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2006, pp. 10, 67. available from *www.strategicstudiesinstitute.army.mil/pubs/display.cfm?PubID=641*; Clausewitz, *On War*, p. 149.

9. William D. Wunderle, *Through the Lens of Cultural Awareness: A Primer for the US Armed Forces Deploying to Arab and Middle Eastern Countries,* Fort Leavenworth, KS: Combat Studies Institute Press, 2006, p. 3; Skelton and Cooper, *Whispers of Warriors*, p. 134; Gray, *Modern Strategy*, pp. 129, 136; and Collin S. Gray, "Out of the Wilderness: Prime Time for Strategic Culture," *Comparative Strategy*, Vol. 26, No. 1, p. 9.

10. Harry R. Yarger, "The Strategic Appraisal: The Key to Effective Strategy," in J. Boone Bartholomees Jr., ed., *U.S. Army War College Guide to National Security Issues, Vol. I: Theory of War and Strategy*, Carlisle, PA: Department of National Security and Strategy, U.S. Army War College, 2008, p. 57.

11. Wunderle, *Through the Lens of Cultural Awareness*, pp. 4-5.

12. Gray, *Modern Strategy*, p. 130.

13. Jiyul Kim, *Cultural Dimensions of Strategy and Policy*, Carlisle, PA: Strategic Studies Institute, U.S. Army War College, May 2009, pp. 17-18; available from www.strategicstudiesinstitute.army.mil/pubs/display.cfm?PubID=919.

14. *Ibid.*, p. 9.

15. This article uses the term *qualitative* in the social science sense. The purpose is to highlight the idea that the determination of threats, challenges, and opportunities is not a deterministic process based on checklists or numerical modeling, but an inherently human process capable of producing seemingly inexplicable results. Understanding human actions requires delving into the realm of thought and perception to get at the why and how of decisionmaking in regards to a *specific* situation and, as such, is an inherently subjective process.

16. Richard M. Meinhart, "Leadership and Strategic Thinking," in *Strategic Thinking Selected Readings*, Carlisle, PA: Department of Command, Leadership, and Management, U.S. Army War College, 2009, p. 13; Yarger, *Strategic Theory for the 21st Century*, pp. 2-3, 40; Yarger, "Strategic Appraisal," pp. 58-59.

17. Meinhart, "Leadership and Strategic Thinking," pp. 16-18; Yarger, *Strategic Theory for the 21st Century*, pp. 40-41; Yarger, "Strategic Appraisal," p. 59.

18. Gray, "Out of the Wilderness," p. 9; Gray, *Modern Strategy*, p. 129; Kim, *Cultural Dimensions of Strategy and Policy*, pp. vii, 5.

19. Gray, "Out of the Wilderness," p. 9; Yarger, *Strategic Theory for the 21st Century*, pp. 10, 40-41.

20. These strategic leader questions were derived in part from Jiyul Kim, *Cultural Dimensions of Strategy and Policy*, p. 7.

21. Gray, *Modern Strategy*, p. 130; Collin S. Gray, "The 21st Century Security Environment and the Future of War," *Parameters,* Vol. XXXVIII, Winter 2008-09, pp. 18-19.

22. Kim, *Cultural Dimensions of Strategy and Policy*, pp. 15-26.

23. Gray, *Modern Strategy*, pp. 139, 142.

24. Jiyul Kim, *Cultural Dimensions of Strategy and Policy,* broadly defines the Analytical Cultural Framework for Strategy and Policy (ACFSP) dimensions of Identity, Political Culture and Resiliency as:
Identity (Individual and Collective [Regional/National/Sub-National]): A base of biologically inherited features on which is built a superstructure of cultural or acquired elements—race, gender, family. Superimposed on these are socially inherited features—ethnicity, religion, clan, class, tribe.
Political Culture (Political System, Strategic Culture, Faith and Religion): The set of values, beliefs, traditions, perceptions, expectations, attitudes, practices, and institutions that a particular society harbors about how the political system and processes should operate and what sort of governmental and economic life should be pursued. Some factors that contribute to the formation of political culture include historical experience, religious tradition, collective values, founding principles, geographical location, strategic environment, economic capacity, and demographics.
Resilience (Response to Globalization, Openness to Transnational Organizations, and Coping with Environmental Pressures): The capacity or ability of a culture to resist or adapt to external forces as a test of the culture's stability and coherence and a measure of the endurance of its identity and political culture.
In simple terms, the ACFSP enables one to examine the following questions: Why am I here/What is my reason for being? How do I organize myself as a social unit to achieve my reason for being here? How open, adaptive, or resistant am I to pressures to change myself in relation to my environment?

25. Alan G. Stolberg, "The International System in the 21st Century," in *The U.S. Army War College Guide to National Security Issues Vol. II: National Security Policy and Strategy*, 3rd Ed., June 2008.

26. Alan G. Stolberg, "Crafting National Interests in the 21st Century," in J. Boone Bartholomees Jr., ed., *U.S. Army War College Guide to National Security Issues, Vol. II: National Security Policy and Strategy.* Carlisle, PA: Department of National Security and Strategy, U.S. Army War College, 2008, p. 3; Yarger, *Strategic Theory for the 21st Century*, pp. 5, 65; Yarger, *The Strategic Appraisal*, p. 43.

27. Stolberg, "Crafting National Interests in the 21st Century," p. 5.

28. Yarger, *Strategic Theory for the 21st Century*, p. 1.

29. *Ibid.*, pp. 5, 17.

30. *Ibid.*, p. 65.

31. B. H. Liddell Hart, *On Strategy*, New York: The Meridian Group, 1991, pp. 332, 338, 353, 357.

32. Yarger, *Little Book on Big Strategy*, p. 41.

33. Kim, *Cultural Dimensions of Strategy and Policy*, pp. vii, 9.

34. Yarger, *Strategic Theory for the 21st Century*, pp. 7-8, 26, 66.

35. *Ibid.*, pp. 8, 26, 66.

36. *Ibid.*, p. 41.

37. Yarger, *The Strategic Appraisal*, p. 43; Yarger, *Strategic Theory for the 21st Century*, pp. 1, 3, 5-6, 17.

38. Yarger, *Strategic Theory for the 21st Century*, pp. 8, 37.

39. Rationality, in terms of economics and international relations, implies that actors choose strategic options/actions in terms of their ability to best achieve their desired ideal outcome (self-interest). Actions perceived to be outside this self-interest are always seen as being irrational or even on the verge of madness by the recipient of the action. A good example is some of the contemporary analysis of Japan's attack against the United States. Congressman Hamilton Fish declared the Japanese had committed suicide by attacking the United States (See Jeffrey Record, Monograph, *Japan's Decision for War in 1941: Some Enduring Lessons*, Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2009). However, this claim ignores that rationality is contextually defined by the actor taking the action in question. Japan's choice for war *was* rational given their perception of the alternate outcomes available to them. Raymond Aron recognizes this, stating in *Clausewitz: Philosopher of War*, that the idea that there is a single rationality to all peoples and those who govern them is an illusion (Aron, pp. 410-411). In many cases, the issue at the strategic level is not one of rationality but the tendency to conflate rationality with *reasonableness*. Reasonableness is *your* perception of the *effect of the other's actions* on your own self-interest. What this means is simply that all actors have interests and will do what seems rational to them in order to achieve them. How these actions affect you helps determine whether their actions are reasonable from your point of view and therefore helps shape *your* perception of whether the action is a threat, challenge, or an opportunity.

40. A survival interest is defined as the "the single most important interest for any actor. This is the very essence of the actor's existence." See Alan G. Stolberg, "Crafting National Interests in the 21st Century," pp. 8-9; whereas Donald Neuchterlein defines them as those that, when threatened "challenge the very existence of the nation as we know it." See Yarger, "Strategic Appraisal," pp. 55-56, which implies either a physical or a psycho-social threat. A perceived threat to a survival interest usually induces a maximum response in terms of resources and action against the threat.

41. James A. Nathan, *Soldiers, Statecraft and History: Coercive Diplomacy and International Order*, Westport, CT: Praeger, 2002, pp. ix, 16.

42. Clausewitz, *On War*, pp. 76, 137-138; Thucydides, Robert B. Strassler, ed., *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*, New York: Free Press, 1996, p. 43.

43. Clausewitz, *On War*, p. 88.

44. Gray, "Out of the Wilderness," p. 13; Record, *Japan's Decision for War in 1941*, pp. 5-6, available from www.strategicstudiesinstitute.army.mil/pubs/display.cfm?PubID=905.

45. Liddel Hart, *On Strategy*, p. 323.

46. Yarger, *Strategic Theory for the 21st Century*, p. 6.

47. *Ibid.*, pp. 5, 17, 45, 65.

48. *Ibid.*, p. 49.

49. Clausewitz, *On War*, p. 75; Liddell Hart, *On Strategy*, pp. 321, 338; Sun Tzu, *The Art of War*, Samuel B. Griffith, ed., New York: Oxford University Press, 1971, p. 77.

50. Yarger, *Strategic Theory for the 21st Century*, pp. 6-7, 10.

51. Kevin Chilton and Greg Weaver, "Waging Deterrence in the Twenty-First Century," *Strategic Studies Quarterly*, Vol. 3, No. 1, Spring 2009, p. 34; Gray, "Out of the Wilderness," p. 11.

52. Yarger, *Strategic Theory for the 21st Century*, p. 41.

53. Clausewitz, *On War*, pp. 80-81, 91, 585-586.

54. Kim, *Cultural Dimensions of Strategy and Policy*, pp. 26-27.

CHAPTER 21

STRATEGIC THINKING AND CULTURE:
A FRAMEWORK FOR ANALYSIS

Frank L. Jones

In the past several years, the U.S. Government, and especially the U.S. military, have expressed renewed interest concerning culture as a factor at the tactical and operational levels of war. This interest was largely precipitated by the so-called "Global War on Terrorism" and the Islamist extremism that fueled this conflict as well as combat in Iraq and Afghanistan, two countries with traditions and customs significantly different than those of the United States and the West. These events led to an emphasis in the U.S. military on cultural awareness training, the establishment of the Human Terrain System program, and the revival of counterinsurgency doctrine with the publication of *Army/Marine Corps Field Manual 3-24*.

There has been less discussion about the role of culture at the strategic level; however, it would be erroneous to assume that policymakers and strategists have not considered the importance of culture in their strategic calculations no matter how imperfect their decisions may have been. A more appropriate conclusion is that U.S. policymakers and strategists have remained largely ignorant of the vast literature that exists on strategic culture and political psychology and its application within the national security and strategy-making processes. This chapter will introduce this literature and underscore its usefulness as a component of strategic thinking.

OPERATIONAL CODE

Social scientists have been examining culture as a component of policy and strategy since the early days of the Cold War, and in particular, attempted to understand how Soviet ideology, derived from Vladimir Lenin and Joseph Stalin, influenced its political strategy and ultimately its conduct around the globe. The most famous study of the relationship between culture and policy formulation was Nathan Leites' 1951 book, *The Operational Code of the Politburo*. As Leites noted in the introduction of his work, his analysis attempted to demonstrate "how Bolshevik conceptions are related to Russian and Western history and culture. . ." and to uncover how Soviet ideology influenced policy calculations, including foreign and military policy.[1] Leites was interested in being able to predict Soviet behavior through the actions of its Politburo, and he used the historical record, through an examination of Soviet doctrine, as the basis for understanding the "rules of conduct of this group of policymakers."[2] In Leites' view, the Soviet policymakers were "devotees of a secular religion." Thus, a study of the "sacred texts of Bolshevism," that is, Lenin and Stalin's writings with their focus on the "strategy and tactics of socialism-communism," was imperative for outsiders wanting to strengthen their competency in predicting the Soviet policymakers' behavior.[3] Leites admitted readily that the conclusions he was drawing from such an examination of the Politburo were speculative, but he argued that the Lenin-Stalin texts provided the clearest means to comprehend the Soviet rules of strategy. In essence, Leites was offering a framework that policymakers, strategists, and policy analysts could use to understand Soviet conduct in the international system. This framework focused on the approaches that political elites take to political calculation and strategy.

Leites' work gained some acceptance among scholars, but its relevance to policymakers was largely negligible until Alexander L. George, a political scientist, wrote a research paper in 1967 for the U.S. Air Force entitled, "The 'Operational Code': A Neglected Approach to the Study of Political Leaders and Decision-making."

REFINING OPERATIONAL CODE

George underscored that the operational code referred to a "general belief system about the nature of history and politics; it was not a set of recipes or repertoires that an elite applies mechanically to its decision-making."[4] These general beliefs influence the leader's perception of the ongoing stream of political actions and his understanding of specific situations. Further, these beliefs also furnish the norms and standards that affect the leader's choice of strategy and tactics and his arrangement and evaluation of various courses of action.[5] George believed however, that Leites' definition of operational code was ambiguous, and this degraded its use in assessing other political elites. He then set out to correct this deficiency by determining the fundamental issues he believed all political actors used to formulate a set of beliefs or premises. These categories formed two sets of questions—one of which he characterized as philosophical issues and the other as instrumental or policy issues, which related to end-means relationships.[6]

With respect to the philosophical issues, he posed the following questions:[7]
- What is the "essential" nature of political life? Is the political universe essentially one of harmony or one of conflict? What is the fundamental character of one's political opponents?
- What are the prospects for the eventual realization of one's fundamental political values and aspirations? Can one be optimistic, or must one be pessimistic on this score; and in what respects for each?
- Is the political future predictable? In what sense and to what extent?
- How much "control" or "mastery" can one have over historical development? What is one's role in "moving" and "shaping" history in the desired direction?
- What is the role of "chance" in human affairs and in historical development?

The following questions addressed the policy issues:[8]
- What is the best approach for selecting goals or objectives for political action?
- How are the goals of action pursued most effectively?
- How are the risks of political action calculated, controlled, and accepted?
- What is the best "timing" of action to advance one's interests?
- What is the utility and role of different means for advancing one's interest?

George's work resulted in the general acceptance of a political leader's beliefs as a legitimate area of academic study and advanced the credibility of the sub-field of political psychology, which had its beginnings in the 1940s. The 10 questions above became the basis for the accepted methodological framework for studying this elite disciplinary genre. They have been used by numerous political scientists in the past 4 decades to conduct studies of political elites ranging from Secretary of State Henry Kissinger to Russian President Vladimir Putin.[9] In short, political scientists have used this methodology to explore the beliefs, opinions, and attitudes of senior political leaders, and although Leites drew on psychoanalytic theory, George pointed out that this was not a necessary part of the operational code analysis or, as he put it more appropriately, political calculation.[10]

For George, operational code was synonymous with such terms as "Weltanschauung" (worldview), "cognitive map," or "an elite's political culture" for describing factors that influence an actor's decisions.[11] However, the operational code was not the "golden key" to understanding political behavior of elites because political decisionmaking is constrained by such factors as incomplete information about a situation; an inability to predict with certainty the consequences of choosing one course of action over another because of an inadequate knowledge of the ends-means relationship; and the difficulty of formulating a single criterion to select the optimal course of action.[12] Thus, political leaders have to cope with and adapt to these cognitive parameters of rational decisionmaking.[13]

Although operational code as a methodology would undergo further refinement in the 1970s, it remains a viable tool for examining the behavior of political elites. Nonetheless, a new and more expansive method of examining policy and strategy decisionmaking surfaced in the same decade—strategic culture.

STRATEGIC CULTURE

In September 1977, Jack L. Snyder published his RAND report for the U.S. Air Force entitled, "The Soviet Strategic Culture: Implications for Limited Nuclear Operations." Snyder's principal aim was to analyze the factors that might shape Soviet reactions to potential U.S. limited nuclear operations. He stated that his assessment did not attempt to predict Soviet reactions. Instead, his goal was to provide a "context for better understanding of the intellectual, institutional, and strategic cultural determinants" that would grip the Soviet decisionmaking process in a crisis. To achieve this purpose, he was "speculating on the dominant behavioral propensities that would motivate—and constrain—the Soviet leaders" under these circumstances.[14] In understanding Soviet leaders' "behavioral propensities," Snyder engaged in an analysis of Soviet strategic thinking. He stated as well that U.S. policymakers should not indulge in a belief that the Soviets would "abide by American-formulated rules" of behavior. As he pointed out, "Neither Soviet nor American strategists are culture-free, pre-conception-free game theorists. Their [nuclear] doctrines have developed in different organizational, historical, and political contexts, and in response to different organizational and technological constraints."[15]

Snyder believed that it was useful for U.S. policymakers to consider the Soviet approach to strategic thinking as a unique "strategic culture." Specifically, individuals are socialized into a distinct mode of strategic thinking and, as a consequence of this socialization process, they absorb a "set of general beliefs, attitudes, and behavioral patterns [that situates] them on the level of 'culture' rather than mere 'policy'."[16] Snyder underscored that beliefs and attitudes change because of changes in technology and the international environment, but such adjustments are not calculated with detachment. "Rather, they are seen through the perceptual lens provided by the strategic culture."[17] Each state has a distinct strategic culture for an assortment of historical and organizational reasons. By ascertaining these features, the strategic culture approach attempted to make clear the genesis and enduring strength of attitudes and behaviors that might otherwise seem to U.S. viewers as enigmatic, foolish, or odd.[18] Snyder also warned U.S. policymakers that it would be wrongheaded and dangerous for them to believe that in a crisis, Soviet decisionmakers would adapt their behavior to "American notions of strategic rationality." Soviet behavior was deep-rooted in patterns of Soviet strategic thought. Further, strategic culture was not the only significant factor that influenced Soviet leaders' behavior in crises: "Situational temptations and constraints undoubtedly carry great independent weight. The response to these temptations and constraints will be influenced but not wholly determined by strategic-cultural predispositions."[19]

Snyder's methodology had utility beyond the scope of his report. He quite sensibly assumes that, despite the complexity of the problem and the presumptuousness as well as the inherent inadequacy of measuring a person's attitudes, politicians and bureaucrats (both military and civilian) have been socialized into a distinctive strategic culture, and that they therefore display distinguishing stylistic tendencies in their crisis behavior.[20] Snyder did not dismiss the "operational code" concept in his work, though he believed that it tended toward oversimplification.[21]

Snyder suggested that the notion of "subculture" was useful as well. He defined subculture as a subsection of the broader strategic community that has distinct beliefs and attitudes on strategic issues. This subculture also has a clear and historically traceable analytical tradition, with distinguishing institutional associations, and with more or less well-defined patterns of socialization to

the norms of the subculture. However, he pointed out that a variety of subcultures might exist in a single strategic culture, but not all of them have an influence on policy and strategy. [22]

Strategic Culture—The First Generation.

Snyder's work served as a catalyst for the first generation of scholars studying strategic culture, a classification devised by Alastair Iain Johnston. However, other scholars had been considering strategic culture without reference to Snyder's 1977 study. A year later, Fritz Ermath, a Central Intelligence Agency analyst who would serve on President Reagan's National Security Council staff, published an article in which he noted that American strategic thinkers had trouble comprehending Soviet strategic doctrine because Soviet views about strategy and nuclear war differed in crucial ways from American views. Ermath argued that U.S. and Soviet strategic thinking was not similar and for us to assume so was an example of "cultural self-centeredness" derived from an American belief that U.S. strategic theory was based on the natural sciences and thus transcended nationality and national culture. This view was myopic, Ermath argued, in view of the fact that the two nations had distinctly different political cultures that influenced how they thought about the management of nuclear weapons. The U.S. political culture was democratic, with particular legal and commercial traditions. The Soviet political culture was imperial, bureaucratic, and autocratic. These differences in political culture in turn influenced how these two states approached nuclear weapon issues.[23]

Colin S. Gray, a political scientist who served as a member of the General Advisory Committee on Arms Control and Disarmament during the Reagan administration, embraced Snyder's ideas, and in the mid-1980s he applied those ideas to U.S. strategic culture. Gray claimed that the United States has a unique strategic culture, which he defined as "modes of thought and action with respect to force which derive from perception of the national historical experience, aspiration for self-characterization . . . and from many distinctively American experiences . . . that characterize an American citizen." [24] He also maintained that American strategic culture provided an environment in which "strategic ideas and defense policy decisions are debated and decided." Consequently, he posited that understanding American strategic culture would help explain U.S. policymakers' decisions in the past and present, and might also serve as a predictive tool for elucidating future decisions. While Gray agreed with Bernard Brodie's maxim that ". . . good strategy presumes good anthropology and sociology," he held that the starting point for the professional strategist is not cultural anthropology, but history. However, historical experience was not sufficient unto itself to explain U.S. strategic culture—geopolitical, economic, and other influences also pertained.[25]

Gray also believed that U.S. strategic culture changed dramatically after 1945 when Americans "endorsed the idea that the United States should be, or had to be, a permanent guardian of the international order." From the early years of the Republic, U.S. interests largely coincided with those of Great Britain. The vast oceanic distances between the United States and potential enemies were also a factor. When the United States involved itself in the two World Wars, it did so later than the other belligerents, and it relied on its ability to mobilize its industrial capability as well as its technological prowess to help defeat a specific enemy. Gray argued that all these factors contributed to U.S. strategic culture, a culture that changed as it assumed a larger role in the global arena. [26] He also pointed out that these same aspects of U.S. strategic culture can create blind spots. A pervasive confidence in the preeminence of American technology and strategic ideas led to technological and intellectual *hubris* among American analysts and a deprecatory view of the Soviet Union as an unsophisticated nation of peasants capable of challenging the United States on the basis of demographic superiority, but not qualitative.[27]

Gray addressed the issue of subculture as well, but in the context of U.S. strategic thought in the 1970s. He argued that the American foreign policy elite in the 1970s were a subculture dominated by politicians educated as lawyers who were "essentially only expert in American domestic phenomena." This educational background prompted a belief that all peoples are essentially rational and practical ("reasonable"). "Force, whether latent or applied, was anathema to this subculture." Evidence for this assertion was that U.S. policymakers viewed the development and deployment of nuclear weapons as a negotiating or bargaining tool for the enhanced "management of a U.S.-style stable strategic balance" between the United States and the Soviet Union.[28] Further, American defense intellectuals tended to believe, erroneously, that other cultures either share, or would come to share, American values and strategic ideas.[29]

In summary, Gray suggested that American strategic culture and national style in strategy results from the unique American historical experience, which includes opposing propensities. These account for the often intense oscillation in U.S. policy (e.g., isolationism versus internationalism), which he characterized as "quintessentially American." Thus "sweeping generalizations" about American culture could be misleading. Further, because strategic culture can change, its characteristics are often "time-specific." National political culture and its offshoots (strategic culture and national strategic style) change over time. However, the fluctuation between under-preparedness and over-preparedness for military action, between "wishful thinking and Manichaeanism is endemic."[30] These prevalent features have their source in U.S. political culture, in individual policymaker views about historical experience, and in the dominance of national security policymaking by elites with narrow domestic knowledge and experience and little or superficial understanding of foreign cultures. Therefore, the study of strategic culture should enable U.S. policymakers to better understand themselves to better understand others and, equally valuable, to understand how others interpret U.S. rhetoric and actions. Strategic culture, Gray asserted, is "policy-neutral." People cannot stop being who they are, i.e., behaving "in (national) character."[31]

Strategic Culture—The Succeeding Generations.

Snyder, Ermath, and Gray, among others, became known as the first generation of strategic culture theorists, but critics of their work surfaced quickly. One scholar has suggested that Snyder later shunned the concept he helped create. In the late-1980s, Gray came to admit that social scientists had been unable to formulate a precise methodology for classifying distinct national cultures and styles. However, Gray maintained that learning about a nation's "cultural thoughtways" was critical to grasping its behavior and role in global politics.[32] Additionally, Snyder's backsliding can be interpreted as clarification of his earlier work, not repudiation.[33]

More to the point was the work of Ken Booth, a British political scientist. Booth warned, in his 1979 book *Strategy and Ethnocentrism*, of how ethnocentrism distorted the theory and practice of strategy. As he pointed out, understanding cultural distortions, like any perceptual mechanism, is important because "there is no clear dividing line between image and reality: the reality of our strategic world is inextricably interconnected with our manner of conceiving it." Booth complained that a "sizable group of strategists [professed] to recognize that the world is multicultural, but they behave as if it is not."[34] Further, he called for greater self-awareness on the part of strategists, warned them about the dangers of stereotypes, oversimplification of a complex world, false analogies, groupthink, and several other instances of dysfunctional attitudes that create strategic failure (e.g., the idea of cultural superiority and culture-bound thinking).[35]

Nonetheless, more than a decade later, Booth, well aware of how ethnocentrism can warp an understanding of international politics, affirmed the concept of strategic culture and declared categorically that attending to it was actually an antidote to ethnocentrism.[36] He did not share

Snyder's newfound reservations. Booth believed strongly that strategic culture must be understood as referring to a "nation's traditions, values, attitudes, patterns of behavior, habits, symbols, achievements, and particular ways of adapting to the environment and solving problems with respect to the threat or use of force." He agreed with Snyder that a strategic culture endures over time "but neither particular elements nor a particular culture are immutable." However, these elements tended to survive all but major transformations in military technology, domestic organization, and the international environment. This is because the strategic culture of a state originates from its history, geography, and political culture, and it reflects a distillation of the attitudes and patterns of behavior of the most influential voices of the nation, whether they are the political elite, the military leadership, or public opinion. Moreover, "strategic culture defines a set of patterns of and for a nation's behaviour on war and peace issues." It helps form but does not determine the earmarks of a nation's interactions with other states in the security field, that is, in the use of force, international politics, threat assessments, civil-military relations, and strategic doctrine. In Booth's view, "it is legitimate to talk about a particular national 'style' in the theory and practice of strategy."[37]

In staking out this position, Booth repudiated Snyder's critique and affirmed the work of Gray, adding that Brodie's maxim still applied: good anthropology is the basis for good strategy. Booth also stated that political structures, processes, and decisionmaking mechanisms do not exist outside of culture. "In the strategic domain, as in others, we live in a 'created world'," Booth reminded his readers. "Strategic realities are therefore in part culturally constructed as well as culturally perpetuated."[38] To ignore strategic culture only imperils a nation's security.

While succeeding generations of scholars concerned about strategic culture became more interested in testing the validity of various concepts and assumptions, particularly the distinction between what leaders say and what they mean and the motives for the actions they take, there is an element of the later scholarship that is worth examining further. Perhaps taking their cue from Booth, the third generation, which emerged in the mid-1990s, expanded strategic culture to include domestic political structures and organizational culture, with the latter including military culture and political-military culture. In particular, these scholars were interested in strategic decisions per se, not with behavior as an element of strategic culture. However, they did not necessarily agree on the influences involved or where attention should be paid.

Elizabeth Kier's work is emblematic of the third generation's interests. Kier asserts, that "choices between offensive and defensive military doctrines are best understood from a cultural perspective."[39] Using interwar France as a case study, she posits that military doctrine is seldom the result of a meticulously planned reaction to the strategic environment. Rather, civilian policymakers have viewpoints about the role of the military in society, and these beliefs guide civilian decisions about how the military is organized. Civilian officials must first attend to their concerns about the domestic division of power before they consider international motivations such as the balance of power or the world order. The civilians' decisions influence later doctrinal formulations.[40]

Kier also contends that military organizations do not intrinsically favor offensive doctrines. These organizations vary in how they perceive the world and the appropriate performance of their mission, and such organizational cultures limit choices between offensive and defensive military doctrines. Specifically, the military's organizational culture guides how it responds to limitations civilian policymakers impose on the military.[41] Understanding an actor's culture is requisite to making sense of its choices. In Kier's view, domestic politics (civilian subculture) and the military's organizational culture (another subculture) are important influences, especially in the formulation of military doctrine. In essence, there is competition between the two subcultures, with this friction influencing a state's strategic decisionmaking processes and outcomes.[42]

Another scholar whose work focuses on military organizational culture is Jeffrey Legro. Specifically, he argues that "military cultures—beliefs and norms about the optimal means to fight wars—are important because they have a pervasive impact on the preferences and actions of both armies and states."[43] He seeks to understand the dominant warfighting culture of a state's military services, that is, the type of warfare favorable to its military culture. Borrowing from the field of business management, Legro asserts that organizational culture, which he defines as "the pattern of assumptions, ideas, and beliefs that prescribe how a group should adapt to its external environment and manage its internal structure," warrants consideration because it has an independent impact on the inclinations of military services and eventually on those of states.[44]

Culture, Legro declares, is broader than the individual preferences of a leader or environmental circumstances. It is a collective identity. People are socialized into beliefs that govern the organizations of which they are a member, and those who adhere to prevailing group norms are rewarded, advanced, and given greater authority. Further, organizational beliefs are fundamental to deciding which issues receive attention and to what priorities resources are applied. The danger is that environmental stimuli that do not resonate in the dominant culture will be discounted as abnormalities or anomalies and will be dismissed. Similarly, only those projects that are well-suited to the prevailing organizational culture and thus are considered feasible receive resources, while those that are not are denied support and standing. Legro also points out that culture persists for utilitarian reasons: cultural change is difficult and expensive.[45]

Based on these points, Legro holds that the pattern of assumptions, ideas, and beliefs that govern how a military bureaucracy should wage war will shape state preferences and actions on the use of that means. Each military creates its own culture that sets priorities and apportions resources. There are in the view of each service culture "beliefs about the 'right way' to fight wars." These models for warfighting provide "maps for action that either advocate or ignore specific means of warfare." Those means compatible with the dominant warfighting culture will be nurtured and promoted by the military.[46]

Stephen Peter Rosen, like Legro, is interested in organizational analysis and strategic studies. He contends that the proper level of analysis is not the interstate level or the individual level but the intrastate level. Military organizations determine for themselves how they organize for and conduct war, with political leaders having little influence on these organizational preferences. The military gains even more control over strategy in wartime because of its technical expertise.[47] For Rosen, strategic culture is synonymous with military culture—to understand state behavior, study military organizations. More specifically, Peter Katzenstein maintains that studying military norms is critical. "[T]hese norms establish expectations about who the actors will be in a particular environment and about how these particular actors will behave."[48]

Scholars often cite Alastair Iain Johnston's work as preeminent among the third generation scholars. Unlike Kier and Legro, he did not focus on process but rather on the concept of culture-behavior linkage to grand strategic preferences, essentially returning to the earlier scholars' emphasis on values.[49] Specifically, Johnston focused on Chinese strategic culture, but the core of his interest was on the character of strategic culture and the causal linkages between it and the use of force against external threats.[50] Johnston made it clear in his work that he did not agree with those who use the term "culture" to mean, explicitly or implicitly, that states have "different predominant strategic preferences that are rooted in the early or formative experiences of the state, and are influenced by the philosophical, political, cultural, and cognitive characteristics of the state and its elites."[51] Borrowing from the anthropologist Clifford Geertz's definition of religion as a cultural system, Johnston defined strategic culture in abstract terms:

[It is] an integrated system of symbols (e.g., argumentation structures, languages, analogies, metaphors) which acts to establish pervasive and long lasting strategic preferences by formulating concepts of the role and efficacy of military forces in interstate political affairs, and by clothing these conceptions with such an aura of factuality that strategic preferences seem uniquely realistic and efficacious.[52]

Further, there are a number of common elements among the definitions of culture. First, culture consists of shared assumptions and decision rules that impose a level of stability on individual and group perceptions of their relationship to their social, organizational, and political environment. Culture patterns and behavior patterns are quite different. Culture affects behavior by limiting options and by influencing how members of specific cultures learn from interacting with their environment. Multiple cultures exist in a social entity (states, organization, community, etc.), but there is generally a dominant culture, the members of which are interested in maintaining the status quo.[53]

Johnston also addressed what objects should be analyzed by scholars and practitioners to determine a "culturally-based ranked set of grand strategic preferences." Like an archaeologist searching for artifacts, Johnston noted that a variety of objects should be examined: the writings, debates, and the thoughts and published works of "culture-bearing units" such as strategists, military leaders, and other national security elites; war plans; weapons designs and deployments; media images of war and peace; military ceremonies; and even war literature. What made such an approach difficult was discerning if there were continuities across time, and if not, what accounted for the changes in strategic preferences, assuming that one could examine a sufficiently broad time span. In fact, Johnston found such an approach impossible. The alternative he offered was to choose the texts that were available to strategic decisionmakers during their socialization process.[54] Even this was no simple task, as Johnston claimed that the methods of analyzing these texts were relatively eclectic, requiring extraction of the various levels of meaning in the text, but he chose to emphasize two methods in particular—cognitive analysis and symbol analysis.

The purpose of a cognitive map is to synthesize and apply information using a representation that is constructed inside the head for the individual's personal use.[55] Thus, cognitive mapping is the means through which individuals process their environment, solve problems, and use memory. Johnston argued that by rigorously analyzing the texts, the policymaker could discern the cause-and-effect statements in a way that would uncover proposed strategic actions.[56]

Regarding symbol analysis, Johnston referred to work in anthropology and organizational studies that construe symbols as "vehicles through which shared decision rules, axioms, and preferences are manifested empirically, so that culture can be communicated, learned, or contested."[57] From this premise, he believed strategic culture was likely reflected by symbols about the role of force and the usefulness of certain strategies. Citing studies in social psychology, Johnston believed that symbols "cue certain repertoires of behavior." In short, the symbols "act as 'mental aids' or heuristics which make complex environments more manageable for decisionmakers, and suggest ways of responding to this environment."[58] Using this approach requires the strategist or policymaker to analyze the texts for symbols that include words, phrases, idioms, metaphors, and analogies that serve as a shorthand or code for the perceptions about the strategic environment and furnish a repertoire of responses to the environment. The analyst should be cautious in using such a technique because symbolic meanings vary over time even if the symbol remains the same.[59] Johnston uses the term "Munich" as an example of such a symbol, a word fraught with many meanings, evoking connotations with respect to appeasement, aggression, failure of leadership, and even other conflicts such as the Vietnam War.[60]

Johnston recognizes as well the tenuous relationship between strategic culture and strategic behavior—how strategic cultural assumptions influence policymakers in their strategizing. Cause-

and-effect connections are difficult to deduce because they require uncovering preferences. However, he contends that while such analysis can be performed, two cautionary notes are in order. First, "strategic culture may exist but may not have any measurable behavioral effect."[61] Second, there is the possibility that "different states may share a common strategic culture." Although there may be differences in regime-type, historical experience, geography, etc., there is the likelihood that "they share a common process of identity creation."[62] However, this hypothesis is difficult to prove since identity creation itself is fluid.

Nonetheless, Johnston's contribution to the debate is significant; he defined strategic culture as attitudes rather than habits, traditions, or other expressions of behavior. Further, he stressed that behavior is not the product of linear cause-and-effect determinism. Rather, it is the product of a coalescence of tendencies to act or behave in a likely manner. Lastly, he underscored the points that a security community may be composed of several strategic cultures and that culture alters over time.[63]

TOWARD A FOURTH GENERATION?

In the last few years, there has been an ongoing reassessment of strategic culture as a theoretical construct. While the works of Snyder and Johnston are viewed as seminal, scholars have criticized their studies as inadequate because they analyze single cases rather than a cumulative body of cases.[64] Further, there has been growing hesitance among political scientists to tackle a behavioral subject that has thwarted the efforts even of anthropologists and sociologists: how to characterize objectively the cultural beliefs held by large groups of individuals. Given those reservations, some political scientists have found Kier and Legro's approaches appealing because of their narrowed stance focussing on organizations rather than "national" cultures. Others still believe that investigating national cultures to attain a greater appreciation of how culture can shape beliefs about national interests is a worthwhile and feasible endeavor, but they have abandoned prediction as an objective. However, the contention that more modest approaches are needed does not constitute a coherent theoretical school.

Although there has been no discussion in the scholarly literature about a fourth generation of strategic culture theorists, there is a faint outline of what the next generation may focus on in terms of this concept. There appear to be two emerging schools of thought that address some of the problems scholars have articulated recently. One set of scholars investigates the linkage between geography/geopolitics and strategic culture as represented by ideas or values. However, even here, there are differences in emphasis that may be accounted for by the fact that the scholars using this approach are examining the strategic cultures of two different nations.

Oliver M. Lee sees a causal relationship between geography and strategic culture based on ideas and their representation in U.S. foreign policy. Specifically, he identifies two opposed coalitions of subcultures in American political culture. These coalitions tend toward either interventionism or isolationism. For him, they each represent different elements in American political culture because of different geographic (internal geography) and historical sources. Because of these differences, Lee suggests that these two coalitions vie with the interventionists for dominance over geostrategic policy. The interventionists are led by a group of national security elites that have largely controlled foreign policy since the beginning of the 20th century.[65]

On the other hand, Michael Evans examines Australia's strategic culture and way of war over the course of a century. He analyzes the relationship between ideas and practice and between geography and history in the development of Australian strategic behavior. His argues that since

Australia's federation in 1901, there has been and continues to be a "tyranny of dissonance" between Australian strategic theory and its warfighting practice. While peacetime Australian strategic theory has frequently upheld geography as a foundation for its defense policy, strategic action in wartime and during security crises has usually been conducted to uphold Australia's liberal democratic values and vital political interests in other areas of the world. Evans explores this paradox by examining the connections among Australia's political culture, strategic culture, and approach to warfighting.[66]

While there is utility in examining geography and history as important factors in explaining strategic culture, these two studies may not have much usefulness beyond understanding the unique characteristics of American and Australian foreign policy unto themselves. Lee suggests that the next step is to formulate such studies of many nations, large and small, to enrich and generalize our understanding of international relations globally.[67] In fact, these scholars are refining the work of second and third generations, with their emphasis on the paradox between "declaratory" strategies and "operational" strategies (Evans), whereby elites use "culturally linguistically acceptable justifications" to support the use of force. Again, the significance of rhetoric and textual analysis is the foundation for this approach. Lee offers a refinement of the third generation's concentration on ideas in the context of domestic politics, one emphasizing unique cultural characteristics and meanings.[68]

The second approach of a potential new generation of strategic culturalists concentrates on state identity as the principal factor in strategic culture. Scholar Runa Das argues that states are cultural entities that define security and the threats they must guard against. States thus produce a set of discourses in which leaders, government officials, and members of political parties propose a worldview and reality as they understand it. Das also claims that crucial to a state's identity is its foreign policy and its construction of danger, which further serves to elaborate a state's identity.[69] In other words, state identity is tied up with the dangers it confronts, and its policy reflects its insecurity. Das, whose work has focused on South Asia, agrees with Oliver that ideas are paramount in understanding strategic culture and that states often have conflicting views about the international environment and sometimes their national interest.

Justin Massie, a Canadian political scientist, has also examined strategic culture in relation to state identity. Massie here borrows from the eminent international relations scholar Hans Morgenthau:

> The kind of interest determining political action in a particular period of history depends upon the political and cultural context within which foreign policy is formulated. The goals that might be pursued by nations in their foreign policy can run the whole gamut of objectives any nation has ever pursued or might possibly pursue.[70]

Massie holds that identity and culture are, along with national interests, the key determinants of foreign and defense policy. The more difficult task is to understand the meaning and the relative priority of motivations found in the often abstract policy objectives that governments articulate in their written documents and public statements. This includes uncovering the meaning and hierarchy associated with national values as well as a state's attitude regarding international security as reflected in the ideas and practices of the sociopolitical community.[71] Again, the state is represented by officials who act on its behalf, and the "primary objects of analysis are the politically dominant conceptions of what the country is and what it represents."[72] In other words, what values does the state represent?

Massie posits two forms of state identity: internal and external. The internal has two aspects: corporate (territory, natural resources) and type, which includes political regimes (democratic or

autocratic), economic regimes (capitalist, socialist), and ethnicity (religion, language, historical origins). External identity refers to how the state understands its role in the international order (superpower, middle power, mediator), and to its relationships with other states and its view of the international environment (hostile or benign). In Massie's view, a state's strategic culture consists of three "distinctive, dominant, coherent, and semi-permanent conceptions of the state (both internal and external)" with respect to international security. These three conceptions of the state are (1) its alliance memberships and responsibilities; (2) its roles and goals; and (3) the benignancy-hostility of the international environment, as well as its relationships with other states.[73]

BUILDING AN ANALYTICAL FRAMEWORK

One of the values of Massie's work is that we can derive a framework from it. However, before we apply Massie's work in this manner, it is important to understand more fully the role and influence of culture in the formulation and execution of policy and strategy. Jiyul Kim argues for three basic cultural dimensions that appear to be foundational in determining political and strategic action and behavior. The first is identity—how people characterize themselves in terms of national identity and the linkage that identity has to interests. The second is political culture—a polity's structure of power and decisionmaking. The third is resilience—a society's capacity to resist or adapt, that is, to assimilate external influences.[74]

Identity in Kim's view is the most important of the three cultural dimensions because it ultimately defines purpose, values, and interests that serve as the basis for policy and strategy. Here he is speaking of collective identity, those features of a society shared by most members of the collective that have the potential to mobilize the collective and thus become an articulation of political power. As Kim observes, "The ability to mobilize a nation is essential in strategy, in the conduct of foreign and domestic policy, and is absolutely paramount for the enterprise of war."[75] He suggests that "ultimately, it is the collective social agreement on what commonality binds the collective that is most important," and there are actually a multiplicity of collective identities arranged hierarchically, indicating that some are more important than others.[76] Political nationalism as represented by the nation-state has been the most powerful collective identity in the modern era. The nation-state combined the concept of nation—which is determined by a common identity based on one or more physical and cultural factors such as origin, ancestry, geographic location, religion, and shared history—with that of the state, that is, political organization.[77]

The second dimension, political culture, is related to political organization. It is composed of a political system, political tradition, institutions, decisionmaking, and strategic culture. It may include religious elements as well. For our purposes, political culture is defined as

> a set of values, beliefs, traditions, perceptions, expectations, attitudes, practices, and institutions that a particular society harbors about how the political system and process should operate and what sort of governmental and economic life should be pursued.[78]

The eminent political scientist Lucian Pye believed that the concept of political culture assumes there are attitudes, sentiments, and cognitions that inform and govern political behavior in any society. They represent "coherent patterns" of behavior that "fit together and are mutually reinforcing."[79] Further, a distinct political culture gives meaning, predictability, and form to the political process. It assumes "each individual must, within his own historical context, learn and incorporate into his own personality the knowledge and feelings about the politics of his people and community."[80] Pye contends that:

the traditions of a society, the spirit of its public institutions, the passions and collective reasoning of its citizenry, and the style and operating codes of its leaders are not just random products of historical experience but fit together as part of a meaningful whole and constitute an intelligible web of relations.[81]

Political culture represents both collective historical experience and individual identities; it is broader than political style or the operating codes of the political elite.[82]

Strategic culture is an expression of a nation-state's political culture and is related to political system. As Kim explains, "Political system refers to how political power is organized, with particular emphasis on identifying and understanding the basis of power, its distribution, and hierarchy."[83] There are numerous political systems in the world and, as noted earlier, within these systems are a multitude of political actors and the institutions they represent that exercise political power, which is articulated in policy and strategy and is manifested in strategic behavior.

Resilience is the third dimension. It relates, as noted earlier, to a society's ability to resist or adapt to external influences in its environment. Healthy societies and their political institutions are stable and coherent. This does not mean they are unchanging. In some instances, societies ardently resist external social and economic influences that would fundamentally alter their identity and political culture, both "deeply rooted in the native genius of each nation."[84] In other cases, adaptation to environmental pressures and changes is a sensible response. This is particularly true today regarding the impact of globalization in its broadest sense that includes not only economic and informational elements, but also technological, political, and ideational factors. In this respect, the idea of globalization is tied to the notion of interdependence on a vast scale.[85]

These three components (identity, political culture, and resilience) serve as the defining characteristics of culture for our purposes. Figure 21-1 depicts this relationship. As is evident from the previous discussion, strategic culture is a complex concept that incorporates numerous facets of national life, the state's conception of its role in the international order, and the threats and challenges existent in the strategic environment. To account for all the factors that may influence strategic culture would be overwhelming, and for that reason scholars have confined themselves to certain features they believe are more salient and promising as analytical tools.
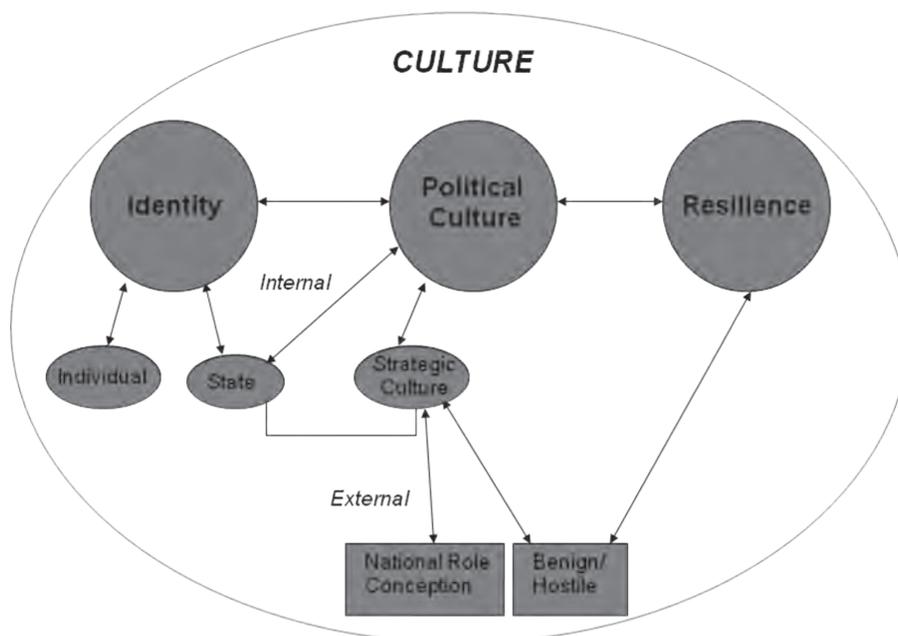

Figure 21-1. The Three Components of National Culture.

With the diagram in Figure 21-1, we can develop an analytical framework that helps us relate strategic culture to state identity. State identity bears on how a state understands itself through its history, traditions, values, and other factors, including religion, ethnicity, and language. State identity is associated with strategic culture since both share common elements. However, strategic culture is a component of political culture (system, institutions, etc.) and is also related to how states identify themselves in terms of the political system. Strategic culture has an external element as well that is composed of two aspects. The first is how that state perceives and understands its role in the international order (superpower, middle power, etc.) and how it understands the strategic environment in terms of benignancy and hostility, recognizing that it is not only a function of worldview but its relationships with other states. Further, benignancy and hostility relate to how a nation-state adopts or resists outside ideas and influences that not only affect its political culture and strategic culture, but also how it perceives its security environment. In terms of the latter, states will adopt alliances or other mechanisms such as membership in international organizations to reduce their insecurity (the fear of threats) or to further cooperation and thereby maintain a level of power in an anarchic system.

To understand state behavior, the analyst can use this framework to explore potential strategic action by assessing (1) how a state identifies itself; (2) its political culture with particular emphasis on its strategic culture (to include its national role conception and its view of the strategic environment); and (3) its willingness to appropriate or resist methods to diminish insecurity and enhance cooperation.

EMERGING CONCEPTS: BEYOND SOCIAL SCIENCE

At best, such an analytical framework is a less than precise instrument for understanding state behavior and its manifestation in both policy and strategy documents and action. After more than 3 decades of scholarly work, no methodology has proven completely reliable as a predictive tool. The reasons are understandable because states act through people, and human beings are not entirely predictable in their actions despite the social sciences' reliance on a rational actor model. As anthropologist Scott Atran points out, "Ever since the end of the Second World War, *Rational Actor* models have dominated strategic thinking at all levels of government policy and military planning" and have been particularly useful in understanding a wide range of strategic challenges, particularly stabilizing the world order to prevent nuclear war.[86] Rationality as understood by this term is not an issue of sanity, but that human beings, specifically decisionmakers, act in logical and dispassionate ways to satisfy needs by maximizing benefits and minimizing costs. This model also assumes that the decisionmaker has perfect information about the consequences of certain choices.

Atran suggests, however, that the rational actor model may no longer be relevant when dealing with some nonstate actors such as terrorists. He argues that there is a need for "new ways of thinking about the *Devoted Actor* who is routinely willing to make extreme sacrifices that are all out of proportion to the likely prospects of success."[87] While Atran is interested in morally-motivated behavior through the study of sacred values, which he claims differ from "material or instrumental values by incorporating moral (including religious) beliefs that may drive action independently of its prospect of success," he is raising a larger issue with respect to the area of judgment and decisionmaking. In fact, the case against "rationality" is based on substantial data derived from experiments and case studies indicating foreign policymakers do not make decisions as if they were rational actors. However, such studies do not mean that nonrational actors cannot as a group produce optimal or near optimal results. Using insights from population genetics, Andrew Farkas has constructed a model whereby collectivities like a state made up of nonrational humans can be treated as unitary, rational actors.[88]

Recent progress in neuroscience, behavior genetics, cognitive psychology, and related fields adduces further evidence against the rational actor model, suggesting that the role of emotion, brain structure, and aspects of brain function like cognitive decline have an influence on decision-making and judgment far beyond what social scientists have understood. For example, no matter how "rational" and "objective" humans believe they are, emotions have a striking influence on decisionmaking. Neuroscientists have identified emotive mechanisms that can influence decision-making and that have biological roots linked to specific areas of the brain.[89] This has led to other arguments for a "political brain" whereby brain imaging indicates that political views are a product of unconscious confirmation bias.[90] Additionally, a recent study suggests that the languages we speak actually influence our perceptions of the world.[91]

These intriguing scientific soundings hold some promise in terms of our understanding of how foreign policymakers think and decide. They also underscore a postulation that Charles Merriam made almost a century ago—biology or neurology may be essential to an understanding of political consciousness and thinking.[92] The explosive growth in biology and brain science in the past 3 decades provided the empirical evidence Merriam sought to support his thesis. The evidence has also led some political scientists to believe that this field of psychobiopolitics will have substantial implications for our understanding of international relations to include strategic behavior. If they are correct, strategic culture will not rely simply on "good anthropology" but also on good neurobiology.

ENDNOTES - CHAPTER 21

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CHAPTER 22

A PRIMER ON CIVIL-MILITARY RELATIONS FOR SENIOR LEADERS

Marybeth P. Ulrich

Civil-military relations describes a field of study as well as an arena of participation in the political life of the state. As a field of study, civil-military relations is multidimensional and interdisciplinary. Political scientists, sociologists, philosophers, and historians as well as national security practitioners all bring their unique perspectives to the field. As an arena of political participation, civil-military relations links the political and military components of strategy. The Prussian theorist, Carl von Clausewitz, was clear in his view that war is a political act. "The political object is the goal, war is the means of reaching it, and means can never be considered in isolation from their purpose."[1] It should come as no surprise then, that the civilian leadership and its generals are collaborators in the arena through which state interests are advanced, especially when violence or the threat of violence is employed. Consequently, any military activity is arguably a necessary object of political determination.[2]

What distinguishes civil-military relations from general studies of politics or national security affairs is its focus on the military as the actor of primary interest of study. The focus is generally on the military leadership and its relationship with its political masters. Attention is also paid to the military as an institution interacting with other national security institutions. A key assumption of the field is that armed forces develop a unique set of institutional attributes stemming from the power the state cedes to them to secure the state. The military is recognized as a distinct entity in the political system and in society at large. How the military conducts its relationships with its political masters and clients across the political and societal scenes reveals a state's pattern of civil-military relations.

Tension between the civilian and military spheres is inherent in their relationship. In the absence of mature democratic institutions, these spheres vie for power and control over each other. Ensuring civilian control, or more accurately "political control" of the military is a dominant theme in civil-military relations. While Samuel Huntington in his classic work, *The Soldier and the State*, depended on professionalism as the best method of achieving civilian supremacy through "objective civilian control,"[3] Samuel Finer warned in his classic work, *The Man on Horseback*, that professionalism "may lead [the military] to see themselves as the servants of the state rather than of the government in power."[4] Consequently, the study of professionalism, particularly the military's institutional preferences and norms regarding its relationship with its civilian masters is an important aspect of the study of civil-military relations.

Even in the most advanced democratic systems, managing the participation and influence of the military institution to maximize military effectiveness, sound strategy, and the democratic principles of the state is an ongoing challenge. In the age of modern warfare the state's civilian national leadership depends especially on the expert knowledge resident in the military sphere as a critical input for decisionmaking. The military, however, depends equally on civilian expertise to understand the wider political ramifications of their putatively military acts.[5] Collaboration between the two spheres is a necessity to craft and execute strategy effectively. Navigating this space between political control and the provision of expert knowledge within specific societal backdrops requires a firm grasp of civil-military fundamentals. It is essential that strategic leaders, civilian and military alike, understand the key principles associated with the military's role in the political and social life of the state.

Civil-military relations is a broad field of study with great relevance for national security professionals. Developing professional competencies across its varied dimensions will yield great professional pay-offs for strategic leaders and the states they serve. Recognizing that a civil-military dimension is present in most strategy and policy issues will foster the ongoing process of developing the civil-military competencies needed to carry out civilian and military roles in the national security process.

The primer's goal is to alert its readers to the scope of the field. The intent is to foster interest in the additional competencies that civilian and military participants alike must acquire to fulfill their responsibilities in the national policy process. The seven sections that follow introduce the key principles and dimensions essential to gaining strategic level competency in this critical field.

THE CONCEPT OF CIVILIAN SUPREMACY IS SUPREME

Civil-military relations in a democracy are uniquely concerned that designated political agents control designated military agents.[6] Acceptance of civilian supremacy and control by an obedient military is the most important principle of civil-military relations in democratic states. Indeed, the concept of civilian supremacy transcends political systems.[7] Military professionals in all political systems share a mandate to be as competent as possible in their functional areas of responsibility in order to defend the political ends of their respective states. However, military professionals in service to democratic states face the added burden of maximizing functional competency without undermining the state's democratic character.[8] Officers in democratic states serve societies that have entrusted them with the mission of preserving the nation's values and national purpose.

MILITARY-POLITICAL COLLABORATION REQUIRES DISTINCT ROLES AND RESPONSIBILITIES

Nearly all strategic level national security decisions occur in the civil-military nexus. This nexus includes interactions between the uniformed military, elected officials, political appointees, and career civil servants across the relevant government agencies and departments.[9] Military-congressional interactions, or their equivalent in parliamentary systems, are also important relationships to cultivate. This could also include congressional staffers who often possess legislative expertise and may be influential actors in their own right. Legislative bodies in democracies are empowered with, at a minimum, some level of oversight, budgeting authority, and organizing power. They are also crucial for their proximity to the people and the importance of sustaining legitimacy for particular policies. This is especially true in wartime.[10]

In the case of the United States, constitutional sharing and separation of national security related powers requires collaboration between the executive and the legislature. Military officials, uniformed and civilian, have the responsibility to provide expert advice to their "masters" in both the executive and legislative branches. Power sharing of some kind over the use of force and regulation of the military institution is typical of all democratic systems. However, there are distinct differences in the responsibilities of political and military agents in the policy collaboration process stemming from differences in their constitutional roles.

Additionally, there are distinct differences in political and military agents' political and military competencies. Political agents are likely to have greater experience in the strategic and political dimensions of national security policy, while military agents will be more rooted in the technical expertise and operational knowledge related to the use of force.[11] National security policy outcomes are optimized when participants on both sides of the relationship commit their respective military and political competencies to the task at hand and subsequently collaborate in the processes of policy and strategy formulation, execution, and adaptation.

Ideally, the result is a carefully vetted policy that has benefited from the contributions of the relevant military experts and also reflects the careful assessment of the civilian national leadership cognizant of the domestic political and international strategic environments. Such collaboration requires constant professional development for all national security professionals involved.

The advice of military actors will be on more solid footing if it stems from some degree of understanding the strategic and political contexts that form the civilian leadership's decisionmaking backdrop. Colin Gray argues that achieving effective dialogue between the civilian national leadership and its generals can be difficult. "Politicians and generals tend to lack understanding of, and empathy for, each other's roles. It is not so commonplace to notice that politicians and generals are often less than competent in their own sphere of responsibility, let alone in the sphere of the other."[12] Developing senior officers with the ability to formulate sound military advice and civilians capable of strategic thinking requires institutional support for appropriate career broadening assignments such as opportunities for military officers and civilians to study and teach in the military education system. Civilian graduate education is also important and should be recognized in both the civilian and military promotion systems.[13]

Civilian leaders with greater familiarity of the military sphere will be better equipped to choose among competing proposals and to perhaps suggest that a viable option is missing. A particular military competency that would serve the civilian leadership especially well is mastery of the strategic thought process[14] that is the foundation of senior military leaders' decisionmaking. Military actors, in turn, will benefit from exposure to the broader strategic and political environment. Such experience will temper their military advice with important contextual knowledge.

However, the distinct responsibilities of military and civilian actors must always be maintained. The responsibility for national policy decisionmaking cannot be ceded to military actors, regardless of the perception of the military leadership's expert knowledge. Civilian national leaders, especially the President, should be careful not to blur the vastly different scopes of political and military decisionmaking. Senior officers must keep in mind that they render advice to elected officials responsible for the nation's overall national policy. Such policy decisions must take into account the feasibility and political sustainability of various courses of action.

Civilians should also recognize their responsibilities related to managing the civil-military climate. As Richard Kohn noted, "civilian officials have every incentive to establish effective collaborative relationships with the senior military leadership."[15] These norms governing civilian participants' behaviors focus on fostering trust and respect between the civilian and military professional spheres. Civilians will benefit from taking the time to recognize the military's unique cultural attributes and values. Awareness of the military's standards of professionalism such as its preference for apolitical service, its expectation of accountability, and the military leadership's role to provide its best professional advice strengthens military-governmental collaboration.

PROFESSIONAL RESPONSIBILITY TO DEVELOP NORMS GOVERNING CIVIL-MILITARY BEHAVIOR LIES WITH THE PROFESSION

Developing a widely shared set of norms regarding civil-military behaviors is the responsibility of the military profession. Civilians also have a professional responsibility to promote a favorable climate for civil-military relations. As noted earlier, first among the professional norms is acceptance of the principle of civilian supremacy. Related norms govern principles for voicing military dissent in the policy process, standards for participation in partisan political processes, and expectations for the political behavior of retired members of the profession.[16]

The Bounds of Dissent.

Collaboration between military and civilian national security professionals maximizes the competencies of each. However, legitimate disagreement is common in any collaborative decisionmaking process. Civilian policymakers should encourage military professionals to offer their best advice and not punish military participants who work within the established bounds of dissent in the democratic national security decisionmaking process. Military leaders should expect that their professional military judgment is heard, but they must also recognize when their actions exceed the bounds of dissent.

When acts of dissent take military leaders beyond their roles as advisers to the civilian leadership to become political actors themselves, then the limits of dissent have been exceeded. When military and civilian leaders have different policy preferences it may be possible for the military to, in effect, achieve its desired preference through willful nonimplementation of the policy or by inappropriately influencing the public political debate. Military professionals must guard their behavior when they think their judgment is superior to the civilian agents, who have the authority and responsibility to make policy decisions. In democracies, who makes such calls may be more important than the call itself for the continued viability of the democratic process.

At the same time, military professionals must step up to their responsibilities to assert their strategic expertise. Such inputs influence strategic deliberations and continue throughout the process of strategy adaptation that may be necessary in the execution phase. Questions related to the role of the senior military leadership in policy deliberations were prominent in H. R. McMaster's indictment of the Joint Chiefs in *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies that Led to Vietnam*.[17] Lieutenant Colonel Paul Yingling raised parallel questions of accountability to the current generation of general officers. His *Armed Forces Journal* essay criticized senior military leaders for providing insufficient advice to the civilian leadership crafting Iraq War policy.[18] Yingling argued that such actions contributed to the war's policy failures.

A robust civil-military curriculum would also include discussion of the role of resignation as a form of dissent. As Richard Kohn and Richard Myers recently argued, "There is no tradition of military resignation in the United States, no precedent—and for good reason."[19] Other analysts have criticized the military for not playing the "resignation card" as a route to influence policy and strategy outcomes.[20] Members of the profession should explore these arguments and begin to develop their strategies for expressing disagreement in ways that do not disadvantage their subordinates and their profession, or infringe on civilian control.

Understanding civil-military roles in the policy process and effective leverage of military expertise in civil-military interactions is a critical variable for successful policy outcomes. Managing disagreement across the civil-military spheres is an important strategic leader competency that, in turn, raises key ethical and professional questions.

The Perils of Partisan Politics.

The perception that the American officer corps has become increasingly "Republicanized" came to the fore in the 2000 presidential election raising questions about the tradition of an apolitical military.[21] Limiting participation in politics to the military advisory role and balancing rights as citizens poses a challenge for the military profession. A key element in this balancing act is the management of society's perceptions of the military as an institution. The ethic of the "policy relevant nonpartisan" is a critical civil-military norm. At stake is the military profession's servant relationship with society. Implications also exist for maintaining the legitimacy of the military's special status in society as "managers of violence."[22]

Other Areas in Need of More Explicit Civil-Military Norms.

Expectations regarding the political behavior of retired senior officers continue to vary across a broad spectrum. There was mixed reaction to what has come to be known in recent political-military folklore as "The Revolt of the Generals"—the April 2006 uncoordinated protests of newly retired general officers calling for the dismissal of Secretary of Defense Donald Rumsfeld over the planning and conduct of the Iraq War. While some criticized these actions as undermining civilian control, others lauded the retirees for speaking out, if belatedly.

Varied reactions among retirees in the profession indicated the lack of a professional consensus regarding the continuing legal and moral obligations that retirees are expected to fulfill. What norms should be established for retired officers serving as media commentators, especially with regard to analyzing ongoing operations? In addition, the profession also lacks consensus on what is appropriate regarding partisan politicking among the retired general officer ranks. Some have called for prominent retirees to consider the effect that "taking sides" in political campaigns has on the profession. The senior members of the profession still serving on active duty as stewards of the profession's norms can help to set expectations in these areas.

PATTERNS OF CIVIL-MILITARY RELATIONS VARY ACROSS POLITICAL SYSTEMS

The study of civil-military relations is relevant across political systems. Advanced democracies, authoritarian states, and the range of developing, failing, democratizing, and dedemocratizing states in between, all face the challenge of managing and leveraging the military as a political actor. The different parameters operative in various political systems result in different patterns of civil-military relations.

Influence (expertise)	Advocacy (policy veto)	Makes Policy (limited arenas)	Governs (complete control)
Civilan Control (CC)	CC Undermined	Limited Military Control	Military Rule
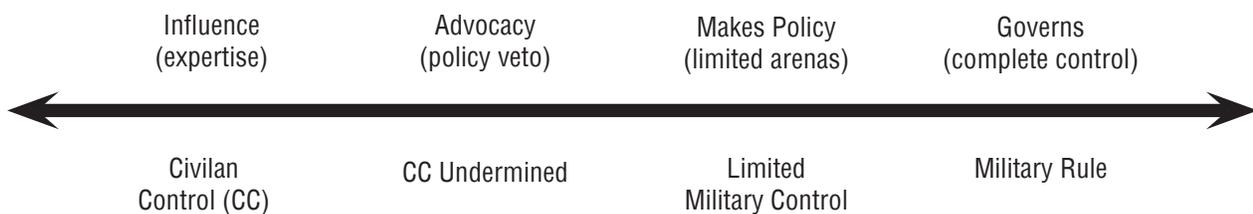
Figure 22-1. Spectrum of Military Participation in Politics.

Advanced democracies have the luxury of mature democratic institutions, the best barrier to praetorian rule. Post-authoritarian regimes, such as the post-communist states of Central and Eastern Europe and the former military regimes of Latin America, carry the burden of undertaking transitions to democracy with legacies of authoritarian rule still operative across society and the political system. States rebuilding or creating their institutions from scratch in post-conflict scenarios such as Iraq and Afghanistan must be careful that institutional development matures in a balanced fashion ensuring continued political control over the military.[23] In countries struggling to achieve greater standards of economic development, democratic institutions may still be weak and governance poor, tempting the military to intervene.

Understanding Military Rule and Praetorian Behavior.

Familiarity with the works of such giants in the field as Samuel E. Finer and Alfred Stepan[24] would benefit strategic leaders interested in understanding the rise and fall of military regimes and the often predictable patterns associated with them. Praetorianism refers to the over-stepping of accepted limits of military participation in the political process. The principle of civilian supremacy is rejected in order to force the military's prerogative to prevail in the political system. Such behavior relies on military coercion as a means of short-circuiting the political process in order to achieve the military's short-term institutional interests. This may involve asserting power through a coup to displace the elected government and install either civilian leadership more favorable to the military or direct military rule. Exercising de facto policy vetoes behind the scenes through the threat of force to ensure that the military's policy preferences prevail over the civilian leadership's is another praetorian tactic.

Finer's study of military regimes in Latin America and Africa led him to develop frameworks useful for predicting the conditions under which military institutions exert political power, and in some cases, overthrow civilian governments. He focused on the attributes of military institutions that seem to be compatible with effective and efficient governance such as technical expertise, non-partisanship, control of vast personnel and other military resources, discipline, and commitment to the national interest. Such traits seemingly predict that military rule may often be successful. In reality, when observers such as Finer tally the results, the findings point to the near certainty that military rule will leave a state in worse shape than when the military first intervened. Here the explanation also lays in the attributes of the military institution, this time those that are incompatible with effective governance. Leading the way among these factors is the distaste for politics and the political process, intolerance of dissent, which leads to repression and decreased legitimacy, and lack of the broad expertise needed to effectively govern.

Praetorian behavior is possible in states with weak democratic institutions and weak civil societies that are collectively unable to pose a sufficient barrier to military coercion. The subsequent intervention inevitably further weakens democratic institutions and sets a precedent that is often repeated, leading over time to underdeveloped states. The long-term potential for effective governance is sacrificed as the military stunts the development of civilian capacities to rule while offering instead its version of authoritarian or semi-authoritarian rule lacking the accountability and expertise essential to good governance.

CIVIL-MILITARY RELATIONS AND STRATEGIC CULTURE

There is also a strategic-cultural dimension to civil-military relations. Understanding the norms governing the civil-military relationships in states as well as the varied interests of armed forces, society, and the government is a prerequisite to understanding a state's national security strategy. Important questions to explore include, "Which actors dominate the process of formulating national security policy and strategy? and, "How synchronous are the interests of the government, the people, and the armed forces?"[25] Furthermore, "Are the political institutions regulating civil-military relations mature or is the political system vulnerable to personality-based politics and/or seizures of power as evidenced in praetorian politics?"

Past and present behavior of states in the international system cannot be fully understood without some knowledge of the role of the military in the state. Authoritarian states prioritize the importance of ensuring that the military and political elites' interests are one, usually at some sacrifice of military professionalism and effectiveness, in order to ensure civilian control. States with a history of military rule or strong influence in politics will have this experience as a permanent dimension of their political culture. For instance, Latin America has emerged in recent decades

from an era of near total military rule. Recent scholarship focuses on how these periods of military rule have cast a shadow on current politics and explain different degrees of success in building democratic institutions.[26]

On the other hand, some states, although still developing, such as India, have a strong tradition of noninterference in political affairs. However, when Pakistan broke away from India in 1947, its military established a tradition of continual influence in political affairs and long periods of military rule. Many scholars argue that such interference has stunted the democratic development and overall performance of subsequent Pakistani regimes. Indeed, at the time of this writing national security actors are trying to assess the continued role of the military in Pakistan as President Pervez shed his uniform and appointed a new Army Chief to succeed him.

CIVIL-MILITARY RELATIONS AND SECURITY COOPERATION

Military and civilian officials in the service of advanced democratic states may consider themselves to be immune to the challenges of praetorianism. However, such officials serving abroad are likely to find many opportunities to influence the civil-military relations of other states. Representatives of states' national security apparatuses often come in contact with each other through multinational operations or various other engagement opportunities made possible through security cooperation programs. These "military to military" meetings often involve interactions between defense personnel from different types of political systems. Senior officers and national security professionals in possession of sound civil-military knowledge can leverage these engagements to facilitate the national security objectives of all parties. Increasingly, military professionals are engaging civilians in the course of carrying out their strategic responsibilities. This is particularly true in post-conflict stability operations and state building missions.

It is in such opportunities that the linkage of military objectives and overall strategic political objectives may come into play. For instance, military personnel from advanced democracies assigned to build and train armed forces, as North Atlantic Treaty Organization (NATO) and coalition forces are presently doing in Afghanistan and Iraq, must be cognizant of their responsibility to foster armed forces steeped in the values of governmental control and democratic military professionalism.[27] Strategic leaders with such responsibilities should be able to link their military-to-military engagement with the overall strategic objective of building robust democratic national security institutions. Important questions to ask include, "Are external trainers focusing exclusively on building military competencies to the exclusion of political competencies? Are military personnel being taught the fundamentals of interacting with the civilian national leadership? Is proper emphasis being placed on building the relationship with society at large, to include the media?"

The military leadership of these nascent national armed forces, in turn, must set the example in terms of loyalty to their Constitution and commitment to fostering the development of democratic national institutions. The overall strategic objective shared across the spectrum of actors, external and internal alike, is building a democratic state with an armed forces capable of defending its interests. Yet history bears out that military intervention is a great threat to the sustained development of democratic institutions in developing countries. The record warns that once the pattern of intervention is begun, restoring the state to the path of sustained democracy is more unlikely.

THE ARMED FORCES AND SOCIETY

The relationship between the armed forces and the societies they serve is a key concern of civil-military relations scholars. The worldwide trend away from conscripted armed forces to professional militaries, favored by most societies that can afford them, has great implications for military-society relationships. In this time of war, less than 1 percent of the U.S. population serves in

the military. This figure contrasts sharply with previous American wars in times of conscription. Four percent of the population served during Vietnam, 12 percent in World War II, and 11 percent in the Civil War.[28] The reality of the lack of shared sacrifice risks the sustainability of the war effort for practical reasons such as the lack of deployable troops over many rotation cycles. Also at risk, is the war's political sustainability. Military sociologist David Segal has noted, "In a democratic society, the army is a people's army, a reflection of the popular will."[29] However, at present Segal warns, "The military is at war, but the country is not. And the military resents that."[30]

At issue is the notion of citizenship and national obligation. The resentment David Segal noted stems from the reality of the growing gap between American society and those who choose to serve it. Journalist Tom Ricks observed in his 1997 book *Making the Corps* that demographic data as well as his immersion in military culture suggested that the military is increasingly no longer "of" society, but becoming "separate" from it. The separate lives of America's warriors and its citizenry can spawn resentment, stereotyping, and even hostility across the civil-military spheres. With the children of America's policymaking elite virtually absent from the military ranks, and the children of American families at both the extremely affluent and extremely disadvantaged extremes either opting out of or failing to qualify for military service, what has come to be called the "civil-military gap" is growing.

The media is an often underappreciated and misunderstood tool critical to managing the "civil-military gap." The media is one of the chief links between the military institution and the society it serves. Healthy interaction with the news media reflects both an understanding of the media's function to inform the public and ensure accountability of government institutions. Well managed military-media relations can also highlight the military's effectiveness and opportunities, drawing more citizens to the military.

The experience of embedding reporters in military units in the Iraq War highlighted the different cultures of the military and the media. "Members of the military are trained to do what they are told. Members of the media are trained to challenge and question everything." [31] As one correspondent noted, "What that means, in the end, is that we really have to develop strong relationships. One of the most invaluable experiences I had was to learn who the men were . . . and to develop a relationship and trust and honesty that developed through the several weeks that we were together." Furthermore, democratic military professionals should appreciate and seek to facilitate the press's function in a democratic society, and, at a minimum refrain from actions that undermine the role of the media in the American political system.

Yet another important civil-military competency to be honed, then, is the management of the military-societal relationship. Military and civilian leaders have the responsibility to bridge the civil-military gap. Their actions can be guided by first principles undergirding civil-military relations in democracies, such as the desirability of having all segments of society participate in military service. Professional militaries, dependent on the willingness of volunteers to serve, must invest in robust outreach and public relations programs. Another essential principle is to embrace the requirement to be transparent, accountable, and nonpartisan to make certain that the military institution is "of" its society and focused on its role in achieving the national interest and the democratic character of the state.

STRATEGIC IMPLICATIONS AND CONCLUSIONS

Strategic leaders with a comprehensive understanding of civil-military relations in all its dimensions are more likely to make effective contributions to effective national security outcomes. Indeed, *The Iraq Study Group Report* pointed to improving civil-military relations in the policy formulation arena as a critical component for restoring the U.S. military.

The U.S. military has a long tradition of strong partnership between the civilian leadership of the Department of Defense and the uniformed services. Both have long benefited from a relationship in which the civilian leadership exercises control with the advantage of fully candid professional advice and the military serves loyally with the understanding that its advice has been heard and valued. That tradition has frayed, and civil-military relations need to be repaired.

RECOMMENDATION 46: *The new Secretary of Defense should make every effort to build healthy civil-military relations, by creating an environment in which the senior military feel free to offer independent advice not only to the civilian leadership in the Pentagon but also to the President and the National Security Council, as envisioned in the Goldwater-Nichols legislation.*[32]

Perhaps as important as enhancing the prospects of strategic success, is the parallel goal of preserving the democratic character of the state and the critical underlying dynamic between the government, the people, and the armed forces. The range of civil-military competencies to be developed is great. The first steps toward acquiring them are to recognize the professional imperative to do so and the scope of the task at hand. The unique nature of the military profession places much of the responsibility for the development of civil-military competencies and norms in the lap of the profession itself. Gaining civil-military competencies must rank among the life-long professional pursuits of strategic leaders.

ENDNOTES - CHAPTER 22

1. Carl von Clausewitz, *On War,* Princeton, NJ: Princeton University Press, 1989, p. 87.

2. J. Boone Bartholomees, Jr. "U.S. Army War College Instructor Notes, Theory of War and Strategy, Lesson 4, Academic Year 2008," p. 3.

3. Samuel P. Huntington, *The Soldier and the State,* Cambridge, MA: Harvard University Press, 1957, p. 84.

4. Samuel E. Finer, *Man on Horseback,* New Brunswick, NJ: Transaction Publishers, 2004, pp. 25-27.

5. Idea attributed to Dr. Kathleen Mahoney-Norris, U.S. Air Command and Staff College.

6. Peter D. Feaver, "The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control," *Armed Forces and Society*, Vol. 23, No. 2, Winter 1996.

7. For instance, in the Soviet Bloc the concept of civilian supremacy was strictly employed. See Timothy J. Colton and Thane Gustafson, eds. *Soldiers and the Soviet State: Civil-Military Relations from Brezhnev to Gorbachev,* Princeton, NJ: Princeton University Press, 1990.

8. Marybeth Ulrich, "Infusing Normative Civil-Military Relations Principles in the Officer Corps," *The Future of the Army Profession*, 2nd Ed., Boston, MA: McGraw Hill, 2005, p. 656.

9. I attribute this conceptualization of the "civil-military" nexus to U.S. Army Colonel Chris Gibson, who presented this in his forthcoming book, *Securing the State,* Chap. 1, London, UK: Ashgate Press, 2007.

10. See Congress-Bush administration conflict over Iraq War, Early Bird, July 13, 2009.

11. Ulrich, "Infusing Normative Civil-Military Relations Principles in the Officer Corps," p. 657.

12. Colin S. Gray, *Modern Strategy,* Oxford, UK: Oxford University Press, 1999, p. 58.

13. Fred Kaplan's reporting indicates that such institutional support does not presently exist in the U.S. Army. See Fred Kaplan, "Challenging the Generals," *The New York Times Magazine,* August 26, 2007.

14. The strategic thought process is simply a problem solving rubric focused on the fundamental question, "What do I want and how can achieve it?" When analyzing issues and problems the strategic thought process focuses on the calculated relationship between Ends, Ways, and Means. Ends, Ways, and Means may alternatively be stated as objectives, concepts for achieving the objective, which is sometimes stated as a Course of Action, and resources. This model is a staple of the U.S. Army War College strategy curriculum.

15. Taken from an unpublished exchange entitled, "Civilian Behaviors in Civil Military Relations" between Dr. Richard Kohn and his students in his Army War College elective, "Civilian Control of the Military" taught in the Spring of 2007. Used with the author's permission.

16. A thorough treatment of suggested civil-military norms can be found in Ulrich, "Infusing Normative Civil-Military Relations Principles in the Officer Corps."

17. H. R. McMaster, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies that Led to Vietnam,* New York: Harper Collins, 1997.

18. Paul Yingling, "A Failure of Generalship," *Armed Forces Journal,* May 2007.

19. Richard B. Myers and Richard H. Kohn, "Salute and Disobey?" *Foreign Affairs,* September/October 2007.

20. Michael O'Hanlon, "Iraq Without A Plan," *Policy Review,* No. 128, December 2004/January 2005, pp. 33-45.

21. "The 2000 Campaign: Support of the Military; Military Backs Ex-Guard Pilot Over Pvt. Gore," *New York Times,* September 21, 2000, p. A1; "E-Day Attack; Military Set to Invade the Polls; Observers Worry About Surge in Partisan Politics," *Times Picayune,* October 20, 2000, p. 5.

22. Samuel P. Huntington singled out "the management of violence" as the military's unique role in society. See *The Soldier and the State.*

23. Dean C. Stodter and Marybeth P. Ulrich, "State Building and the Democratization of Civil-Military Relations in the New Afghanistan," October 2007, Conference CD for the biennial conference of the Inter-University Seminar on Armed Forces and Society.

24. Finer's *Man on Horseback* first published in 1962 is cited above. Stepan's field work analyzing the performance of the Brazilian military regime in the 1960s is an outstanding case study of the cyclic and troubled nature of military rule. See Alfred Stepan, *The Military in Politics: Changing Patterns in Brazil,* Princeton, NJ: Princeton University Press, 1971 .

25. Clausewitz's paradoxical trinity gave great strategic weight to proper management of the relationships between the people, the commander and his army, and the government. See *On War,* p. 89.

26. See Martin Mullins, *In the Shadow of Generals: Foreign Policymaking in Argentina, Brazil and Chile,* Hampshire, UK: Ashgate Publishing, 2006.

27. See Marybeth P. Ulrich, *Democratizing Communist Militaries: The Cases of the Czech and Russian Armed Forces,* Ann Arbor, MI: University of Michigan Press, 1999, pp. 10-11.

28. Kristin Henderson, "Their War," *Washington Post Magazine,* July 22, 2007, p. W10.

29. *Ibid*.

30. *Ibid.*

31. Alicia C. Shepard. *Narrowing the Gap: Military, Media, and the Iraq War,* Chicago, IL: Robert R. McCormick Tribune Foundation, 2004, p. 83.

32. James A. Baker, III and Lee H. Hamilton, Co-chairs, *The Iraq Study Group Report,* New York: Vintage Books, 2006, pp. 76-77.

CHAPTER 23

PROFESSIONALIZING STABILITY OPERATIONS IN THE U.S. ARMED FORCES[1]

Richard A. Lacquement, Jr.

The U.S. Armed Forces entered the 21st century weakly prepared for the challenges of stability operations. The Armed Forces provided stark evidence of this inadequacy in the early stages of the wars in Afghanistan and Iraq.[2] Ironically, this deficit occurred despite a long history of creditable performance and experience in stability operations undertaken in service to valued policy objectives.[3] On the frontiers of the North American continent, in the throes of a civil war, overseas in the Philippines, Germany, Italy, Japan, and Korea, the U.S. Armed Forces have been a linchpin in U.S. efforts to realize important national objectives for a "better state of peace"[4] beyond the destruction or defeat of opposing armed forces and mere success in battle.

The first dozen years of the 21st century have been a jarring period of challenge and adaptation for the U.S. military. The missions in Afghanistan and Iraq have been at the center of this turmoil. These two conflicts have had powerful effects on the U.S. Armed Forces, particularly the Army and Marine ground forces. The conflicts exposed, in profound ways, disconnects between theories of future warfare propounded in the wake of the Soviet collapse, on one hand, and the demands placed on the Armed Forces to pursue specific U.S. policy goals on the other. The military confronted a strategic environment and associated national demands that did not match the roles it had preferred and prepared for.

Through its organizational literature (doctrine and other official or semi-official sources) and its behavior (training and operations), the American military has exhibited a thoughtful and good-faith effort to meet society's demands. The result has been the development of U.S. Armed Forces that are substantially different from what had been envisioned before September 11, 2001 (9/11). The trajectory of the Armed Forces, set by a fairly minor conflict with Iraq in 1991, seemed headed to a high-tech nirvana where long-range, low casualty-producing capabilities would be the means by which the United States could employ violence, if required, to meet its policy aims. Adversaries, unfortunately, refused to cooperate, and the U.S. Armed Forces discovered in the midst of conflict that some policy aims, particularly ones related to the stabilization of societies from which violent threats emanated, could not be dealt with easily or remotely, or with the instruments of violence more readily available and preferred in the American style of conventional war.

SIGNIFICANCE OF STABILITY OPERATIONS TO THE ARMED FORCES

The societal interests reflected in the aims that require the Armed Forces to be proficient in stability operations are enduring ones.[5] It would be a dereliction of duty for the military not to prepare for them. Deciding whether involvement in stability operations is of lesser or greater value to U.S. national interests is a subjective call for the civilian leadership, not the military. Such a call is, of course, beholden to the policy and politics of particular circumstances. Nevertheless, the range of reasons that such threats have arisen in the past and might arise in the future provides a sound rationale for redressing the imbalance in our military's pre-9/11 preferred operational repertoire. We should not have to relearn lessons long paid for so painfully.

From a survey of American stability operations experience from 1789 to 2005, Lawrence Yates abstracted five assumptions concerning the Army's role in future stability operations:

1. The U.S. Government will continue to conduct stability operations.

2. Stability operations will be conducted in a joint, interagency, and multinational environment.

3. The U.S. military, especially the Army, will play a critical role in stability operations.

4. The U.S. military will bear some significant responsibility for planning in the pre-execution phase of stability operations.

5. The U.S. military must be capable of conducting stability operations simultaneously with other military operations.[6]

In recent years, the leaders of the Department of Defense (DoD) under both Republican and Democratic administrations have emphasized the importance of stability operations. An influential DoD policy statement lays out the importance of stability operations powerfully and unequivocally: "Stability operations are a core U.S. military mission that the Department of Defense shall be prepared to conduct with proficiency equivalent to combat operations."[7] To lend operational clarity to this policy, U.S. joint doctrine offers this definition:

> Stability Operations. An overarching term encompassing various military missions, tasks, and activities conducted outside the United States in coordination with other instruments of national power to maintain or reestablish a safe and secure environment, provide essential governmental services, emergency infrastructure reconstruction, and humanitarian relief.[8]

A key issue in stability operations is the U.S. tendency to treat civilian and military activities as distinct and separate. Stability operations activities require continuous attention across war and peace in a manner that does not lend itself to a sequential, discrete transition from solely military effort to solely civilian. They are a hybrid activity. Although the skill sets may draw on the distinct expertise of civilians or members of the Armed Forces, the successful application of such expertise in foreign contingencies, particularly in violent circumstances like counterinsurgencies, requires a sophisticated integration of functional involvement by both partners.[9]

BACKGROUND/HISTORY

U.S. Armed Forces have a long history of participation in stability operations.[10] Afghanistan and Iraq are the most recent contingencies to demonstrate the need for effectiveness in such operational endeavor. Nevertheless, despite the regular recurrence of such missions, there has been a disquieting tendency toward their neglect, especially when "real" wars beckon or when long periods intervene during which stability operations are not in demand.

Predating the republic itself, the organized militias of the colonial era were closely tethered to efforts to attain "a better peace" in the aftermath of violence. Additionally, in the midst of war, setting the conditions for peace has been an integral consideration throughout the nation's history. From the Revolution to the present day, U.S. Armed Forces have routinely pursued the broader policy demands that transcend the violence at hand. This has manifested itself in many ways that vary with the nature of the policy aims at stake as well as in the differences in the maturity of the society more broadly.[11] In times of peace, U.S. Armed Forces have been called upon to apply their capabilities to broader missions of societal stabilization at home and abroad that belie simple categorization of the military as a mere instrument of violence. In this regard, the role of local militias from inception to their present manifestation in the National Guard, and the origin of the U.S. Army Corps of Engineers and its role in the development and maintenance of vital national infrastructure (and its related overseas applications in the assistance of other societies), are instructive. Similarly, the origin of the U.S. Military Academy at West Point as one of the republic's earliest

engineering schools reflected both military requirements and a recognition of the ancillary societal benefits of engineering and leadership.[12]

In the era of the founding of the United States and continental expansion, the role of the Armed Forces in defending and developing the country were significant. Minuscule in size except in times of war, the national Armed Forces played an important role enforcing the territorial writ of the government and in many cases acting as the only arm of the federal government at the sparsely populated edges of society's frontier.[13]

Since the Civil War, with the expansion of the national Armed Forces' active involvement in occupation, post-Civil War reconstruction, and pacification of the frontier, there has been a consistent thread of engagement at home and abroad in stability operations. Significantly, as the nation turned its attention abroad and assumed an active role as one of the world's great powers, the republic's principles of societal organization, governance, and economic behavior have always been part of the U.S. template in employing its Armed Forces. Especially in the wake of war, the United States has fallen back on its own model for democratic governance and free market economics as the primary mechanisms for addressing the root causes of conflict and building the foundations of durable stability. Starting with the Spanish-American War and the occupations of the Philippines, Cuba, and other territories, U.S. Armed Forces have been actively engaged in stability operations in other countries. The Armed Forces have worked closely with the other departments and agencies of the U.S. Government to extend governance, economic stability, and humanitarianism on American terms.

Since the Spanish-American War, American Armed Forces have had a continuous and substantial presence abroad. Such presence included: operations in the Philippines from 1898 through most of the Cold War; episodic intervention and presence in Central America and the Caribbean (e.g., Cuba, Panama, Haiti, Nicaragua); brief occupation of part of Germany following World War I; and the establishment of numerous outposts in territories brought under control beyond the continental United States (particularly Puerto Rico, Hawaii, and the Pacific Island territories). Most profoundly, World War II and its aftermath represented a substantial increase in the magnitude of engagement abroad that continues to the present day. Military presence in Japan, Korea, Germany, and other nations of Western Europe continues, with the current strength and stability of the these locations due in no small part to earlier efforts, albeit not without missteps, of the American Armed Forces and civilian counterparts in the wake of major wars. In a similar vein, one of the most enduringly estimable creations of the United States, the United Nations (UN), has also been a priceless contributor to stability operations throughout the globe.[14]

The U.S. military has been actively engaged in stability operations in numerous instances since the end of the Cold War. These include U.S. activities in Panama, Somalia, Haiti, the Balkans (Croatia, Bosnia, Kosovo, and Macedonia), Colombia, Afghanistan, and Iraq. More broadly, the United States, through the UN, has also supported extensive peacekeeping and stability operations in Cambodia, Liberia, Sierra Leone, Ivory Coast, Rwanda, East Timor, Democratic Republic of the Congo, Chad, and Sudan. In all of these cases, the common denominator is U.S. participation in efforts directly or indirectly to employ military and civilian efforts to resolve security problems and establish or reestablish stability in terms of governance, economics, and development.

One key aspect of the historical record of U.S. stability operations is the extensive experience acquired by the members of the Armed Forces, particularly the Army and Marine Corps. From the occupations of the Civil War era, through the settlement of the U.S. western frontier, to the pacification, development, and independence of the Philippines, to the occupations of Germany, Italy, Japan, and Korea after World War II, and including other diverse experiences in Panama, Haiti, Nicaragua, Greece, China, and other locations, the U.S. military—particularly the regular forces

that remained on active duty in between major wars—have an unbroken lineage of experience with stability operations down to the Vietnam War.

The Vietnam War represented the application of both the best and worst of this heritage of mixed combat and stability operations experience. The United States was at its worst during the period 1965-68 when, arguably, a disproportionate focus on combat operations dominated. It was at its best following the reorientation that began in 1967 drawing from the well of collective experience to undertake enhanced pacification and the development of the Civil Operations and Revolutionary—later Rural—Development Support (CORDS) program.

The responses of the Armed Forces and other agencies of the federal government after Vietnam War were disheartening. The government, especially the military establishment, gutted the core of expertise and experience that had been so valuable to U.S. effectiveness in stability operations.[15] In the Armed Forces, there was an almost complete disappearance of stability operations and counterinsurgency from the conventional force repertoire and the relegation of remaining experience to the margins of the military establishment (in particular to the swiftly atrophying special operations community). That residual capability, and the special operations community itself, was mainly saved from the neglect heaped on the conventional forces. Fortunately, Congress intervened, passing the Nunn-Cohen Amendment to the 1986 Defense Reorganization Act that created Special Operations Command, created the position of Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD/SOLIC), and established a new defense budget funding category for special operations forces.[16] However, the proliferation of operations demanding more capacity than special operations forces could provide by themselves soon demonstrated the inadequacy of the arrangement. Panama, Somalia, and the steady stream of other post-Cold War demands validated a need for greater stability operations capacity. Such a priority was at odds with the Armed Forces' preferred conventional force structure and doctrine.[17]

Rather than viewing stability operations and nation-building as aberrations, this historical narrative underscores a more balanced record of combat and stability operations that casts the post-Vietnam lacuna as an historical anomaly. Prior to 9/11 there was an imbalance in the preparation of the American Armed Forces in favor of a preferred set of warfighting missions associated with an assumed set of policy objectives (also preferred in many cases). The difficulties the United States encountered in Afghanistan and Iraq had much to do with the overemphasis the Armed Forces had placed on dealing with conventional contingencies that left them ill-prepared for counterinsurgency and stability operations. Preparation for supposedly nonstandard missions like stability operations, counterinsurgency, and irregular warfare was, of course, not missing entirely; however, for the most part such preparations were confined to the special operations forces in a discrete niche of the military establishment. The problems that arose had less to do with a lack of capabilities to deal with stability contingencies and more to do with the scope of such operations and the fact that such a large proportion of the Armed Forces became involved in them. In short, a mission earlier relegated to the special operations community later became the business of the Armed Forces as a whole. Moreover, the absence of civilian capacity for many of the hybrid tasks entailed by the conflicts found the military filling gaps ideally filled by government specialists in mufti.

POLICY AND DOCTRINE ADAPTATION

From the end of the Cold War until the terrorist attack of 9/11, stability operations are best understood as activities of choice for the United States. In DoD, preparation for stability operations held a much lower priority than preparation for two major theater wars. Stability operations were seen as lesser-included missions and as distractions from the Armed Forces' primary focus on

major combat operations. Units identified for participation in stability operations such as in Haiti, Bosnia, and Kosovo were provided specialized training for stability operations if time permitted. On returning from such missions, the focus was on retraining and regaining high-level proficiency in primary combat tasks. Despite the continued focus on combat operations throughout the Armed Forces, particularly the Army, the experience in stability operations and the training for such missions was useful in orienting units to stability operations tasks.[18]

However, if the missions of the 1990s were based on lesser national interests and hence matters of greater choice for national leaders, following 9/11 the perception of the threat from failed and failing states and the imperatives of the new global war on terrorism (GWOT) moved stability operations from the realm of choice to necessity. Stability operations were crucial to the realization of key national objectives in the wake of war. Moreover, in the context of continuing violence, particularly counterinsurgencies that contested for the support of key populations, stability operations were appropriately identified as central to warfighting itself. As such, the tentative efforts to prepare for lesser-included tasks in the 1990s gave way to more focused efforts to place stability operations on par with combat operations. In this regard, the experience and adaptations of the 1990s provided a useful foundation on which the U.S. Armed Forces could build. This process continues to the present.

U.S. policy and strategy guidance has improved and now provides very clear statements of U.S. leaders' commitment to effective stability operations in pursuit of national interests. The National Security Strategy (NSS) makes a strong case for U.S. engagement in stabilizing at-risk states so as to deny safe-havens for terrorists.[19] The NSS also emphasizes efforts to improve stability operations capabilities: "We will continue to rebalance our military capabilities to excel at counterterrorism, counterinsurgency, stability operations, and meeting increasingly sophisticated security threats, while ensuring our force is ready to address the full range of military operations."[20]

Another indicator of the increased commitment to stability operations is the February 2010 *Quadrennial Defense Review* (QDR). Setting forth the Barack Obama administration's mandated review of the national defense strategy, the QDR sustained the emphasis on stability operations that had begun under the previous administration. Among the major objectives in the review:

> In order to successfully protect and advance U.S. interests while balancing the priority objectives outlined above, the QDR makes a series of recommendations aimed at helping to rebalance America's Armed Forces to better enable success in . . . missions critical to protecting and advancing the nation's interests. . . . ***Succeed in counterinsurgency, stability, and counterterrorism operations***: The United States must retain the capability to conduct large-scale counterinsurgency, stability, and counterterrorism operations in a wide range of environments. In order to ensure that America's Armed Forces are prepared for this complex mission, it is vital that the lessons from today's conflicts be further institutionalized in military doctrine, training, capability development, and operational planning. . . . ***Build the security capacity of partner states:*** Since the end of World War II, DoD has worked to build the security capacity of allied and partner states and to ensure that the Armed Forces of the United States have ample opportunities to train with and learn from counterpart forces. As ongoing conflicts in Afghanistan and Iraq make clear, these dimensions of U.S. defense strategy have never been more important.[21]

The Obama administration's January 2012 strategic guidance also endorsed stability operations as a primary mission.[22]

The many changes by the Armed Forces to improve stability operations over the past decade are impressive. In terms of doctrine, organization, training, and operations there is a broad record of significant transformation. The most important change is conceptual—shifting stability operations expertise to the center of military art and sciences, right alongside combat operations.

In the joint community, and perhaps even more importantly in the Army (the Joint Force's primary arm for executing stability operations), the change has been dramatic.[23] Before 9/11, terms such as "military operations other than war" and "peace operations" were saved for the array of "lesser-included" activities now captured under the rubric of stability operations. The change in overarching terminology itself is an indication of the profound intellectual shift. As opposed to activities "other than war," stability operations are now understood as central to the achievement of enduring policy aims that mark American wars and other military operations. Rather than being "lesser-included"[24] missions that any good combat forces can execute, the force widely accepts the need for specific training and preparation for stability operations. In short, American Armed Forces do not fight simply to defeat other military forces or conquer other nations but to promote stability in an international order that serves U.S. values. This is no small aspiration. Coupled with a general pursuit of the better peace noted by military theorists[25] is the American belief in particular societal structures and values. For example, the U.S. Army stability operations doctrine states that "the most effective long-term measure for conflict prevention and resolution is the promotion of democracy and economic development"[26]

In the 2004-05 period, the intellectual context for deliberation on military policy was framed primarily by the unexpected difficulties the U.S. Armed Forces encountered in Iraq and Afghanistan. Despite swift and effective combat operations to overthrow the regimes in the two countries, in neither case had success in battle yielded the decisive results sought. Policy aims for the stabilization of both countries remained unfulfilled.

The DoD leadership responded to the evidence of major problems in Iraq and Afghanistan with very strong statements supporting the military establishment's essential role in stability operations. The George W. Bush administration, which had earlier derided such efforts by its predecessors,[27] recognized the need to resurrect stability operations competence. In response to Defense Science Board studies in 2004 and 2005,[28] Secretary of Defense Donald Rumsfeld requested a new policy statement for stability operations. The resulting *DoD Directive (DoDD) 3000.05, Military Support for Stability, Security, Transition and Reconstruction (SSTR) Operations* (November 2005), declared that stability operations ". . . are a core U.S. military mission that the Department of Defense shall be prepared to conduct and support. They shall be given priority comparable to combat operations. . . ."[29] It also directed all DoD elements to ensure that stability operations are integrated into all domains of military activities, to include plans, organizations, training, and education. Cascading from this guidance is the development of a new overarching construct for U.S. military operations that identifies stability operations as one of the main components of full-spectrum operations.[30] DoD has also been active in trying to better articulate the details and responsibilities of related areas that are important for stability operations in policy statements for Irregular Warfare (IW)[31] and for Security Force Assistance (SFA).[32] The most recent QDR reinforced the national-level emphasis on stability operations.[33] The recent National Military Strategy also emphasizes this point:

Our strategy, forged in war, is focused on fielding modular, adaptive, general purpose forces that can be employed in the full range of military operations. Joint Forces will improve their ability to surge on short notice, deploy agile command and control systems, and be increasingly interoperable with other U.S. government agencies. Forces will operate with an aptitude for precise and discriminate action and increasingly possess security force assistance expertise.[34]

The current Joint Force doctrine calls for balance between offense, defense, and stability operations:

> Combat missions and tasks can vary widely depending on context of the operation and the objective. Most combat operations will require the commander to balance offensive, defensive, and stability operations. This is particularly evident in a campaign or operation, where combat occurs during several phases and stability operations may occur throughout the campaign or operation. Commanders strive to apply the many dimensions of military power simultaneously across the depth, breadth, and height of the operational area.[35]

The Army is the service most affected by stability operations. Unsurprisingly, the Army has had the most dramatic doctrinal/conceptual shift. Stability operations moved to the center of Army operational doctrine. The refinement of *U.S. Army Field Manual (FM) 3-0, Operations* placing stability operations in a more central role was accompanied by the refinement of *FM 3-24, Counterinsurgency* and *FM 3-07, Stability Operations*.

There is controversy regarding the importance of FM 3-24, in particular, and the role of counterinsurgency and stability operations in general. For its proponents, among whom the author must be included,[36] FM 3-24 was an overdue effort to fill a significant doctrinal gap. Although intended to nest in a larger Army and Marine Corps doctrinal hierarchy, many complain that FM 3-24 defines the doctrine of the U.S. Army too narrowly in the current era. Set up as a straw man, the counterinsurgency manual easily fails under the weight of expectations it was not designed to meet. As a manual simply to fill a gap for a particular form of warfare under-represented in the existing doctrine, the manual is still a strong stone in a larger archway of conceptual clarity for the Armed Forces. In that regard, more important are the overarching *Operations* manuals at Joint and service levels. Counterinsurgency warfare as elaborated by FM 3-24 is well-represented in this broader context—but the manual does not cover the Armed Forces and their capabilities as a whole. Counterinsurgency and stability operations are rightly understood as part of the larger construct of offense, defense, and stability operations.

Among the most positive signals of the U.S. Government's adaptation to squarely address stability operations is the creation in the State Department of the Coordinator for Reconstruction and Stabilization (S/CRS) in 2004.[37] In late-2005, President Bush signed NSPD-44,[38] to clarify the role of the Department of State as the lead for coordination of the U.S. Government's reconstruction and stabilization efforts. The institutionalization of S/CRS has recently been strengthened through its incorporation as an integral part of a new Bureau of Conflict and Stabilization Operations (CSO) that falls within the purview of the Under Secretary of State for Democracy and Global Affairs.

Another telling policy and doctrinal advance was the increased attention to security force assistance (SFA). SFA is "DoD activities that contribute to unified action by the USG [United States Government] to support the development of the capacity and capability of foreign security forces and their supporting institutions."[39] Such capabilities are as follows:

1. Organize, train, equip, and advise foreign military forces;

2. Support the development of the capability and capacity of host-country defense institutions and ministries; and,

3. Conduct SFA across all domains—air, land, maritime, and cyberspace—in both permissive and contested environments, under steady-state or surge conditions.[40]

In addition to strong emphasis on stability operations in policy and doctrine, DoD has also been very effective in expanding training to better incorporate stability operations elements. For example, the Army and Marine Corps combat training centers (Joint Readiness Training Center,

Fort Polk, LA; National Training Center, Fort Irwin, CA; and the Marine Corps Air Ground Combat Center, Twenty-Nine Palms, CA) have incorporated stability operations elements in their training scenarios.[41] DoD has also been active in trying to incorporate civilian interagency participants into training and exercises—albeit mindful of the limited interagency civilian capacity to support such events. What these efforts to adapt the training centers have in common are their aim to achieve greater authenticity in training for the Armed Forces, that is, to capture realistically the difficulties of war among the population.

ORGANIZATIONAL ADAPTATION

There have been several important innovations in the structure of the Armed Forces and their supporting institutions. Most obvious are the creation of specific staffs for stability operations in the highest levels of the defense establishment such as the Deputy Assistant Secretary of Defense for Partnership Strategies and Stability Operations in ASD/SOLIC. Throughout the highest headquarters of the DoD—the Office of the Secretary of Defense, the Joint Staff, and the Department of the Army Staff—one finds offices designated as proponents for the promulgation and oversight of stability operations. In operational headquarters in Afghanistan and Iraq, the creation of staff sections devoted to stability operations is further evidence of their importance. Provincial Reconstruction Teams (PRT)—an innovation in their own right—are also an interesting example of adaptation for stability operations that notably includes the participation of Air Force and Navy personnel.

The DoD has created the Ministry of Defense Advisors (MODA) program to augment the military advisory efforts by uniformed military personnel with the deployment of civilian experts to work in ministerial level positions.[42] The program has included the modest deployment of dozens of civilians to work in the Afghan ministries of Defense and Interior since 2010. This is in addition to the thousands of military members serving as advisors from the tactical through ministerial level in Afghanistan and Iraq. The deployment of civilian personnel to assist in the headquarters of military commands has been valuable. These are complementary to increased efforts by civilian agencies such as the Department of State and U.S. Agency for International Development (USAID) to develop and deploy more civilian experts to conflict zones to work closely with the U.S. Armed Forces. This includes the many members of PRTs in Iraq and Afghanistan as well as the many advisors provided by the U.S. Embassy to support host-nation ministries such as Finance, Agriculture, and Public Health. In short, many civilians from the DoD, Department of State, USAID, and other agencies are pitching in with the whole-of-government efforts in overseas locations. Nevertheless, there is a major disparity between the small count of civilians surged (numbering in the hundreds) versus the thousands of the U.S. Armed Forces deployed, particularly in dangerous conflict zones such as Afghanistan and Iraq.

In DoD's training and education community, the creation of three major institutions stand out as organizational adaptations. The first is the Army's Peace Keeping and Stability Operations Institute (PKSOI), which operates under the auspices of the U.S. Army War College in Carlisle, PA. Created in 1995, PKSOI has contributed significantly to the development, coordination, and prioritization of stability operations education, training, and doctrine within the U.S. Armed Forces and internationally. The second is the Center for Complex Operations (CCO), now under the auspices of the National Defense University (NDU).[43] CCO provides an important home for the development and promulgation of stability operations information and expertise. It sponsors a growing community of interest linked through its portal, and it sponsors the recently created journal PRISM that provides a forum primarily geared to stability operations study and lessons learned.[44] The third valuable organizational improvement is the creation of the Joint Center for

International Security Force Assistance (JCISFA).[45] Its mission is "to capture and analyze security force assistance lessons from contemporary operations in order to advise combatant commands and Military Departments on appropriate doctrine, practices, and proven tactics, techniques, and procedures (TTPs) to prepare for and conduct security force assistance missions efficiently." Created by the then Commander of the U.S. Army Combined Arms Center, Lieutenant General David Petraeus, it is located at Fort Leavenworth, Kansas.

In the wars in Afghanistan and Iraq, the creation of headquarters specifically focused on the development of security forces for host nations shows commitment to the security force assistance (SFA) concept. The Multi-National Security Transition Command—Iraq (MNSTC-I) and the NATO Training Mission-Afghanistan (NTM-A)/Combined Security Transition Command-Afghanistan (CSTC-A) are major organizational manifestations of the efforts to improve SFA.

On the ground in both Iraq and Afghanistan, one key objective has been to increase the participation and expertise of civilians in stability operations. As noted, a key element has been the development and deployment of PRTs. One prong of this effort was increased preparation and training of the teams before deployment.[46] In Afghanistan, where PRTs have been operating since 2003, the effort to generate a civilian stake is paying off.[47] Improvements include robust civilian staffing at the U.S. Embassy, the major operational and tactical headquarters, and with the PRTs themselves. Additionally, in the areas where major U.S. units are operating, District Support Teams (DSTs) are integrated in many military units down to the company level.[48]

Across the George W. Bush and Obama administrations, the support for stability operations has been robust. Whether for priority application in Iraq or Afghanistan, both administrations saw fit to give greater attention to developing capabilities and capacity that was more precisely oriented toward recent stability operations. In the latest NSS, the Obama administration elaborates: "We will continue to rebalance our military capabilities to excel at counterterrorism, counterinsurgency, stability operations, and meeting increasingly sophisticated security threats, while ensuring our force is ready to address the full range of military operations."[49] Both administrations deserve credit for vastly improving the Armed Forces' ability to undertake such efforts. The imperative for such capabilities was borne out in practice in a way that the theoretical debates of the early post-Cold War era had often overlooked.

PROSPECTS AND CHALLENGES FOR CONTINUED PROFESSIONALIZATION OF STABILITY OPERATIONS

This section analyzes the prospects and potential challenges to maintaining or even strengthening professional expertise and communities of practice for stability operations. The adjustments the military has made have been laudable, but not without controversy.

The challenge to sustaining such balance in the capabilities of the Armed Forces is likely to mount in the coming years. There will be three main reasons for this challenge. One is the manner in which the preparation and effort toward more effective stability operations will be linked with the most recent missions in which they were applied, i.e., Afghanistan and Iraq. If stability operations become too closely associated with those wars, they may lose favor on the long familiar basis of "fighting the last war." The second will be the degree to which a period of likely budget stringency causes an imbalance between military functions and capabilities. Faced with difficult fiscal constraints, military leaders may under-fund stability operations. The third challenge, related to the second, is cultural. The tendency for the military to favor conventional war and neglect stability operations is an unfortunately common theme in U.S. military history, and it could well resurface.[50] This hints that in tight budgetary times, reducing stability operations capabilities may be a bill-payer for preserving conventional capabilities.

Stability Operations as the Handmaiden of Operations in Afghanistan and Iraq.

It is too soon for certainty of historical judgment, but to the degree that the wars in Afghanistan and Iraq have become a matter of pain or regret for the United States, stability operations and counterinsurgency capabilities could suffer. Such an approach would be more emotional than rational, but that does not make it less likely. Much as the pain of Vietnam found some outlet in efforts by many in the Armed Forces to avoid such confounding missions, the memories of distasteful and expensive operations in Afghanistan and Iraq could limit further efforts to maintain, much less strengthen, the potential capability of the Armed Forces for stability operations.

The prospects of retaining professional expertise in stability operations are good. There is a tension, however, when people conflate the instruments of policy and the policies themselves. Many of the complaints about the military approach to stability operations and counterinsurgency are actually indirect or veiled complaints about the policies themselves. That is, the Armed Forces ought not to be engaged in such efforts because the policy aims themselves are judged not to be valid or appropriate. (For example, the judgments by some that we cannot or should not "do nation-building," and we cannot or should not seek to impose democracy on other societies against their wishes.) As instruments of policy, the design of the capabilities cannot be wholly apolitical. But critics of spending money on maintaining capabilities for stability operations should be intellectually honest about their motives.

This issue recalls a potential historical echo of our experience after the Vietnam War. Improvements in recent operations such as the creation of MNSTC-I, NTM-A/CSTC-A and PRTs are similar to organizational approaches employed during the Vietnam War. Arguably, in Vietnam the CORDS program provided an interagency model as least as effective, if not more so, than some of the similar initiatives employed in the past decade, but unfortunately, its lessons did not survive in doctrine.[51]

Fiscal Challenge to Stability Operations.

The U.S. Armed Forces are entering a period of defense budget stringency. This period of stringency is caused by the continuing national fiscal and economic predicament and the winding down of operations in Iraq and Afghanistan. As a result, in the absence of any major security crisis, the defense budget will likely be reduced substantially in the years to come. As was noted earlier, fiscal resources for stability operations are likely to decline markedly as well.

Stability operations could face less fiscal challenge than might be expected, however, since many of the necessary elements of effective stability operations are about training and education as opposed to investment in more expensive capabilities such as equipment and weapons systems. The most expensive components of stability operations are those related to human capital and talent development and maintenance. The challenge will be to develop the cadres of personnel in both military and civilian organizations that can maintain effectiveness in these sorts of activities as well as to train future professional practitioners. In this, the danger is that the Armed Forces will try to relegate such education and training to other government agencies and departments.

Cultural Aversion to Stability Operations.

Another major challenge to the maintenance of effective stability operations capabilities is the historical antipathy to stability operations in the U.S. Armed Forces. Historically, the U.S. military has demonstrated a tendency to jettison stability operations tasks and the efforts required to underwrite them as an effective part of the Armed Forces's repertoire.[52] Interestingly, veterans of the post-9/11 era are more likely to accept nation-building roles as appropriate than one might expect.

"About six-in-ten post-9/11 veterans (59%) support the noncombat 'nation-building' role the military has taken on in Iraq and Afghanistan. The public and pre-9/11 veterans are less enthused. Just 45% of both groups say they think this is an appropriate role for the military."[53] Details of the poll also show that in the general public, there is a generational difference in support for such missions with younger people 18-29 years of age more accepting of such roles than those over 50 years of age. Those 30-49-years-old were evenly split.[54] The issue is not whether the Armed Forces should forgo preparations and expertise in conventional war in favor of greater preparation for stability operations. This choice is based on a false dichotomy. The Armed Forces should maintain a balance of capabilities for conventional combat and stability operations effectiveness. Advocates of such a balance must work to sustain gains against cultural habits of thought and well-entrenched conventional communities in the Armed Forces and their supporters in Congress and defense industry.

THE WAY FORWARD

Adaptation by the U.S. Armed Forces to better perform stability operations was an important correction to the imbalanced emphasis on conventional capabilities evident in the pre-9/11 era. The rebalancing of capabilities was an appropriate and valuable response to society's demands on the Armed Forces. For all of the positive work that has been evident since the end of the Cold War, there is still room for substantial improvement. In particular, U.S. stability operations would benefit from two major improvements: the durable institutionalization of stability operations activities in relevant organizations and greater integration of efforts between various national departments and agencies.

Durable Institutionalization.

Conceptually, the Armed Forces should sustain the framework incorporated in current doctrine that places stability operations on par with combat operations. Both combat and stability operations skills are components of effective ways and means in support of common national security ends. Proponents of professional expertise that focuses narrowly on the management of violence often discount the preparation and execution of stability operations. The Armed Forces should not be allowed to narrow their focus in such a manner.[55]

In the DoD, Department of State, and USAID, there have been laudable organizational adaptations.[56] Additionally, infusing stability operations in doctrine has been very thorough, promising to guide future development. Strong conceptual articulation of stability operations in such institutional guidelines as doctrine[57] is beginning to be matched by training and organizational adaptations. Many of these adaptations are still in the formative stages and require continued support to achieve maturity and protect against backsliding. For example, effective programs such as the PRTs and the integration of civilian and military leadership in Iraq and Afghanistan represent a rediscovery of approaches pioneered during the Vietnam War and later jettisoned to ill effect. Having finally regenerated similarly effective civilian and military integrating mechanisms, it would be folly to let them atrophy so frustratingly once again.

Much of the expertise for stability operations resides in civilian agencies; hence efforts to institutionalize reconstruction and stabilization expertise in the Department of State and USAID represent areas for organizational emphasis that require executive and legislative leadership. In that regard, the creation and growth of the S/CRS at State—now incorporated into the Bureau of Conflict and Stabilization Operations—and the Office of Military Affairs at USAID are valuable organizational responses. Additionally, the development of civilian expeditionary capacity through the civilian response corps (CRC) is a valuable initiative that should be strongly supported until it

attains a full measure of maturity and sustainability. This will require support from participating executive departments and agencies to ensure that CRC members are first and foremost experts in the core competencies of their home agencies and then that these individuals are given the opportunity and support to participate in education, training, and operations to prepare for or execute stability operations missions. In other words, the prerequisite for effective interagency integration (discussed more in the next section) is a strong foundation of expertise in their home organization's core competencies and potential contributions to stability operations. This developmental requirement is a prime responsibility of the individual's home department or agency. Furthermore, organizational personnel systems must accommodate the nonstandard assignment patterns that will likely flow from interagency operations as part of the CRC.

The most demanding stability endeavors overseas are present in situations where violence or the threat of violence prevails. In these circumstances, the Armed Forces play a crucial role in setting the conditions for effective performance. Thus, at the tactical and operational levels, there is great wisdom in retaining traditional combat units (rather than specialized stability operations units), while effectively incorporating stability operations capabilities in all their training. In particular, to achieve a priority comparable to combat operations, the commanders, other leaders, and staffs of units must be well versed and sensitive to the requirements of stability operations. There is also cause to inculcate facility in stability operations in the key staff elements (such as intelligence, operations, and planning) of higher headquarters to ensure that stability operations are well executed. To do this effectively requires attention to the inclusion of stability operations mission essential tasks in training for all units and the inclusion of such tasks in the programs of instruction for individuals at all levels (e.g., basic training, noncommissioned officer, and officer development). Hence, for most units and individuals, the issue will not be monitoring specialized units tailored for stability operations but rather the monitoring and evaluation of how well stability operations activities are incorporated into individual professional development and unit readiness evaluations of traditional line units. Additionally, this suggests that the collective training centers and professional military training and education institutions must have individuals with stability operations expertise responsible for the oversight and evaluation of stability operations integration.

Integration of Effort.

In the executive branch, unity of command should be the goal. Ultimately, the development of U.S. foreign policy is primarily the domain of the Department of State. The deliberate disjunction between the enormous authority and responsibility of the Department of State on one hand, and its meager manpower and physical resources, on the other, creates an imperative for collaboration between State and DoD for the realization of common aims derived from the President's mandate of service to the American people. Ambassadors worldwide stand in the President's stead as the arbiters of U.S. policy in their countries. The role of the military in support of U.S. national policy in other countries requires greater attention to the integration of civilian and military activities. In particular, the integration of military advisory and assistance groups (MAAGs) should place greater emphasis on integration at the country team level (as opposed to a tendency for such military elements to focus on their relationship with the regional combatant command).[58] For operations in foreign countries, it should be axiomatic that the Chief of Mission (usually ambassador) is the preeminent source of policy guidance on behalf of the President and Secretary of State. Improved interagency integration should build on existing interagency organizational structures such as the country teams and the combatant command joint interagency coordination groups (JIACG).[59]

A more complicated challenge is the integration of civilian and military preparations for operations overseas. Whereas all of the executive departments have an operational culture that governs the day-to-day behavior of their organizations, there is a definite difference among the planning cultures of these organizations as they look to and try to anticipate future demands. The military establishment, due both to its size and its mission, spends a far greater amount of time and resources on planning and preparing for future contingencies. This disparity places great stress on the relationship between military and civilian counterparts with respect to future strategy and planning.

Another important effort should be to institutionalize the civilian-military team approaches employed in Afghanistan and Iraq with the aim of locking in important innovations that effectively integrate civilians into military formations in the service of key national missions. Improvements should include the designation of positions in military headquarters, brigade-level and above, for integration of interagency representation. Recognizing that civilian agencies have limited capacity to staff positions in all headquarters all the time (to include military units in garrison or at home station as well as those units on operational deployments), key military positions must be designated to maintain appropriate communications, liaison, and support in lieu of civilian representation. Ideally, military representatives in key headquarters should include civil affairs and strategic plans and policy personnel well versed in interagency capabilities and processes. In terms of resources, the DoD should continue advocating increased resource allocation for related nonmilitary instruments of national power and providing mechanisms for shared funding in common endeavors that draw on DoD resources.

CONCLUSION

On balance, the evidence of the U.S. Armed Forces' professionalization of stability operations capabilities has been very positive. Given the degree to which stability operations had been ignored between the end of the Vietnam War and 9/11, the alacrity of the U.S. military establishment's reaction and adjustment is admirable. Nevertheless, as positive as the effort to learn and adapt may have been, there were still significant costs to the United States (and others) because of the lack of effectiveness and efficiency born of poor preparation for easily foreseen contingencies.

The evidence of the effective inculcation of stability operations in the U.S. military is strong. It includes the promulgation of doctrine to lend greater salience and higher priority to stability operations in military operations, professional military education, training centers, and, most importantly, chronicling and capitalizing upon the vast experience of members of the Armed Forces acquired during operations in Afghanistan, Iraq, and many other places. The demonstrated value to U.S. national security interests makes it important to preserve the gains made in stability operations capabilities and avoid the costs of cyclic neglect unfortunately more common in the Armed Forces' history.

ENDNOTES - CHAPTER 23

1. This chapter benefitted greatly from the support of the U.S. Air Force Academy's Institute for National Security Studies (INSS).

2. This was the impetus and a prominent theme in a pair of Defense Science Board (DSB) studies, *Transition to and From Hostilities*, December 2004; and *Institutionalizing Stability Operations within DoD*, September 2005.

3. For sources on previous U.S. experience with stability operations, see Nadia Schadlow, "War and the Art of Governance: The U.S. Army's Role in Military Government from the Mexican War to Operation Just Cause," Dissertation, Johns Hopkins University, 2005; and Lawrence A. Yates, *The U.S. Military's Experience in Stability Operations, 1789-2005*, Fort Leavenworth, KS: Combat Studies Institute, 2006.

4. B. H. Liddell Hart, *Strategy*, New York: Praeger, 1954, p. 366. "The object in war is to attain a better peace--even if only from your own point of view. Hence it is essential to conduct war with constant regard to the peace you desire."

5. DSB Study, *Transition to and From Hostilities*; Dobbins *et al.*, *America's Role in Nation-Building: From Germany to Iraq*, Santa Monica, CA: RAND Corp., 2004.

6. Yates, *The U.S. Military's Experience in Stability Operations*.

7. *DoDI 3000.05, Stability Operations*, Washington, DC: Department of Defense, September 16, 2009; the reissued version of *DoDD 3000.05, Military Support to Stability, Security, Transition and Reconstruction Operations*, Washington, DC: Department of Defense, November 28, 2005.

8. *Joint Publication (JP) 3-0, Joint Operations*, Washington, DC: U.S. Joint Staff, August 11, 2011.

9. A particularly acute example of this dynamic can be found in counterinsurgency operations such as those in Afghanistan and Iraq. For a description of the imperative of civilian and military integration in this context, see, *U.S. Army and Marine Corps Field Manual (FM) 3-24, Counterinsurgency*, especially Chap. 2, "Unity of Effort: Integrating Civilian and Military Activities"; and Richard Lacquement, "Integrating Civilian and Military Activities," *Parameters*, Spring 2010.

10. *Field Manual (FM) 3-07, Stability Operations*, Washington, DC: U.S. Department of the Army, October 2008, pp. 1-1 to 1-2, provides a brief history of the U.S. Army's stability operations beginning with British colonial management of the frontier beyond the 13 colonies and running up to the present-day missions in Afghanistan and Iraq. See also Nadia Schadlow, "War and the Art of Governance," *Parameters*, Autumn 2003, pp. 85-94.

11. Allan R. Millett and Peter Maslowski, *For the Common Defense*, New York: Free Press, 1994; Nadia Schadlow, "War and the Art of Governance;" *Parameters*, Vol. 33, Autumn 2003, pp. 85-94, which is derived from work on her doctoral dissertation: *War and the Art of Governance: The U.S. Army's Conduct of Governance Operations from the Mexican War to Panama*, Baltimore, MD: Johns Hopkins University, 2005; Andrew J. Birtle, *U.S. Army Counterinsurgency and Contingency Operations Doctrine 1860-1941*, Washington, DC: U.S. Army Center of Military History, 1988; and Andrew J. Birtle, *U.S. Army Counterinsurgency and Contingency Operations Doctrine, 1942-1976*, Washington, DC: U.S. Army Center of Military History, 2006,

12. For example, the role of Colonel George Washington Goethals in the development of the Panama Canal. Maurice Matloff, ed., *American Military History*, Washington, DC: Center for Military History, 1985.

13. See Patrick Griffin, *American Leviathan: Empire, Nation and Revolutionary Frontier*, New York: Hill and Wang 2007, for a summary of the challenges on the frontier, to include the role of Armed Forces in the colonial era and in the early years of the United States.

14. William J. Durch, ed., *The Evolution of UN Peacekeeping: Case Studies and Comparative Analysis*, New York: St. Martin's Press, 1993; Virginia Page Fortna, *Does Peacekeeping Work? Shaping Belligerents' Choices after Civil War*, Princeton, NJ: Princeton University Press, 2008.

15. Hans Binnendijk and Patrick M. Cronin, eds., *Civilian Surge: Key to Complex Operations*, Washington, DC: National Defense University Press, 2009, pp. 1-2.

16. Susan L. Marquis, *Unconventional Warfare: Rebuilding U.S. Special Operations Forces*, Washington, DC: Brookings Institution, 1997. Marquis' book eloquently and concisely captures the preservation of a "precarious value"; thus special operations forces were "saved" from the Army, in particular. For a summary of the Nunn-Cohen Amendment, see especially pp. 144-147.

17. For a more detailed description of post-Cold War responses to the challenges of stability operations, see Richard Lacquement, *Shaping American Military Capabilities After the Cold War*, Greenwood, CT: Praeger, 2003.

18. See Lacquement, *Shaping Military Capabilities After the Cold War*. Also, during this period, the author assisted in the preparation of units for stability operations (to include the preparation of subordinate units for rotations to Kosovo in 1999-2001 while stationed with the 101st Airborne Division, Air Assault) in Fort Campbell, KY.

19. *National Security Strategy of the United States* (NSS), Washington, DC: The White House, 2010. The current national security strategy also has much overlap and continuity with the previous administration's national security strategy from 2006.

20. *Ibid.*, p. 14.

21. *Quadrennial Defense Review Report*, Washington, DC: Department of Defense, February 2010 (2010 QDR report), pp. vii-viii, emphasis in original.

22. *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*, Washington, DC: Department of Defense, January 2012, p. 6.

23. Stability operations among foreign populations place demands on the Army more so than the other services, hence the requirement of Army buy-in within the U.S. military establishment.

24. Michael R. Melillo, "Outfitting a Big-War Military with Small-War Capabilities," *Parameters*, Autumn 2006, pp 22-35.

25. Liddell Hart, Sun Tzu, and Clausewitz all emphasized this point.

26. FM 3-07, p. 1-11.

27. George W. Bush comments on nation-building, Presidential Debate, Wake Forest University, October 11, 2000, available from *www.debates.org/index.php?page=october-11-2000-debate-transcript*. ". . . I don't think our troops ought to be used for what's called nation-building. I think our troops ought to be used to fight and win war."

28. DSB, *Transition to and From Hostilities;* and DSB, *Institutionalizing Stability Operations within DoD*.

29. See *Department of Defense Directive 30000.05, Military Support for Stability, Security, Transition and Reconstruction (SSTR) Operations,* Washington, DC: Department of Defense, November 28, 2005; and its subsequent revision and reissue as *DoD Instruction, Stability Operations*, September 19, 2009.

30. See *Joint Publication (JP) 3-0, Operations*; *JP 5-0, Joint Planning*, *Army Field Manual (FM) 3-0, Operations*, February 2000; *FM 3-07, Stability Operations*, October 2008; and *FM 3-24 Counterinsurgency*, December 2006, for representative examples of major doctrinal publications and their incorporation of stability operations as a core element of the U.S. Armed Forces' conceptual framework.

31. See *DoD Directive 3000.07, Irregular Warfare*, December 1, 2008.

32. *DoD Directive 5000.68, Security Force Assistance* (SFA), October 27, 2010.

33. 2010 QDR report.

34. Chairman of the Joint Chiefs of Staff, *National Military Strategy of the United States of America: Redefining America's Military Leadership*, Washington, DC: Joint Chiefs of Staff, 2011, p. 18.

35. JP 3-0, p. xix

36. The author was the lead author for the development of Chap. 2, "Unity of Effort: Integrating Civilian and Military Activities," for FM 3-24.

37. The Office of the Coordinator for Reconstruction and Stabilization (S/CRS) was established by Secretary of State Powell in August 2004 ". . . to enhance our nation's institutional capacity to respond to crises involving failing, failed, and post-conflict states and complex emergencies." Recently, S/CRS was reorganized and integrated within the Bureau of Conflict and Stabilization Operations under the leadership of the Under Secretary of State for Democracy and Global Affairs. See information at *www.state.gov/g/cso/* .

38. President of the United States, NSPD-44, "Management of Interagency Efforts Concerning Reconstruction and Stabilization" December 7, 2005.

39. *DoDD 5000.68, Security Force Assistance (SFA)*, October 27, 2010.

40. *Ibid.*, p. 2.

41. Evidence obtained from interviewing participants in exercises at the training centers and from reports by the Army and Marine Corps on the status of stability operations training. With respect to the National Training Center, the author witnessed stability operations programs and training during a visit in April 2006.

42. "The Ministry of Defense Advisors program partners DoD civilians with foreign counterparts. . . ," available from *www.defense.gov/home/features/2011/0211_moda/.*

43. Available from *ccoportal.org/about.*

The mission of Center for Complex Operations, as directed by Congress in NDAA09, are to: 1) provide for effective coordination in the preparation of DoD and other United States Government personnel for complex operations; 2) foster unity of effort among the departments and agencies of the USG, foreign governments and militaries, international organizations, and nongovernmental organizations; 3) conduct research; collect, analyze, and distribute lessons learned; and compile best practices in matters relating to complex operations; and 4) identify gaps in the training and education of military and civilian governmental personnel relating to complex operations, and facilitate efforts to fill such gaps.

44. PRISM started in 2009. From the journal's website, available from *ccoportal.org/publications/prism*:

PRISM is published by the National Defense University Press for the Center for Complex Operations. PRISM is a security studies journal chartered to inform members of U.S. Federal Agencies, Allies, and other partners on complex and integrated national security operations; reconstruction and nation-building; relevant policy and strategy; lessons learned; and developments in training and education to transform America's security and development apparatus to meet tomorrow's challenges better while promoting freedom today.

45. Available from *https://jcisfa.jcs.mil/Public/Index.aspx.*

46. Civilian and military members of PRTs undertake training at Camp Atterbury, Indiana. See general information on Integrated Civilian - Military Field Training Program, available from *www.mutc.in.ng.mil/OPERATIONS/ CivilianMilitaryTraining/tabid/864/Default.aspx.*

47. Hillary Clinton, Secretary of State, Office of the Special Representative for Afghanistan and Pakistan, "Afghanistan and Pakistan Regional Stabilization Strategy," January 2010.

48. *Ibid.*; U.S. Embassy Afghanistan and U.S. Force Afghanistan, U.S. Government Integrated Civilian-Military Campaign Plan for Support to Afghanistan, August 10, 1999 (signed by Karl W. Eikenberry and Stanley A. McChrystal); and Interviews with civilian representatives at U.S. Embassy Kabul, Regional Command East briefing, December 2009.

49. NSS, May 2010, p. 14.

50. Yates, p. 40.

51. For a good description of CORDS, see Richard W. Stewart, "CORDS and the Vietnam Experience: An Interagency Organization for Counterinsurgency and Pacification," Richard Wietz, ed., *Project on National Security Reform, Case Studies Vol. I*, Washington, DC, 2008, pp. 451-481. See also R. W. Komer, "Bureaucracy Does Its Thing: Institutional Constraints on U.S.-GVN Performance in Vietnam," Santa Monica, CA: RAND, August 1972.

52. Yates, p. 1.

53. Pew Research Center, "The Military-Civilian Gap: War and Sacrifice in the Post-9/111 Era," October 5, 2011, p. 3.

54. *Ibid.*, p. 70.

55. Nadia Schadlow and Richard Lacquement, "Winning Wars, not Just Battles: Expanding the Military Profession to Incorporate Stability Operations," Chap. 6 in Suzanne C. Nielsen and Don M. Snider, eds., *American Civil-Military Relations: The Soldier and the State in a New Era*, Baltimore, MD: The Johns Hopkins University Press, 2009, pp. 112-132.

56. This includes the creation of S/CRS in the State Department (now being integrated within the Bureau of Conflict and Stabilization Operations); the creation of the interagency Consortium for Complex Operations; the Strengthening of DoD headquarters offices such as the OSD (Policy) office for Partnership Strategies and Stability Operations, the U.S. Army Peacekeeping and Stability Operations Institute; and the strengthening and revitalization of many portions of USAID.

57. A particularly good example of interagency coordination on doctrine includes the DoD, DoS, and USAID Counterinsurgency Manual, January 2009.

58. For an excellent study on the relationship, see Robert Killebrew, *The Left-Hand Side of the Spectrum: Ambassadors and Advisors in Future U.S. Strategy,* Washington, DC: Center For New American Security, June 2007.

59. For more detailed suggestions on the role and possible improvements to country teams and JIACGs, see Neyla Arnas, "Connecting Government Capabilities for Overseas Missions," Chap. 11, pp. 231-254, in Hans Binnendijk and Patrick M. Cronin, eds., *Civilian Surge: Key to Complex Operations*, Washington, DC: National Defense University Press, 2009; and Christopher J. Lamb and Edward Marks, *Chief of Mission Authority as a Model for National Security Integration*, Washington, DC: Institute for National Strategic Studies, December 2010.

PART IV:

CASES

CHAPTER 24

TO END ALL WARS?
A CASE STUDY OF CONFLICT TERMINATION IN WORLD WAR I

Michael S. Neiberg

MANAGING DEFEAT: THE GERMAN SIDE

In early-September 1914, the French and British armies stopped the German Army in the titanic Battle of the Marne, the largest battle ever fought in the history of the world. Just a few days before, the Germans had destroyed two entire Russian field armies but had failed to force the Russians, with their enormous manpower reserves, out of the war. As a result, the Germans were confronted with the two-front dilemma their planners had dreaded for decades. Believing that Germany could not win such a war, Helmuth von Moltke, the German Army Chief of Staff, wrote his wife a despondent letter that read, "The war which began with such good hopes will in the end go against us. . . . We shall have to pay for all of the destruction which we have done."[1] A short time later he had a nervous breakdown and was removed from command.

Moltke's successors managed to keep Germany in the war for 4 more years, but they never did solve their essential two-front dilemma. Just when they finally succeeded in eliminating the Russians from the war, they had to face the entry of the United States, which eventually attained a landing rate equivalent to one double-sized division per day in France. In July 1918, some of those Americans helped to turn the tide on the western front by winning the Second Battle of the Marne, after which the Germans never again won a battlefield victory.[2] Perceptive German leaders knew that this defeat on the Marne, combined with a massive defeat at Amiens on August 8, meant that they could no longer win the war.

Even while they were facing this reality, however, German leaders began to plan for ending the war on terms as favorable to their nation as possible. In part due to their actions and in part due to the circumstances of the day, the Europe formed by the armistice and the final Treaty of Versailles gave them much more than they had any right to expect based on their battlefield defeat. This chapter will explore both the conscious decisions and the historical circumstances that resulted in conflict termination in 1918-19. Any chapter as brief as this one on a topic as complicated as the end of the bloodiest war to date will necessarily have to generalize. These generalizations will simplify a complex picture but may also suggest that the experience of 1918 and 1919 has wider applicability to the subject of conflict termination across space and time.

German senior leaders knew they had lost the war by summer 1918. Their men were surrendering in ever increasing numbers, discontent was growing on the home front, and the German political system had failed to adapt to the strains and stresses of 4 long years of total war. But the Germans also knew that the British and French were just as weary. Both were at the end of their own manpower reserves and would need to lean heavily on the Americans for money and soldiers, if not for strategic direction and staff work. The German leadership also knew that the specter of Bolshevism, which had taken hold in Russia and was growing in Germany, scared Allied political leaders as much as it scared them. This fear might give them a chance to find common ground with their enemies. Finally, they knew that American, British, and French war aims, though similar, were not entirely identical.

Germany's first strategy therefore focused on exploiting the differences between its enemies. American President Woodrow Wilson inadvertently did them a great favor in January 1918 by

publishing his war aims in the form of the Fourteen Points. The Germans may not have known just how deeply the French and British resented the statement of aims (French Prime Minister Georges Clemenceau said "Fourteen? The good Lord had only Ten."[3]), but they clearly saw how the Fourteen Points gave them an opportunity. Indeed, as Clemenceau acidly noted to British Prime Minister David Lloyd George's highly intelligent secretary and mistress, Frances Stevenson, Wilson might well have had Germans on his staff.[4]

A brief look at some of the Fourteen Points and their implications for Germany will suffice to illustrate the issue:

- Point One called for "Open covenants of peace, openly arrived at." German diplomats saw that Wilson was trying to eliminate the secret deals that had created the bipolar world of the pre-war years. The end of secret treaties, however, would allow the defeated Germans to see more clearly what their former foes were doing. Given that Germany was unlikely to be welcomed into a great power alliance after the war, this Point at least made it harder for Britain, France, and some future combination of German rivals to develop secret plans against them;

- Point Two called for "Absolute freedom of navigation upon the seas" in war and peace. If approved over strenuous British objections, Point Two meant that in defeat, the Germans might attain one of their main pre-war goals, namely, reducing the supremacy of the Royal Navy as a threat to German commerce;

- Point Four called for a reduction in spending on national armaments. In a post-war era where Germany would not and could not spend much on arms, this Point was a way to keep Britain and France from establishing military superiority over Germany;

- Points Five and Twelve called for colonial peoples to have the right to determine their own futures. Given that the Germans had a small and unprofitable empire that they would not in any case keep at war's end, these Points promised and Wilson's rhetoric consistently supported, a weakening of British and French control over their own empires. If Germany's enemies could not adequately control the political futures of their colonies, they might not be able to profit from them either. At the very least, they would be distracted in the post-war years by imperial issues;

- Even Point Eight, which called for righting the "wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine," seemed to leave open some room for negotiation. The Point blamed "Prussia," not Germany, implying that the current government was not at fault. Some Germans even read this Point as suggesting that there might be an American-sponsored plebiscite to allow the people in Alsace-Lorraine to determine their own futures, consistent with similar promises made to colonial people in Point Five. Given the massive inflow of Germans and outflow of Frenchmen from 1871 to 1919, the Germans would surely win such a plebiscite.

Thus it was possible, even plausible for the Germans to envision a war in which they lost on the battlefield yet emerged with the Franco-British alliance weakened, the Royal Navy no longer a threat to German interests, rough equality of post-war military spending, the British and French losing their empires, and, maybe, their retention of Alsace-Lorraine through a plebiscite.[5] A defeated power could hardly ask for more, especially when the Germans were fearing what one senior diplomat depicted as a future of "Slavery for 100 years. The dream of world power gone forever. The end of all hubris. The scattering of Germans throughout the world. The fate of the Jews."[6] Indeed, if implemented, the Fourteen Points would not only spare Germans from that horrifying fate, they might even grant to a tired and defeated Germany many of its own war aims!

Thus, it is hardly surprising that the Germans adopted the diplomatic tactic of trying to fracture the Allied coalition by approaching the member most sympathetic to its own goals. The Americans, moreover, had never signed the Treaty of London of 1915 that established the legal framework of the alliance among France, Britain, Russia, Italy, and some smaller powers. Wilson had also been careful not to call the United States an Allied Power but an Associated Power. Wilson thus had the legal authority to negotiate separately from Clemenceau and Lloyd George if he chose to exercise it.

On October 6, the German government sent Wilson a note requesting that he arrange an armistice and peace treaty on the basis of the Fourteen Points.[7] The note came not from the Kaiser, but from the more moderate Prince Max of Baden, an indication to the Americans that a reasonable civil government was now in charge instead of Wilhelm II's military dictatorship of Generals Paul von Hindenburg and Erich Ludendorff. Wilson replied, indicating his willingness to negotiate if the Germans were truly ready to use the Fourteen Points as the basis of discussion, evacuate occupied territory, and provide assurances that Max spoke for the German people, not just the current regime.[8]

Wilson thought his reply was moderate and noncommittal, but it infuriated Lloyd George and Clemenceau. Wilson had not only shut them out of the discussion, he had ignored their ideas about minimal demands for war termination. In Berlin, by contrast, the reply was received "like a drowning person reaches for a lifeline."[9] The ensuing German note of October 12 "presume[d] that the Governments associated with the Government of the United States also take the position which the President has taken in his [Fourteen Points] address." Nothing could have been further from the truth, as the Germans might well have privately suspected.[10] Neither Clemenceau, who derisively called Wilson "The Professor," nor Lloyd George who found the President "tactless, obstinate, and vain," were willing to follow his foreign policy direction.[11]

Wilson might have resisted pressure from his fellow statesmen and pursued his vision of peace based on the Fourteen Points, but he could not ignore the news that even as the Germans were asking about peace terms, a German U-Boat sank the passenger liner *Leinster*, killing 292 civilians in the process. Two more sinkings of merchant ships soon followed. The sinkings were unacceptable to Wilson, for whom unrestricted submarine warfare had been a primary cause of American entry into the war. He responded with a much longer and harsher note that said his government would not negotiate "while acts of inhumanity, spoliation, and desolation are being continued," noting that both the American and associated governments looked on the sinkings "with horror and with burning hearts." His second note also implied a closer relationship to France and Great Britain than did his first note.[12]

These negotiations took place as the collapse of the German Army continued, adding urgency to the process. With their first option of dividing the Americans from the French and British having failed, the Germans next tried to force a change in their own system, both to satisfy their enemies and, they hoped, to pass the blame for the war to the old monarchical system. In early-November, Dr. Wilhelm Drews, the German Interior Minister, drew the short straw and approached the Kaiser about abdicating his throne. The Kaiser exploded at Drews, telling him, "I have no intention of quitting the throne because of a few hundred Jews and a thousand [striking] workmen."[13] But the situation was much worse than that, and the writing was clearly on the wall. The German surface fleet mutinied on October 29, and troops sent to quell the mutiny instead joined it. Bavarians had declared a republic independent from the German Empire, and at a meeting on November 4, the Kaiser was told that the Army was no longer reliably loyal to him. After having rejected a request that he accept a limited monarchy on the British model, Wilhelm finally faced reality, abdicating as emperor of Germany, although not initially as King of Prussia.[14] He soon fled to Holland,

where the Dutch government successfully protected him from a war crimes trial until his death in 1941. Prince Max, too, left government in favor of Friedrich Ebert, the leader of the German Social Democratic party and one of the few men who could plausibly claim to have a mandate to speak for the German people.

These revolutionary political changes occurred as the military situation grew increasingly dire for the Germans. Mutinies and desertions were rampant, and General Erich Ludendorff fled into Sweden in disguise to avoid having to witness (or take any responsibility for) the final dénouement; instead he had begun to invent the central elements of what became the "stab in the back myth" that would pass the blame for German defeat onto the home front, especially to the Jews and socialists he despised. On November 7, representatives of the new German government crossed the front lines in a car flying white flags to negotiate an armistice. They had received instructions from the German generals to "conclud[e] an armistice at any price" because the Army had ceased to be an effective fighting force.[15] The German delegation was driven to a railway clearing in the forest of Compiègne, France. There they found an Allied military delegation interested neither in negotiation nor in using the Fourteen Points as a basis for discussion.

MANAGING VICTORY: THE ALLIED SIDE

The man in charge of the Allied delegation at Compiègne, Marshal Ferdinand Foch, had his own difficulties. His primary goal was to keep politicians away from discussions about the terms of the armistice, which he considered a matter between military officials only. He and Clemenceau, who was both France's prime minister and its defense minister, had had a difficult and contentious relationship for more than a decade. Clemenceau, an anti-clerical politician who coined the phrase "war is too serious a business to be left to generals," and Foch, a devoutly Catholic general who despised politicians, had nevertheless agreed on the general outlines of armistice terms in October. Now Foch wanted to have a free hand in getting the Germans to agree to those terms.

Of equal concern to Foch were the disagreements within the Allied high command. Foch held a strictly Clausewitzian view of war as an extension of politics. In his mind, the object of the present war was to wrest from the Germans armistice terms that would make a German resumption of hostilities impossible. Once accomplished, such an armistice would allow the statesmen to write a final peace treaty that could protect France from the ravages of its aggressive neighbor. Foch, who had been a private in the Franco-Prussian War, saw the security of France and the reacquisition of Alsace-Lorraine as the only goals worth fighting for; he did not care about the French overseas empire or about the idealistic visions of Woodrow Wilson. Ending the war for him meant ending the German presence on French soil. "I am not waging war for the sake of waging war," Foch told Wilson's emissary Edward House in October. "If I obtain through an armistice the conditions we wish to impose on Germany, I am satisfied. Once this object is attained, nobody has the right to shed one more drop of blood."[16]

Foch's objectives were straightforward. He wanted to create conditions under which Germany could not resume the offensive. In his view as expressed to Clemenceau on October 8, these included: liberation of all occupied territory, including Alsace-Lorraine; two or three bridgeheads over the Rhine river to place Allied troops deep into German soil; German agreement to pay for the costs of occupying the bridgeheads; all "war material and supplies of every kind" to be left in place when the Germans retreated; all railway rolling stock in the occupied territories turned over to the Allies; and all industrial sites in France, Belgium, and the bridgeheads abandoned without damage.[17] Foch had his doubts that the Germans would accept these conditions, but he saw them as sufficient to end hostilities on terms favorable to the Allies in order to assure a lasting peace.

British goals did not quite overlap with French goals. While the British were willing to see Germany humbled and reduced, especially at sea, they were wary of breaking down Germany so far that Soviet Russia, or even France, grew too strong as a result. Thus did Lloyd George initially argue against Germany losing any of its territory (except Alsace-Lorraine) for fear that the Allies might create an "Alsace-Lorraine in reverse."[18] The British commander, Field Marshal Sir Douglas Haig, argued for an armistice based on "what we intend to hold" (meaning Alsace-Lorraine, but not the Rhine bridgeheads) rather than one that would help France "pay off old scores."[19] Consistent with past strategic practices, the British aimed for a balance of power on the continent that would ensure post-war peace notwithstanding the bitterness that the war would leave behind. British senior leaders were aware, moreover, that the German peace notes "couldn't have come at a better time for the British Empire" because the British had reached the end of their manpower resources. Thereafter, the fighting power, as well as economic and diplomatic power, would tilt to the Americans.[20]

That point was not lost on the American commander, General John Pershing. He knew that any war that extended into 1919 would be dominated by the Americans. As he reported to Washington on October 25, 1918, his army was "constantly increasing in strength and training, its staffs, its services, its commanders have improved by experience." He also concluded that the Germans could not recover from their current decline and, more debatably, that the French and British armies had "as much vigor as ever." From these conclusions, Pershing argued that the Americans and their allies should aim for much more than the limited goals of Foch or the even more limited goals of Haig. Writing that "there should be no tendency toward leniency" and that "the terms we demand should not be light," Pershing had in mind an armistice that would both produce greater tangible gains to the Allies and deliver the psychological message to the Germans that they had lost.[21]

Five days later, Pershing told the Allied Supreme War Council of his preference for "unconditional surrender" rather than an armistice. From the perspective of time, his contentions that a premature armistice might "possibly lose the chance actually to secure world peace on terms that would insure its permanence" seem prescient.[22] Pershing, however, underestimated the cost in blood and treasure that France and Britain had already paid. Nor were the Europeans blind to the reality that any failure on their part to get an armistice when one seemed in reach carried with it significant risks, among them Germany using the winter of 1918-19 to rebuild, a Bolshevik revolution in Germany or elsewhere, their own people growing angry over a chance at peace not taken, or a mainly American victory in 1919 denying them their own national goals.

Thus, Foch responded eagerly to the German dispatch on November 7 of a radiogram requesting an armistice. His staff told the German delegation to drive to a certain part of the line in cars bearing white flags and with trumpeters playing "cease fire." The chaos and confusion of the battlefield led to some tense moments as the German delegation arrived at the appointed place nearly 12 hours late, leading anxious Allied leaders to suspect a trick. The Germans were taken from their cars and put into French ones, then driven behind the lines to Compiègne. They neither knew where they were going nor with whom they would meet.

In a railway car in a forest clearing, the German delegation met with Foch and the rest of the French-led Allied delegation; a British admiral was present, but the Americans had been unable to arrange a sufficiently senior representative in time. The Germans sent politicians as well as generals, but Foch, consistent with his view of the armistice as a military matter, brought only military men. The meeting was icy from the start. Foch asked why the Germans had come and demanded both introductions and evidence that the Germans had authority to speak for their government. The Germans said they had come to discuss armistice terms. Foch replied that there would be no discussion of armistice terms. The Germans, thinking they had erred in their translation, sat stupe-

fied. Foch then said if an armistice was what they wanted, they could have it if they agreed to the conditions the Allies had already determined, but there would be no negotiation of those terms.

The final armistice terms did not demand the unconditional surrender Pershing sought, but they were, even in Pershing's eyes, sufficient to prevent the Germans from resuming hostilities. The Germans sat in stunned silence as Foch's chief of staff, Maxime Weygand,[23] read them aloud in French: German evacuation of all territory in the west occupied since 1870 (thus including Alsace-Lorraine) within 15 days; Allied bridgeheads over the Rhine at Coblenz, Mainz, and Cologne; surrender of the German surface and submarine fleets (the British added this condition); surrender of 5,000 artillery pieces, 30,000 machine guns, 5,000 locomotives, and 150,000 rail cars; and acceptance that the naval blockade would continue until the Germans agreed to a final peace treaty. Foch then gave them 72 hours to accept and dismissed them from the car.

The Germans were stunned, but knew they had little choice. Erzberger telegraphed the terms to Berlin, over a line that the French supplied but had naturally tapped. The military leaders of Germany urged Erzberger to do what he could to get better terms, but told him he had to sign even if the French would not budge. The only specific request they made of him was to ask Foch to allow them to keep more machine guns in the event that they had to put down a revolution inside Germany. Foch, who feared Bolshevism as much as the Germans did, agreed to that one modification only.

Thus, on the 11th hour of the 11th day of the 11th month of 1918, an armistice came into effect. Foch sent a telegram to Clemenceau telling him that the Germans had signed, but interestingly, he did not tell Clemenceau what the final terms were. Presumably, he assumed the prime minister had accepted Foch's definition of the armistice as a military matter only; he had not. Foch brought the signed armistice to Paris and handed it to Clemenceau, telling him "My work is done. Yours begins." The ever wily Clemenceau may have been left in the dark, but he did have his revenge. He later turned Foch's logic back on him by completely shutting him out of the Paris Peace Conference, a development Foch had not anticipated and deeply resented.

MANAGING PEACE

There is no room here for a full discussion of the Paris Peace Conference that attempted to translate Foch's armistice into a final peace treaty. Several key points, however, are worth highlighting. First, the differences between the Allied generals were minor and manageable when placed next to those of the Allied statesmen. Foch, Pétain, Haig, and Pershing only had to deal with the relatively narrow problem of forcing the Germans to accept an armistice.[24] Wilson, Lloyd George, and Clemenceau, by contrast, had to deal with a wide range of astonishingly complex problems from deciding the future of the German, Ottoman, and Austro-Hungarian empires to the redrawing of the boundaries of Europe to the creation of an international body to ensure peace. No group of men in history had ever had to deal with so many wicked problems at one time.

That the statesmen were as anxious to keep the soldiers away from these discussions as Foch had been to isolate the politicians from the armistice negotiations only made the problems that much harder to solve. Foch served as chief military advisor to the conference, but Clemenceau refused to name him an official representative of the French government. The less his opinion mattered, the more frustrated the willful and strong-headed Foch grew. Believing that Clemenceau was bargaining away the future of France, he turned to the news media, arguing, *inter alia*, that the borders of the proposed states of Poland and Czechoslovakia were indefensible, that there was no way to enforce the arms and manpower limits on Germany that the statesmen had proposed, and that without a permanent collective security agreement between France, Britain, the United States, and Belgium, Europe was less secure in 1919 than it had been in 1914. Foch famously and

presciently said of the final treaty, "This is not peace. It is an armistice for 20 years."[25] Clemenceau deeply resented what he saw as Foch's insubordination, and the two men entered into a bitter public feud that lasted the rest of their lives and continued even after their deaths through their posthumous publications.

The debates in Paris over the final form of the treaty were between victors who could not agree on the spoils. The British and French argued over which parts of the German and Ottoman Empires they wanted and what form the new imperialism should take. They also argued over reparations and compensation, in part because they knew they had to repay the Americans, who were unwilling to forgive any part of their Allies' war debts. The declining power of Woodrow Wilson, a result of both the Republican party's victories in the 1918 midterm elections and the rapid repatriation and demobilization of the American Army, meant that there was no chance of the more idealistic Fourteen Points informing the final treaty in any important sense. Six months of intense disagreement and debate yielded a treaty badly weakened by compromise and undermined by the need to sign *something* before the Allied armies completely demobilized or disillusioned Europeans began to look to the Bolshevik model. Even many of the diplomats who worked on the treaty thought it horribly flawed; gifted British diplomat Harold Nicolson, who came to Paris "bent on doing great, permanent, and noble things," spoke for many when he ended his diary of the conference with the words, "To bed, sick of life."[26] Thus was much of the post-war policy of appeasement informed by the belief that holding Germany to such a bad treaty was poor foreign policy.

The Germans, of course, were never invited to do anything but sign the final treaty. There was nothing novel or surprising in this; the Germans had not negotiated the treaties they forced on Romania in 1916, the Russians in 1918, or the French in 1871 for that matter. Victors write peace treaties and losers sign them. The Germans reacted, however, by claiming that the treaty was invalid (even though they had signed it) because it had not been based on the Fourteen Points that they had assumed would serve as the basis for negotiations. However disingenuous this logic may have been, it appealed to a German nation increasingly unwilling to shoulder the blame for a war they believed the Russians had started.[27] Crowds in Germany burned captured Allied battle flags they were supposed to return, crews on interned German ships in Scapa Flow scuttled their vessels rather than permanently turn them over to the British, and crowds demonstrated against the *diktat* in the streets. Popular German reactions to the treaty laid some of the foundations for the myths and half-truths that the Nazis and others played on in the 1920s and 1930s.

Anger over the treaty undermined stability in Germany and the likely success of the Weimar Republic it created. The nation descended into a state of near civil war between pro-Bolshevist Spartacists and the ultra-right wing paramilitary veterans' groups known as the *Freikorps*. The cycle of street violence and assassinations did little to convince the Allies that Germany could make the reasonable transition from monarchy to democracy on which any treaty would depend. As early as November 15, 1918, the Allies had formally stated that "*Peace* depends on the stability of German government," not on any oppressive measures the Allies might be able to impose.[28] A permanent state of peace looked unlikely to develop; thus did many in Britain and elsewhere later see the rise of Hitler as at least providing a sense of stability. David Lloyd George even called him the George Washington of Germany during a 1936 visit as part of an effort to show British support for a stable German government.

The Germans were not the only ones absent from the Paris Peace Negotiations. The Russians, now under the control of the Bolsheviks, were not asked to send a representative either. At the time, the Allies were trying, in Churchill's phrase, "to strangle Bolshevism in its crib" by supporting a multinational intervention in Siberia on the side of the anti-Bolshevik forces.[29] This intervention not only failed, it drove the pariah states of Germany and the Soviet Union together. In 1922,

they signed the secret Treaty of Rapallo that ended all outstanding diplomatic disputes between the two and established a framework for the Germans to test military equipment in Russia, far from the prying eyes of the British and French who were trying to enforce the limitations imposed on the Germans by the Treaty of Versailles.

It is far too simple to say the failures of the Paris Peace Conference made World War II inevitable. It is, however, fair to say that the conference failed to resolve the underlying fundamental problem of European security. Although much ink has been spilled on why the leaders failed, the short answer boils down to their disagreement on what the fundamental problem was. To the French delegation, it was German aggression; to the British, it was the failure of a balance of power; to the American, it was secret diplomacy and absence of a supra-national body to arbitrate disputes. Consequently, the three victors sought different solutions to the same problem. That they lived to see how badly they failed only makes the tragedy of 1919 that much more poignant.

LESSONS FOR STRATEGIC LEADERS

Every historical case is different, and what happened from 1914 to 1919 should not be correlated too closely to any situation that comes later. Nevertheless, history does provide some warnings and lessons for the present. As the old saying goes, history may not repeat itself, but one can always hear echoes. This chapter will thus conclude with four speculative thoughts on the lessons strategic leaders of today might take from a study of conflict termination in World War I.

First, the defeated power gets a vote. The German leadership consciously tried to shape the final form of the armistice through a series of steps designed to make the most of the options they still could salvage as late as the end of October 1918. These steps included: seeking to divide their enemies by exploiting the divergences in their war aims; approaching the least vengeful of those enemies in the hopes of negotiating better peace terms; construing one power's statement of war aims for their own purposes; transferring blame from the regime for the purpose of renewing the fight at a later time; and, finally, changing the nature of the government in the hope that the sins of the old regime would not be visited on the successor.

The Germans proved only mildly successful in actively changing the terms of the debate over the armistice, although it is fair to speculate that they might have been more successful had they also ceased inflammatory provocations such as submarine warfare when they made their overtures to Wilson. Events in Germany during the peace conference that followed, however, did have direct impacts on the final form of the treaty. Thus even powers as physically broken as Russia and Germany were still important actors, and the domestic political environments of those states continued to be important contextual factors in shaping the peace. The inability or stubborn unwillingness of Wilson, Clemenceau, and Lloyd George to take into account the reactions of the Russians and Germans played a key role in the Treaty of Versailles' ultimate failure.

The second thought: While historians and practitioners understand that coalitions complicate warfighting (Foch reportedly said that once he began to lead a coalition he lost some of his admiration for Napoleon since much of his success came in fighting against them), we need to understand that coalitions also complicate peacemaking. Even in the British Empire, itself a kind of coalition, disagreements over visions of the post-war world led Canada and Australia to demand to sign the Treaty of Versailles independently from Great Britain—their first actions as independent states. The Italians stormed out of the conference to protest their disagreement, and the differences between the United States, Britain, and France were a greater threat to a final treaty than the differences between the Allies and Germany.[30]

Third, intense disagreements between civilians and senior military leaders greatly undermined Allied unity of purpose. The Supreme War Council, with both political and military representa-

tion, was supposed to smooth out those differences, but it failed to do so in part because civil-military relations in France and Great Britain were shaky. Haig and Lloyd George despised one another even more than Clemenceau's and Foch's mutual despisement. In both cases, civilian authorities failed to get needed advice from their soldiers, and the soldiers failed adequately to make their case for representation.[31] Had the British and French had a more functional system for civil-military relations, the final treaty might well have been more workable.

Fourth and finally, while it is axiomatic to say that making peace is harder than making war, the case of World War I helps us to understand why this is so. In the relatively short 6-month period between the opening of the Paris Peace Conference and the signing of the final treaties, the world changed in ways contemporaries only began to comprehend.[32] While the diplomats and statesmen were debating, the Bolsheviks tightened their grip on power in Russia, the United States grew more isolationist, and events like the Jallianwala massacre in India showed that the European empires were unlikely to return to the secure standing they had enjoyed in 1914.[33] These three events alone undermined the assumptions of January 1919 enough to invalidate many of the measures imbedded in the treaties that the conference produced in June.

Other changes far more difficult for contemporaries to perceive were happening as well. Around the world, people inspired by Wilson's rhetoric were deeply disappointed and disillusioned by the failure of the treaties to live up to anything close to the promise of equality and self-determination the President had pledged.[34] Among them was a Vietnamese nationalist named Nguyen Ai Quoc, who tried, unsuccessfully, to plead his case to Wilson. Later, under the name Ho Chi Minh, he was to fight against the descendants of the French and American soldiers who made Wilson's presence in Paris possible. Ho Chi Minh's disillusionment with the West, the rise of fascism in Italy, anti-Western riots in Beijing, and increased Jewish-Arab tensions in the Middle East, were just a few of the many second, third, and fourth order effects of the war that contemporaries did not (and perhaps could not) foresee. They do, however, serve as a reminder from the past that wars, once begun, have effects that continue long after the treaties ending them are signed.

ENDNOTES - CHAPTER 24

1. Moltke, quoted in Robert Asprey, *The First Battle of the Marne*, Philadelphia, PA: Lippincourt, 1962, p. 153.

2. See Michael S. Neiberg, *The Second Battle of the Marne*, Bloomington, IL: Indiana University Press, 2008; and Douglas V. Johnson and Rolfe Hillman, Jr., *Soissons, 1918*, College Station, TX: Texas A & M University Press, 1999.

3. This version of the anecdote was reported in the *New York Times* on November 2, 1918, but Clemenceau said something like it on numerous occasions. In some versions of the anecdote, Clemenceau then said, "And we soon enough learned to break those."

4. Lord Kitchener, the British Secretary of State for War from 1914 until his death in 1916, once said that he did not like to share military secrets with the Cabinet because they would run home and tell their wives. Lloyd George, Kitchener said, was the one exception: he would tell someone else's wife.

5. Of course, none of the Allied leaders, not even Wilson, ever envisioned Alsace-Lorraine remaining part of Germany. An interesting indication of the depth of feeling is the agreement among the Allies that Germany would pay for the Allied occupation of the Rhineland but not for Allied operations in Alsace-Lorraine. The latter the Allies considered part of France and therefore not "occupied territory." "Australian Corps News Sheet," November 18, 1918, in John Monash Papers, Canberra, Australia: Australian War Memorial Research Centre, 3DRL/2316. Series 3, Folder 66.

6. So Kurt Riezler wrote in his diary on October 1. Quoted in Byron Farwell, *Over There: The United States in the Great War, 1917-1918*, New York: W. W. Norton & Co., 1999, p. 255. The ironic reference to the Jews is an allusion to Diaspora, not genocide. Given that Riezler's own war aims for Germany envisioned a state close to slavery for most of eastern Europe, he was perhaps right to worry.

7. The text can be found in *The United States Army in the World War, 1917-1919, V*ol. 10, Part One, The Armistice and Related Documents, Washington, DC: Center of Military History, 1991, p. 3.

8. *United States Army in the World War*, p. 8.

9. Holger Herwig, *The First World War, Germany and Austria-Hungary*, London, UK: Arnold, 1997, p. 426.

10. *United States Army in the World War*, p. 9.

11. Quoted in Margaret Macmillan, *Paris 1919: Six Months that Changed the World*, New York: Random House, 2001, p. 7.

12. *United States Army in the World War*, p. 10.

13. Quoted in Farwell, *Over There*, p. 257.

14. See C. E. W. Bean, *The Australian Imperial Force in France During the Allied Offensive, 1918*, Sydney, Australia: Angus and Robertson, Ltd., 1942, pp. 1050-1051.

15. So recalled the chief delegate Mathias Erzberger of the Catholic Center Party in his "La Débâcle Militaire de l'Allemagne," *Archives de la Grande Guerre* 12, 1922, p. 399.

16. Ferdinand Foch, *The Memoirs of Marshal Foch*, T. Bentley Mott, trans., Garden City, NJ: Doubleday, 1931, p. 463.

17. Foch, *Memoirs*, p. 452.

18. Quoted in Seth P. Tillman, *Anglo-American Relations at the Peace Conference of 1919*, Princeton, NJ: Princeton University Press, 1961, pp. 176-177.

19. Haig diary entry for October 19, 1918, cited in Andrew Wiest, *Haig: The Evolution of a Commander*, Dulles, VA: Potomac Books, 2005, p. 109.

20. That the comment came from the commander of the Australian Corps, which had more fight left in it than most of the rest of the Empire's units, is doubly revealing. "Army Conference at Le Cateau," November 12, 1918, John Monash Papers, Canberra, Australia: Australian War Memorial Research Centre, 3DRL/2316. Series 3, Folder 66.

21. "Pershing's Proposals for Armistice," October 25, 1918, quoted in *United States Army in the World War*, pp. 23-24.

22. Pershing to the Supreme War Council, October 30, 1918, quoted in *United States Army in the World War*, p. 29.

23. Weygand, rumored to be the illegitimate son of Emperor Maximilian of Mexico, was a mercurial and mysterious man who later became chief of staff of the French Army, then French governor of Syria and Lebanon. On May 18, 1940, he was recalled from Syria to try to rescue the French Army from the growing debacle. After arriving and looking at the map, he supposedly said, "Had I known things were this bad, I never would have come."

24. Henri-Philippe Pétain was the Chief of Staff of the French Army, while Foch served as a kind of Allied generalissimo in charge of coalition strategy.

25. Thus recalling the Peace of Nicias, the joyously anticipated but soon abortive peace treaty between Athens and Sparta in March 421 B.C., ending the first half of the Peloponnesian War. See *en.wikipedia.org/wiki/peace_of_Nicias*.

26. Harold Nicolson, *Peacemaking, 1919*, Boston, MA: Houghton-Mifflin, 1933, pp. 32, 371.

27. The basis for this belief was the fact that the Russians mobilized first in 1914, thus, in German eyes, forcing Germany to reciprocate. For this reason, the War Guilt Clause of the Treaty of Versailles was particularly odious to many Germans, especially those who did not know how far the Kaiser's government had taken their nation down the road to war even before the Russian mobilization.

28. "Corps Conference at Peronne, 15/11/1918" in John Monash Papers, Canberra, Australia: Australian War Memorial Research Centre, 3DRL/2316. Series 3, Folder 66. Emphasis in original, presumably to distinguish a peace treaty from the armistice just signed.

29. Quoted in James A. Nathan and James K. Oliver, *United States Foreign Policy and World Order*, New York: Longman, 1989, p. 12. Stalin reminded Churchill of these decisions when the two met in Tehran in 1943.

30. The issue for the Italians was Allied unwillingness to give them the port city of Fiume. Benito Mussolini's fascist rival and comrade, Gabriele D'Annunzio, led a private army of 1,000 men (supported illicitly by the Italian Army and Navy) to seize and hold Fiume. When the final treaty gave Fiume to the new state of Yugoslavia, Mussolini raged about Allied perfidy and Italy's "mutilated victory." He pledged to avenge Allied mistreatment of Italy with "a grenade in each hand and a knife between our teeth." Quoted in Arno J. Mayer, *Politics and Diplomacy of Peacemaking: Containment and Counterrevolution at Versailles, 1918-1919*, New York: Alfred A. Knopf, 1967, p. 222.

31. The American delegation did not have these tensions, but Wilson decided early on not to seek much advice from his military advisor, General Tasker Howard Bliss (of Bliss Hall fame) despite Bliss's habit of relaxing by reading Thucydides in the original Greek. For his part, Bliss, whom most civilian officials thought was well past his prime, never made any serious attempts to press his views on Wilson.

32. Besides the Treaty of Versailles, they were the Treaty of St. Germain, which ended hostilities with Austria; the Treaty of Neuilly, which ended hostilities with Bulgaria; the Treaty of Trianon, which ended hostilities with Hungary; and the short-lived Treaty of Sèvres, which ended hostilities with Turkey.

33. Fifty British soldiers killed 379 unarmed Indian civilians and wounded 1,100 more in the Jallianwala garden in Punjab in April 1919 amid rising tensions accompanying the start of the Third Anglo-Afghan War. This incident is also known as the Amritsar massacre. France also found itself almost immediately at war with the Rif tribe in Morocco and the Druze in Syria.

34. See Erez Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism*, New York: Oxford, 2009.

CHAPTER 25

CREATING STRATEGY IN AN ERA OF CHANGE:
THE PLAINS INDIAN WARS

Clayton K. S. Chun

American military history abounds with situations that involve rapid changes to the nation's strategic environment. These changes forced Washington to modify policy and strategy to meet new challenges. Existing strategies, force structures, and doctrine became obsolete, and administrations needed to replace or alter them. For example, national and military leaders created new strategies to face evolving threats just after World War II, the Berlin Wall's collapse, and the events of September 11, 2001 (9/11). Emerging threats ranging from nuclear annihilation to terrorism and insurgencies forced national leadership to adapt.

Revised strategies involved novel approaches, which civilian and Army leaders had to create under less than ideal conditions. In some situations, military officers had to plan for and engage with enemies trained, equipped, organized, and operated in ways that were alien to their own forces. Within the federal government, reliance on interagency support to meet national objectives became both a prerequisite and a source of conflict. Without exception, the nation made these changes during times of constrained resources. For example, after World War II, the public demanded a return to a small, permanent peacetime military and conversion of defense industries to consumer production. The government had to be balance this demand with the need to maintain a large overseas permanent American military presence. However, changes to post-World War II strategy and policy are not the only example in American history that is useful for today's world.

One case that illustrates this situation is the post-Civil War period. After 4 years of intense conventional warfare, public demands for a return to normalcy forced the federal government to refocus on domestic concerns. The government relegated the military to its traditional mission of protecting the nation's sovereignty. Congress enacted legislation to severely cut the number of Army and Navy personnel and reduce arms procurement. Still, the Army was larger than its pre-Civil War strength. Congress recognized the Army's need to maintain sufficient manpower to aid Southern Reconstruction and allow expanded white settlement in the West. The Army allocated major forces to defending the nation's coastline, while a smaller one became a constabulary force in the interior.

Since colonization, the white settlers and North American Indian populations had been in almost continual conflict. Early American efforts to co-exist with Eastern Indian nations eventually turned to disputes over land. Indian policy before expansion west of the Mississippi River focused largely on tribal resettlement. Treaties forced those tribes that possessed desirable land to areas in the undesirable and distant Great Plains or "Great American Desert."[1] This area stretched from the Mississippi River to the Rocky Mountains. Many government officials believed these lands unsuitable for agriculture or economic development and perfect for Eastern Indian resettlement. Washington could afford to push tribes out to the Plains where there appeared to be little chance of white settlement. Inevitably, natural population growth and immigration to the United States led to pressure for expansion. The growing white population, which doubled from 15 million in 1835 to 31 million in 1860, created demands for additional food and resources.[2] Adding to the pressure, immigration tripled after the Civil War.[3] Farmers found the supposedly infertile Great Plains capable of supporting crops and livestock—the basis of an economic motivation to settle the West.

The 1849 gold discoveries in California also provided ample motivation for western development of the Pacific Coast. Earlier policies that exchanged highly desirable land in the East for less desirable western land worked only if there was sufficient good land available for the white population. As the nation grew, that ceased to be the case.

Hostilities between whites and Indians continued during the American Civil War, although the resulting clashes were minor compared to the military campaigns of the big war. Western state and territorial militias continued to fight in the Plains against relocated and indigenous tribes. An inevitable clash of cultures started to boil. The U.S. Army had fought Indians in the past. These previous encounters involved campaigns where the Army could mobilize its forces and defeat the Indians in relatively set-piece campaigns. Only the Seminoles had given the Army significant persistent trouble, and that resulted largely from terrain considerations. Unlike most Eastern Indian tribes, the plains tribes were mobile, nomadic hunter-gatherers. These tribes were also larger than their eastern cousins. They were becoming a major threat to the burgeoning western settlements.

There was a growing lack of understanding among white Americans about the West. In 1870, 83 percent of the U.S. population lived in eastern states.[4] Most political and military leaders were unfamiliar with the western lands and the native populations that lived there. American interests in the West had initially appeared limited; this perception would change.

Immediately after the American Civil War, President Andrew Johnson attempted to settle problems with the Plains Indian tribes through negotiation. This approach had worked in the past. Johnston created the Indian Peace Commission to remove sources of conflict between the tribes and the government. The commission also sought to protect the personnel and property of the transcontinental railroad.[5] Successful peace treaties would allow Congress to cut the Army's size and help reduce budget expenditures. Continuing problems with the tribes, broken treaties, an expanding white population, and other issues doomed this avenue to peace.

A NEW ENVIRONMENT FOR THE ARMY

Fighting between settlers and Indians during and after the Civil War had created hatred and distrust. Lack of local law enforcement to protect settlers and Indians forced the U.S. Army to undertake this role. Regular Army units had served in this capacity before the Civil War, but they had moved east to fight in the regular campaigns of the war. State and territorial volunteer militias had replaced them as early as 1861. Unfortunately, these militias created future problems for the Army. In one instance, Colonel John Chivington, Colorado Volunteers, led his units in an attack against peaceful Arapaho and Cheyenne Indians in November 1864 at Sand Creek. Chivington commented: "Kill and scalp all, big and little; nits make lice."[6] The Sand Creek massacre blackened the Army's reputation among tribes, and critics complained about Washington's treatment of the Indian population. It also created major unrest among Plains tribes that would continue after the Civil War.

Army leaders faced several challenges in late-1865. Public demands for reduced government expenditures, personnel cuts, focused attention on continental defense, volunteer and drafted Soldiers, insisting on the Army demobilizing them immediately, and differences in mission requirements forced changes to strategy and operations. Washington's public policies had encouraged large-scale immigration to settle and exploit western land and resources. Facing unrelenting pressure from white settlement, Plains Indian tribes were unwilling to settle on peace terms with the government. The Army had to maintain order in the West, implement policies, and potentially fight campaigns. Conditions for the Army seemed bleak. Senior officers had to adapt to this dynamic environment.

The government reduced the post-Civil War Army's budgets to a minimum. The war-weary nation returned to an era of small government with an emphasis on rebuilding the economy and nation. The federal government reduced War Department funding, as the Congress demanded a balanced budget. Army officers had a record $1 billion to spend for operations, personnel, and equipment in 1865. By 1878 the country could only afford $32 million for the Army.[7] These drastic funding reductions forced the War Department to cut personnel. In 1865, the Union Army had over 1 million Soldiers in uniform. Although the Congress had reduced the size of the regular Army, its leaders did recognize the need for additional troops to fulfill its missions. Before the Civil War, Army officers commanded about 18,000 Soldiers. After the Civil War, Ulysses Grant requested a force of 80,000, but Secretary of War Edwin Stanton agreed only to 50,000.[8] The Army would field a total strength of 56,815 Soldiers in 1867.[9] Army leaders would not see a force larger than the 1867 strength until the 1898 Spanish–American War. Budget cuts after 1867 forced additional reductions. By 1877, personnel dropped to only 24,140 officers and enlisted personnel.[10]

Government leaders could not foresee a major threat to the nation's security. If a threat to the nation's existence did emerge, it would probably come from an invasion by European countries. Two oceans continued to protect the country. Its neighbors to the south and north did not present a threat. A revolution forced France out of Mexico in 1866, and the Mexican government was weak. Canadian and British forces to the north posed no threat to the United States. The Army emphasized coastal defense while the mission of pacifying the vast interior fell to the small remaining force of infantry, cavalry, and field artillery units.

Many budget problems arose. Field commanders who wanted repeating rifles and other modern equipment had difficulty convincing a skeptical Congress. The Legislature could point to surplus Civil War-era weapons, uniforms, and field rations that Soldiers could use. Training and forts became inadequate. Fewer Soldiers and the requirement to man coastal defenses forced Army leaders to spread their forces thinly throughout the West. Modern field artillery was a rarity. Instead, Army Headquarters spent its limited funds purchasing coastal defense artillery and fortifications to protect ports and deter invasion.

Other activities also required Army attention. Immediately after the Civil War, Reconstruction diverted military personnel to the task of reintegrating the Southern states into the Union. The Army had to protect former slaves, act as an interim civil government, and rebuild infrastructure. Army officers served as military governors who operated a legal system that enforced laws and dispensed justice. Army forces moved near the Texas border. Washington used this deployment to illustrate its concerns to Paris about French presence in Mexico.

DEVELOPING STRATEGY

Operating Army units faced several problems trying to develop, shape, and implement policies and strategy. Senior Army officers had to define and interpret policy. For example, what objectives did the President and Congress want the military to pursue? How could the Army's leaders accomplish its mission with shrinking resources? How would they measure success? Could the Army use the same strategy against the Apache in the Southwest it used against the Plains tribes, or would it have to adapt a new approach? These questions forced Army leaders to modify their military planning and operations throughout the Plains.

In terms of strategy, the primary military leaders tended to view the Indian issue through the lenses of their recent personal experience. For senior Army leaders, that experience was one of total war against the Confederacy. Generals William T. Sherman and Phillip H. Sheridan, both of whom would play leading roles in the post-war Army, had commanded Union forces in campaigns in Georgia and the Shenandoah Valley that would come to typify the total nature of that war. Both

Sherman and Sheridan had used tactics aimed at breaking the will of the Southern population and military. Destruction of food stocks, economic activities, and disruption of lives highlighted their approach to defeating the South. These recent experiences among Sherman, Sheridan, and other commanders colored their perspectives on the Indian problem. It was natural for Army leaders to adapt the strategic concepts of total war to the Indian problem. If they could break the Indians' will as they had broken Confederate will, peace could return to the Plains.[11]

Army leaders faced challenges throughout the period of 1865 to the end of the Plains Indian Wars in 1891 while the nation settled the region. National policy evolved from negotiations with the many Indian nations to active campaigning to compel tribes to submit to Washington's demands. As policy evolved, the Army's role changed from setting the conditions for and supporting negotiations to securing territory and forcing tribes to abide by treaty provisions. If tribes refused, the military could conduct combat operations to ensure compliance. Army officers might conduct activities on a reservation to help tribes adjust to reservation life and later conduct actions against the same group. Additionally, the Army served as a nation-building force. Infantry or cavalry units conducted security, humanitarian relief, governance, and construction activities. These forces did not have the training, organization, or equipment to carry out these missions.

The post-Civil War Army was a shadow of its 1865 self. Army strategists who believed that the initial threat to the nation was from an external invasion dominated military thought after the Civil War.[12] The size of the nation, the oceanic barriers, and the Navy's ability to thwart an invasion with a coastal force encouraged Army officers to reevaluate their role. Some argued that the Army needed a larger standing force to fight modern armies, but the public and the government remained unconvinced. Congress cut the number of Soldiers authorized by about half within a few years after the large post-Civil War demobilization. After the Civil War, the Navy was just a coastal defense force; by the 1880s, the public and the government wanted a larger naval force. Threats from expanding European navies, a push to increase American interests globally, rising nationalism, and other rationale pushed the expansion. The Army did not inspire a similar public demand.

The small army in the West had to protect settlers, ensure the Indians stayed on their reservations, secure wagon trains and railroads, and perform other missions as diverse as exploration and law enforcement. One problem that the Army faced was a category of Indians called "roamers." These Indians might stay on reservations in the winter to take advantage of the food and shelter, but during the summers, they returned to their nomadic hunting ways. The only way to ensure peace on the Plains was to force permanently all the Indians onto reservations in areas like Oklahoma or the Black Hills in the Dakota Territories away from major white development. This would require a slow, methodical process.

Army officers throughout the West faced divergent geographic and tribal problems. Government officials could develop policies that worked in the Plains, but might not work in other areas of the country. The Great Plains allowed relatively easy movement, but other areas of the West were composed of deserts, mountains, or thick forests. Apache, Modoc, Nez Perce, Navaho, or other tribes did not share the same beliefs, cultures, or living styles as the Plains Indians. Even within the Plains, Indian nations held different beliefs. The Army often capitalized on these differences to pit tribes against one another and use tribal members as scouts.

Multiple objectives, limited resources, the difficulty of measuring success, and differing tribes and geography forced military and political leadership to craft multiple strategies for the Plains. A "one-size-fits-all" policy could hardly encompass all of the problems in the West. The War Department and field commanders had to recognize many of the limitations implicit in conditions on the Plains to create an effective strategy. Additionally, the War Department was not the only

governmental organization concerned with western problems, and bureaucratic turf issues were always present if not openly on the table. Under these conditions, Washington had to address the Plains Indian problem, but the problem would continue for almost 26 years.

Dealing With Several Strategies.

The American military now faced foes that were different from the one it had fought from 1861 to 1865. The strategic environment had drastically changed for battle-experienced commanders. After five years of mainly conventional war, commanders now had to adapt to a longer conflict dealing more with an insurgency rather than a conventional, uniformed enemy. In the American Civil War, strategic objectives included the capture of major cities and capitals. There were no major permanent Indian population centers to capture or destroy. Army units fought random skirmishes instead of large battles and sieges of conventional wars. Native Americans normally avoided large pitched battles, and the tribes moved rapidly throughout the Plains. Army commanders also had difficulty distinguishing enemy from friendly tribes. Political demands to operate numerous Western small outposts and forts to protect farms and towns further diluted Army strength. These outposts had to serve almost one million square miles in the Southwest, Plains, and Rocky Mountain territories. Dividing the smaller Army forces into geographically dispersed installations created problems for logistics, training, and morale. These factors forced higher-level commanders to delay operations until they could organize activities among diverse units. Fortunately, tribes rarely cooperated to conduct actions against the Army. If the tribes did work together, the resulting alliances were normally short-termed or limited in number. Officers could usually organize actions against single tribes instead of a massive, simultaneous revolt by multiple tribes.

The U.S. Government's strategy involved three lines of operations. First, the government used the Army to enforce treaties. This pitted the military directly against tribes with grievances. Second, Washington's policy was to "settle" Indian tribes by forcing them onto reservations. This approach allowed the Army to limit tribal movements and to distinguish between friendly and hostile tribes based on geography. The government branded tribal members who left the reservation "hostile." Reservation officials could demand that the Army force the return of these "renegades." The final line of operations was expanding the white population in the Plains. This had the secondary effect of limiting the tribes' ability to lead nomadic lives. The transcontinental railroad was a major facilitator in that it provided fast, cheap transportation and indirectly served to destroy the buffalo herds—one of the nomadic Indians' major sources of food.

Sherman and Sheridan used their Civil War experience to craft a strategy. The main problem facing the Army was its lack of mobility that let Indian tribes avoid direct contact and combat. Limited budgets had forced the Army to use more infantry than the mobile cavalry since the cost of training and equipping infantry was much lower than cavalry. For example, in 1872 Army commanders could field 16,002 personnel in infantry regiments compared to 10,562 in cavalry regiments.[13] Reliance on infantry, at many posts, meant that Army units were slow to react to attacks by Indians on settlers, reservations, or other parties. The infantry could move at about 2.5 to 2.75 miles per hour, while cavalry could gallop at 16 miles per hour and walk at 4.[14] Additionally, infantry units could travel at most 15 to 20 miles per day while cavalry could cover longer distances.[15] Infantry units did have a major advantage, they could deliver a greater amount of firepower and could travel long distances in all weather conditions.

If the Army could not move as fast as its enemy could, then it might try to neutralize the Indians' mobility advantage in some other way. The main source of transportation for western Indian populations was ponies. Native populations fed their ponies natural plains grasses, which facilitated mobility during the growing season, but severely limited it during winter. Winter weather

destroyed or covered the ponies' food supply and confined the tribes to relatively fixed and predictable sites. Army cavalry units used horses, of course, but the Army relied on feed grain provided by an extensive logistics system, and only used natural grass as a supplement. Sheridan noted if the Army could "fall upon the savages relentlessly in that season, their ponies would be thin and weak from the lack of food."[16] Without transportation, an Indian tribe had to remain in areas where they were vulnerable, and scouts could track their movements in the snow. Because the Indians had difficulty moving in the winter, the probability of them attacking settlers was low. The reduced threat to settlers allowed the Army to deploy most of its Soldiers in winter campaigning. Since the Army could not conduct many of these campaigns in a single year, this strategy would take time. Sherman and Sheridan would have to use attrition to grind down tribal resistance by massing the Army's small forces to overwhelm its enemies.

Winter campaigns became the focus for Army operations against hostile Plains tribes. Despite the limited Indian mobility, Army units still had to find the tribes. Additionally, most posts throughout the West were small. Army commanders would have to combine the garrisons of these posts to face any sizeable Indian force. Consolidating units took time, and massing enough force to confront a major Indian uprising took even longer. There was, however, a scheme of maneuver that addressed these concerns: converging columns. Commanders could organize multiple columns to approach a hostile tribe from different directions and converge on the battlefield to surround the Indians. This concept allowed the Army to concentrate its scattered units into several mid-sized columns rather than one large unit. Concentration was thus faster. Additionally, the converging columns reduced the possibility of the enemy escaping. The reduced Indian mobility during the winter provided security for the small converging columns—especially the slow-moving infantry—that otherwise might have been vulnerable to defeat in detail.

This strategic concept of converging columns and winter campaigning did have drawbacks. The Army had largely deployed its forces on the Plains to posts and forts that normally had one or two companies. Regimental-sized posts were rare. These forces were widely dispersed, frequently in different geographic command jurisdictions that confused command relations and coordination. Typical companies might have about 40 men, so forts often contained less than 100 Soldiers. Fighting Indians was not the only duty for these companies. During campaigns, the Army still had to maintain the posts, enforce appropriate laws and policies, protect settlers, build infrastructure, and conduct other routine activities. These requirements constrained the number of Soldiers available for campaign. Training was another concern. Isolated, distant posts made regimental exercises all but impossible. Many companies belonged to a regiment in name only. On campaign, the assembled companies would form ad hoc "battalions," but these had never worked or trained together before. Since campaigns took time to organize and execute and consumed essentially the entire available force, the Army could only mount one major campaign per year in a particular region.

Logistics was another problem. Gathering sufficient supplies, ammunition, and transport was a difficult task under normal field conditions. During the winter, it was even harder. Feed for horses, food and ammunition for the Soldiers, towing artillery, and the logistics structure itself created huge demands. Quartermasters had two options to meet those demands: wagon trains or depots. Supply depots further depleted the military force since they needed protection, and wagon trains used limited resources while slowing down the operational movement. The typical solution was a mix of the two systems. Quartermasters established depots as far forward as possible and used wagon trains accompanying the troops to supply immediate needs and shuttle supplies from the depots. Ideally, Army planners would position supply points close to the expected campaign area or conduct actions close to railroads. In either case, supply depots and wagon trains moving between them and the field force were always at risk of an attack.

One of the most difficult problems for commanders using converging columns was coordinating attacks. Communications in the West were limited. This limitation created problems of controlling the columns. Once a campaign began, dispatch riders were the only means of communications between columns. That method was slow and undependable. There were no guarantees that dispatch riders could even locate distant columns to deliver their messages, and individual riders were vulnerable to all sorts of mishaps. The use of telegraph communications was limited to messages between forts or along rail lines (where the telegraph lines ran). Frequently, Army commanders could only guess at the size and location of their targets. If a tribe moved or its size was underestimated, commanders had few options for changing a plan on the move and the converging columns might fail. Additionally, the whole concept depended on an immobilized target caused by winter weather, which was not always the case. The success of the Army's converging column concept depended on surprising an enemy in its camp. A mobile enemy force that detected the threat might defeat the columns in detail.

U.S. Government Indian policy in the West also relied on the reservation system. The concept was that the Department of the Interior's Bureau of Indian Affairs (BIA) would provide food and shelter to the tribes while the Army put them and kept them on the reservations. The BIA intended to divide the tribes by this policy. Keeping the Indians on the reservations allowed the government to monitor and control their activities. Unfortunately, the BIA created appalling conditions on many of the reservations that produced tribal discontent. Questions surfaced about who was responsible for Indian policy. The Army had responsibility for Indian policy until 1849 when it ceded control to the Department of the Interior. The War Department divested itself from the BIA due to the change. Even if the official responsibility was clear, Army officers often believed they were better equipped and trained to operate the reservation system than the BIA agents. Rampant corruption and ill treatment of the Indians by reservation officials created conditions that drove the Indians off the reservations. If Indians left a reservation, BIA officials could order Army units to return forcibly tribe members, and the Army had to face a confrontation that might prove deadly or at least counterproductive. Conversely, BIA agents thought Army officers were often too harsh to run the reservations. Reservation officials had seen the result of winter campaigning and the destruction of tribes. No one organization coordinated activities of the BIA and Army and responsibility was muddied. Major General George Crook, who fought both on the Plains and in the Southwest, commented in 1879 "[a]s it is now you have a divided responsibility. It is like having two captains on the same ship."[17]

The reservation and Army post system did offer a "forced" civilization of hostile tribes. As reservations and posts grew throughout the Plains, white settlements advanced into vacated Indian lands. Sheridan noted the advance of frontier settlements in Kansas, Nebraska, Minnesota, and the Dakotas would "civilize and Christianize the wild Indians."[18] Moving the Indians onto reservations forced the Army to use its limited manpower to patrol, enforce reservation policies, and conduct small–scale operations. The Army typically created posts on the frontier and manned them until the area was peaceful. The War Department then closed or reduced the size of the post and moved west into new disputed areas.

If the Army and the BIA could not force tribes onto the reservation, they might encourage a white population boom that would constrain tribal movements. Developing the Plains would literally fence in the tribes. However, Western expansion required a quick and inexpensive means of travel to entice ordinary citizens to move to the Plains and other areas. Ship travel could take months to travel from the Atlantic Coast to California. By 1862, the U.S. Government financially supported a transcontinental railroad to tie the country together. The railroad stretched from Omaha, Nebraska, to Sacramento, California. Once completed in 1869, the railroad allowed mass

movement of people across the nation. Inexpensive land in the Great Plains enticed settlement. The railroad delivered freight and shipped cattle and other agricultural products from the Plains to both coasts. Feeder rail lines expanded the transportation network and further developed the West. This made Plains agriculture economically feasible. Additionally, mineral interests created jobs in mining. Manufacturing demands from domestic and international sources created a market for western minerals. The railroad facilitated this whole process It also allowed the military to move forces and supplies throughout the Plains.

The railroads brought another problem for the tribes—the destruction of the buffalo. Buffalo herds on the Plains provided sustenance to many tribes. Hunters hired by the railroads to feed construction gangs and satisfy demands for hides started to decimate the buffalo—a process that intensified over the years into a virtual extermination drive. The Plains Indians faced starvation. Sherman believed the transcontinental railroad "right through Indian country . . . prove destructive to the game on which they subsisted and consequently fatal to themselves."[19] Destroying their food supply might be an effective strategy if the tribes succumbed quickly. However, after years of starvation, Major General John Schofield, commanding the Division of the Missouri, noted in 1884 "Starvation must necessarily drive the Indians to commit depredations upon the settlements in their vicinity." [20] Starvation as a strategy was thus backfiring. Schofield also noted that treating the Indians fairly and with humanity was a better way to settle problems.

Military action, the reservation system, and the railroads supported the settling of the West. However, there was no single organization responsible for overall conduct of government activities on the Plains. The Army and the BIA had control of activities in their respective areas, but each could influence and affect the actions of the other. Other organizations also influenced events. Business interests, citizens, and others who wanted to develop the West pushed railroads. Politicians were also interested in the Plains development. Differences between the Executive and Legislative branches forced compromises to policies. Within the War Department, the Commanding General of the Army controlled operations while 10 separate staff bureaucracies (e.g. quartermaster and ordnance) were not under his command but worked for the Secretary of War. During the Grant administration, the Secretary of War issued direct orders to commanders in the field, thus further undercutting the Commanding General. Within the War Department, coherent policy and decisionmaking processes were muted.

Not all American citizens agreed with the government's Indian policies. Eastern humanitarians, the newspapers, and several religious groups protested the poor tribal treatment. These groups protested the Army's destruction of the tribes, inhumane reservation conditions, the creation of monopolies by the railroad, and other concerns. These policy disagreements spread to Congress. Instead of producing a unified policy, the Eastern urban population was pitted against the people of the rural West. Eastern groups argued for humane treatment of the Indians, while the Western population demanded more protection and aggressive actions by the government to control the Indians. Forging a policy and strategy to settle the Plains created major constraints that would temper the development and execution of an overall strategy.

Military Strategy on the Southern Plains.

The Army's use of winter campaigning and converging columns was adopted in 1868. There are a number of cases where infantry and cavalry units succeeded in defeating hostile tribes. The Army was able to combine smaller units into a decisive force to conduct these operations. One such successful campaign occurred on the Southern Plains in November 1868 on the Washita River. However, the complex movement of regiments, lack of communications, little or no information about the enemy, isolated columns vulnerable to defeat, and inevitable delays in deployment also

created conditions where defeat was possible. One of the most famous failures in Army military history was the ill-fated attempts to corral Sioux and Northern Cheyenne tribes in Montana in late-1875 through June 1876. The campaign ended in a humiliating defeat in the Little Big Horn Valley with the destruction of a cavalry battalion under General George A. Custer. This chapter will examine those two campaigns.

In late-1868, Cheyenne, Arapahoe, Kiowa, Sioux, and Comanche tribes attacked white settlements across the Texas Panhandle region. Increased white immigration, bitter memories of the Sand Creek massacre, insufficient reservation food, an erosion of freedom, a BIA decision to renege on a previously agreed upon arms and ammunition issuance, and the disruption of buffalo hunting all helped to motivate Indians to raid across the area. Railroad expansion into the region also triggered fears among the tribes that their future was bleak. Army commanders planned to protect settlements from these raids. Sherman, the commander of the Division of the Missouri that controlled Army forces throughout the Great Plains, decided to strike against any renegade tribes. He ordered Sheridan, a subordinate commanding the Department of the Missouri where the raids occurred, to take the field. While Sherman and Sheridan explored options, Cheyenne and Ogallala Sioux made a combined attack on September 17, 1868, against a force of about 50 Soldiers and scouts in what became known as the Battle of Beecher's Island. The Soldiers and scouts deployed to protect the area west of the Kansas Pacific Railroad. They held off a sizeable war party for 8 days.

The Battle of Beecher's Island encouraged Sherman to solve the problem of renegade activity once and for all. He decided in the late-summer to conduct a winter campaign to stop these attacks. A support base, Camp Supply, was established in the Indian Territory (later to become Oklahoma) to aid the upcoming winter campaign. Sherman implemented his policy of "total war" to protect settlers and soundly defeat the Indians.[21] Sheridan's forces would use the strategy of converging columns and winter campaigning to catch and destroy those hostile tribes not on a reservation or at directed locations. Army columns from different directions would locate and destroy Indian ponies, food supplies, shelters, and cripple their ability to resist. The only alternative available would be for the survivors to starve or return to the reservation.

Three columns would advance, find, and confront the hostile tribes. One column proceeded from Fort Lyon, in southeastern Colorado. Another force would move forward from Fort Bascom in New Mexico. The last column started from Camp Supply. These forces would push through winter weather and concentrate their search in an ever-shrinking area in the western Indian Territory (see Washita Campaign, 1868 diagram). The column from Camp Supply was led by Lieutenant Colonel George A. Custer and the 7th Cavalry. Custer, an experienced Civil War cavalry officer, left Camp Supply on November 23. Snow had fallen in the region that would help scouts track any tribal movements, but make Army travel slow.

Sheridan ordered Custer's force to find any Indians near the Washita River. Custer's command consisted of 11 companies of the 7th Cavalry, five infantry companies, and a support train of 450 wagons. Custer's force comprised about 800 Soldiers to fight an enemy of unknown size.
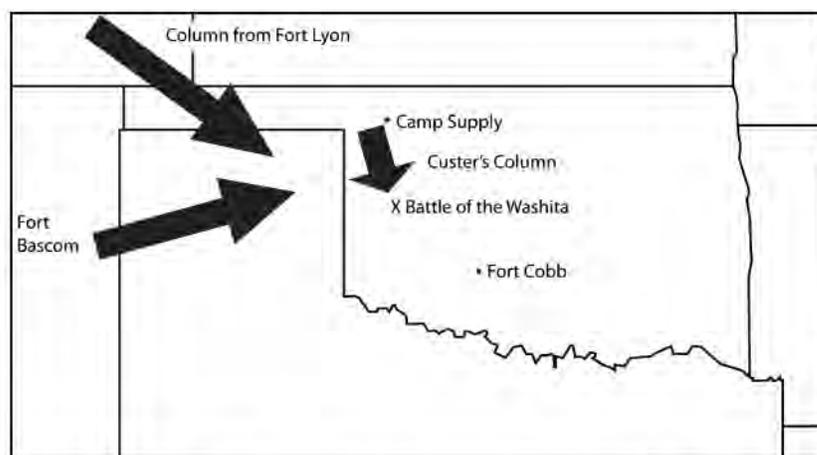
Washita Campaign, 1868

Sheridan's explicit orders were to kill or hang any warriors, capture any women or children, destroy any villages, and shoot any ponies of Indian bands not obeying his demand that tribes move toward Fort Cobb on the Washita River.[22] Seventh Cavalry scouts found the sizeable camp of Chief Black Kettle's Cheyenne tribe on the Washita River. Black Kettle's tribe had suffered the attack at Sand Creek 4 years earlier. Black Kettle had tried to make peace with the Army commander at Fort Cobb, but his efforts failed. Elements of the tribe wanted war. Custer prepared to give it to them and set his attack for the early morning of November 27.

Custer was able to mount an early morning surprise attack that struck a severe blow to the Cheyenne tribes. Black Kettle and over 100 warriors died; unfortunately, many innocent women and children were casualties as well. The Soldiers destroyed almost all of the tribe's ponies, and they burned food stores and shelters. Surviving Indians had no choice but to move to Fort Cobb. Sheridan considered the campaign a great success. Eastern humanitarians complained that Custer's actions were like Chivington's massacre.

Sheridan followed Custer into the region to pressure any renegade Indians to make peace. Word of the attack at Washita spread among the Indians. The Army's actions cowed Cheyenne, Kiowa, and other tribes into accepting Sheridan's demand to live near Fort Cobb.

The campaign demonstrated that winter operations were feasible and could produce substantial results. Surprise attacks during the Indians' most vulnerable season had succeeded. Total devastation awaited any tribes that walked off the reservation. However, Army officers did recognize that winter campaigning was harsh. Searching for an enemy and maneuvering into battle required much effort on men and horses. Supplying food and other items was difficult. There was also no guarantee that Army columns could quickly engage the enemy. Custer had been fortunate that he found Black Kettle early. Instead of defending fixed locations, like towns or reservations, the Army could now take the initiative and go on the offensive. Despite the difficulties, the Army on the Great Plains had found an efficient strategy.

The Little Big Horn Campaign.

The Battle of the Washita was a great success. Unfortunately, using the same strategy might not be as successful under other conditions. Westward migration into the Northern Plains by white settlers boomed in the early-1870s. Railroads, development, the discovery of gold, and the breaking of treaties created conditions for another clash between the Army and several tribes. The results of the campaign would demonstrate the failure of the Army's strategy, but would also push Washington to end the Indian "problem" on the Plains.

Increased pressure on the Sioux and Cheyenne tribes to cede or grant access to more land for white settlement created problems throughout the Northern Plains. Many tribes refused to return to the reservation. Despite protests to stop, the advance of the railroads in lands given by treaty to the tribes engineering survey teams proceeded into these territories. Sioux and Northern Cheyenne leaders realized the arrival of the railroad would seal their fate. Small-scale fighting broke out when the Northern Pacific Railroad tried to push through the Sioux lands in 1873.

A more immediate problem arose that would create a stampede of miners and squatters into tribal lands. Custer had led an expedition into the sacred Black Hills in the Dakota Territory in 1874. The government had ceded the land to the Sioux. The U.S. 7th Cavalry explored potential sites for military installations, but also sought evidence of gold in the area. The expedition found gold, in very small quantities, and Custer reported its presence in exaggerated terms. This claim spurred miners and others to move into the Black Hills. Despite warnings by the Army not to enter the lands, hundreds of miners came to the Dakotas. Army units tried to find and evict these miners and settlers, who fought back with political pressure to get Sioux leaders to give up the land.

President Grant's administration tried to coerce the Sioux leaders. The government redefined reservation rations and payments. New regulations terminated tribal hunting rights. A second expedition into the Black Hills reverified the presence of gold. Despite the unprecedented migration into these sacred lands, the Sioux committed no major attack against miners or the Army. The Sioux tribal leadership did not want to start war over this incident. Grant could accept the situation and face criticism by proponents of taking the land as being too soft on the Indians, or he could opt to evict the Sioux and face a scathing assault on his administration by citizens who saw the ill-treatment of tribes as a stain on the nation's honor.

Despite the Sioux leadership's restraint, some tribal members could not accept the outrages against their lands and rights. Indians moved off the reservation and entered lands in Montana and Wyoming around the Powder River. BIA officials requested that the Army force the tribes back onto the reservation. Confusion concerning which agency was in charge of the Indian policy continued. This situation presented Grant another option concerning the Plains tribes. He might be able to coerce the Sioux and Northern Cheyenne tribes by conducting a major campaign to punish the renegades. This action would force the hostile bands to return to the reservation and intimidate tribal leaders to comply with demands to cede more land.[23]

Sherman, now Commanding General of the Army, ordered Sheridan into action to get the hostile tribes back onto the reservations. Sheridan had advanced to command all Army forces in the Great Plains. As Commanding General of the Division of the Missouri, he devised a plan to entrap the hostile tribes in the Montana and Wyoming territories. The converging column strategy and the use of winter campaigning was the basis for Sheridan's initial strategy. Sheridan wanted to start operations in December 1875. He ordered commanders to prepare for military operations, but field commanders could not prepare quickly enough. Units were under strength, some did not have sufficient supplies, and it took time to gather forces from distant posts. Officers had to plan operations and prepare for operations under secrecy. Additionally, scouting reports provided only sketchy accounts of hostile Indian locations. Delays ensued until a winter campaign was no longer possible. The campaign would now take place in late-spring or early-summer. The greatest advantage of the strategy was lost. Army units would have to fight against tribes that were not in a weaken state; rather they would strike the Indians during their peak hunting season. Catching the tribes in camp would be difficult while hunting parties operated in the surrounding regions. The hunting parties' presence dramatically increased the likelihood of the Army discovering them and losing the element of surprise. The Army might face a fully prepared Indian force ready to defend its camp. It could also face an attack on one of the converging columns.

Sheridan organized the campaign to attack from three directions (see Little Big Horn Campaign, 1876 diagram). He sent a column under Colonel John Gibbon east from Fort Ellis in Montana. Brigadier General George Crook led another column headed north from Fort Fetterman in Wyoming. Brigadier General Alfred Terry and Lieutenant Colonel George Custer would move west from Fort Abraham Lincoln, Dakota Territory. The columns were relatively small. Gibbon fielded 436 officers and men. Crook's column contained a slightly larger force of 692 Soldiers. The Terry-Custer force amounted to over 1,000 men. Custer and the 7th Cavalry Regiment was the largest contingent. The regiment had 32 officers and 718 enlisted men. Sheridan also faced coordination and command issues since Crook and Terry commanded their own geographic departments that could interpret policies and orders differently.

The three columns would search for the tribes and tighten the noose around the hostile Indians. Despite years of pitting superior military strength against smaller divided bands of Indians, the resistance against the reservation system and distrust of Washington leaders continued. Attrition did weaken some tribal resistance, but the exploitation of the Black Hills, railroad expansion, poor

conditions on the reservations, never-ending white demands for more Indian land, broken treaties, continued pressure by the BIA and the Army to limit summer hunting off the reservation, and other concerns pushed many tribes to unite and leave BIA jurisdiction. Sheridan and the Army commanders believed the renegade tribes had settled in the Rosebud Valley in Montana. Scouts and reservation agents could not provide an accurate estimate of the size of the Indian campgrounds. Some reports from Fort Abraham Lincoln indicated that 1,500 lodges of Sioux Indians under Chief Sitting Bull were near the Little Missouri River.[24] The size of the encampment indicated that there were 3,000 warriors. BIA

Little Big Horn Campaign, 1876

officials thought that the total size of the hostile warrior force was only 500 to 800.[25] No one knows the actual number of Indians, but estimates of Sitting Bull's camp range from 1,500 to 6,000 warriors.[26] The three columns were sufficient to handle and defeat a force of 500 to 800, but the Indian force was much larger than expected.
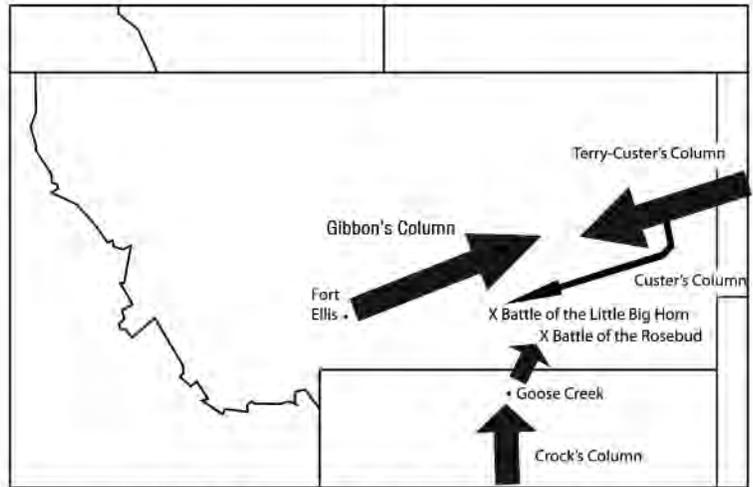
Gibbon's column left Fort Ellis on April 1. The column advanced along the Yellowstone River. Scouts reported signs of Indian activity. Word had spread among the Northern Cheyenne, Sans Arc, and other tribes that the Army was about to start operations. A raid in the Powder River Valley, under Crook, 2 months earlier had tipped off the tribes that the Army was planning an operation. Gibbon advanced eastward, but only encountered harassing attacks for several weeks. He did not find the main campgrounds. Gibbon continued east hoping to link up with Terry and Custer.

Crook moved north from Fort Fetterman on May 29 and advanced through Wyoming without incident. This condition soon changed after Crook entered southern Montana. Indians who had harassed Gibbon had moved south. Bands of Sioux and Cheyenne warriors moved from the Rosebud Creek area near Crook. Word of the departure of tribes from the reservations encouraged other Indians to depart for the Montana campgrounds. Reports from these Indians indicated that Crook was moving northward. Crook's force had established a supply camp in northern Wyoming at Goose Creek. Crook organized his column to enter Montana and possibly fight Sitting Bull.

Sioux and Cheyenne warriors struck Crook on June 17. Army units had crossed the Rosebud Creek and hundreds of warriors under Crazy Horse surprised Crook while his Soldiers made morning coffee. The warriors caught the surprised cavalry and infantry units in a valley. After 6 hours of fighting, Crook retained procession of the battlefield. Casualties had been relatively light, and the Indian warriors had left the valley. The Battle of the Rosebud appeared to be a victory for Crook. However, he ordered a retreat to Goose Creek. The general decided to wait and bring up reinforcements before advancing. Crook had fended off the attack, but his force was effectively disabled, and it could not support the Terry-Custer column. The same Sioux and Cheyenne warriors that had faced Crook would soon fight again; this time they would meet Custer at the Little Big Horn.

By June 21, Gibbon and Terry had combined forces. Terry still did not have sufficient information about the exact whereabouts or strength of the Indian campgrounds. Thus, he devised a plan

to catch the Indians based on sketchy information. Scouts had seen indications that Sitting Bull's campground was in the Little Big Horn Valley. Terry thought he could use Custer's cavalry as a strike force to approach the Little Big Horn from the south and drive north. Terry could then move into the Little Big Horn from the north and seal the valley. Terry envisioned that Custer would act as the hammer, and he would be the anvil. His force would trap and defeat the hostile Sioux and Cheyenne warriors. Crook's forces would catch-up to the other two columns, and they could support the attack.

Custer entered the lower Little Big Horn Valley. The 7th Cavalry was organized for battle into three ad hoc battalions; Custer led one. Indian scouts did find Sitting Bull's camp and reported that the campgrounds were extensive. Custer believed that they had been mistaken. He used two battalions to try to flush any Indians from the southern end of the valley. His battalion would enter the valley a few miles above the other two battalions. Custer had always been successful in this maneuver. Warriors could fight, but the sight of a large cavalry force normally caused them to retreat. He could cut them down in their flight. His plan was a tactical version of Terry's operational scheme. Unfortunately, he made his plan predicated on bad intelligence and the assumption the Indians would not stand and fight. Unfortunately, the Indian force greatly outnumbered the 7th Cavalry, and Sitting Bull and the other chiefs were not ready to retreat but were instead prepared to do battle.

On June 25, the 7th Cavalry moved into position to strike the camp. One battalion moved into the southern end of the Little Big Horn, where they were repulsed and forced to retreat. The other battalion came to support the now surrounded cavalrymen. These two battalions would stay fixed by persistent Indian attacks. They could not help Custer. Custer attacked alone against the entire Indian camp. Unsupported and outnumbered, his battalion was defeated, with all 210 officers and men killed. Terry and Gibbon arrived in the area 2 days later, but the Indian tribes had dispersed.

The Little Big Horn campaign proved an Army failure. The Army did not capture or force back renegade tribes onto the reservation. The failed campaign created a backlash from Washington. Public outcry demanded action against the Sioux and Cheyenne. The Army conducted operations throughout the summer. Even after the "hostile" tribes surrendered, the public mood had turned to vengeance, not accommodation.[23] The Army initiated a campaign to stamp out resistance by any tribe, Indians were disarmed, the Congress authorized the Army to impose military rule on the reservations, and the Secretary of War gave Sheridan approval to conduct more winter campaigns. Although the Sioux and Northern Cheyenne had triumphed over the Army in 1876, the tactical triumph would lead to their eventual downfall.

Adapting Strategy on the Plains.

The post-Civil War period was an interesting opportunity for the U.S. Army and its leaders. The nation had returned to an inward looking policy of domestic and economic expansion. Washington still considered a foreign attack as the largest threat to national security. However, the possibility of large enemy navies and armies occupying the coastline as had happened during the Revolution and the War of 1812, seemed remote. Still, the primary role of the military establishment was the defense of the nation's borders. Fighting on the Plains and other areas were secondary objectives, especially with the few resources available.

Sherman and Sheridan produced a very workable, effective strategy of using winter campaigning and converging columns. Leader experience, adaption to a foe's vulnerabilities, resource constraints, and judgment shaped strategy development. The strategy, in combination with the BIA's reservation system and improved transportation capability were very effective in the late-1860s. Cracks in the strategy started to appear due in part to reductions in the size of the Army. The BIA's

reservation policy, poor conditions on the reservations, broken treaties, frustration, and growing realization among tribal leadership that their way of life was fast disappearing created greater hostility among a wider population of tribes. Tribal leaders became more willing to fight than be coerced into negotiations. Instead of fighting isolated bands or tribes of Indians, the Army faced large diversified tribes able to meet on a battlefield. The Army continued to believe that its strategy for controlling the Indians would work. Winter campaigning restricted operations. Officers and men had to fight over a few months per year to combat hostile tribes. When units executed a campaign, officers required significant time and resources to prepare. Operations became constrained by design or fact.

Early battlefield success created an environment where Sherman and Sheridan believed that their strategy was unbeatable. Changing conditions and faulty implementation of the strategy caused major problems during the 1876 campaign. The generals were unwilling to modify or halt the military action, and the campaign was a disaster. Intelligence information was not available, a late start meant the campaign missed the winter season, coordination between columns was difficult to achieve, logistics was spotty, and other concerns made success for the campaign problematic from the beginning. Failure resulted in 1876 for a number of reasons, one of which was the use of a strategy that was unsuited for the conditions facing the Army at the time.

ENDNOTES - CHAPTER 25

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CHAPTER 26

U.S. RELATIONS WITH NORTH KOREA, 1991-2000

J. Boone Bartholomees, Jr.

The Democratic People's Republic of Korea (DPRK), or North Korea as it is commonly known, has been a thorn in the side of U.S. policymakers since the 1950s. At the end of World War II, the victorious allies split Korea with the northern half under Soviet-sponsored Communist control. President Kim Il Sung attempted to unite the peninsula by force in the Korean War (1950-53). Failing that, he adopted a policy of self-reliance that isolated the DPRK from outside influence while retaining reunification under northern rule as the regime's ultimate policy objective. Kim's son and designated successor, Kim Jong Il, continued his father's policies after the elder Kim's death in 1994. Decades of economic mismanagement have left the DPRK heavily reliant on international aid for such basic needs as energy and feeding its population. North Korea's massive conventional military establishment, its long-standing tradition of regional military provocation, its repeated proliferation of military hardware, its persistent pursuit of long-range missile development, and its open programs for the development of nuclear weapons are major challenges for the United States and the international community.[1] This chapter will use the case of U.S. policy toward North Korea during the period 1991 to 2000 to demonstrate the coordinated, and sometimes uncoordinated, use of various elements of national power. The reader should be able to recognize the use of diplomatic, informational, military, and economic power as well as other factors like domestic and international politics, multinational and nongovernmental actors, carrots and sticks, and unilateral and multilateral actions. The 10-year case has the benefit of seemingly reaching conclusions on some aspects of the issue while simultaneously leaving many unresolved. History has shown that even the resolved issues, or ones where resolution looked probable, have raised their ugly heads again, so one may see the roots of current issues in the solutions to earlier ones.

It is useful to begin by establishing why the issues outlined below matter and why the nations spent so much time, energy, and treasure on them. We do that by reviewing the author's impression of the interests of the major national players. U.S. interests in North Korea are fairly straightforward. Washington wants regional stability to protect and advance its larger interests in the region, which are actually in its relations with China, Japan, and South Korea. To achieve stability, the United States wants a peaceful, nonaggressive, non-nuclear North Korea that is economically stable (if not prosperous) and refrains from exporting missile technology or supporting terrorism. Normalization of economic and diplomatic relations with North Korea is a desirable goal, but not one for which the United States appears to be willing to make much sacrifice. Unification of the Korean peninsula would be acceptable under the leadership of the democratic South. The United States can be expected to continue to honor its defense commitments to South Korea and Japan at least as long as North Korea continues to present an existential threat to either of those nations. The Bush administration included North Korea on a list of nations in which it wanted to end tyranny and promote democracy; at this time it does not appear the Obama administration will be as aggressive in that arena.[2] The United States seems to be willing to accept the absence of a formal peace treaty ending the Korean War, and does not place that issue high on its agenda.

North Korea is an unusual country in almost every respect, and its perception of its national interests is no exception. Pyongyang has its own myth of its national history that includes the United States occupying the South and invading the North. It views the United States and its "puppet" South Korean ally as an existential threat. Thus, North Korea's primary interest in the relationship

is national survival, an interest indistinguishable from regime survival in the eyes of the ruling elite. North Korea would like to see unification of the peninsula under its control, although it is unclear how far Pyongyang would go to achieve that dream. Beyond that, the DPRK has an interest in improving its economy (on its own terms) and supporting its massive military (for political reasons). In the short-term, North Korea is constantly in need of cash—it habitually imports much more than it earns—so it sees economic or financial aspects to many issues that other nations might miss. Thus, the DPRK sees its nuclear and missile programs as essential projects for its defense against an imperialistic United States, but in both cases is willing to exploit its position through foreign sales or even negotiate away certain capabilities or programs for enough economic advantage. For policy and prestige reasons North Korea prefers to negotiate bilaterally with the United States rather than with South Korea or groups of nations. North Korea seems to place a high value on a negotiated peace treaty to formally end the Korean War.

South Korea's interests include normalized economic and diplomatic relations with a peaceful, stable, nonaggressive, non-nuclear North Korea. Being already under the North Korean gun, development or proliferation of missile technology is not as big an issue with Seoul as it is with Washington. Earlier desires for reunification in the near-term moderated somewhat as a result of observing the expense and political/social issues of German reunification; however, reunification at some point is still an almost universally desired goal. Seoul adds interests in reuniting families divided by the Korean War and economic investment in North Korea to its list of interests. A peace treaty with the North would be of significant internal political value to Seoul. The commonalities for all three nations are normalized relations leading to eventual possible reunification and the nuclear and missile programs; these form the heart of the relationship.

Other regional actors whose interests would play major roles in the process are the People's Republic of China (PRC) and Japan. Chinese interests on the peninsula include: a peaceful, stable peninsula, preservation of the Kim regime, stability of the larger region, continued expansion of trade with South Korea, prevention of a flood of refugees that might destabilize the economically hard-hit northeastern region of China, and prevention of a pro-U.S. unified Korea on the Yalu. Japan is interested in a peaceful, stable, non-nuclear peninsula and expanded trade with all the nations involved.

Pyongyang's nuclear weapons development program began in the 1980s—if not much earlier. Although in 1985 pressure from the international community forced the North Koreans to sign the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the North did not established a safeguards agreement with the International Atomic Energy Agency (IAEA) as required by the treaty.[3] The safeguards agreement is significant because along with many other features, it grants the IAEA on-site inspection authority.[4] In 1988, the President of the Republic of Korea (ROK), Roh Tae Woo, initiated a major diplomatic engagement to normalize relations with Pyongyang; the initiative had little initial traction. In September 1991, President George H. W. Bush announced the unilateral withdrawal of all tactical nuclear weapons deployed outside the United States. The announcement was intended to induce the Russians to reciprocate elsewhere in the world, but it included approximately 100 U.S. weapons based in South Korea. In coordination with the United States, President Roh a few days later unilaterally declared the denuclearization of South Korea. U.S. withdrawal of weapons and South Korean renunciation of their development, construction, or use satisfied North Korea's major demands, and Pyongyang consented to negotiations with its southern neighbor. By the end of the year, the two Koreas had signed two major agreements: the Agreement on Reconciliation, Nonaggression, Exchanges, and Cooperation (the "basic agreement") and the Declaration on the Denuclearization of the Korean Peninsula (the "joint declaration").[5] Subsequently, the two Koreas negotiated the cancellation of the annual combined

Korean-U.S. military exercise series "Team Spirit," which the DPRK considered threatening.[6] The withdrawal of nuclear weapons from the peninsula, the denuclearization agreement, and the exercise cancellation met all of North Korea's demands. Pyongyang concluded a comprehensive safeguards agreement with the IAEA.

Although the nuclear arena seemed to have reached a satisfactory solution, the related issue of proliferation of missile technology was still bothersome. In March 1992, the United States imposed 2-year sanctions on two North Korean companies, Lyongaksan Machineries and Equipment Export Corporation and Changgwang Credit Corporation, for missile proliferation. The Korean companies, which like all North Korean companies were arms of the government, had been involved with missile-related sales to Syria. The sanctions were for violations of various U.S. laws and Category 1 violations of the Missile Technology Control Regime (a voluntary international agreement to control sales of missiles and components) that applies to export of complete missile systems, major components, or unmanned aerial vehicles with a significant payload capacity.[7] However, since the sanctions only banned the sale or purchase of military hardware to and from the United States, and neither Syria nor North Korea buy or sell munitions in the United States, the impact was more psychological than economic or military. Shortly thereafter, the nuclear situation began to unravel again.

North Korea had submitted its nuclear materials declaration, a document listing sites subject to inspection and the amount of plutonium it possessed, in May 1992. The IAEA inspectors discovered major discrepancies in the report and asked for clarifications and inspections the DPRK considered intrusive. South Korea, whose policy goal was to have the North's nuclear program under tight IAEA control, threatened to resume Team Spirit exercises if the DPRK did not accept the disputed inspections. Neither side would blink, so when the United States and South Korea jointly announced the resumption of Team Spirit in 1993, talks between the two Koreas broke down. By March 1993, continued disputes over IAEA inspections and allegations of North Korean cheating on its NPT obligations led Pyongyang to issue the required a 3-month notification prior to withdrawing from the NPT for national security reasons. This was followed quickly between April 1 and 7 by successive IAEA actions to declare North Korea in violation of its safeguards agreement, to refer the issue to the United Nations Security Council (UNSC), and to formally censure North Korea for its actions (a first for the IAEA).[8]

Tension on the peninsula heightened dramatically, and the Clinton administration scrambled to salvage the situation. Initial threats to submit the issue of North Korean Nonproliferation Treaty (NPT) withdrawal to the UNSC foundered on Chinese objections. The Chinese did not want United Nations (UN) sanctions on their neighbor; instead, they pressured the United States to negotiate directly with the North Koreans, which was one of the major DPRK objectives.[9] Congressional skeptics warned that the administration should prepare the public for failed talks and develop plans for more drastic measures like reintroduction of nuclear weapons on the peninsula. Japan offered trade and aid for a peaceful, non-nuclear armed North Korea, although Pyongyang was not receptive to that approach. In June 1993, representatives from the United States and North Korea met for bilateral talks in New York City that produced mixed results. The United States had reportedly been willing to make concessions, including opening U.S. bases in South Korea to North Korean inspection to demonstrate the absence of nuclear weapons and once again cancelling Team Spirit, for North Korean renunciation of its withdrawal from the NPT. However, Pyongyang's extreme distrust of the IAEA and its insistence on retaining the option to withdraw from the NPT meant the best the negotiators could achieve was a Korean suspension of its withdrawal—issues like inspector access to nuclear waste sites that had been at the heart of the matter remained for future negotiations. The United States did not make concessions for such half measures other than assurances of non-aggression and non-interference in North Korean internal affairs. Agreement

came at the 9th hour, and the two sides did not even appear together to make the post-negotiations announcement.[10] Nevertheless, the DPRK could show the world it had negotiated with the United States as an equal, and the United States had convinced the North Koreans to return to the NPT. More important, "the two sides had succeeded in establishing negotiations as the means to resolve the North Korean nuclear issue."[11]

A second round of talks that began in Geneva in July 1993 was set against the backdrop of increased pressure on the North Koreans. In Seoul for a visit after an economic summit in Tokyo, President Clinton reassured the South Koreans that U.S. troops would remain in their country as long as they were needed, and warned North Korea that stopping the spread of nuclear weapons was a key element of his strategy for the Pacific region. South Korean President Kim Young Sam warned the international community would take "appropriate countermeasures" if Pyongyang developed nuclear weapons. These statements mirrored Japanese concern expressed earlier at the summit that for internal political reasons it might not be able to vote for the permanent extension of the NPT (due to expire in 1995) if North Korea continued pursuing nuclear weapons.[12] More specifically, *The New York Times* reported, "If the Geneva talks do not yield an agreement, Secretary of State Warren Christopher has said the United States will ask the United Nations to impose economic sanctions against North Korea." In this case, hope rested primarily on diplomatic negotiations since there was little economic or military leverage against the North.[13] The talks produced small concessions by the North Koreans. In exchange for some normalization of relations, reduced inspection requirements, and an assurance of its energy supply to compensate for suspension of operations at nuclear facilities, the DPRK agreed to halt its nuclear weapons program and renew talks with the IAEA about inspection protocols.[14]

Promising to allow inspections and actually doing so are different things. The North dragged its feet, film and batteries began running out in the cameras monitoring DPRK facilities, and Hans Blix, the head of the IAEA, was ready to announce that he could no longer assure the continuity of safeguards for the DPRK's nuclear program. The United States simultaneously cajoled with offers of improved diplomatic and economic relations (including once more canceling Team Spirit) and threatened to take the issue to the UNSC. Because of the complexity of the situation, responses and positions had to be coordinated with at least the South Koreans and Japanese.[15] The Chinese claimed privately to be unable to influence North Korea on this issue and counseled not backing Kim Il Sung into a corner.[16] In February 1994, just in time to head off UNSC action, the DPRK finalized an agreement with the IAEA allowing inspection of all seven of its nuclear facilities. On March 1, 1994, the first IAEA inspectors to visit North Korea in over a year arrived to begin inspections. Within days they were embroiled in a dispute with the government over access to the Yongbyon plutonium reprocessing site. The DPRK walked out of talks with South Korea at Panmunjom threatening war saying that "Seoul will turn into a sea of fire" if the South and the United States continued pressuring about inspections.[17] The United States prepared to take the issue to the UNSC despite known Chinese support for the North. The administration decided to try to persuade the Chinese to abstain rather than veto the sanctions and to pursue a graduated set of sanctions that would give the North Koreans time to change their behavior. Sanctions might involve actions as diverse as cutting financial remittances from individuals in Japan, resuming Team Spirit exercises, or stopping oil shipments to the North. The IAEA Board of Governors approved a resolution calling on the DPRK to cooperate fully with its inspectors. President Clinton announced the dispatch of Patriot missiles and 800 troops to South Korea; he also reassured the South Koreans that he would consider an attack on them an attack on the United States. However, imposing UN sanctions was not as easy as the administration hoped. China was reluctant, and even reliable Asian allies doubted the utility of economic sanctions against the already hermit-like DPRK. The

result was the issue festered in the UNSC, with China supporting the DPRK and the United States unwilling to force a vote in the face of a potential Chinese veto. The Chinese agreed to statements by the UNSC, urging the North Koreans to allow inspections and even vaguely threatening sanctions, but did not allow the actual imposition of sanctions.[18]

In April 1994, U.S. Secretary of Defense William Perry journeyed to Japan to assess the degree of potential Japanese support should there be a need to enforce sanctions or should the situation deteriorate to war. The Japanese government, in the process of reorganizing after elections, was supportive in theory, but faced real political and constitutional issues. Japan would have to be a major player in any sanctions regime since an estimated 300,000 ethnic Koreans in Japan sent $600 million to $1.6 billion annually to relatives in North Korea. Cutting that flow would be politically unpopular, if it were achievable. Militarily, the Japanese constitution and supporting legal system were designed to prevent anything except strictly defensive war. The major political party opposed efforts to change that structure and make Japan a "normal" nation. The practical result was that U.S. forces enforcing a blockade or engaged in combat operations (unless Japan had been attacked and was thus a combatant) would not be able to base out of Japan or count on Japanese support even for resupply.[19]

To compound the issue and escalate it to crisis proportions, in May 1994 the DPRK began removing about 8,000 spent fuel rods from its reactor at Yongbyon without the oversight of international inspectors. This was especially provocative since the spent rods were a potential source of weapons grade plutonium. International pressure increased to the point that North Korea announced it was withdrawing from the IAEA (as distinct from the NPT).[20]

In June 1994, former President Jimmy Carter announced that he was going to North Korea to try to resolve the impasse. Carter went on his own initiative and in a private capacity, but had the Clinton administration's blessing and support. The White House described the former President as a "potentially important emissary," National Security Advisor Anthony Lake briefed him before his departure, and State Department officials brought him up to date on U.S. policy.[21] Despite the unofficial support, the Carter trip did not seem to be well-coordinated with the administration, which occasionally contradicted or disputed statements by the former President and showed evidence of not understanding exactly what he had negotiated.[22] Nevertheless, the Carter mission thawed relations significantly. The former President was able to convince Kim Il Sung to halt his nuclear program in a verifiable manner pending the outcome of bilateral U.S.-DPRK negotiations. He also convinced the aging North Korean leader (he would die less than a month later) to meet South Korean's president in summit talks—a proposition welcomed by the South. Kim promised IAEA inspectors could go to and remain at Yongbyon to ensure nearly 5 bombs worth of used fuel did not disappear. In return, once the west could verify a freeze in the DPRK nuclear program, threats of sanctions would cease, and high level U.S.-DPRK talks would resume leading to what the North Koreans hoped would be a peace treaty with the United States and world assistance in acquiring less proliferation prone nuclear reactors. *The New York Times* noted, "Mr. Carter was probably premature in declaring the Korean nuclear crisis over, but his intervention may have usefully pointed the way toward its eventual resolution."[23]

Talks between the United States and DPRK building on the momentum from the Carter trip began in Geneva on July 8, 1994, but were suspended the next day due to the death of Kim Il Sung. Negotiations resumed on August, 4, 1994. These talks proceeded apace and concluded a week later with a signed statement that established a three-stage process to eliminate North Korea's nuclear weapons program in exchange for a promise of light-water reactors that are proliferation resistant to replace the DPRK's existing graphite-moderated reactors as well as movement toward normalized economic and diplomatic relations with the United States.[24] Hammering out the details of the

original outline took several months, but the two countries signed an "Agreed Framework" on October 21, 1994. The North agreed to close its graphite reactors and related facilities under IAEA supervision; it would remain a party to the NPT and allow the IAEA to implement safeguard agreements. The United States agreed to lead a group of nations to provide light-water reactors to the DPRK and to deliver heavy fuel oil to compensate North Korea for power generation losses during the underlap of closing the graphite reactors and bringing on line the light-water reactors. The DPRK would have to be in full compliance with its safeguard agreements, to include IAEA inspection of two highly contentious nuclear waste disposal sites, before the new reactors would be delivered. The 8,000 spent fuel rods would be turned over to a third party for disposal. At the end of November 1994 the IAEA confirmed that construction had been halted at two North Korean nuclear sites, and the sites were non-operational.[25]

1995 was a year of reduced tensions in U.S.-DPRK relations. The United States, South Korea, and Japan formed the Korean Peninsula Energy Development Organization (KEDO) to finance and construct the promised light-water reactors. The North Koreans continued state sponsored international illegal activities like drug dealing that had been part of its revenue plan for years, but it did not make any unusually provocative moves in either the nuclear or the missile realms. There was some delay when Pyongyang initially refused to accept South Korean designed reactors, but 3 weeks of negotiations resolved that issue with the decision that KEDO would select the design and the DPRK would select the prime contractor. A larger cause of delay was reluctance by the U.S. Congress to appropriate funds for reactor construction. Meanwhile, in accord with the framework, the United States began loosening restrictions on the North Koreans in a limited range of mainly economic activities.[26]

The United States began 1996 by trying to exploit the apparent thaw in relations with North Korea while simultaneously mitigating the deterioration of North-South relations. In response to DPRK forward movement of military units and resumption of infiltration of armed soldiers across the Demilitarized Zone (DMZ), U.S. and ROK forces were on heightened alert and exercising near the border. However, January also saw the first ever U.S./DPRK negotiations on the over 8,100 Korean War MIAs. The talks in Hawaii on that subject broke down without significant progress when the North Koreans would not agree to a joint recovery mission. The refusal reflected a split between the DPRK foreign ministry that wanted the mission and the more reactionary military. It also reflected a cash-strapped Pyongyang's desire to be reimbursed for bodies it had returned during 1993 and 1994. (The Koreans had presented a bill of $4 million to cover expenses of recovering 162 bodies.) Regardless of results, the conduct of talks at all was hopeful. Also in January, the United States engaged the North Koreans on missile proliferation. Pyongyang responded that it was open to discussion if the United States further reduced sanctions. The issue of sanctions was becoming critical to the North since summer flooding in 1995 had produced famine. The South Koreans held back on aid to the North in an attempt to link food aid to improved relations, and trilateral talks between the United States, South Korea, and Japan reached the conclusion that the famine was overstated, and food aid was inappropriate.[27]

In April the pace of activity picked up. Pyongyang announced that it would no longer respect the DMZ between itself and the ROK and then proceeded to consciously and conspicuously violate the zone. In response, *The New York Times* reported that the United States and ROK were discussing deploying a U.S. AWACS to Korea or perhaps having the South Koreans buy one of the sophisticated aircraft. Additionally, the international community for the first time openly recognized that the DPRK was actively counterfeiting U.S. currency, although evidence remained incomplete. The impoverished DPRK had actually been counterfeiting as government policy since at least 1989, but the issue had received little notice—and would not become a serious U.S. policy concern until

2005. A state that exported an estimated $1.684 billion in 2007 (mostly to South Korea and China and just above the 2008 levels of Kyrgyzstan and Cyprus) while importing an estimated $3.055 billion in the same time period, needed some means to cover its trade deficit. Pyongyang chose a combination of counterfeiting U.S. currency, counterfeiting brand name cigarettes, and dealing in illegal drugs (initially heroin). The summer flooding in 1995 and 1996 hit the poppy crop as well as legitimate agriculture, so in 1995 the DPRK had begun increasing its importation of ephedrine—a basic source drug for methamphetamines—which would eventually rise to overshadow heroin as a North Korean illegal drug export.[28]

The United States and South Korea took the initiative in a less directly confrontational manner. Shortly before bilateral U.S./DPRK talks in Berlin on missile proliferation scheduled for April 21-22, Presidents Clinton and Kim Young Sam jointly proposed four-party peace talks between the United States, ROK, DPRK, and Japan. Timing looked good despite the military tensions along the DMZ based on the North's economic problems and approaching elections in both the United States and South Korea that might benefit from resolution of the long-standing peace treaty issue.[29] The South Koreans followed that announcement with an authorization for three South Korean companies—Samsung, Daewoo, and Taechang—to invest a total of $19 million in respectively a telecommunications joint venture, appliance and electronics manufacturing, and mineral water production in the North.[30] Pyongyang, which had been actively seeking peace talks with the United States but did not want the South Koreans involved, was in a tough spot. In Berlin it apparently countered a U.S. proposal that the North follow the MTCR with a demand that the United States offset the loss of revenue should it follow that course. Despite the apparent progress on the missile issue, almost exactly a month after the Berlin meetings the United States placed sanctions on the DPRK and Iran for missile technology transfer violations.[31]

The MIA issue continued to percolate. In frustration or to put pressure on the Americans, the North Koreans announced they were disbanding their team that searched for U.S. remains from the Korean War. After further negotiations, the United States paid $2 million for earlier recovery efforts in exchange for future participation in a joint recovery team.[32] At the end of May 1996, Representative Bill Richardson (D-NM), accompanied by State and Defense Department officials, journeyed to North Korea to encourage Pyongyang to accept the peace treaty negotiations proposal and to work on missing-in-action (MIA) recovery issues. Richardson was not an official envoy, but he had administration support. The Richardson trip produced minimal results since Pyongyang was reportedly too focused on its food crisis to address other issues. In June in response to UN requests and other evidence the famine was real and severe, the United States, ROK, and Japan all reversed their earlier joint position and pledged $6 million, $3million, and $6 million in food aid respectively.[33]

North Korea continued its odd behavior and dispatched a submarine into ROK waters in late-September 1996. The submarine ran aground but landed 26 armed infiltrators—some in South Korean uniforms—before being captured by South Korean forces. Over a period of weeks, an intensive manhunt by South Korean Army forces captured or killed all but one of the presumed infiltrators. North Korea was furious about the death of its soldiers. Apparently in an attempt to set up a trade for the single surviving infiltrator from the sub, Pyongyang arrested a U.S. citizen and charged him with espionage. The U.S. citizen, a self-proclaimed missionary who was caught swimming the Yalu in an attempt to enter North Korea, was eventually released 3 months later after personal intervention by Representative Richardson.[34] In late-October 1996, the United States announced that it had detected indications that the DPRK was preparing to test a medium-range missile capable of reaching Japan. Tensions between the two Koreas, already sky high over the submarine infiltration incident, escalated further, with Seoul threatening to cancel the light-water

reactor deal, which would have scuttled the entire nuclear arrangement with the North. Visits, promises, and reassurances by U.S. State Department officials prevented the collapse of the nuclear deal without significantly lowering the tension. The United States moved reconnaissance ships and aircraft to Japan. Several bilateral meetings in New York eventually produced a cancellation of the test fire.[35]

A second round of bilateral U.S.-DPRK talks on missile proliferation in January 1997 produced no results. The North Koreans agreed to attend a briefing about what President Clinton's proposed four-way peace talks would look like, but canceled successive briefings. When the briefing finally occurred in March 1997, 11 months after the four-way talks were first proposed, the North Korean response was noncommittal. Since summer flooding once again resulted in famine, the United States and South Korea pledged $10 million and $6 million respectively in February to the World Food Program for famine relief in the North.[36] The food aid did not prove to be sufficient. The World Food Program collected $100 million for North Korea (about 200 metric tons of food), but the United States found it necessary to add $15 million worth of corn in April. The corn announcement was made a day before a scheduled meeting with the North Koreans about the four-way peace talks to preempt an expected request for more food aid and a week after Cargill, Inc. announced that as a result of direct negotiations with North Korea authorized by the Clinton administration it was selling an undisclosed amount of American wheat to the DPRK.[37] Removing food from the negotiating table was probably not popular with the North Koreans. DPRK officials had been surprisingly frank in April with a visiting delegation of U.S. senators when they told their guests that tensions between the military and the foreign ministry over inability to provide food and fuel might scuttle the peace talks. The assessment appeared to be correct since the talks finally broke down when the South Korean delegation went back to Seoul in frustration at the lack of any response from the DPRK delegation. The North Koreans also delayed missile proliferation talks scheduled for May. Those talks, when they finally occurred June 11 through 13 produced no results. In August 1997 the United States imposed new sanctions for missile proliferation on the Korea Pugang Trading Corporation and the Lyongaksan General Trading Corporation, both entities of the DPRK.[38]

In early-1998 the financial crisis that began with the collapse of the Japanese economic miracle in 1997 and then spread around the world began to directly impact relations with North Korea. Austerity programs in Japan and South Korea and domestic politics in the United States threatened to retard the already slow progress of the promised new North Korean light-water nuclear reactors. Seoul, whose financial situation was so bleak it took a $3 billion loan from the World Bank in December 1997, hinted that it might not be able to meet its pledged obligation. The U.S. Congress was already balking at directly funding the reactors, although it had appropriated $100 million for fuel supplies for the North and had pledged backup financing for the $3 billion World Bank loan to the South.[39]

In his inaugural address on February 25, 1998, newly-elected South Korean President Kim Dae-jung announced a "sunshine policy" to improve north-south relations through cooperation and reconciliation. Shortly thereafter, the South Koreans (in response to a World Food Program request) offered 50,000 tons of food aid to their northern neighbors with a promise of more if Pyongyang asked for it.[40] If President Kim Dae-jung hoped the food aid would produce better behavior by the DPRK, he was to be disappointed.

In April 1998, the United States imposed sanctions on North Korea and Pakistan for missile technology transfers between the DPRK and the Khan Research Laboratory in Pakistan. Days later, the North Koreans, demanding more food aid before they negotiated further, stalled negotiations with the South about the reunion of divided families—its first bilateral negotiations with South

Korea in over 4 years.[41] In May, with the Clinton administration struggling to get funds for fuel oil from a Republican Congress without unwanted strings and the North Koreans frustrated at the slow pace of progress on fulfilling the west's promises, the DPRK announced it was suspending its efforts to carry out the 1994 Agreed Framework and intended to unseal the Yongbang reactor; simultaneously, it stopped technicians from packing the last of the spent fuel rods for shipment outside the country. Pyongyang used talks with a financial analyst from the 20th century Fund (a U.S. mutual fund company) to transmit its displeasure to Washington.[42] Soon thereafter, talks to try to reach an agreement on how to conduct the now 2-year-old four party peace proposal foundered on the issue of U.S. troop presence on the Korean peninsula. In June, the official North Korean News agency announced the DPRK would not cease missile technology exports without compensation and eased economic sanctions. A month later the North Koreans showed off their latest technology with the launch of a Taepodong 1 three-stage (initially reported as two since the third stage did not work) ballistic missile with a range of 900 to 1,200 miles. The test, which Pyongyang claimed placed a small satellite in orbit—a claim U.S. Space Command disputed—flew over Japan. Another round of talks on missile technology proliferation took place in New York in October 1998 with no significant results. The North Koreans refused to back off missile proliferation in exchange for reduced sanctions, since the 1994 Agreed Framework already was supposed to be producing reduced sanctions. December talks about a suspected North Korean underground nuclear site at Kumchang-ni similarly ended with agreement in principle of U.S. inspection of the site but no agreement on compensation the DPRK should receive for such concessions.[43]

U.S.-DPRK relations during 1999 were dominated by U.S. worries about missile proliferation and the suspected nuclear site at Kumchang-ni. Korean work on the new underground facility at Kumchang-ni threatened to destroy the 1994 Agreed Framework, while missile tests and continued exportation of missile technology served to raise fears and tension. The Central Intelligence Agency (CIA) estimated that the Taepodong 1 with slight modifications could reach parts of Alaska and Hawaii, and that if the Taepodong 2 had three stages, it could deliver a large payload to the western continental United States with poor accuracy. Considering that kind of evidence, the North Korean Taepodong 1 test, and the warnings of a bipartisan blue ribbon panel led by former (and future) Secretary of Defense Donald Rumsfeld that the United States was vulnerable to ballistic missile attacks by rogue states like North Korea, the Clinton administration reversed a long-standing position and proposed a limited, national anti-ballistic missile system that could be shared with—and potentially joint funded by—regional partners like Japan and South Korea. The anti-ballistic missile (ABM) Treaty posed one problem, but a vehement Chinese objection was more immediately serious in terms of U.S.-DPRK relations. The Chinese did not want a regional anti-missile defense system that might protect Taiwan from the hundreds of missiles the Chinese had facing that island.[44] The Chinese probably also feared an anti-missile defense would have an adverse effect on its strategic retaliatory capacity should that be needed.

On March 17, 1999, the United States and DPRK concluded months of negotiations on the site at Kumchang-ni by signing an agreement that allowed U.S. inspectors into the site for periodic inspections in exchange for promises to continue food aid. Less than a week later the United States announced (in a declaration supposedly unconnected with political negotiations) that it would send 200,000 metric tons of food and seed potatoes worth $60 million to the North. A fourth round of missile talks later in the month only produced an agreement to meet again. Those two lines played out in late-May. A U.S. inspection of the site at Kumchang-ni between May 20 and 24 found no evidence of nuclear activity—just a huge, empty tunnel. At the end of the month, former Secretary of Defense William Perry, now serving as the administration's North Korea policy coordinator, headed the highest level official U.S. diplomatic team to visit Pyongyang since the Korean

War. Four days of talks produced disappointing results. Kim Jong Il refused to meet with Perry, who delivered a letter from President Clinton, and the negotiators could only agree to meet again at an unspecified time and place.[45]

As the year dragged on, progress on the missile issue seemed more and more elusive. Military clashes did not help the prospects for resolution of the issues. In June, the South Korean Navy sank a North Korean naval vessel, killing the entire 17-man crew during a half-hour gun battle. The North immediately suspended contacts with the South—a major blow to President Kim Dae Jung's plan for bettering relations between the countries.[46] In August, responding to North Korean preparations for renewed missile tests, Japan leaked that it was considering acquiring refueling capability for its F-15 fleet that would allow retaliation against North Korea in response to a missile attack. Both South Korea and Japan were participating in the U.S. anti-missile development program, and in accordance with a 1979 agreement South Korea was negotiating with DoD to get permission to build long-range missiles capable of reaching all of North Korea. Secretary Cohen was reported to be amenable if Seoul joined the Missile Technology Control Regime. As tests of the Taepodong 2 neared, Cohen announced from Seoul that the United States and its allies would respond with all available measures except military to any test firing.[47] The pressures may have had an effect. At talks held in Berlin between September 7 and 12, 1999, the DPRK agreed to a long-range missile test firing moratorium for the duration of talks with the United States. In exchange, the United States promised partial lifting of economic sanctions.[48]

Within days, North Korean policy coordinator William Perry delivered his review of U.S. policy toward the DPRK recommending a new, comprehensive and integrated approach to relations with the North that included reciprocal steps to normalize relations. Three days after Perry delivered his report, the Clinton administration announced it was significantly easing sanctions against the DPRK. The North would be able to purchase U.S. consumer goods and transport goods and people between the United States and North Korea. Individuals in the United States would be allowed to make remittances to North Koreans, and American companies would be allowed to invest in the DPRK's underdeveloped raw materials sector.[49] Further reduction in tariffs would require congressional action, and in actuality the easing did not occur as announced. On December 15, 1999—5 years after negotiating the Agreed Framework—the participating parties signed an agreement for construction of two light-water reactors for the North Koreans.[50]

If 1999 ended on a high note, President Clinton was not able to exploit the success before the end of his term. The year 2000 featured ups and downs in the negotiation process that in the long run produced little of substance. In April, the United States again sanctioned the North Korean military-backed Changgwang Sinyong Corporation for category 1 violations of the MTCR based on missile sales to Iran. That was the third time the company (under that name—it operates with several variants) had been sanctioned for missile proliferation, and it would not be the last.[51] Conversely, at the end of May, U.S. inspectors once again found nothing to report on their second inspection of the suspected nuclear site at Kumchang-ni.[52] In the meantime, North-South relations were dominating the news. Months of intense negotiations led to an historic summit between Kim Jong Il and Kim Dae Jung on June 13-15, 2000, at the conclusion of which the two leaders signed an agreement to work for peace and unity between the two Koreas. Specific steps were limited but significant—especially agreement for early reunion of families split by the war and cultural exchanges, both issues that had been part of the 1991 agreement but had never come to fruition. It was the spirit of the talks and agreement that brought hope.[53]

The United States sought to exploit the progress and announced relaxation of some economic sanctions—the same relaxation promised in September 1999. The next day Pyongyang reaffirmed its missile test moratorium. In July, U.S. and DPRK negotiators met in Kuala Lumpur for a fifth

round of missile talks. The talks failed over compensation to North Korea for lost revenue if it halted missile sales. The North wanted $1 billion a year, and the United States balked at such a figure, while promising economic normalization. There was a brief flurry of activity around a report that Pyongyang was willing to exchange cessation of missile development in exchange for a U.S. promise to launch its satellites. This came from a comment by Kim Jong Il to Vladimir Putin that may have been a joke but was taken seriously.[54] Secretary of State Madeleine Albright was unable to develop the issue during a meeting with North Korean Foreign Minister Paek Nam Sun at the Association of Southeast Asian Nations (ASEAN) Regional Forum in Bangkok, and Kim Jong Il told a meeting of South Korean media executives the comment was meant in jest.[55] Nevertheless, after confirming the statement with the Russians, the United States continued to take Kim's comment as a serious proposal.

The two Koreas exchanged visitors from separated families, and talks to continue and expand the program seemed to be going well. U.S.-North Korean talks on nuclear, missile, and terrorism issues resumed with some indication of progress toward removing the DPRK from the State Department's list of countries that support terrorism—an essential precursor to any but symbolic improvement in economic relations. Vice Marshal Jo Myong Rok, second man in the DPRK, visited Washington, left a letter for President Clinton, and met with the secretaries of State and Defense. Secretary Albright met with Kim Jong Il in Pyongyang to discuss among other things a summit meeting between Kim and President Clinton. However, another round of talks in November on the missile issue failed to produce an agreement, and time essentially ran out. The summit did not occur before Bill Clinton left office.[56]

The George W. Bush administration that assumed office in January 2001 shared its predecessor's policy goals in terms of North Korea. It approached the relationship, however, in a fundamentally different manner, and is beyond the scope of this chapter. What we have seen is the complex play of a variety of actors using a wide range of elements of power as tools to achieve their interests as they perceived them. Where interests coincided, there was a chance for cooperation; where they differed, there was the possibility of competition or even conflict. In any case, the game was played by discrete, intelligent players acting in real time with only limited knowledge of the interests, motives, tactics, or goals of the other players. Their actions are irrevocable (there are no do-overs or reset buttons) and influence the future environment. Thus, the issue of U.S.-North Korea relations is a classic wicked problem. Chances are it will continue to be so for the foreseeable future.

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CHAPTER 27

PAINTING YOURSELF INTO A CORNER:
CONFLICT TERMINATION, UNCONDITIONAL SURRENDER,
AND THE CASE OF JAPAN

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Designing policies to settle a conflict might seem like a relatively uncomplicated process of compelling an adversary to surrender. For example, defeating a fielded force or capturing a nation's capital city are typical objectives sought to end conflicts. Frequently, the immediate goal of ending a war overrides the planning for the transition to a more peaceful condition. In some situations, a country or alliance might decide on a strategic goal or policy that becomes counterproductive to ending the war. A ceasefire does not automatically end a conflict. Opposing sides may stop fighting only to take a breath before resuming the struggle unless the underlying political disagreements have been resolved. Setting terms to end a war requires consideration of political objectives and the enemy's willingness to accept those terms.

In World War II, Berlin, Germany, and Tokyo, Japan, fell after Allied forces destroyed the ability of the Axis to wage war. Washington, London, and Moscow had agreed on one major requirement to end the war: the Axis powers' unconditional surrender. This particular goal served key political objectives, such as solidifying Allied resolve and gaining public support, but created a number of problems later in the war. Unconditional surrender demands against Germany and Japan did help solidify Allied resolve, but as World War II progressed, national and military leaders began to question this policy. From a simple means to facilitate Allied cooperation, rigid Japanese surrender terms forced the United States and its Allies to plan a series of actions that might have resulted in an invasion of the Japanese home islands and further costly combat. Because of the atomic bomb and other actions, events proved otherwise, and the war terminated without an invasion.

Unconditional surrender posed potential problems even after the war ended. One of the biggest challenges facing President Harry S. Truman was how to rebuild Japan based on democratic ideals. Some in Truman's cabinet believed the unconditional surrender terms would derail this effort. This case study offers an illustration of how the goal of setting surrender terms affected major policy considerations and decisions during and after the war. Unconditional surrender offers a simple but stark example of how a major goal of the war constrained Allied policy.

WHY ELEMENTS OF CONFLICT TERMINATION ARE KEY

How should a nation or alliance end a war? B. H. Liddell Hart spoke for most national leaders when he said, "The object in war is a better state of peace—even if only from your own point of view."[1] If one agrees that war has its roots in political and national objectives, and a nation can use a range of political, economic, social, and military tools to achieve its objectives, then what objectives it chooses and how it pursues those objectives will naturally influence both the conduct and termination of the war. Desired end states, which must reflect the achievement of fundamental political objectives, should shape the conduct of the war from beginning to end. Failure in this respect may preclude a permanent solution and set the stage for future conflict.

Frequently, discussions on conflict termination focus on the "winning" side. However, unless one side completely destroys its opponent, the "losing" side normally has some ability to influence surrender terms. This is because if not completely destroyed, the loser by definition still retains the ability to prolong the conflict. The winner should consider its adversary's concerns; otherwise

the prospect for continuing the conflict increases. Reasonable diplomatic and political terms may motivate a defeated country to accept surrender. Carl von Clausewitz recognized the relationship between political outcomes and conflict termination. If a war ends without a mutually acceptable political settlement, the "defeated state often considers the outcome merely as a transitory evil, for which a remedy may still be found in political conditions at some later date."[2] Without an agreement that satisfies all parties, a cessation of hostilities cannot be final. An insurgency, a new political order, or some other obstacle to peace might surface. A nation may be militarily defeated, but getting it to accept that defeat and the terms of surrender demands much more than decisive battlefield results.

For the winning side, creating a lasting settlement requires actions that create conditions that are conducive to convincing the losing side to accept surrender. These actions are often taken in conditions of imprecise information, a dynamic environment, extreme cultural differences, and other constraints. Unless adversaries maintain an open dialogue during hostilities or have a reliable flow of current political information about an opponent's position regarding acceptable surrender terms, they are left to send messages to the opposition via public pronouncements or trusted intermediaries. Such messages might be misinterpreted or incomplete, delivered to an inappropriate recipient, or fail to evoke a response. Today, the widespread use of intelligence regarding an opponent's interests and motivations complicates the matter. Sources may conflict or the information gathered may be so voluminous it takes excessive time to analyze—and the best intelligence may not reveal an opponent's intentions, beliefs, or internal discussions. Nevertheless, officials do, of course, use intelligence to craft terms for the cessation of hostilities. Once terms are crafted, the issue becomes ensuring the desired message is transmitted and received without distortion or possibility of misinterpretation. In some situations, setting conditions up front can help define and channel the options available for an adversary. Conversely, setting the wrong conditions can seriously affect both the chances of surrender and the chances for a lasting peace.

Conflict termination is always limited and conditioned by what is possible. The adversary may respond adversely or unexpectedly to peace overtures and prolong the conflict. Similarly, allies may do things that undercut the termination process and lengthen the war. A nation needs sufficient flexibility to alter surrender terms and even basic political objectives based on intelligence and enemy actions. While certain objectives may seem to be beyond compromise, it is amazing how often small concessions can produce significant results. Determining when and how to modify objectives in a conflict is crucial to affecting an opponent's behavior and potential acquiescence to surrender terms.

How commanders plan and execute military campaigns also often has a significant impact on an adversary's decision to end a conflict. Similarly, diplomatic initiatives or other political acts intended to isolate an opponent that appear to be appropriate wartime measures may cause a foe to be skeptical of post-conflict relations or conditions. For example, an alliance with an opponent's traditional rival is a natural wartime move; it may, however, reduce the enemy's confidence in its chances of receiving fair and equitable treatment during peace negotiations. War is such a significant act that national and military leaders often concentrate so closely on short-term actions and objectives that they miss longer-term opportunities.

U.S. efforts during World War II to end the war with Japan illustrate the problem of adapting to changing circumstances and the impact of objectives, government organization, domestic society and economics, military potential, and justice on conflict termination. Washington's insistence on a policy of unconditional surrender had a unifying effect early in 1942, but by mid-1944 various officials were questioning the policy. Unconditional surrender seemed too constraining in light of future interests.

UNCONDITIONAL SURRENDER

Unconditional surrender is a harsh demand on a defeated nation. A country or alliance that offers such terms to an enemy eliminates any chance of negotiating conditions—it is a take it or leave it proposition. Such terms set a very high standard for all the parties involved. The implication of such terms is that the enemy has been so thoroughly defeated diplomatically, militarily, and economically that it has no option but to succumb. The winning side often demands adherence to specific provisions that may be announced only after the surrender. By the very nature of the term unconditional, no preconditions are set or information given about the future of the defeated country in advance of its surrender. The issuer accepts the fact that it has placed its opponent in a position with no honorable way out.

A policy of total submission has advantages for the winning side. It is an uncomplicated condition that defers the tough decisions about the post-war world. As such, it is often easier for alliance members to support than terms that reflect their possibly divergent national interests. Unconditional surrender makes supporting policies and taking actions that might not be popular domestically much easier. Because it is unspecific about what terms will be demanded of the enemy, suffering tremendous casualties or physical destruction might be tolerable since the costs-benefit analysis is essentially impossible to determine—or everyone gets to imagine his own set of benefits and thus can set them proportionate to the costs. The total commitment of all alliance members makes seeking a separate peace more difficult. If the alliance's war aim is simply to achieve a ceasefire with subsequent negotiations, each state's losses might affect its motivation to continue. Unconditional surrender, however, sends a clear message that the issuer demands nothing less than total victory.

In any extended conflict, the possibility of war weariness is a reality. Whether the nation's fate is at stake or if its interests are tangential to the conflict, a lengthy fight can try the public's patience. A demand for unconditional surrender represents commitment. Fighting to a final victory sends a clear commitment message by the government to the people. The country can more easily mobilize its resources to end the conflict or continue to fight.

Countries dominated by authoritarian regimes might not change through voluntary or negotiated measures. One way to ensure they do change to suit the victor is to occupy or control the defeated country after the war. Demanding an unconditional surrender may create conditions where regime change or a restructuring of society is possible. At least in theory, reforming the governmental and social structures may produce a more peaceful state.

Despite its benefits, a demand for unconditional surrender may also create problems. One major concern is that this condition limits an enemy's response. An adversary's only option is to accept or reject the proposition. Unconditional surrender sends a message that the war can only end with total victory and abject defeat. A belligerent may concentrate on unconditional surrender and overlook changes in the military or the political situation. Assumptions made by the parties advocating unconditional surrender are often unrealistic, making the proposal unacceptable to some adversaries.[3] The primary focus is on the power dictating surrender and usually ignores the adversary. Curiously, the power that must accept the defeat ultimately has the power to decide when the war ends. Unless it accepts the terms of surrender, the war could continue indefinitely.

As with any surrender terms, the enemy may attempt to create conditions that force its foes to rethink unconditional surrender. It might adopt a strategy of attrition to try to make the war too costly for its rival. Those are standard, accepted means. However, faced with a demand for unconditional surrender, a government may use weapons, tactics, or behaviors that it might not otherwise contemplate. If the government has no other option, it could resort to weapons of mass destruction or other radical alternatives. Attacks on military targets might increase in intensity.

Plans can also shift to civilian targets in an attempt to increase pressure on the enemy's government or break a population's will to resist

The opposing sides might interpret the precise meaning of "unconditional" surrender differently. Generally, the demand for unconditional surrender means total victory with no compromise. Unless the unconditional surrender ultimatum is accompanied by some modifier or explanation, an adversary has no option but to assume its government, society, and very existence as a nation are at risk—the threat is existential. Existential threats force nations to fight to the death, which may be a needless condition if the opposing side intends to retain the important elements of nationality and simply did not communicate its intention precisely.

Placing the ultimate demand on an enemy creates other constraints on conflict termination. If a nation does not accept total defeat, then the side demanding total victory may have difficulty enforcing the surrender. Suppose a nation has defeated an opponent on the battlefield, but its enemy does not accept unconditional surrender. Forcing that rival to capitulate may require more effort than the winning side originally imagined. Likewise, should the presumed winner need to end the conflict quickly, it may back away from unconditional surrender and signal its willingness to settle on terms less than total victory. This option can have unintended consequences. Given the apparent weakening in surrender demands, the opposing government may decide that if it fights a little harder it might extract even better terms. With stiffened resistance, each side would face greater casualties and a prolonged war.

All these issues with unconditional surrender interact with the characteristics of alliances to further complicate the situation when one or both of the warring parties is an alliance. The presence of multiple actors pursuing perhaps divergent interests makes an announced objective of unconditional surrender an attractive proposition, especially if holding the coalition together appears to be more vital than sorting out post-war political arrangements. The alliance or coalition is still subject to all the normal pressures of internal national politics, elections, opposition parties, public dissent, war weariness, etc.; however, the simple goal of unconditional surrender may make separate peace treaties that fracture the alliance less likely. The case of unconditional surrender and Japan in World War II illustrates many of these thorny issues.

The Casablanca Conference and the Use of Unconditional Surrender.

The United States and its allies faced a grim strategic situation in late-1941 and early-1942. German forces had taken most of Western Europe and were advancing on Moscow. American and British forces could only manage attacks on the periphery of German territory. The Soviet Union seemed likely to succumb to Germany's relentless attacks. Japan's Imperial military forces had damaged the U.S. fleet in the Pacific and defeated Allied ground forces throughout the region. The Japanese seemed unstoppable. A repeat of a separate peace between Berlin and Moscow like the Treaty of Brest-Litovsk, March 3, 1918, that ended World War I hostilities between Russia and Germany, would be a disaster for Washington and London. The surprise attack on Pearl Harbor, Hawaii, atrocities in the Philippines, inhuman actions in occupied Europe (the magnitude of which were not yet fully appreciated), and the Soviet Union's near collapse stirred the American public to support a total war against the Axis powers.

In January 1943, President Franklin D. Roosevelt (FDR) was preparing for a major policy meeting with British Prime Minister Winston Churchill in Casablanca. The conference would give the President an opportunity to announce his conditions for Axis surrender. Before leaving for Casablanca, Roosevelt disclosed to the Joint Chiefs of Staff that the basic Allied war aim should be the unconditional surrender of the Axis powers.[4] His goal was to assure Soviet Premier Josef Stalin that American and British forces would advance to Berlin and seek total German capitulation—

they would not leave the Soviets dangling by signing a separate peace. The U.S. Army and Navy staffs were surprised at this decision since Roosevelt had not requested any study of the implications of unconditional surrender.

On January 24, following the Casablanca Conference, Roosevelt announced the unconditional surrender policy. Churchill did not expect this announcement.[5] Whether Churchill was startled due to the timing or manner of the release, it did not stop him from offering his approval. FDR and Churchill had discussed the concept of unconditional surrender during the conference, and the British prime minister had agreed to these considerations with respect to Germany and Japan. Churchill had earlier suggested that the demand for unconditional surrender not be used against Italy since a conditional surrender in all likelihood would speed Rome's demise.[6]

The unconditional surrender announcement should not have been a great shock. The President had hinted about this approach in his congressional address on December 8, 1941. He declared that a state of war existed between Washington and Tokyo, and the speech concentrated on a theme of "absolute victory." German and Italian declarations of war against America only added to the President's concern regarding the state of Allied morale. With regard to the Axis powers, noted military historian Russell Weigley commented that the Casablanca Conference's declaration of unconditional surrender as an Allied policy left the impression that the American military strategy was one of "annihilation."[7]

The Casablanca Conference became synonymous with unconditional surrender—a policy that seriously affected Allied military strategy related to Germany and Japan. The focus of future military actions became the destruction of the Axis powers; Washington appeared to give little attention to post-war Germany, and Japan appeared to be of no interest beyond the military realm.[8] Roosevelt had removed the potentially contentious distraction of post-war policy. The focus on total victory over Berlin and Tokyo was popular with the American public and seemed to unite the allies. FDR, Churchill, and Stalin could debate the fate of Germany after its demise. The American President would set conditions regarding Germany and Japan only after the war.[9] Unfortunately, the lack of political guidance would leave these decisions to others after FDR's death in April 1945. Without guidance on the vision of the post-war political landscape, Allied military staffs were free to create military plans devoid of political considerations. They created plans for the occupation of Germany and Japan from scratch in a political vacuum.

The President's desire for unconditional surrender may have had its roots in World War I. Roosevelt was concerned about German's ability to wage war in the future. He resolved that Germany's defeat after World War II should result in conditions that would not allow it to undertake another major war. Unconditional surrender would permit the Allied powers to dictate every aspect of post-war activities from physical to political reconstruction. There would be no escaping or compromising the Allied terms. In the future, neither Berlin nor Tokyo would be able to point to violations of a negotiated peace, as Berlin had with the Treaty of Versailles.

Roosevelt's worries about post-World War II Germany may have been misplaced. As the war wound down the destruction of major German cities, massive casualties, the prospect of long-term occupation by the Allied powers, near total economic disruption, potential Communist expansion, and other conditions did not seem to mimic conditions after World War I. By May 1945, the German government and society were largely destroyed. These conditions required massive aid, not demands for reparations or punishment.

The Italians were never forced to accept unconditional surrender. During the Allied invasion of Sicily, a successful uprising toppled Benito Mussolini's government on July 24, 1943. General Dwight D. Eisenhower offered an armistice and an end to the bombing of Italy.[10] Eisenhower sought options to end Italy's participation as an Axis power. On September 8, after the Allied land-

ings at Salerno, the Italian government publicly announced its surrender, following secret negotiations with the Allies. The war continued on Italian soil, but it was between the Allies and Germans.

Did Unconditional Surrender Fit Japan?

In June 1942, after the Battle of Midway, Allied military action began to chip away at Imperial Japanese outposts. American and British forces, however, lacked sufficient resources to make a direct attack on Japan. Instead, they employed a slow, methodical advance through the Southwest and Central Pacific that permitted American forces to move closer to Japan. These gains would eventually allow American strategic bombers to strike Tokyo. The strategic bombing program would complement the U.S. Navy's submarine blockade that restricted maritime transportation around Japan. Military and merchant marine shipping suffered horrendously. The Japanese home islands were isolated and could not import vital finished goods, foodstuffs, and raw materials. Allied military forces waged a relentless war of attrition as Japanese forces wasted away on bypassed Pacific outposts.

In 1943 Department of State officials had examined how to get Tokyo to surrender. One option was to drop the unconditional surrender requirement. A study by an interagency group recommended the retention of the emperor. The group believed that the emperor would be instrumental in a democratically-elected, constitutional government under an Allied occupation. Disarming the Japanese military, dismembering the empire, restructuring the government, changing society, and maintaining the peace all would require control and influence that the emperor could provide.[11] Reconstruction required stability, and the emperor could play a vital role in support of these efforts. Despite these considerations, the official policy remained unconditional surrender.

Churchill expressed concern about unconditional surrender demands for Japan at the Yalta conference in February 1945. The conference outlined the final plans for the assault on Japan. Allied forces would intensify their naval blockade and aerial bombardment of Japan in preparation for the invasion of Kyushu and Honshu. An overwhelming Allied invasion would force Emperor Hirohito to accept unconditional surrender. Churchill, however, sought an alternative. British casualties in Europe had been heavy, and the country's morale, economy, and military forces had suffered under the strain. The Prime Minister believed that if the Allies offered an alternative to unconditional surrender, Tokyo might end the war a year and a half sooner and save lives and resources.[12] A major Japanese concern was the future of the emperor. If the Allies gave assurance that the Japanese could retain the imperial system, an earlier surrender might be possible. Army Chief of Staff General George C. Marshall and FDR's military advisor Admiral William D. Leahy supported modification of the unconditional surrender edict to include a provision allowing for the retention of the emperor and the imperial system.[13] Roosevelt still believed, however, that a softening of terms would not be sufficient to induce the Japanese to surrender. Harry Hopkins, FDR's political advisor, and Assistant Secretaries of State Archibald MacLeish and Dean Acheson also opposed any change in the surrender terms. Churchill, not wanting to undercut the president's position, let the matter drop.

American military advances through 1944 had demonstrated mastery over the Imperial Japanese forces; however, it was obvious that the Pacific war was far from over. The Japanese military still controlled Burma, Southeast Asia, Manchuria, parts of China, and Korea, and were preparing a formidable homeland defense. Tokyo had endured massive defeats of its air, land, and naval forces, but it still maintained the will and capability to exact a high toll on any Allied invasion forces used against the home islands. American and Japanese losses both continued to mount. Iwo Jima and Okinawa demonstrated the ferocity of the Japanese forces and confirmed Tokyo's military will to resist. Allied military commanders knew they would prevail, but wondered when and how many casualties they would have to sacrifice before achieving victory.

Competing military strategies clouded decisions on how to proceed. The most logical course of action, according to George Marshall, was to invade Japan. Army and Marine Corps units along with Allied forces would first take southern Kyushu to establish bases for bombers. Next, combined forces would intensify the blockade of Japan and support the landings on Honshu. Once Allied forces landed on Honshu, they would drive on Tokyo and demand surrender. Marshall argued there was no guarantee that continuance of a naval blockade and bombing campaign would achieve surrender, and both options would take time. American intelligence sources were aware of detailed Japanese preparations to defend the islands, and many experts projected a bloody invasion. Admiral Leahy estimated that American military units would suffer up to 35 percent casualties or 268,000 killed and wounded in action against Japanese forces during the Kyushu invasion.[14] Actions against Honshu, especially around Tokyo, would see even higher losses.

Admiral Ernest King, Chief of Naval Operations, believed that continued naval blockade and bombardment would eventually force Japanese capitulation. By the summer of 1945, submarines, surface forces, and carrier task forces had strangled Japan's economy and resources. Submarines continued to sink merchant shipping and reduce food imports to a trickle; starvation of the Japanese people became a real possibility given the projection of a poor rice harvest in 1945. There was ever-diminished movement between the Japanese islands and the Asian continent due to increased Allied military presence. The Navy had derived many of its strategic concepts for the Pacific campaign from pre-war plans to advance through the Central Pacific and establish bases from which to blockade and attack the Japanese islands. Based on those, King believed he could provide a firm date for Japanese capitulation.

Air power advocates believed that strategic bombing would paralyze an adversary's government, military, and economy. This paralysis would lead to the stunting of enemy battlefield capabilities that would eventually cause collapse and surrender. When the U.S. Army Air Forces (AAF) were finally able to establish air fields in China and the Pacific within range of Japan, they initially attacked using the doctrine of pinpoint bombing of military and economic targets. Unfortunately, trying to conduct daylight, precision bombing was problematic over Japan. Weather conditions, problems with the new B-29 bomber, dispersed Japanese industry, and other concerns forced a change in tactics. AAF leaders added night raids using incendiary weapons to destroy industrial and military targets. Such attacks also devastated the cities surrounding the factories. These raids started to have a telling impact on Japanese industry and civilian morale. B-29 raids, if permitted to continue, would destroy all of Japan's major cities by September 1945. AAF Major General Curtis LeMay, who led Pacific B-29 forces, predicted surrender by October.[15]

Another option was to increase military pressure on the Japanese by opening a new military front. Roosevelt and Churchill had advocated that the Soviet Union declare war on the Japanese. This strategic move would continue to tie up Japanese forces in Manchuria, China, and Korea. The Soviets had initially resisted the idea while they fought Germany. Stalin promised to enter the war against Japan when the European war ended, but there was no agreed upon date. As the western powers watched the brutal occupation of Eastern Europe by Soviet forces, the State Department raised concerns about a Soviet presence in post-war Japan and Asia. Ultimately, the drive to achieve the near-term objective of unconditional surrender would overshadow any possible impact on the post-war political landscape of Asia. Japanese resistance was weakening, and the Soviet Union simply entered the war to enjoy the spoils of victory. Moscow would demand reparations and the return of lost territories from the Japanese along with a broader role in post-war Asian affairs.

Roosevelt had approved the use of atomic bombs against Germany, if they were available, and had asked engineers and scientists to prepare for such use in January 1945. Technical problems,

however, delayed their debut until July 16, 1945 when a plutonium bomb was tested in New Mexico—well after Berlin's surrender. Although scientists and engineers did not know the full effect of nuclear weapons, they knew such weapons would have tremendous destructive power. The U.S. Government's commitment to use atomic bombs against Japanese targets would demonstrate the will to inflict similar destruction on Tokyo if Japan did not accept unconditional surrender. The atomic bomb, a viable threat of invasion, increased naval blockade, expanded strategic bombing, and the Soviet Union's entry into the war all, they hoped, would lead to a rapid end to the war and make an invasion unnecessary.

Roosevelt's intent to settle political objectives following the surrender of the Axis powers remained, but his plans would go unfulfilled. On April 12, 1945, FDR died along with his post-war political vision. Truman assumed the presidency and was presented few options. Roosevelt had failed to keep Truman informed of his intentions or strategies. Truman did not even know about plans for the atomic bomb.

Getting Japan to Surrender and Post-War Considerations.

By April 1945, the Joint Chiefs of Staff had approved plans for the invasion of Japan. General Douglas MacArthur, the senior Army officer in the Pacific, prepared operational concepts and invasion plans. The major concern among national and military leaders was projected American casualties. Almost all of the more than 22,000 Japanese forces on Iwo Jima had died in March defending the island. American deaths numbered almost 6,900 killed and over 18,000 wounded. The American invasion of Okinawa resulted in an even bloodier encounter. From April to June, U.S. Army, Marine Corps, and Navy units slowly defeated Japanese forces on Japan's southernmost island. More than 12,000 American military personnel were killed and over 36,000 wounded. Japanese military and civilian casualties soared to over 110,000 known deaths. Although the Imperial Japanese Navy and most of Tokyo's remaining air forces were decimated, military personnel continued to serve in suicide and kamikaze units. Japanese military and civilian culture demanded a fight to the death.

American military planners and intelligence officers began to speculate about the level of opposition General MacArthur would face in Kyushu and Honshu. Signals intelligence indicated that Japanese defensive resources and personnel had started to increase precipitously. Initial American intelligence estimates put Japanese uniformed military on Kyushu at 246,000 personnel on May 12, 1945. A month later, the estimate rose to 300,000. By August 2, Japanese troop levels in Kyushu topped 534,000.[16] Later estimates would reach 600,000. Civilian defense units, transfers of personnel into Honshu and Kyushu from China, and the raising of kamikaze units alarmed Allied leaders. If Okinawa was an example of events to come, the United States would need more forces.

Truman faced a real problem of producing more troops. American forces in Europe were clamoring for demobilization and a return home. European-based veterans felt they had earned their release and that others should fight in the Pacific. War weariness among the American public became a major concern. Reduced casualties, halting economic disruption due to the war, and a return to normalcy were demands made by thousands of anxious civilians and service personnel. If Germany had been the main threat to world peace, then Japan was not as important. Berlin had been defeated; Japan was weakening and many felt a transfer of European-based units was unnecessary. Existing Pacific forces could handle the war.

Commanders in the Pacific did not share that optimism. They had attacked Imperial forces with massive naval and air power throughout the theater. However, the advance became more difficult and Japanese resistance increased as the campaign neared the home islands. Veteran Pacific units would conduct the invasion of Kyushu. Those worn divisions required support from newly

created units or ones transferred from Europe. European-based divisions might be veteran units in name only. Pressure to demobilize military personnel would force Washington to fill units with raw recruits. Such units and veteran Marine Corps divisions would be used to attack the heart of Japan. The casualty rate could be expected to be high.

After years of conflict, Japan was near exhaustion. Most of the top-level Imperial Japanese military forces had been shattered by continuous fighting. The country's industry and cities had been bombed. Japanese leaders did not have many options to influence the end of the war. Unconditional surrender posed an unknown fate. If accepted, Japan might be divided and occupied. The key issue facing the Japanese people was the fate of the emperor and the imperial system. Leaving the fate of the emperor in the hands of the victorious Allies could mean that Hirohito would be subject to a war crimes tribunal. The only other option for Japan was to continue the war. Stubborn fighting might still convince the Americans they were paying too high a price and might force Washington to think twice about surrender terms and possibly offer a negotiated peace. Negotiations might allow Japan to achieve several desirable goals: territorial integrity, retention of the imperial system, freedom from foreign occupation, retention of its military, and prevention of war crime tribunals. Japan had never surrendered, and a foreign occupation was unthinkable.

Complicating the decision process was the fact that the United States and Japan had no formal communications link. Public announcements, published newspaper accounts, and actions constituted the most direct ways of expressing policies and intentions. The Japanese attempted to contact Washington through foreign intermediaries, but that was an unreliable method. Unfortunately, rhetoric and political posturing clouded messages sent to the Japanese. Leaks about revisiting unconditional surrender could backfire and cause the Japanese to strengthen resistance; they would certainly embarrass Washington and might affect public support for the war. Conversely, the Japanese government would lose face if it was seen as negotiating with the enemy, and there was a possibility of a military coup to force a continuation of the war.

Truman's concerns about unconditional surrender began to increase. He asked several senior advisors to evaluate how to force Japan to surrender. The high-level interagency group consisted of Secretary of War Henry L. Stimson, Secretary of the Navy James Forrestal, and former Ambassador to Japan Joseph Grew, now an undersecretary of State.[17] The group analyzed the Allied goal of unconditional surrender. Washington had never defined the term. Perhaps the government could retain the unconditional surrender policy and still make a public declaration of how it would treat Japan after the war. Such information might encourage the Japanese to relent and surrender. The group did recommend keeping the emperor.

Stimson and Grew strongly backed the option of retaining the emperor. They thought the imperial system was essential to maintain the country's culture, society, and soul. Without any assurance of keeping Hirohito in power, the Japanese government, military, and public would, in all likelihood, fight to the death. Washington could remove this obstacle by making a definitive announcement regarding surrender terms. A timely capitulation might forestall Soviet entry into the war. A stable post-war Japan would also facilitate reform and reduce the need for a large occupation force. If the Japanese people witnessed the emperor accepting surrender, they would likely accept their defeat and the dissolution of the empire. An emperor who had accepted defeat and renounced militarism would reduce the chance of renewed initiatives to expand Japan's borders.

Critics vehemently disagreed with letting Hirohito remain as emperor. Many believed that Hirohito was personally responsible for the war. Some American officials could not separate the emperor's role from the conduct of the war. They believed giving him amnesty would defeat the very purpose of fighting Japan. These critics, like Acheson and MacLeish, pointed out practical reasons not to modify FDR's unconditional surrender demand. Any sign of lessening this requirement

would make the United States appear weak to both the Japanese and America's allies. Instead of encouraging Japan to surrender, the Japanese will might be strengthened by Washington's offer. The Allies might also view this change in position as a sign of lessening support for the defeat of Japan and commitment to post-war agreements. The Soviet Union might exploit this as an opportunity to move into East Asia. There was a real possibility that the American public would condemn the administration after being told for years that Japan and the emperor would be held accountable for the war.

The Japanese government was also divided. Not all Japanese cabinet members were behind efforts to continue the war at all costs. Despite the unconditional surrender demand, there were several Foreign Ministry "peace" advocates who sought a negotiated war settlement through a foreign intermediary. They believed the only major power they could fruitfully approach was the Soviet Union. Despite conflicts in 1904-05 and several border clashes in 1939, Tokyo thought that it could rely on Moscow to broker a peace. The Japanese and Soviets had signed a neutrality treaty in 1941, in which Japan continued to put great faith. Unknown to the Japanese was Stalin's commitment to aid the United States and Britain in the Pacific war. The only question that remained was when he would launch an attack in Manchuria.

Sato Naotake, Japan's ambassador in Moscow, sought out Soviet Foreign Minister Vyacheslav Molotov at the end of June 1945. Japanese hopes for peace rested on convincing Molotov that in exchange for Soviet support Japan would promise a long, peaceful relationship. Additionally, Tokyo would sweeten the deal by offering to create a neutral buffer in Manchuria, renounce certain fishing rights, and negotiate any issues of Soviet interest. The main Japanese objective was for a ceasefire. Tokyo would keep the imperial system. The Japanese were also willing to withdraw from selected areas and renounce the 1905 Portsmouth Treaty that awarded Russian territories to Japan.[18] By this point in the war, American intelligence analysts had already broken the Japanese diplomatic codes, so Washington was well aware of Tokyo's peace overtures. "MAGIC" signal intelligence intercepts revealed the Japanese Foreign Ministry's efforts to gain Soviet support. American leaders now knew some Japanese leaders were attempting to negotiate a settlement.

Molotov evaded any appearance of trying to help Sato. Stalin's promise to help the United States and Britain would provide more benefits than the few territories and concessions offered by the Japanese. A Japanese total defeat would disarm a powerful Soviet foe in Asia. With Japan's defeat, the Soviet Union would witness the removal of a major impediment to Moscow's post-war Asian activities. The Soviets ensured they were on the winning side in an effort to share in any future war booty.

Stimson and Grew continued to press Truman about communicating with the Japanese regarding the possibility of retaining the emperor. They believed that any Japanese peace faction armed with this assurance or at least the possibility of maintaining the emperor would convince the hard-line militarists that surrender was the best option.[19] But critics had their doubts: were the Japanese delaying their surrender to prepare stronger defenses for the homeland? There was always the chance that continued discussion might weaken American resolve on a host of other political issues.

Divisions widened in Tokyo. Within the Foreign Ministry some officials wanted a negotiated peace; others were willing to accept unconditional surrender just to stop the war. Imperial Japanese Army leaders were unwilling to accept defeat and wanted to fight to the last man. The Imperial Japanese Navy had already lost most of its war fighting capability except for the kamikaze planes and naval vessels retained to strike any American invasion fleet. Japanese naval leaders doubted the Army's ability to continue, but even so, they still supported efforts to continue the war.[20] The Japanese public's support for the war and its morale began to ebb. Thousands had perished, food

was scarce, news about the ever shrinking empire leaked to the public, Japanese sacred soil in Okinawa had been lost, and the destruction by daily B-29 attacks was hard to dismiss. Public displeasure about the war started to turn to resentment with regard to the emperor.

Truman attended the last major Allied conference in Potsdam Germany in late-July 1945 with Churchill and Stalin. The conference would settle some post-war agreements over Germany, but it would also examine Japan. Truman and Churchill pressed Stalin for his date on entering the Pacific war. Of the other Pacific strategic options, Truman supported the invasion but was reluctant to give final approval to launch the attack. The president was still concerned about the path the war against Japan should take. The invasion would be bloody, but the unconditional surrender option seemed too difficult to change at this time.

The Potsdam conference cemented Allied policy regarding Japan. Stalin agreed to declare war on Tokyo and start military operations against Japanese forces in Manchuria and Korea by early-August. The United States, Britain, and China issued a proclamation that finally defined the terms of surrender for the Japanese. The Potsdam Declaration served as the official communication to the Japanese government to end the war. The terms of the July 26 declaration were non-negotiable.[21] Allied leaders demanded a reformed Japanese government that would remove any "authority and influence" that led the Japanese people to war. The declaration also required Tokyo to dismantle its war-making capability, to include all of Japan's military industry and forces. Allied military forces would occupy Japan. American and other nations would administer Japan until a "new order" should be created and its military capability destroyed. Japan's hopes to retain some of its occupied territories were dashed. The Japanese would only keep Honshu, Kyushu, Hokkaido, Shikoku, and other minor islands. Allied tribunals would prosecute war criminals.

With respect to long-term post-war policy, the declaration-stated that the Allies would not "enslave" or impoverish the Japanese people. Instead, the Allies wanted to create a democratic state with freedom of speech, religion, thought, and a respect for human rights. The Allies would build a peaceful state. If the American and British governments attempted to press for a more severe occupation, then Japan's early claims that it was freeing Asians from colonialism might appear true. Similarly, the return of former colonial territories to Britain, France, and the Netherlands was a sensitive issue. The United States would retain control of the Philippines, but Washington had guaranteed Manila's independence. In the post-war period, the face of Asia and the Pacific would change markedly. Roosevelt and Churchill had agreed to certain principles in their August 14, 1941, Atlantic Charter that would serve as a guide for the war. One of their policies was that "they respect the right of all peoples to choose the form of government under which they will live." Self-determination and the decolonization of Asian countries seemed to be a natural extension of the Atlantic Charter. Allowing for post-war occupied territories and the reformation of Japan would be test cases.

The Potsdam Declaration made no direct reference to the emperor, but supported the Atlantic Charter. There was, however, a cryptic statement about any future Japanese government. The Allies wanted a government established by "the freely expressed will of the Japanese people." The intent of the statement was to permit the Japanese to keep the emperor and the imperial system, if they desired. Although there was no direct reference promising to retain the emperor, the condition seemed ambiguous enough to allow that possibility. Peace advocates could interpret that the stated conditions permitted the imperial system to continue. Others argued that the Potsdam Declaration was nothing new and that without a guarantee to the emperor, the imperial system would go with the rest of the Japanese government. The declaration also ended with a threat. If the Japanese government did not accept unconditional surrender, then it would face "prompt and utter destruction."

Forcing Surrender.

While President Truman and the other Allied leaders discussed policy at Potsdam, American commanders in the Pacific prepared to invade Kyushu. Okinawa's fall, in June 1945, was the last stop before Kyushu. American naval and air superiority would soon dominate the seas and skies of Japan. Four years of hard fighting had left Tokyo's ground force a shadow of its prewar strength. Still, the Japanese military fought with a determination and fanaticism that worried field commanders and Washington planners alike. Invasion seemed the only choice to ensure surrender.

Scientists and engineers had finally perfected a nuclear weapon—a weapon that could destroy an entire city. The Japanese public had withstood massive incendiary attacks by hundreds of B-29s, what if the United States could arm several aircraft with atomic bombs? The combined atomic bombings and Soviet invasion should certainly shock Tokyo into surrender. The United States had the alternative of inflicting greater destruction on Japan without invasion by employing the atomic bomb. Stimson saw the atomic bomb as a means to demonstrate to Tokyo that the promise of the Potsdam Declaration of "utter destruction" was real. Stimson was also concerned that an invasion would force the Japanese people to support their military's policy of continued fighting. In the Secretary of War's view, dropping the atomic bomb would send a message to the emperor, the government, and military.[22] The Japanese strategy of slowing American advances with bloody attrition would become moot. Further, any Soviet advances in Northeast Asia would deprive Japan of shrinking raw materials, foodstuffs, and force Tokyo to commit substantial military forces on that front. This demand for additional forces would mean that Japanese home island defense units might not receive required replacements to face the Americans.

The atomic bomb offered an opportunity to deliver a tremendous psychological shock to Tokyo. Dropping two weapons would maximize that impact. Washington had to convince the Japanese that it possessed the capability and will to deliver nuclear weapons indefinitely. If one bomb were used, Tokyo might dismiss it as a singular event. A second bomb would demonstrate that Washington had the ability and will to continue using these weapons. Unknown to the Japanese was the fact that United States only had two available bombs and a steady supply would require time. This limitation ruled out a demonstration release since it would require one of the weapons. American planning staffs decide the bombs could be dropped by the first week of August. MacArthur's staff had scheduled the Kyushu invasion for November 1. Truman could always initiate the invasion if the bombs failed.

On August 6, 1945, a B-29 dropped a uranium bomb on Hiroshima. The weapon destroyed much of the city. Three days later, a second crew dropped a more powerful plutonium bomb on Nagasaki. These weapons convinced the emperor and many of the cabinet that seeking an immediate surrender and peace was the only option. Despite protests from the Imperial Japanese Army and Navy, the emperor demanded compliance with his desire to surrender to the Allies. The Japanese hope to retain occupied lands, oversee military demobilization, avoid occupation, and derail war crime tribunals paled in comparison to the prospect of total destruction.

The day after the Nagasaki raid, the Japanese government sent a note through the Swiss government to the American State Department. The note offered to surrender and accept the Potsdam Declaration with an exception. That provision was that Washington ensure "His Majesty as a Sovereign Ruler" of Japan. The provision about self-determination of the future Japanese government was not explicit enough for the peace advocates. Secretary of State James F. Byrnes's reply to the Japanese offer through the Swiss *Chargé d' Affaires* was a reiteration of the Potsdam Declaration. The response specified that after surrender "the authority of the Emperor and the Japanese government to rule the state shall be subject to the Supreme Commander of the Allied powers," and it demanded that Hirohito order the surrender of all military units. Byrnes again made specific

mention of allowing the Japanese people to decide "The ultimate form of government by the freely expressed will of the people."[23] Three days later, Tokyo accepted the Potsdam Declaration.

Unconditional Surrender: Self Imposed Constraints.

National and military leaders rightfully spend a tremendous amount of time and effort developing and planning diplomatic, economic, military, and other means to wage war. The immediate threat posed by an adversary can force leaders to think and react in the present without sufficient flexibility to adapt to future conditions. Political leadership must appease constituents, alliance members, and organizations, and fulfill its responsibility to maintain its national sovereignty. Time constraints and insufficient information can also limit choices available to leaders. Planning for conflict termination is just as important as designing a successful military campaign. In fact, the whole point of war is to seek a better or more permanent political condition through conflict termination. How a nation ends its war with a foe can determine future relations. U.S. planning for conflict termination against Japan illustrates the difficulty of anticipating and planning for the end to a war.

Unconditional surrender had emboldened Japan to resist any call for cessation of hostilities. The country's leadership recognized that its nation and society would be changed to reflect the very political, economic, and social structure that it abhorred. The fate of the military, society, and the existence of the state would be left in the hands of the conquering nations. There was little motivation, aside from avoiding further bloodshed and destruction, to accept unconditional surrender. Nazi and Imperial Japanese government officials had helped create a global war. They would be the ones to face war crime tribunals. Japan's national and military leadership could already see what was happening to its former partner Germany. It was natural to expect Allied policy toward Japan would be similar.

Likewise, the limited options offered by unconditional surrender and the Potsdam Declaration constrained Allied diplomatic and military leaders to a few strategic options. These options shaped the actions that Washington was willing to take in its efforts to force surrender. Military victory had to come first. All other considerations were afterthoughts. More strategic flexibility might have had far reaching effects on Allied efforts to change the Japanese public's will, the military's support for the war, future economic conditions, reconstruction, or other opportunities to seek a better peace.

After suffering heavy casualties in Europe and the Pacific, the Allies would face a determined Japanese defense of the home islands. Insisting on unconditional surrender left no room for Washington to modify its strategy. Some American officials insisted on maintaining the Potsdam Declaration demands, believing any changes would undermine public support, strengthen enemy resolve, and cast suspicions on Washington's motives. If Truman was willing to negotiate conditions for surrender, critics warned the Japanese would ask for more. Reducing the pace or scope of military operations was not an option. The only concession Washington could make was to send vague references regarding the imperial system's future.

Admittedly, any change to unconditional surrender terms would be difficult. The American public wanted Hirohito punished for Pearl Harbor and war crimes throughout Asia and the Pacific. Public sentiment supported a total victory over Japan. Germany had already capitulated to the Allies and accepted unconditional surrender. Many felt Japan should be treated no differently. Unfortunately, painting the war termination requirements with a broad brush against all of the Axis powers treated all enemies, their motives, interests, and weaknesses the same. Roosevelt did not consult with the military nor did he speak with State Department experts when developing and implementing his policy for conflict termination. Crafting the surrender terms for particular

cultures, nations or situations can provide an opportunity to develop a dialogue with an adversary, and turn a former foe into an ally.

American policy in Asia and the Pacific was linked primarily to military actions. Forcing the Japanese to accept unconditional surrender made the invasion of Japan necessary. Military units would have to prosecute the war until Tokyo collapsed. The United States could not use a "carrot and stick" approach to reward Japanese gestures related to peace. The only alternative open for the United States was to increase the scope and level of violence in an effort to force acceptance of the Potsdam Declaration. Washington could only threaten greater destruction—an action that hinted to the Japanese that Allied pledges of creating a just society were empty promises. The drawback of using harsher military means was not lost on American officials. Secretary Stimson had warned the Chief of AAF, General Henry H. Arnold, that he did not want the United States to outdo Hitler "in atrocities" by conducting mass incendiary attacks against Japan's cities.[24]

Unfortunately, Washington and Tokyo did not have any means of direct communications. The Japanese were unsuccessful in using Soviet, Swiss, and Swedish diplomatic channels to support their objectives to end the war. Although Tokyo's thoughts with regard to surrender were far from the Potsdam Declaration's terms, the potential to communicate positions might have led to an earlier surrender. The only methods of communication between the two factions were public statements. Washington feared that any direct communications with Japan might be interpreted as secret negotiations by both the Japanese and Soviets, making any demand for unconditional surrender appear disingenuous. Washington could only hope that the Japanese would correctly interpret its ambiguous pronouncements.

Adding to the dilemma was the fact that Washington did not have sufficient information related to rival positions within the Japanese government. Intelligence sources were limited. American intelligence relied on signals and some photographic means to assess Japanese military capabilities and government intentions. Washington had a huge advantage with its use of MAGIC, but analysts could offer only a glimpse of the intelligence picture—not the rationale of the Japanese government. Intercepted propaganda radio broadcasts and print media were of limited value in assessing the political situation. Photographic intelligence could only track and assess Japanese military strength and capabilities. Missing was any human source of information. Allied intelligence organizations could not infiltrate spies into Japan nor did they have the ability to question high-ranking prisoners of war or officials regarding Tokyo's intentions. State, Navy, and War Department staffs could only speculate regarding views and positions within the Japanese government about unconditional surrender.

In the end, post-war Japanese and Asian political objectives were dramatically affected by the unconditional surrender requirement. Allied planning for the post-war was delayed awaiting Tokyo's demise. The desire to get Japan to surrender would result in numerous problems for Washington's strategists and planners. The push for Soviet intervention would trade-off short-term benefits for the expansion of communist influence in China, Korea, and, perhaps, Japan itself. For a shortened conflict, Stalin would be permitted to occupy key territories, demand concessions, and have a voice on post-war Japan. Societies and nations suffering from a continued Japanese presence would trade their situation for Soviet "liberation." Although American military and government officials debated how to rebuild Japan, the emphasis was on occupation rather than reconstruction. Because they did not have a comprehensive plan for the post-war, the Allies risked both a longer war and a longer occupation.

Likewise, Allied demands for the imperial system's end, dissolution of the military, and reform of the Japanese government could create a host of problems. Eliminating the Imperial Japanese military's position and widening the role for the ordinary Japanese citizen in government were

laudable objectives. These goals were, in fact, possible, but Japanese military leaders, industrialists and others opposed such reforms because they had much to lose. Maintaining a functional government was another matter. The Allies would have to dissolve and then reconstitute the government. Questions concerning security, representation, acceptance of the new government, civil administration, and myriad other concerns might plague the Allied occupation until a new government could be formed. The role of any future emperor in government was a major concern. If the emperor could order adherence to Allied occupation and reform, then acceptance of such reforms had a greater possibility of success. Any doubts about the imperial system's future would almost certainly reduce the emperor and his ministers' commitment to reform.

Japan's unconditional surrender offers insights regarding conflict termination. Ultimately, Japan did accept unconditional surrender, and the Allies had a relatively peaceful transition. Still, inflexible terms, limited communications, a lack of post-war political goals, and failure to understand the adversary's values and interests constrained the Allies' efforts to end the war. Japan's mounting casualties, economic and physical devastation, the Allied naval blockade and aerial bombardment, the atomic bomb, and a Soviet invasion combined to force the Japanese to accept the Potsdam Declaration. Understanding why an enemy continues to fight and what terms a government might find acceptable in surrender can significantly enhance an adversary's ability to craft conflict termination conditions. Future conflicts that involve nonstate actors, alliances, or failing governments all have the potential for making conflict termination and post-war considerations even more difficult.

War and conflict are dynamic. Political alliances, objectives, public support, battlefield success, adversarial strength, and alliance commitment all have the potential to change over time. Defining and planning the desired end-state early in a conflict is critical. Without guidance regarding where and how a nation should proceed, political and military objectives will be difficult to achieve. Nations may not agree to alliances, military leaders might not be able to plan and execute campaign plans, and public support for the conflict may wane. Initial planning should contain sufficient vision and flexibility to change as political goals and objectives change. A conflict termination plan needs to encompass this ability for change just as military leaders need to be able to adapt to a changing battlefield.

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CHAPTER 28

THE GUERRILLA WARFARE PROBLEM:
REVOLUTIONARY WAR AND THE KENNEDY ADMINISTRATION RESPONSE,
1961-1963

Frank L. Jones

On January 6, 1961, at the Moscow Meeting of World Communist Leaders, Soviet Premier Nikita Khrushchev promised his nation's support for "wars of national liberation," defined as those "which began as uprisings of colonial peoples against their oppressors [and] developed into guerrilla wars."[1] With several insurgencies already simmering around the world in Laos, Vietnam, and Algeria, Khrushchev's words not only indicated an intensification of what seemed to be a purposeful strategy to undermine Western interests in the developing world, but also unwittingly functioned as a call to arms for the presidential administration about to assume office in a few weeks.[2]

President-elect John F. Kennedy seized on Khrushchev's speech as a prophetic warning to his new administration. In his inaugural address on January 20, 1961, Kennedy replied to the challenge: "Let every nation know, whether it wishes U.S. well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."[3]

The concern was not mere rhetoric. The President took an intense interest in communist revolutionary warfare, or what he called "subterranean war," from his reading of current history, his study of Communist support to insurgents in ongoing conflicts, his 1951 visit to Vietnam where he concluded that the war between France and the Vietnamese insurgents required use of the political instrument of power, and most importantly, his views on Cuba, which symbolized for him an example of a successful Communist guerrilla takeover. As Douglas Blaufarb, a counterinsurgency scholar, intimates, these factors helped frame Kennedy's worldview and his "sense of mission."[4] They also caused him to spur his staff and the bureaucracy to give this subject priority attention, going so far as to read out portions of Khrushchev's speech at the first meeting of the National Security Council, and direct the agency heads to scrutinize it and to disseminate it to their staffs for the same purpose.[5] As a senior official later recalled, one of the questions he posed to his senior appointees soon after the inauguration was, "What are we doing about guerrilla warfare?"[6] Nevertheless, more concretely, on February 3, 2 days following the initial meeting of the National Security Council, Kennedy approved NSAM No. 2, which directed the Secretary of Defense, Robert S. McNamara, to consult with other agencies and examine the means for placing more emphasis on the development of U.S. counterguerrilla forces.[7] Kennedy also met privately with the Joint Chiefs of Staff to ask what each of the services was doing on counterguerrilla training. The Chairman of the Joint Chiefs of Staff, General Lyman Lemnitzer, informed the President that while the U.S. military had studied the British experience in Malaya and the French experience in Southeast Asia, the military was not doing enough. Kennedy requested a memorandum on the issue.[8]

Kennedy's passion for this topic did not subside, but accelerated. Within weeks, he approved a list of 19 tasks categorized under five headings for his new administration to tackle. The first heading was "problems of military force and policy; e.g., the deterrence of guerrilla warfare."[9] Shortly thereafter, he sent Congress the first of his Special Messages on the Defense Budget that included language stipulating the need for a "strengthened capability to meet limited and guerrilla warfare. . . ." He also noted, that the United States, "must be ready to deal with any size force,

including small externally supported bands of men and we must help train local forces to be equally effective."[10]

Meanwhile, Kennedy dove into the subject himself, reading the works of Mao Zedong and Ernesto "Che" Guevara, the Argentine guerrilla warfare theorist who had fought alongside Fidel Castro in Cuba, and expected his senior advisors and the military to study them as well. He also indicated a personal interest in the U.S. Army Special Forces as the organization best suited to respond to communist insurgency because of its special skills and languages needed to work with local populations. However, because he was not content with a solely military response to the problem, in March 1961, he directed the formation of an interagency group under the leadership of Richard Bissell, a deputy director of the CIA, to examine how best to organize the government for counterinsurgency, which he envisioned as having three components: military assistance, political reform, and economic development.[11]

At a joint session of Congress in May 1961, Kennedy underscored that a military response to communist guerrilla warfare was not sufficient or foremost; instead, it required expanded attention using economic assistance, information and intelligence. Speaking about economic and social progress abroad, the President stated that the struggle of freedom in the developing world "depends on the strength of their economic and their social progress. We would be badly mistaken," he continued, "to consider their problems in military terms alone. No amount of arms and armies can help stabilize those governments which are unable or unwilling to achieve social and economic reform and development." He argued, "social injustice and economic chaos invite insurgency," and that even the most adroit counterinsurgency efforts cannot be successful where the local population is too mired in its "own misery to be concerned about the advance of communism."[12] He requested $535 million in foreign aid for "perimeter countries directly threatened by overt invasion."[13] Congress responded by passing the Foreign Assistance Act of 1961 to "promote the foreign policy, security and general welfare of the United States by assisting people of the world in their efforts toward economic development and internal and external security and for other purposes."[14] Further, section 501 of the legislation specifically noted that U.S. foreign assistance was aimed at improving the capacity of "friendly countries . . . to deter, or, if necessary, defeat Communist or Communist-supported aggression, . . . assisting friendly countries to maintain internal security and stability . . . essential to their more rapid social, economic, and political progress."[15]

FORGING A COUNTERGUERRILLA POLICY

For Walt Rostow, Kennedy's deputy special assistant to the President for national security affairs (deputy national security advisor), Khrushchev's message was also deeply significant, and as one of the leading proponents of economic development theory and nation-building he was shaping Kennedy's response. Since the 1950s, the former MIT professor had immersed himself in formulating policy recommendations urging the United States to act more vigorously in providing economic and military assistance to the Third World, especially nations confronting communist-led insurgencies. The culmination of his thinking appeared in his 1960 book, *The Stages of Economic Growth: A Non-Communist Manifesto.* As the historian and Kennedy advisor Arthur M. Schlesinger would later write, "Guerrillas were also an old preoccupation of Walt Rostow's."[16]

In his book, Rostow constructed economic development models and concluded that the main sphere of U.S.-Soviet rivalry would be in the underdeveloped world.[17] Specifically, he posited that all societies proceed through five comparatively similar stages of economic development. Of these, the second stage, the transformation to modernity (that he titled "Pre-conditions for Take Off"), was the most destabilizing, as traditional values and institutions collided with ones that were more modern, producing disorder and conflict in every aspect of the society's political, social,

and economic life. Rapid population growth, urbanization, and technological change complicated the transition, as did the contending forces of colonialism, nationalism, and regionalism. He argued that a "revolution of rising expectations" existed that if remained unfulfilled, could persuade people in underdeveloped societies to embrace Communism as an expeditious path to modernization. In his estimation, Communism flourished during the transitional stage, manipulating and undermining the aspirations of the masses for ends antithetical to the ambitions of these peoples. He further believed that practitioners of the social sciences—politics, economics, and sociology—could crush Communism by implementing programs that would induce these transitional societies to "take off" toward attaining Western-style democratic capitalism.[18] Ultimately, for Rostow, Khrushchev's declaration provided the policy impetus for, as one critic noted, the "wide-spread liberal-social scientist fascination with 'counter-insurgency' and 'nation-building'."[19]

Rostow was soon spending considerable energy on the "guerrilla warfare problem," as Robert Komer, a member of the National Security Council staff, called it.[20] Rostow was not alone; by mid-1961, the Kennedy administration was in full throttle, expanding and amplifying the President's directions regarding the importance of counterinsurgency. In May 1961, the Planning Group, co-chaired by Kennedy's national security advisor, McGeorge Bundy and George C. McGhee, director of the State Department's Policy Planning Staff, ordered the addition of counter-subversion and deterrence of guerrilla warfare to the list of urgent planning problems, emphasizing that the topic cover both the doctrine and a range of program actions required to forestall or deal with rural and urban dissidence.[21]

In mid-June, Rostow sought Komer's advice when he provided him a copy of the draft of a speech Rostow planned to give as an address to the graduating class at the U.S. Army Special Warfare School, Fort Bragg, North Carolina, a few weeks later. The speech, in essence, would be a further articulation of the administration's response to Khrushchev. Komer thought it "a damn fine draft" but then made numerous comments and suggestions in the margin. Refining Rostow's policy pronouncement, Komer argued that two major themes deserved more attention than Rostow gave them. First, he reminded Rostow that guerrilla warfare required more than military measures and that the military had to understand this form of warfare to be a broad problem. Second, U.S. military guerrilla and counterguerrilla operations required "mobility, dash, and imagination quite different from normal military operations. Almost all of your great guerrilla leaders (e.g., Wingate, Marion, T. E. Lawrence) were atypical men." The U.S. military did not cultivate such leaders, therefore, it was imperative to search for such leaders in the military, leaders who could immerse themselves in the local culture and environment as well as develop training regimens that would build up a distinct esprit and provide special qualifications.[22]

Rostow incorporated Komer's views and on June 28 delivered his remarks at the graduation ceremony. After explaining the concept of modernization and its effects on traditional societies as well as the Communist exploitation of this transitional stage, Rostow outlined the "American purpose and the American strategy." The United States, he declared, "is dedicated to the proposition that this revolutionary process of modernization shall be permitted to go toward independence, with increasing degrees of human freedom." The United States sought two outcomes: "first, that truly independent nations shall emerge on the world scene, and, second that each nation will be permitted to fashion, out of its own culture and its own ambitions, the kind of modern society it wants." To achieve victory in this arena required "many years and decades of hard work and dedication—by many peoples—to bring about." U.S. national interests required such dedication: "It will permit American society to continue to develop along the old humane lines which go back to our birth as a nation. . . ." Nonetheless, Rostow cautioned that while the United States and other likeminded nations could assist the developing nations, the primary responsibility for

dealing with guerrilla warfare was theirs; it must be undertaken by the society under threat. These nascent governments under attack must not only thwart this peril, but must "build, and protect what it is building."[23] Thus, as Rostow's speech makes clear, the significant features of U.S. counterinsurgency policy at this point consisted of three broad propositions: insurgency was a crucial international danger, that it resulted from Communist manipulation of powerful worldwide social forces captured by the term "modernization," and that the United States was both capable and unwavering in its intent to meet this menace by the suitable use of its national resources.[24]

While Komer credited Rostow with formulating the fundamental doctrine based on the ideas the latter raised in his Fort Bragg address, he also continued to express concern to Rostow that the focus was primarily on the military instrument and not on "preventive medicine." In Komer's view, Communist subversion succeeded because the situation was "ripe," that is, there had been a long period of preparing for covert intervention. Stressing precautionary measures in the initial preemptive phase would be less expensive in the end, minimize the risk of upheaval, and reduce the need for draconian measures to save the imperiled nation. Even such measures were not always successful since the critical issue was implementation.[25]

Roger Hilsman, director of the Department of State's Bureau of Intelligence and Research and a West Point graduate who served in the U.S. Army and Office of Strategic Services as guerrilla leader in Burma during World War II, also believed that Rostow's address was a good start, but it was too skeletal to serve as the definitive expression of the administration's aims. In a speech delivered to the Institute of World Affairs in San Diego and later published as an article in *Marine Corps Gazette*, Hilsman argued that there needed to be changes in the U.S. military's organization, doctrine, and equipment if it were to conduct proficient counterguerrilla operations.[26] Moreover, Hilsman considered the issue of popular support for counterguerrilla operations to be preeminent for "stable governments and a stable world." He argued, "It would be mistaken to think that guerrillas cannot thrive where governments are popular and where modernization, economic development, and reform are going forward." The corollary was also untrue: "the notion that the existence of guerrillas is proof positive that the government is unpopular and therefore not worth supporting." He characterized this view as "defeatist."[27] While he agreed that reforms were necessary to attain popular support for the threatened regime, he eschewed a simple formulation that "popular betterment (reform, development, modernization) led to popular support which led to counterinsurgency success." He presented instead a more nuanced concept—"administrative underdevelopment" that "leaves a vacuum in most of the countryside of an underdeveloped country, the government being perceived as a distant and occasionally heavy-handed force."[28] In such a setting, a guerrilla group can flourish because the government cannot establish an effective presence among an indifferent populace. Therefore, effective counterinsurgency was not just an issue of introducing reforms, development, and modernization, but demanded that governments develop capabilities to provide security.[29]

Assisting threatened regimes attain such technical competence was a task with which the United States could help. but Hilsman went further, arguing that the United States should advance political reforms by encouraging reformist elements to build viable political parties as well as to promote the will and capacity of the governments to implement social and political reforms as the foundation for modernization.[30] Lastly, the United States must nurture the growth and use of international organizations as a source of help for all these problems (especially before a crisis occurs) as well as to counter Communist accusations of Western imperialism.[31] As one scholar has noted, Hilsman's ideas constituted a "daring prescription and, in truth, one which appeared very seldom in later doctrinal discussion. Clearly it was a prescription for intervention in depth in the intimate internal affairs of such governments."[32]

FORWARD MOVEMENT

Meanwhile, Kennedy recalled General Maxwell D. Taylor, the famed World War II commander of the 101st Airborne Division and former Army Chief of Staff, to active duty in July 1961 to serve as Military Representative to the President, a job that entailed advisory responsibilities in "intelligence and Cold War planning." Cold War planning included fashioning the administration's counterinsurgency policy.[33]

Taylor recognized that Komer played a leading role in defining the administration's new counterinsurgency policy so he solicited the latter's views on the U.S. military's counterguerrilla duties. Komer responded with a three-page memorandum in which he again expressed his belief that the term counterguerrilla tended to narrow the focus to a military solution. He underscored his continuing concern that "preventive medicine to forestall a situation from ever reaching the stage of open warfare in the countryside" received little attention. He also argued that most of the situations in which the United States might be involved would be urban discord rather than rural insurgency. While the latter was certainly the case in Southeast Asia, it was not true about other areas of the world such as Iran and Latin America. Political, economic, and social measures were equally essential, and the first line of active defense was usually the police rather than the military. Instead of focusing on an Army counterguerrilla school, local police forces in underdeveloped areas should receive more attention. Additionally, the Military Assistance Program (MAP), focused primarily on overt threats, required careful study as a means of enhancing counterguerrilla capabilities. The key was impeding subversion in its early stages.[34]

By mid-July, the Bissell-led interagency task force (Counter-Guerrilla Warfare Task Force) circulated its draft introductory chapter to its members, which included Rostow. Rostow asked Komer to fill out what the remainder of the document should cover. Komer laid out several areas that the study needed to address. The first was "knitting a resistant social fabric." He argued that there needed to be an enumeration of the steps considered necessary to create and maintain a political and socioeconomic environment hostile to rural insurgency or urban disorder. The second issue was "preventive medicine," that is, steps to take in the stage before open guerrilla warfare. A third area would be military and police measures to cope with an active insurgency, followed by a discussion of how to convince the international community on the challenge of indirect aggression and legitimizing an adequate response. The remaining chapters should be devoted to "sealing off the disease," by isolating a guerrilla threat from outside support; active counter pressures to start counterguerrilla actions in adjacent enemy territory; and organizing and coordinating U.S. efforts to cope with this issue ranging from education and propaganda to the coordination of police and military programs.[35]

Two months later, in the "Thanksgiving Day Massacre" that resulted in a presidential shake-up of the State Department's leadership, Kennedy moved Rostow to State to replace McGhee as director of the Policy Planning Staff. Despite the distance from the White House, Rostow remained the major force behind the counterguerrilla warfare study with Komer now the principal NSC staff participant and serving as the final arbiter of its contents.

By early-December, Bissell's task force had nearly completed the study and was formulating the action recommendations. Komer believed that a number of substantive issues needed resolution, particularly in framing the establishment of a high-level coordinating group to oversee counterguerrilla policy and programs across the government. Komer favored having General Taylor serve as the group's chairman since the problem was interagency in nature. He also remained concerned about preventive measures and the revised draft included his language about the role of MAP as well as the contribution of civilian agencies to countersubversion and counterguerrilla actions. The final report, "Elements of U.S. Strategy to Deal with 'Wars of National Liberation'," was completed

in December 1961. Rostow urged Kennedy to approve its recommendations, including its key one—the creation of a high-level interagency committee to monitor and steer the national security community's counterinsurgency work, including the formulation of policy and doctrine.[36] The Joint Chiefs of Staff study, for which McNamara had been tasked, was also completed in December, and it too urged the President to establish an interagency steering committee.[37]

THE BUREAUCRATIC RESPONSE

On January 18, 1962, Kennedy, who according to Taylor was unsatisfied with the progress to date, approved National Security Memorandum No. 124 that established the Special Group (Counterinsurgency [CI]), with General Taylor, who drafted the memorandum, as the chairman and with senior representatives from the Department of State, Department of Defense (DoD), the Central Intelligence Agency (CIA), U.S. Agency for International Development (USAID), U.S. Information Agency (USIA), and the chairman of the Joint Chiefs of Staff, as well as Attorney General Robert F. Kennedy and McGeorge Bundy.[38] Kennedy's frustration with the State Department and USAID's unwillingness to make counterinsurgency a priority also contributed to its formation. State had refused to accept the operational role that Kennedy expected it to play in coordinating interagency efforts, while the USAID clung to its long-term economic development mission.[39]

As Taylor understood his mandate, the Special Group (CI) was to perform several particular tasks. First, it was to ensure recognition throughout the U.S. Government that subversive insurgency was a political-military conflict of equal significance to conventional warfare. It would also verify that this recognition was manifest in the organization, training, doctrine, and equipment of the Armed Forces and other agencies abroad as well as in the political, economic, intelligence, military aid and informational programs conducted by DoD, State, USAID, CIA, and USIA. A third task was to monitor the adequacy of U.S. resources to deal with insurgency and to make recommendations to adjust those resources to meet anticipated requirements. Lastly, the group was to ensure the development of sufficient interdepartmental programs to prevent or defeat insurgency in countries or regions assigned by the President to the Special Group.[40]

Kennedy's decision pushed the administration into a more cogent way of organizing itself to deal with the so-called guerrilla warfare problem, emphasizing an interagency focus on civil and military activities and coordinating the application of resources to the situation. The seriousness of his intent became clear when he appointed his brother to the group, to act as his "eyes and ears." Robert Kennedy reported directly to the President, a fact that the other members knew.[41]

The Special Group (CI) began to meet weekly soon after its establishment and initiated a number of projects. One of its first steps was to undertake the formation of an interdepartmental training program. This concept was codified in National Security Action Memorandum 131, "Training Objectives for Counter-Insurgency," wherein the President approved several training goals for officer grade personnel of the various departments and agencies with a role in counterinsurgency programs. These officers were required to study the historical background of counterinsurgency, learn the departmental tactics and techniques to counter subversive insurgency, receive special training in counterinsurgency program planning and undergo specific preparation for service in underdeveloped areas. Further, the departments and agencies were required to report by June 1962 on the adequacy of their own counterinsurgency training with reference to the aforementioned objectives.[42]

The military responded quickly to this directive and by July 1962 informed the White House that it had created numerous counterinsurgency courses for officers and had ensured that enlisted men were also receiving basic and advanced counterinsurgency instruction. The civilian agencies also hurried to establish courses to comply with the directive. The CIA was responsible for its

own courses, and the State Department's Foreign Service Institute developed the National Interdepartmental Seminar, a 6-week course, for senior and middle-grade officers from the State Department, USAID and USIA. In addition to the blocs of instruction, the students met personally with President Kennedy and General Taylor at the White House to underscore the president's personal conviction in the importance of this issue.[43]

The education and training of military and civilian personnel was perhaps the easiest initiative to implement as a means of establishing the basis for a coordinated government-wide counterinsurgency effort. It was certainly a measurable way to determine and confirm if the bureaucracy was executing the president's orders. However, the Special Group (CI) found the bureaucracy—both military and civilian organizations—to be resistant to other of its proposals. On April 18, General Lyman Lemnitzer, Chairman of the Joint Chiefs of Staff, commented after a recent trip to South Vietnam that the Kennedy administration was "oversold" on the criticality of guerrilla warfare and too much stress on counterguerrilla efforts would damage the ability of the South Vietnamese Army to meet a conventional attack like North Korea had delivered against South Korea.[44] The Army leadership also opposed elements of the President's counterinsurgency initiative worried that his overemphasis on counterinsurgency would transform the entire Army for this end and would ultimately undermine the service's ability to fight a conventional war in Europe and Korea, which it considered its principal mission. Because the Army did not have the time, funding, or manpower to produce different armies for different forms of warfare, it chose a more measured introduction of counterinsurgency than the President was willing to accept.[45]

The civilian agencies continued to display a lack of enthusiasm for the President's initiative, which is why Kennedy and his closest advisors pressed for the formation of the Special Group (CI) in the first place. Partially this opposition resulted from a fear that the counterinsurgency movement signaled a militarization of policy thereby granting the military increased influence in areas that had been customarily the sole province of the civilian agencies. However, other concerns were at work. The State Department unequivocally snubbed the operational role the president wanted it to assume in coordinating the counterinsurgency effort. A number of senior officials judged the subject to be a distraction from the department's principal mission of foreign policy and diplomacy. Comparable attitudes existed in USAID, which rejected propositions that it forsake its customary long-tem development role. The agency proved equally apathetic toward enhancing the capability of indigenous police forces, an essential counterinsurgency instrument it controlled but that it believed was inconsistent with its principal socioeconomic mission.[46]

Building the First Line of Defense.

Within 2 weeks after the Special Group's creation, Robert Komer wrote Taylor and Bundy urging them to prevent funding cutbacks for police programs in developing nations that he believed were "the first line of defense" in preventing subversion and indirect aggression. Funding for foreign police assistance programs under the Overseas Internal Security Program (OISP) was dire, about $30 million. Initiated by the Eisenhower administration, the program was an "orphan child" in USAID and only the Special Group (CI) could protect it from dismantlement by the new agency leadership that deemed it of marginal value.[47] Bundy took up the matter with Taylor personally, contending that the Special Group needed to press Fowler Hamilton, the USAID administrator, on police programs, as it was an essential element in the administration's counterinsurgency effort. Bundy also directed Komer to draft National Security Action Memorandum No. 132, which Kennedy signed on February 19, 1962. The directive instructed the head of USAID to reemphasize these programs as a means of "contributing to internal security and resisting to Communist-supported insurgency" and to consider giving the program autonomy in USAID so it would not be neglected.[48]

The President's signature on the memorandum was a small and temporary victory, as the US-AID bureaucracy resisted the directive. On April 20, Bundy, acting on behalf of the President, signed NSAM No. 146 informing the Secretaries of State and Defense, the Attorney General, the Director of Central Intelligence, and the Director of the Bureau of Budget that the President wanted a review conducted to determine whether police training should remain under USAID or if it should be managed differently. Deputy Under Secretary of State U. Alexis Johnson was named to chair the committee. The group completed the analysis in late-July, which stressed that police were an important but neglected component of internal defense; it recommended that the police program remain in USAID but with tighter management and its budget double in the first year and grow thereafter as needed.[49] Kennedy signed NSAM No. 177 on August 7, which directed the appropriate departments and agencies to execute the report's proposals.

NSAM 177 firmly stressed the President's expectation that the Administrator of USAID would ensure the proposals immediate implementation by demanding he report on his progress by December 1, 1962. Principally, the President directed USAID to increase funding for the police assistance program and to undertake a number of specific management actions, including formation of an interagency police group to assist him with his responsibility for "coordination and vigorous leadership of all police assistance programs. . . ."[50] Thus, an independent office in USAID would have a direct channel of communication with the deputy administrator of the agency. USAID and the Bureau of the Budget would work together to ensure that police program funding remained not only autonomous, with its own funding line in the federal budget, but also would not become a bill payer for USAID economic development programs. To ensure that the President's direction was carried out in the future, the Special Group (CI) would act as an implementation watchdog.

USAID could not dismiss the directive's guidance. On November 1, 1962, the Administrator of USAID established the Office of Public Safety in the agency.[51] With that action, as well as the President's subsequent NSAM in December 1962 that directed emphasis on civil police programs rather than military assistance, the police assistance program was rescued from bureaucratic obscurity and made a key feature of U.S. national security policy toward the developing world.

Defining the Administration's Policy.

Yet, despite these initiatives, the Kennedy administration still lacked an overarching national policy for counterinsurgency. In mid-1962, Kennedy asked for a comprehensive progress report from all the agencies concerned with counterinsurgency activities. Taylor responded to the president's request on behalf of the Special Group (CI), but he recognized that Kennedy's chief concern was the lack of overall U.S. policy guidance.[52]

Taylor addressed the issue head on. He reported that the Special Group (CI) recognized soon after its creation that to achieve agreement on the nature of the problem, establish mutual goals, and assign tasks to the relevant departments and agencies, it was necessary to formulate doctrine and policy guidance. To allay the President's concerns, Taylor informed Kennedy that the Department of State, in collaboration with the other organizations, had prepared a statement of national doctrine that the Special Group was currently reviewing.[53] A month later, the President approved, through NSAM No. 182, the national counterinsurgency doctrine known as the U.S. Overseas Internal Defense Policy (OIDP). He directed its promulgation as the basic policy guidance for the "internal defense of overseas areas threatened by subversive insurgency."[54] In the view of the Department of State's Director for Internal Defense and one of its principal authors, Charles Maechling, the document represented the first complete effort of the U.S. Government to formulate a politico-military strategic program to deal with guerrilla and counterguerrilla warfare.[55]

The OIDP was widely disseminated within the U.S. Government as well as its missions overseas. It began with an analysis of Communist insurgencies that emphasized their derivation as

political reactions to the pressures of modern economic development. The paper stressed that the U.S. response should range from "immunization of vulnerable societies not yet seriously threatened by communist subversion or insurgency" to defeat of "subversive insurgency in countries actively threatened by assisting the government under attack with military as well as nonmilitary means." However, one aim was to reduce the potential for U.S. military involvement in internal war by enhancing indigenous capabilities to defeat insurgency. "U.S. strategy should not 'assume a stance against revolution, per se, as an historical means of change'." Instead, the intent was to scrutinize Communist insurgency through the lens of U.S. interests.[56] In short, as the policy's principal author would later write, from the standpoint of a strategy, "counterinsurgency is intended to be preventive in character and temporary in application—a technique for tiding weak and unstable governments over periods of internal upheaval until the constructive forces of political and economic development are strong enough to control the situation without external assistance."[57]

Thus, the paper stated that the preferred means of bringing about successful and mainly indigenous counterinsurgency efforts was through "land reform, civil action, community development, cultivation of existing and emerging elites, police assistance, and diplomatic suasion." Additionally, identifying, preventing, and defeating communist-directed insurgency required a combination of civil and military capabilities and activities to which each U.S. agency at the Country Team (the ambassador and agency representatives working at the U.S. Embassy) level must contribute. Nonetheless, the primary effort must be indigenous, because insurgency was distinctly a local challenge involving the ambitions and commitment of the local people.[58] The final section of the paper assigned each of the departments and agencies specific responsibilities for creating a coordinated and unified approach to the insurgency threat. The Department of State was "responsible for providing overall policy guidance and assuring the coordination of internal defense [counterinsurgency] programs." It would also coordinate the internal defense programs. DoD was assigned a wide array of roles, but principally it would furnish military assistance to threatened nations by building effective counterinsurgency capability (e.g., civic action, advising, and training) and helping them develop internal defense plans. If the situation worsened, U.S. forces could provide operational assistance, provided the President so directed. USAID would help create the social and economic conditions in threatened countries to prevent subversive insurgency. USIA was directed to "orient its programs toward immunizing the vulnerable sectors of developing societies against communist propaganda and subversion." CIA's role was not explicitly stated except that it was to carry out its duties in accordance with its statutory authority and executive directions.[59]

END GAME

With this task completed, the Special Group (CI) settled into a posture of monitoring what it had set in motion, as the general view was that the group had accomplished most of its "groundbreaking work." In October 1962, Taylor left his position as the President's special representative to become Chairman of the Joint Chiefs of Staff, which also meant that he vacated his position as chairman of the Special Group. U. Alexis Johnson argued that it was an appropriate time to move the Special Group (CI) out of the White House to the State Department where it should have been as a matter of bureaucratic function. Secretary of State Dean Rusk and McGeorge Bundy agreed with this change, but Robert Kennedy, who in Johnson's view wanted to assume the chairmanship of the Special Group, blocked this proposal. After discussions, President Kennedy decided that the Special Group (CI) would remain under White House auspices, but Alexis Johnson would chair it and Michael Forrestal, a member of the NSC staff, would serve as the President's representative.[60]

By March 1963, Johnson was reporting to the President that the Special Group continued to encourage the establishment of new programs by the departments and agencies, to monitor imple-

mentation of internal defense plans for countries the President assigned to it, to review senior counterinsurgency training programs, and to encourage expansion of civic action programs as well as police assistance programs. Its primary function continued to be reviewing interdepartmental training efforts.[61] In fact, except for a few action memoranda dealing with Special Group (CI) housekeeping details, there would be no further presidential directives on counterinsurgency during Kennedy's presidency.

There was dissension, however, among the Special Group as to its role. Robert Kennedy held that the President expected it to assume wider responsibilities than the members interpreted—solely monitoring programs. This interpretation was too restrictive, and Robert Kennedy believed consideration ought to be given to reexamining the Special Group's charter. Robert Kennedy and Roswell Gilpatric, the Deputy Secretary of Defense, clamored for a more aggressive approach—advocating the group work on items such as identifying potential trouble spots, developing solutions, and reporting these to the President. The other members believed the Special Group should adhere strictly to its terms of reference and thereby avoid impinging on the work of other interagency committees.[62] Robert Kennedy persisted. In Johnson's view, he proved to be overly difficult, "an unguided missile," and "ruthless when protecting what he thought were the President's interests." Johnson soon asked to be relieved from duties as chairman, and Averell Harriman, the Under Secretary of State for Political Affairs, took his place.[63]

The argument over the Special Group's responsibilities did not end there. In July 1963, Charles Maechling, who served as Director for Internal Defense, Office of Politico-Military Affairs, Department of State, sent a memorandum to Harriman suggesting that Harriman, Bundy, and Forrestal meet to discuss the Special Group's scope and terms of reference. Maechling outlined the utility of the Special Group in terms of its ability to overcome bureaucratic roadblocks affecting the administration's counterinsurgency activities; to stimulate and monitor programs that required interdepartmental collaboration such as training, civic action, and police assistance; and to exercise "close and continuing control over policies and programs in 'crisis countries' in the underdeveloped world"; but that it "was now approaching a period of diminishing returns." He believed that the Special Group should be gradually converted to one that focused on blunting the Soviet threat in the underdeveloped world in forms other than insurgency. Specifically, he believed that cultural and economic penetration would be the new concern.[64]

Maechling's proposal was of no interest to Harriman; he did not intend to broaden the Special Group's portfolio. Maechling's plan would be of little consequence. Four months later, President Kennedy was assassinated; Robert Kennedy remained briefly as Attorney General, but his interest in the Special Group languished after his brother's death, as did the Special Group. Although it would survive until 1966, President Lyndon B. Johnson thought it was an unnecessary bureaucratic cog.

CONCLUSION

The Kennedy administration's policy response to Communist guerrilla warfare had several different dimensions. First was the application of modernization theory to a political-military problem. In essence, Rostow's ideas became the official policy of the United States.[65] Second, it firmed up Kennedy's three-prong strategy for counterinsurgency: applying sociopolitical reforms, economic development, and military assistance as prophylaxis and remedy for the "disease" of insurgency. Third, it accepted the Maoist model of revolutionary warfare as the basis for subversion and insurgency and used it as the frame for designing countermeasures. Further, the policy established that indigenous governments were responsible for defeating insurgents, but that the United States would help. Lastly, it represented, through Kennedy's personal intervention, the formation

of an integrated government-wide counterinsurgency effort, with specific roles assigned to the Departments of State and Defense, the CIA, USAID, and the USIA.[66]

However, the policy suffered from several weaknesses, both conceptually and operationally. First, the policy's prescriptions were too broad and thus difficult to implement in the complex environment in which insurgency flourished. Moreover, as its severest critic, Charles Maechling, noted, the policy implicitly accepted the Maoist postulation that internal conflicts fall in the category of "Peoples Revolutionary Warfare" and thus, are fundamentally struggles to obtain mastery over the environment. Further, in his view, since the policy defined the threat only in terms of Marxist "wars of national liberation," it failed to discriminate between target governments or concerning itself with the domestic origins or root causes of internal turmoil.[67]

This deficiency created a second weakness: the policy did not provide sufficient detail as to how the actions of the various agencies would be incorporated in a unified approach. The policy specified the role of the Special Group (CI) and the ambassadors at the country level, but these actors could only monitor and coordinate, rather than direct and control, which meant that very little integration might actually occur on the ground.[68] The policy contained virtually no political guidance as to the circumstances in which it should be applied, and no criteria for the conditions that the host country had to meet to be eligible for aid programs. Further, there were no U.S. social or economic goals established for any country.[69]

Thirdly, the policy did not have an answer for insurgency as a response to the social, political, and economic dislocation that modernization caused and more importantly, the inequities that existed in the underdeveloped societies. If the indigenous governments were not willing to address those problems, it was unlikely that the United States could successfully compel them to do so. The U.S. Government could threaten to withhold aid until the indigenous government implemented reforms, or it could use covert means to change the regime. The first was likely to instigate resistance to the change because of the stake the elites had in maintaining the status quo. The second was contrary to American values, fueled the perception that the new regime was a mere puppet of the United States, and damaged trust between the incoming government and the United States.[70]

In 1984, a decade after the Vietnam War ended, Maechling wrote in an article for *Parameters*, the Journal of the U.S. Army War College, "In short, OIDP was not a strategic doctrine, but rather an operational blueprint for security assistance programs in certain third world countries to be specified by executive fiat." Its chief purpose, he sniffed derisively, was to "prescribe 'mission assignments' for government agencies."[71] Four years later, Maechling administered a coup de grace by writing that "[i]n the end, only a small part of all this high-level ferment in Washington had much impact on the regimes they were intended to instruct. Except for Vietnam, the insurgency tide that was suppose to inundate the 'free world' either never materialized or churned along at a reduced pace."[72]

ENDNOTES - CHAPTER 28

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GUIDELINES FOR STRATEGY FORMULATION

Strategy is an art. It is also somewhat scientific, in that it follows certain patterns which require a common understanding of terminology, adherence to certain principles, and disciplined, albeit creative, thought processes. Remember that these strategy formulation guidelines are not formulas. Strategy will be developed in keeping with the particular features of the time, place, and personalities involved. Nevertheless, these guidelines offer an approach to address the complexity of strategy, and are intended for strategists attempting to achieve the coherence, continuity, and consensus that policymakers seek in designing, developing, and executing national security and military strategies.
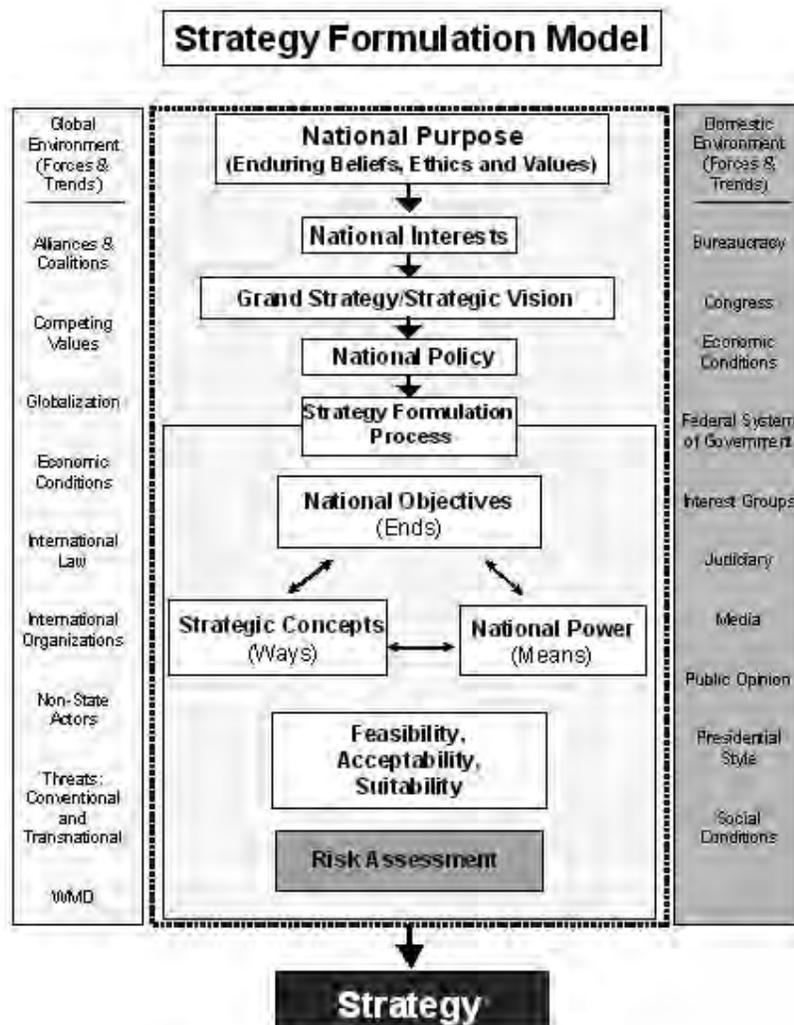

Figure I-1. Strategy Formulation Model.

NATIONAL PURPOSE

This is the starting point for the entire process. Enduring values and beliefs embodied in the national purpose represent the legal, philosophical, and moral basis for continuation of the American system. From the nation's purpose—as well as an understanding of the nation's domestic and

global needs—the United States derives its enduring core national interests. The strategist should return to these considerations in terms of risk assessment at every derivative level of strategy formulation.

Core National Interests/Ends.

There are four generally agreed upon core U.S. national interests: physical security-defined as the protection against attack on the territory and people of the United States in order to ensure survival with fundamental values and institutions intact; promotion of values; stable international order and economic prosperity. These core interests are translated into three grand strategic objectives: preserve American security, bolster American economic prosperity, and promote American values. All administrations focus on these objectives, but depending upon the assessments of threats and opportunities, as well as other variables such as personal beliefs and unique circumstances, Presidents establish different strategic visions of America's role in the world, often causing them to choose to emphasize one objective over the others. For the Carter administration, the initial emphasis was on human rights; for the Reagan administration it was security; and for the Clinton administration, it was the economy. Security is once again the top priority, but in an increasingly globalized world populated by nonstate actors with possible access to weapons of mass destruction, achieving physical security paradoxically may require an equal emphasis on promoting democratic values and generating global economic prosperity.

Grand Strategy/Strategic Vision.

At the grand strategic level, the ways and means to achieve U.S. core national interests are based on the national leadership's strategic vision of America's role in the world. Throughout America's history, this vision has ranged from isolationism to global engagement, containment of Communism to American primacy. To be effective, each new administration has had to express a vision for the U.S. role in the world that does not outpace the experience of the American people, and thus lose the decisive authority or domestic consensus to implement the strategic vision. Is the vision, in other words, suitable and acceptable?

Pesident Franklin D. Roosevelt, for example, had to act carefully prior to World War II as he moved the American grand strategic vision from isolationism to one of global engagement. And within 5 years after the end of that war, the perception of external threat allowed President Truman to gain support for the grand strategic vision of containment—focused on containing the Soviet Union on the Eurasian landmass.

Grand strategy involves careful consideration of America's national elements of power at the broadest level. Given the state of the international and domestic environments and the scope of the administration's strategic vision of the U.S. role in the world, a key consideration is the feasibility of employing sufficient U.S. power to achieve core objectives.

National Policy. Based on grand strategic decisions, the U.S. political leadership provides national policy in the form of broad guidance concerning America's global role in pursuit of core national objectives. This policy is the start point for strategy formulation at the national level. National policy is conveyed in many iterative and cumulative forms ranging from formal national security directives and pronouncements in presidential and cabinet-level speeches to presidential replies to press queries and cabinet-level appearances on current affairs television shows.

STRATEGY FORMULATION PROCESS

General.

(1) Inherent in this more detailed strategy process is an appropriate degree of analysis designed to illuminate alternatives in the face of recognized uncertainties. A general outline for this phase of the strategy process follows:
(a) Identify U.S. interests.
(b) Determine level of intensity for each interest.
(c) Evaluate the issues, trends, and challenges (threats and opportunities) in regard to interests.
(d) Determine objectives (ends).
(e) Consider alternative concepts (ways) that utilize available or needed resources (means) to achieve objectives.
(f) Determine the feasibility, acceptability, and suitability of the strategic options.
(g) Conduct a risk assessment.
(h) Present policy recommendations.

(2) The analysis must be more than a listing of challenges. To be useful, it must examine and explain which and in what ways U.S. interests are affected. The analysis should seek to identify opportunities and threats to U.S. interests. As a consequence, the strategic analysis will not only be influenced by current national policy, but will help identify recommendations to change existing policies or create new ones. The analysis should address most—if not all—of the following questions:
(a) What is the current U.S. policy or precedent?
(b) Who are the other critical actors?
(c) What are their interests and/or policies?
(d) With whom does the United States have convergence or divergence of interest/policy?
(e) What are the other feasible options to employ the U.S. power to implement the policy options under consideration?
(f) How will the policy be sustained?

(3) The strategy formulation guidelines delineated above can apply equally to all formal national security documents (i.e. National Security Strategy, National Defense Strategy, National Military Strategy, theater military strategy, etc.). The strategist must be able to develop strategies employing all of the instruments of power. Students at the U.S. Army War College (USAWC) will develop and practice these skills in NSPS, elective courses, and the Strategic Decisionmaking Exercise. Remember, the formulation of strategy at any level employs the strategic thought process based on the balancing of Ends, Ways, and Means.

National Interests.

During the strategy formulation process, the strategist moves beyond the core grand strategic interests to more specific national security interests derived from those core interests in accordance with national policy. These national security interests provide more detail to the nation's needs and aspirations, in terms of the relationship between the foreign and domestic aspects of national security, and are thus the start point for defining strategic objectives for national security-related strategies.

(1) As a rule of thumb, interests are stated as fundamental concerns of the nation, and written as desirable conditions without verbs, action modifiers, or intended actions. For example, U.S. national interests might be stated as:

(a) Access to raw materials—(not "Protect sources of raw materials").

(b) Unrestricted passage through international waters—(not "Secure sea lines of communications").

(2) Categories: The USAWC groups national interests into three categories derived from the four core interests of the United States. Categories help to organize interests. Keep in mind the breakdown is normally artificial. Thus, while "Unrestricted access to Persian Gulf Oil" as a U.S. national interest has a primary category of "Economic Well-Being" for the United States and its allies, it also ties into the other two categories of national interests used by the USAWC. The three categories are:

(a) Security of the Homeland: protection against attack on the territory and people of a nation-state in order to ensure survival with fundamental values and political systems intact.

(b) Economic Well-Being: attainment of the conditions in the world environment that ensure the economic well-being of the nation.

(c) Promotion of Values: establishment of the legitimacy of or expansion of the fundamental values of the nation such as democracy and human rights.

(3) Intensity of interests: Determining the level of intensity helps to determine priority of interests, recognizing that without prioritization, there is the potential for unlimited derivative objectives and the consequent mismatch of those objectives (ends) with resources (means), which are always finite. The degree of intensity of an interest, in particular, should be determined *before* a detailed analysis of threats to those interests. It is important that interests not become a function of a particular threat. If a government begins with a threat assessment before a conceptualization of interest intensity, it may react to a threat with major commitments and resources devoid of any rational linkage to that intensity. Rational cost-benefit analysis should not be allowed to affect the intensity of interest. The three USAWC degrees of intensity are determined by answering the question: What happens if the interest is not realized?

(a) *Vital:* if unfulfilled, will have immediate adverse consequences for core national interests.

(b) *Important:* if unfulfilled, will result in damage that will eventually adversely affect core national interests.

(c) *Peripheral*: if unfulfilled, will result in damage that is unlikely to damage core national interests.

Ends-Ways-Means.

(1) Strategic objectives are derived from national policy and from a detailed consideration of U.S. national interests by category and intensity against the backdrop of issues, trends and challenges (threats and opportunities) that affect those interests. Based on these objectives, strategists then consider alternative concepts and courses of action for the use of the national elements of power. Note the primacy of the objectives—strategy should be ends-driven, not resource-driven, in order to ensure maximum opportunity to achieve the objectives.

(2) Defining the objective (end), therefore, is a critical first step in the strategy formulation process. If the objective is too vague or poorly understood, no amount of resources or careful consideration of ways to employ those resources will ensure success. On the other hand, defining an objective too narrowly may restrict the ways and/or means available. Finally, understanding of the objective is critical to determining success or failure of any particular strategy.

(3) Once the desired end is identified, strategists consider the range of resources (means) available, and then examine potential ways to employ these resources in pursuit of the objectives. While strategy should remain ends-focused, ways are necessarily resource-constrained. Unless a state has nuclear weapons, the concept of nuclear deterrence cannot be adopted in developing its security strategy (there is no "mutually assured destruction"). Therefore, the state must find alternative ways to enhance security or deter attack by a nuclear-capable adversary. Potential alternatives include establishing alliances with nuclear-capable countries (e.g., the North Atlantic Treaty Organization NATO), or securing security assurances in exchange for not pursuing attainment of (or eliminating existing) nuclear weapons (e.g., Cuba). If, however, deterrence is perceived to be the only viable option, the state must either work to attain nuclear weapons (e.g., North Korea) or to develop alternative forms of deterrence (chemical or biological weapons, perhaps?).

Feasibility, Suitability, and Acceptability.

Once potential strategy options are identified, each option must be examined to determine its *feasibility* (Do we have the means to execute the ways?), *acceptability* (Does it have domestic and Congressional support? Is it legal? Ethical? Worth the cost?) and *suitability* (Will it achieve the desired ends?). This evaluation process enables to strategist to evaluate the likelihood of success for each option and to select that strategy deemed most likely to attain the desired ends with available means and in an acceptable way. Before a final strategy is recommended or adopted, however, each option must also be subjected to a risk assessment.

Risk Assessment.

Strategies at any level normally lack resources or the ability to employ resources in a manner sufficient for complete assurance of success. As a result, a final and essential test is to assess the risk of less than full attainment of strategic objectives, as well as the risk of second and third order effects that implementation of the strategy could have (e.g., effects on the economy, relationships with allies, etc.). Living with risk is part of the strategist's business in the modern world, and being able to articulate its character and extent is the first step in reducing its impact. Where the risk is determined to be unacceptable, the strategy must be revised by either reducing the objectives, changing the concepts, increasing the resources, or some combination of these actions. In the deterrence example described previously, the state's decision about whether to pursue attainment of nuclear weapons rather than entering into an alliance or accepting a security assurance pledge will depend, in part, on the extent to which it is willing to accept the risk associated with each option. If the risk associated with relying on the good faith of its allies and/or potential adversary is unacceptable, then the state will likely try to attain nuclear weapons. On the other hand, if the risks associated with attempting to acquire nuclear weapons (e.g., economic sanctions that might cripple the economy) are too great, the state may have little choice but to pursue other options.

Monitor for Success, Failure or Modification.

The final step in the strategy formulation process is one of continuous monitoring or review of the strategy as it is being implemented. Continuous assessment should be a formalized, recurring process during the life of the strategy that assesses and evaluates the strategy's ends, ways, means, and risks against the evolving realities and possibilities in the strategic environment. The assessment evaluates for success, failure, essential modifications, or continued appropriateness in regard to the realization of the desired end state(s). The strategic environment is dynamic and continuous change is inherent to it. Strategies that are successful may present new opportunities or require a new strategy to account for the conditions of success. Strategies that are failing beg for

replacement. In addition, unforeseen changes in the strategic environment may occur that justify modification of some aspects of an existing strategy, but are not significant enough to invalidate the greater whole of the strategy. Lastly, national interests and policy can also change over time, and as a result new strategies or modification(s) to existing strategies may be appropriate. Ideally, properly formulated strategy is constructed with inherent flexibility and adaptability in its statements of ends, ways, and means. Continuous changes beyond requirements of success, failure and changed conditions, or beyond the control of the formulators of the strategy, may be an indicator of poor strategic thinking or a flawed strategy formulation process. Nonetheless, both the strategic environment and the strategy are continuously assessed to ensure that strategy supports the directing policy and interests appropriately.

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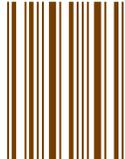
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