

CHAPTER 14

MILITARY POWER AND THE USE OF FORCE

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Force without wisdom falls of its own weight.

Horace

International politics is a struggle for power. Power, in the international arena, is used to protect a nation's interests by influencing potential competitors or partners. The most important instrument of power available to a nation-state is military power. "In international politics in particular," according to Hans Morgenthau, "armed strength as a threat or a potentiality is the most important material factor making for the political power of a nation."² The other elements of power are certainly important and can contribute to the furtherance of national interests; however, as long as states continue to exist in a condition of anarchy, military power will continue to play a crucial role in international politics. As Kenneth Waltz aptly put it, "In politics force is said to be the ultima ratio. In international politics force serves, not only as the ultima ratio, but indeed as the first and constant one."³

The current world situation once again focuses the international community's attention on the role of military power, due in part to the absolute and relative dominance of the world's sole superpower, the United States. According to recent figures, U.S. defense expenditures account for 39 percent of the world's total spending on defense. The United States spends more than eight times the combined defense budgets of China and Russia, and more than 25 times the combined defense spending of the remaining six "rogue nations" (Cuba, Iran, Libya, Sudan, Syria, and North Korea). These comparisons do not reflect the defense contributions of the closest U.S. allies, nor do they include the impact of the Pentagon's fiscal 2005 budget request of \$400 billion, a cumulative increase of 24 percent over the past three years.⁴ The resultant gap in military capabilities is huge, and may even be greater than that reflected in a comparison of defense budgets, due to the technological lead and the high quality professional armed forces of the United States. Recent conventional operations in Kosovo, Afghanistan, and Iraq only confirm this dominance.

As important as military power is to the functioning of the international system, it is a very expensive and dangerous tool of statecraft—one, as Robert Art recently pointed out, that should not be exercised without a great deal of wisdom:

Using military power correctly does not ensure that a state will protect all of its interests, but using it incorrectly would put a great burden on these other instruments and could make it impossible for a state to achieve its goals. Decisions about whether and how to use military power may therefore be the most fateful a state makes.⁵

Art's caution is clearly evident in the emerging security environment of the twenty-first century. Despite undisputed U.S. military supremacy, the United States and its allies sense a greater vulnerability to their basic freedoms and way of life than at any time since the height of the nuclear standoff with the Soviet Union. Military supremacy has yet to find an answer to the combined threats of proliferation of weapons of mass destruction (WMD) and international terrorism. Failed states and rogue states continue to present security concerns and the resultant demand for military forces to contain conflicts and rebuild nations. The

United States faces two strategic challenges—one of ends and the other of means. The most prominent declinist of the last decade, Paul Kennedy, argued that great powers succumb to “imperial overstretch” because their global interests and obligations outpace their ability to defend them all simultaneously. James Fallows recently echoed this concern in claiming that “America is over-extended” because the United States has so many troops tied down in so many places that we can no longer respond to emerging crises. Beyond the concern with over-ambitious ends, Fallows also claims that the United States is in danger of actually breaking the military instrument of power through overuse and thus returning to the days of the post-Vietnam “Hollow Army.”⁶

The purpose of this chapter is to examine the role of military power in the international arena in an effort to address challenges highlighted above associated with its use. There are two major parts to this discussion. The first concerns the political purposes of military power, and the second concerns the actual use of military force. The use of force discussion will include a brief consideration of employment options (the Range of Military Operations), a presentation of various guidelines for the use of force, and a look at the issue of legitimacy.

Political Purposes of Military Power

Despite all of the changes that have occurred in world politics since the end of the Cold War, there is in many respects an underlying continuity with earlier eras. The recent conflicts in Bosnia, Kosovo, Afghanistan, Iraq, and mass-casualty terrorism are evidence that the use of military power as an instrument of political purpose remains as relevant today as in the past. Clausewitz’ famous dictum continues to ring true, “that war [the application of military power] should never be thought of as something autonomous but always as an instrument of policy,” and that “war is simply a continuation of political intercourse, with the addition of other means.” While still serving as the Chairman of the Joint Chiefs of Staff, Colin Powell analyzed the military successes that the United States had experienced through most of the 1990s. The principal reason for these achievements, he concluded, “is that in every instance we have matched the use of military force to our political objectives.”⁷

From a modern day American perspective, the U.S. Constitution establishes the political context in which military power is applied and the framework for civilian authority over the Armed Forces. The capstone publication for the U.S. Armed Forces, Joint Publication 1 (JP 1), *Joint Warfare of the Armed Forces of the United States*, which addresses the employment of the U.S. military as an instrument of national power, is very explicit on this point: “Under the Constitution’s framework, American military power operates for and under conditions determined by the people through their elected representatives. This political context establishes the objectives and the limits of legitimate military action in peace, crisis, and conflict in the United States and abroad.”⁸

Military power can be matched to several different categories of broadly defined political objectives. The traditional categories that were developed and articulated during the Cold War, in the context of the U.S./USSR nuclear rivalry, included deterrence, compellence, and defense.⁹ Since the threat of large-scale nuclear war between competing nation-states has largely receded, it seems more appropriate to focus on the political purposes behind the use of conventional forces. In this context the categories can be modified, as shown in Figure 1.

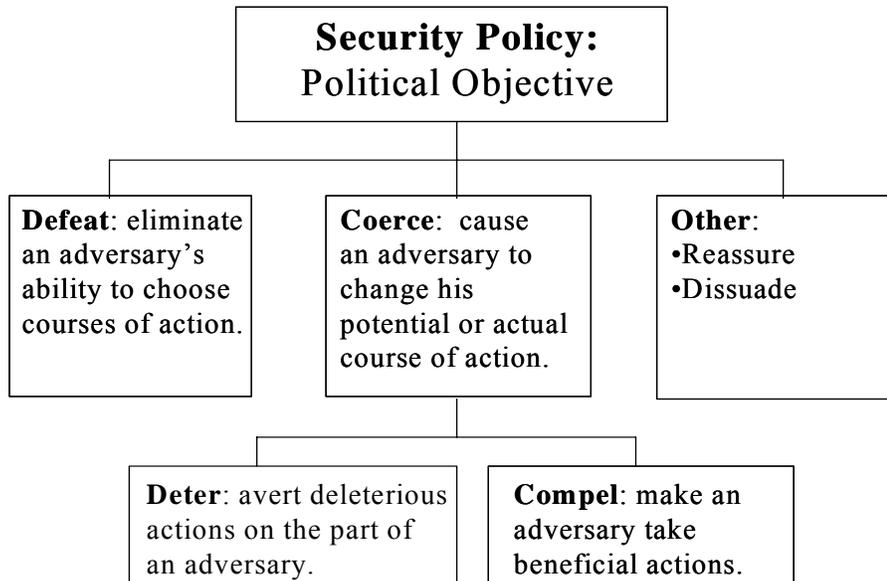


Figure 1. Components of Security Policy.¹⁰

Defeat.

Military power can be used in its purest sense to physically defeat an adversary. Joint Pub 1 clearly articulates this objective as the fundamental purpose of military power—to fight and win the nation’s wars. Although recognizing other, potential non-combat objectives, JP 1 argues that “success in combat in defense of national sovereignty, territorial integrity, societal values, and national interests is the essential goal and measure of the profession of arms in American society.”¹¹ Thomas Schelling, in the classic *Arms and Influence*, used the phrase brute force, and referred to a country’s ability, assuming it had enough military power, to forcibly seize, disarm or disable, or repel, deny, and defend against an opponent.¹² Schelling’s discussion clearly recognizes both offensive and defensive uses of force. Robert Art, on the other hand, focuses on the defensive use of force as the deployment of military power to either ward off an attack or to minimize damage if actually attacked. Despite this focus, Art also argues that a state can use its forces to strike first if it believes that an attack is imminent or inevitable. This leads to the distinction between a preemptive attack — in response to an imminent threat, and a preventive attack — in response to an inevitable attack. A preventive attack can be undertaken if a state believes that others will attack it when the balance of forces shift in their favor, or perhaps after key military capabilities are developed. In the case of either preemptive or preventive actions, Art concludes that “it is better to strike first than to be struck first,” and supports the maxim that “the best defense is a good offense.” The defeat aspect of military force seeks to eliminate the adversary’s ability or opportunity to do anything other than what is demanded of it.¹³

Coercion.

Because of the high cost and uncertainty associated with combat operations, a nation’s primary strategic objective is usually an attempt to cause an adversary to accede to one’s demands short of war or actual combat operations. As such, most states attempt to achieve their goals through coercion. Successful coercion is not warfighting, but is the use of threatened force, including the limited use of actual force to back up that threat, to induce an adversary to behave differently than it otherwise would. Coercion relies on the threat of future military force to influence an adversary’s decisionmaking.¹⁴ As opposed to brute force,

coercion is the “threat of damage, or of more damage to come, that can make someone yield or comply.”¹⁵ From this perspective, it is withheld violence that can influence an adversary’s choice. It is this perception of withheld consequences that causes a nation to acquiesce to a coercer’s demands. Those consequences can take the broad form of anticipated punishment in response to an action, or anticipated denial or failure of an opponent’s chosen course of action. Punitive coercion seeks to influence an opponent through fear, and coercion by denial through hopelessness. Finally, just as it is important to recognize the dynamic nature of the strategy formulation process, strategists should also view coercion as a dynamic, two (or more) player contest. Each side acts, not only based on anticipation of the other side’s moves, but also based on other changes in the security environment. The adversary can react to alter the perceived costs and benefits and certainly has a vote in assessing the credibility of the coercer’s threat.¹⁶ Coercion has two subcategories: deterrence and compellence.

Deterrence.

Deterrence, in its broadest sense, means persuading an opponent *not to initiate* a specific action because the perceived benefits do not justify the estimated costs and risks. Deterrence can be based on punishment, which involves a threat to destroy what the adversary values, or on denial, which requires convincing an opponent that he will not achieve his goals on the battlefield. In either case, the adversary is assumed to be willing and able to engage in well-informed cost-benefit calculations and respond rationally on the basis of those calculations. An irrational (or ill-informed) opponent that will accept destruction or disproportionate loss may not be deterrable.¹⁷ Deterrence theory became almost synonymous with strategy during the Cold War as both superpowers sought to ensure their survival through mutual threats of massive nuclear retaliation.¹⁸ Nevertheless, there are certain important distinctions concerning the term:¹⁹

- General (strategic) or immediate (tactical) deterrence (the former refers to a diffuse deterrent effect deriving from one’s capabilities and reputation; the latter to efforts to discourage specific behavior in times of crises). An example of tactical deterrence was the evidently successful threat conveyed to Saddam Hussein during the first Gulf War to dissuade Iraq from using WMD against coalition forces. An unsuccessful example was the U.S.-United Arab Emirates (UAE) tanker exercise that failed to dissuade Iraq from invading Kuwait.
- Extended and central deterrence (the former alludes to endeavors to extend deterrent coverage over friends and allies; the latter to the deterrence of attack upon one’s homeland). Examples continue to abound concerning extended deterrence—one particularly difficult issue concerns the U.S. security guarantees extended to Taiwan.

There are two challenges to the future deterrent posture of U.S. forces. The first is the ongoing issue of trying to evaluate the effectiveness of a deterrent policy. The willingness of a legislative body to allocate resources to various elements of military power is normally contingent on recognition of beneficial results. Henry Kissinger aptly describes the problem:

Since deterrence can only be tested negatively, by events that do not take place, and since it is never possible to demonstrate why something has not occurred, it became especially difficult to assess whether existing policy was the best possible policy or a just barely effective one. Perhaps deterrence was unnecessary because it was impossible to prove whether the adversary ever intended to attack in the first place.²⁰

The second challenge deals with the changing nature of the threat. During the Cold War deterrence was based on a known enemy operating from a known location and under the assumed direction of a rational leader. The emergence of rogue states and transnational terrorist networks that could gain access to WMD has created what Colin Gray defines as the current crisis of deterrence. These new actors do not necessarily

share the long-standing and highly developed theory of deterrence that emerged from the Cold War, and the cost-benefit calculus that underpins deterrence may be clouded by cultural differences and varying attitudes towards risk. In fact, as Gray observes, “. . . some of the more implacable of our contemporary adversaries appear to be undeterrable. Not only are their motivations apparently unreachable by the standard kind of menaces, but they lack fixed physical assets for us to threaten.”²¹ The current U.S. *National Security Strategy* is in full accord with these views: “Traditional concepts of deterrence will not work against a terrorist enemy whose avowed tactics are wanton destruction and the targeting of innocents; whose so-called soldiers seek martyrdom in death and whose most potent protection is statelessness.”²²

Compellence.

Compellence is the use of military power to change an adversary’s behavior. It attempts to reverse an action that has already occurred or to otherwise overturn the status quo. Examples include evicting an aggressor from territory it has just conquered or convincing a proliferating state to abandon its nuclear weapons program. According to Thomas Schelling, who initially coined the term, “Compellence . . . usually involves initiating action that can cease, or become harmless, only if the opponent responds.”²³ Physical force is often employed to harm another state until the later abides by the coercer’s demands. It is important to recognize the difference between compellence and deterrence. The distinction, according to Robert Art, “is one between the active and passive use of force. The success of a deterrent threat is measured by its not having been used. The success of a compellent action is measured by how closely and quickly the adversary conforms to one’s stipulated wishes.”²⁴

Compellence may be easier to demonstrate than deterrence, because of the observable change in behavior; but it tends to be harder to achieve. It is usually easier to make a potential aggressor decide not to attack in the first place than to cause the same aggressor to call off the attack once it is underway. A state that is deterred from taking a particular action can always claim that it never intended to act in such a way, and thus publicly ignore the deterrent threat. However, if a state succumbs to compellent actions, it is much harder to change behavior without an associated loss of prestige and possible national humiliation. Consequently, compellent threats should be accompanied by a complementary set of concessions or face-saving measures to make it politically acceptable for a state to comply. Success can also be driven by the perceived or actual imbalance of interests at stake. As the American experience in Vietnam demonstrated, compellence tends to fail when the issue is of vital importance to the adversary but possibly only represents an important or peripheral interest to the coercing state.²⁵

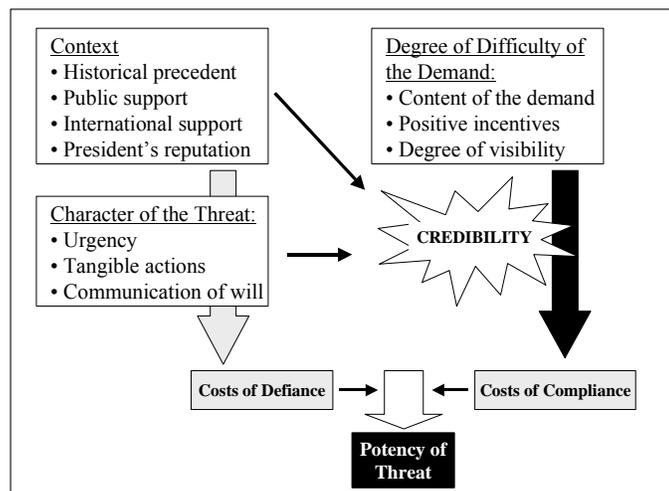


Figure 2. Evaluations of Compellent Threats.²⁶

In the post-Cold War era, three broad conditions have emerged that facilitate the effective use of military threats. These relationships are expressed in Figure 2. Together, the credibility of the threat and the degree of difficulty of the demands shape the targeted leader's evaluation of the likely cost of complying or of not complying with U.S. demands. If the threat is perceived to be wholly incredible, the anticipated cost of noncompliance will be low. The balance between the cost of compliance and the cost of defiance represents the potency of the threat. In the post-Cold War period, despite overwhelming U.S. military supremacy, it has been extremely difficult for the United States to achieve its objectives without actually conducting sustained military operations. A principal reason for this difficulty is the existence of a generation of political leaders throughout the world whose basic perception of U.S. military power and political will is one of weakness. They enter any situation with a fundamental belief that the United States can be defeated or driven away.²⁷

Echoing Colin Gray's crisis of deterrence, perhaps there is a similar crisis of compellence. According to Blechman and Wittes:

American presidents have been reluctant to step as close to the plate as had been required to achieve U.S. objectives in many post-cold war conflicts. They have made threats only reluctantly and usually have not made as clear or potent a threat as was called for by the situation. They have understood the need to act in the situation but have been unwilling or perceived themselves as being unable to lead the American people into the potential sacrifice necessary to secure the proper goal. As a result, they have attempted to satisfice, taking some action but not the most effective possible action to challenge the foreign leader threatening U.S. interests. They have sought to curtail the extent and potential cost of the confrontation by avoiding the most serious type of threat and therefore the most costly type of war if the threat were challenged.²⁸

This conclusion was written prior to the tragic events of 9/11 and the subsequent operations in Afghanistan and Iraq. Time will tell if Americans will sustain their support for two very challenging and increasingly costly nation-building projects.

Reassurance

Finally, there are two other political objectives listed on Figure 1. The first of these is reassurance, a term that began as a key element of U.S. nuclear strategy. In particular, reassurance was closely associated with the notion of extended deterrence in that its objective was to extend security guarantees to friends and allies. As a consequence, reassurance played a crucial role in the Cold War if for no other reason than the concept helped to prevent the proliferation of nuclear weapons to states like Germany and Japan. In a similar manner, the current U.S. defense policy includes, as its first objective, the goal of assuring friends and allies. This assurance is gained through the forward presence of U.S. forces and ensures allies and friends that the United States will honor its security commitments and continue to be a reliable security partner. In addition to the stationing of large numbers of U.S. military personnel overseas, the political objective of reassurance/assurance is achieved through numerous security cooperation activities and agreements. Security cooperation serves U.S. national interests by advancing U.S. values and beliefs, promoting regional stability, and improving cooperation among allies, partners and friends.²⁹ From this perspective, security is this country's most influential public-sector export. "We are the only nation on earth," one analyst observes, "capable of exporting security in a sustained fashion, and we have a very good track record of doing it."³⁰ A primary consequence of a more secure environment is the promotion of global economic growth. With this focus on both security and economic interests, the ultimate purpose of U.S. military engagement, according to some analysts, is to maintain international order, thereby allowing the American people to continue to reap the benefits of globalization.³¹

Dissuasion

The final political objective is dissuasion, sometimes presented as the ultimate purpose of both defense and deterrence, that is, persuading others not to take actions harmful to oneself. The notion here, however, is more in keeping with that of the *National Security Strategy*, which describes building U.S. military forces strong enough “to dissuade potential adversaries from pursuing a military build-up in hopes of surpassing, or equaling the power of the United States.”³² The *Quadrennial Defense Review* (QDR) elaborates on this objective: “Well-targeted strategy and policy can therefore dissuade other countries from initiating future military competitions. The United States can exert such influence through the conduct of research and development, test, and demonstration programs. It can do so by maintaining or enhancing advantages in key areas of military capability.”³³ The goal is clearly to maintain, if not grow, the tremendous capability gap that U.S. military forces enjoy over virtually all other militaries. The origin of this objective dates back to the formerly discredited draft 1992 Defense Planning Guidance. When initially leaked to the press, this document included a call to preserve American global military supremacy, to discourage others from challenging our leadership, and to maintain a military dominance capable of “detering potential competitors from even aspiring to a larger regional or global role.”³⁴ More recently, Secretary of Defense, Donald Rumsfeld has been equally explicit: “Just as the existence of the U.S. Navy dissuades others from investing in competing navies—because it would cost them a fortune and would not provide them a margin of military advantage—we must develop new assets, the mere possession of which discourages adversaries from competing.”³⁵

The concept, however, need not be so rough-edged, dissuasion can also apply to countries that are not full-fledged adversaries, but those with which the United States has a mixed relationship—mutual suspicions and common incentives to avoid violence. The term goes to the heart of the new geo-strategic era. “In short, dissuasion aims at urging potential geopolitical rivals not to become real rivals by making clear that any sustained malevolent conduct will be checkmated by the United States. It involves military pressure applied with a velvet glove, not crude threats of war and destruction.”³⁶ The key relationship for U.S. dissuasion is that with China in terms of preventing the People’s Republic from developing assertive and menacing geo-political policies. Colin Gray is much more sanguine about this policy’s prospects, noting “we should expect state-centric enemies to attempt to organize to resist the American hegemony, and in particular to work hard in search of strategic means and methods that might negate much of our dissuasive strength.”³⁷

In all this, it is important to recognize that military power alone is not sufficient to conduct a successful foreign policy. Military power must be properly integrated with the other elements of statecraft—political, economic, diplomatic, and information. Even for the greatest of nations, as Joseph Nye argues, military power is always in short supply and consequently must be rationed among competing goals: “The paradox of American power is that world politics is changing in a way that makes it impossible for the strongest world power since Rome to achieve some of its most crucial international goals alone.”³⁸

Range of Military Operations

The broad political purposes for the use of military power clearly encompass many different employment options for military force, which have been grouped under employment categories in what the Joint Staff calls the “Range of Military Operations (ROMO)” (Figure 3). These distinctions are designed to assist strategists in understanding the characteristics of each one.³⁹

War refers to large-scale, sustained combat operations necessary to achieve national objectives or

protect national interests. These operations could include preventive attacks or preemptive operations. Preemptive actions are associated with imminent threats, and the identification of these threats places a premium on intelligence and warning.

On the other hand, force is only used as a combat mode in one of two broad categories concerned with military operations other than war (MOOTW), that of deterring war and resolving conflict. These operations include punitive attacks or raids and strikes, in which military force is designed to inflict pain and cost, normally in retaliation for some behavior, but not necessarily designed to reverse the adversaries actions. Punitive attacks also require evidence of who was responsible for the offending action. Interdiction involves the discrete use of direct force to prevent the transshipment of goods or resources. These operations can be associated with sanctions enforcement.

Under this same category are peace enforcement and peacekeeping operations. Peace enforcement operations are also referred to as Chapter VII operations referring to Chapter VII of the UN Charter, which addresses enforcement actions “with respect to threats to the peace, breaches of the peace, and acts of aggression.” A closely related category is peace-making, which assumes that one of the protagonists opposes the status quo. These operations take place in a non-consensual environment. Peacekeeping is often referred to as a Chapter VI operation under the UN Charter, which addresses pacific settlement of disputes.” Peacekeepers are impartial and relatively passive, called upon to monitor or verify troop withdrawals, separation of forces, or provide security during elections. These operations take place in a consensual environment.

Promoting peace and support to civil authorities; which do not involve the use or threat of force, represent the other end of the MOOTW spectrum. Nevertheless, nation-assistance or nation-building is still an extremely intrusive form of intervention designed to bring about political leadership and/or institutions different from those that presently exist. Disaster relief or humanitarian assistance involves the deployment of forces to save lives without necessarily altering the political context. These generally occur in a consensual environment, although occasionally military forces will take part in an imposed humanitarian intervention which may be carried out in a hostile environment.

In any event, all of these different classifications of military operations can be viewed as fulfilling one of the three principal political purposes: deterrent, compellent or defensive. For example, the political goal of humanitarian interventions and peacekeeping operations is to save lives; this is defense of parties under attack. The political goal of nation-assistance is to construct a viable government; this can be viewed as compelling armed groups or other elements of the society to obey the new central government. As a final example, the political goal of any collective security arrangement is to prevent aggression; which is deterrence.⁴⁰

There is one important type of military operation that is not explicitly cited in the “Range of Military

Range of Military Operations			
	Military Operations	General US Goals	Representative Examples
C O M B A T	<i>War</i>	Fight & Win	Large-scale Combat Operations: Attack / Defend / Blockade
	N O N C O M B A T <i>Military Operations Other Than War</i>	Deter War & Resolve Conflict	Peace Enforcement/ Noncombatant Evacuation Operations (NEO) Strikes/Raids/Show of Force Counterterrorism/Peacekeeping Counterinsurgency
		Promote Peace & Support US Civil Authorities	Antiterrorism/Disaster relief Peacebuilding Nation Assistance Domestic Support Counterdrug / NEO

Source: Joint Publication 3-0 Doctrine for Joint Operations September 10 2001 1-2

Figure 3. Range of Military Operations.

Operations” chart—covert action. These actions are a specialty of the U.S. Special Operations Forces (SOF) community, which is currently enjoying an unprecedented prominence within the U.S. military. Covert action is defined by U.S. law as activity meant “to influence political, economic, or military conditions abroad, where it is intended that the role of the U.S. Government will not be apparent or acknowledged.”⁴¹ According to the Special Operations Command posture statement, “SOF are specifically organized, trained, and equipped to conduct covert, clandestine, or discreet counterterrorism missions in hostile, denied, or politically sensitive environments.”⁴² The current definition of covert operations was adopted as part of the effort to fill gaps in oversight that led to the Iran-Contra scandal. According to the law, covert actions must first be authorized by a written presidential finding, and the House and Senate intelligence committees must be notified before the operation has begun.⁴³

In the past, SOF missions were viewed as “traditional military activities” in support of ongoing or anticipated military campaigns and were thus not subject to the covert action oversights just mentioned. However, in the ongoing, and broadly defined campaign against global terrorism—a campaign in which the Special Operations Command directly plans and executes its own missions—there is some concern that this type of use of force will be completely removed from congressional oversight. On the one hand, the U.S. Government should be able to use every tool available in the fight against terrorism. However, such broad-brush authority, combined with an increasing propensity to use SOF in covert operations in support of an aggressive preemption strategy, may lead to abuse and risks to U.S. foreign policy.⁴⁴

One final point concerning the current nature of military operations is the increasingly cluttered battlefield from the standpoint of other coalition partners, interagency elements, and even non-governmental organizations. The Joint Staff describes the nature of these operations as *unified action*. The concept of unified action highlights the synergistic application of all of the instruments of national and multinational power and includes the actions of nonmilitary organizations as well as military forces.⁴⁵

Guidelines for the Use of Force

War cannot be divorced from political life; whenever this occurs in our thinking about war, the many links that connect the two elements are destroyed and we are left with something pointless and devoid of sense.

Clausewitz

If not in the interests of the state, do not act. If you cannot succeed, do not use troops.

Sun Tzu

Madeleine Albright asked me in frustration, “What’s the point of having this superb military that you’re always talking about if we can’t use it?” I thought I would have an aneurysm.

Colin Powell

Whom shall I send, and who will go for us? Here I am. Send me.

Isaiah⁴⁶

These quotations emphasize the importance of linking political objectives to the use of military force. One of the best ways to ensure this is to use military force only in support of the national interest and when success is assured. The difficulty with such a straightforward prescription is reconciling the various degrees of interests, to include valid concerns about furthering important national and international values. In addition, the resort to war or conflict always unleashes the forces of chance and friction, creating in one analyst’s description, “a fearful lottery.”⁴⁷ Creating the conditions for success, let alone guaranteeing success is much easier said than done. Decisions concerning the use of force are the most important that any nation can make. Given that the post-Cold War experience supports the necessity of resorting to force and

the threats of force, but also emphasizes the risks of doing so, national security decisionmakers are left with a critical issue in the theory and practice of foreign policy: under what conditions and how can military force and threats of force be used effectively to accomplish different types of policy objectives. In the final analysis, political leaders should come up with convincing answers to these questions before sending soldiers in harms way.⁴⁸

Debates in the United States about appropriate guidelines for the use of force normally revolve around the Weinberger Doctrine—which is habitually viewed as an outgrowth of the lessons from the Vietnam War.⁴⁹ However, the origins of the current debate actually go back to the Korean War. Two schools of strategic thought developed from an assessment of that limited and inconclusive war. The first was the never-again or all-or-nothing school, which advocated that either the United States should do everything necessary to win a decisive military victory or it should not intervene at all.⁵⁰ At the other extreme was the limited-war school. Proponents of this view held that the United States could expect to become involved in regional conflicts demanding intervention in support of less than vital interests. Colin Powell, although normally associated with the all-or-nothing school, has argued that all wars are limited; either by territory on which they are fought, the means used, or the objectives for which they are fought.⁵¹

Secretary of Defense Casper Weinberger articulated his six criteria for the use of force in response to two major issues—the lessons of the Vietnam War and an ongoing policy debate in the Reagan administration about the appropriate response to terrorism. Both issues are clearly relevant as the debate on the use of force enters the twenty-first century. Lessons from Vietnam included the recognition that military victory does not always result in political victory and that sustaining public and political support throughout a prolonged war can be difficult. Both of these issues continue to resonate in the debate about U.S. operations in Iraq. Senator Edward “Ted” Kennedy, for instance, recently charged that “Iraq has developed into a quagmire,” and has become George Bush’s Vietnam.⁵²

Concerning terrorism, when the Weinberger doctrine was unveiled in 1984, the national security elites were in a heated debate about this issue, particularly as it related to the failure of U.S. policy in Lebanon. Weinberger was reluctant to commit troops to such an indeterminate and chaotic situation. Secretary of State George Shultz, on the other hand, argued that the Weinberger doctrine counseled inaction bordering on paralysis, and that “diplomacy could work these problems most effectively when force—or the threat of force—was a credible part of the equation.” The *Wall Street Journal* referred to “Mr. Shultz’s sensible anti-terrorist policy of ‘active-prevention, preemption, and retaliation’.”⁵³ Shultz was on the losing end of this debate in the 1980’s, but 20 years later his approach seems to have carried the day, at least in the Bush administration. Figure 4 shows the Weinberger doctrine and several more recent versions of guidelines for the use of force.⁵⁴

When to use force is the first critical question. The linkage of such use in support of vital national interests harkens back to the Napoleonic notion of fighting wars for grand purposes. Samuel Huntington defined national interest as a public good of concern to all or most Americans; and a vital national interest as one that Americans are willing to expend blood and treasure to defend. The 2000 *National Security Strategy* defined vital interests as those directly connected to the survival, safety, and vitality of the nation. There are two problems with this very straightforward proposition. The first is the difficulty in determining what those vital interests are. The domestic consensus that supported U.S. foreign policy during the Cold War has been shattered, resulting in a lack of agreement on the nature and importance of U.S. national interests.⁵⁵ The recent focus on commercial and ethnic interests exacerbates the lack of widespread agreement on national interests. “The institutions and capabilities created to serve a grand national purpose in the Cold War,” according to Huntington, “are now being suborned and redirected to serve narrow subnational, transnational, and even nonnational purpose.”⁵⁶ Conversely, the attacks of 9/11 have

undoubtedly contributed to a recognition of grand purposes and vital national interests, at least as associated with the war on terrorism.

Guidelines for the Use of Force					
Two questions:					
1. When to use force?					
2. How to use force?					
	Weinberger Doctrine (November 28, 1984)	Powell (Fall, 1992)	Perry (Clinton NSS) (April 1995 / NSS '99)	Joint Pub 1 (Nov 2000)	Rumsfeld (Nov 2002)
		<ul style="list-style-type: none"> No fixed set of rules Relevant questions Evaluate the circumstances 	<ul style="list-style-type: none"> Political: interests Military: success Ethical 	<ul style="list-style-type: none"> Adhere to societal values No unbending rules 	<u>Questions for the use:</u>
W H E N	1. Vital interests at stake		<ul style="list-style-type: none"> 1. Vital interests <ul style="list-style-type: none"> overwhelming force unilateral (if necessary) 2. Important interests <ul style="list-style-type: none"> ability to succeed cost/risk assessment last resort limited options 3. Humanitarian interests <ul style="list-style-type: none"> catastrophic urgent need unique resources minimal risk end state 	<ul style="list-style-type: none"> Advances national interest (all three categories) Clear mission International support Public support 	1. Necessary? - national interest
	3. Clearly defined political and military objectives	Unambiguous military objective			<ul style="list-style-type: none"> Clear mission Public support
H O W	5. Public support				3. Is it worth it? - public support - worldwide consequences
	6. Last resort	Last resort			<u>Guidelines for how:</u>
	2. Commitment to victory (sufficient force)	Will the force be successful? <ul style="list-style-type: none"> Costs & risks Decisive means (overwhelming force) 	<ul style="list-style-type: none"> Multilateral Opportunity cost on the force (OPTEMPO) Exit strategy 	<ul style="list-style-type: none"> Decisive means End state and exit strategy <ul style="list-style-type: none"> Termination conditions Path to success Milestones Alternatives if military unsuccessful NGOs and IGO's ready 	<ul style="list-style-type: none"> Action – offensive Don't restrict options <ul style="list-style-type: none"> no arbitrary deadlines Use all elements of power <ul style="list-style-type: none"> military last choice Brutally honest <ul style="list-style-type: none"> don't promise what can't be delivered
	4. Continuous reassessment	End state consequences (exit strategy)			

Figure 4. Guidelines for the Use of Force.

The second concern is that states often use force in support of secondary and even tertiary interests. They do this either to protect vital interests or to support important national values. Secretary of Defense William J. Perry supported the selective use of force and thus distinguished between three categories of interests—vital, important, and humanitarian. He argued that different uses of limited force, and not necessarily applied in an overwhelming manner, were appropriate to protect these interests in the pursuit of limited objectives.⁵⁷ Perry's Chairman of the Joint Chiefs, General John Shalikashvili, also desired more flexibility in the use of force. He reportedly claimed that he did not have the right to put a sign on his door saying, "I'm sorry—we only do the big ones." The United States has clearly continued to use force in support of non-vital interests or important national values. And wars waged in the name of values invariably turn out to be more controversial than wars waged for interests.⁵⁸

Weinberger borrows heavily from Clausewitz for his third, and relatively uncontroversial, criterion, the importance of having clearly established objectives. According to Clausewitz, "No one starts a war . . . without first being clear in his own mind what he intends to achieve by that war and how he intends to conduct it."⁵⁹ This criterion is common across all of the sets of guidelines. Recognizing the need for clear objectives, however, does not necessarily remove all debate on the issue. The objectives chosen, just as the

articulation of the national interests at stake, may not reflect broad agreement.

There are two other points worth considering on this criterion. First, once a war begins, chance, friction, and uncertainty take effect, and original political objectives and force requirements, as Michael Handel has observed, can change.

Weinberger's assumptions are more correct for military interventions/operations that can be carried out swiftly and decisively, . . . than they are for prolonged interventions and wars. The problem, of course, is that it is often very difficult to tell in advance which interventions will be short and decisive, and which will be costly and long.⁶⁰

The second point is that it is always difficult to determine in advance if a certain compellent or deterrent action will have the desired effect or result in an unanticipated counter-reaction by an adversary. As Richard Haass so aptly puts it, "It is as simple—and as basic—as the difference between winning a battle and winning a war. It only takes one party to initiate hostilities, but it takes everyone involved to bring hostilities to an end."⁶¹

The next two criteria: public support and last resort, are also common across all of the sets of guidelines. The need to maintain public and political support is common sense but not completely without debate, and certainly not without potentially great difficulty in execution. In the original argument over the Weinberger doctrine, Secretary Shultz took issue with the need for public support prior to initiating action. In his view, the duties of leadership could require action before mobilization of public support.

My view is that democratically elected and accountable individuals have been placed in positions where they can and must make decisions to defend our national security. The risk and burden of leadership is that those decisions will receive, or not receive, the support of the people on their merits. The democratic process will deal with leaders who fail to measure up to the standards imposed by the American people . . .⁶²

There is a great deal of historical validity to the "rally-around-the-flag" and "support-the-troops" effect. That approach can be particularly effective for short and decisive campaigns. In prolonged wars, however, the difficulty does not lie so much in obtaining initial public and political support as it does in sustaining it for the duration.⁶³ Leaders must lead and mobilize public support. That can most easily be done by appeals to moral values or national interests. In any event,

the inertia of the governed can not be disentangled from the indifference of the government. American leaders have both a circular and a deliberate relationship to public opinion. It is circular because their constituencies are rarely if ever aroused by foreign crises, even genocidal ones, in the absence of political leadership, and yet at the same time U.S. officials continually cite the absence of public support as grounds for inaction.⁶⁴

Last resort is an important component of the just war theory of *jus ad bellum*, or just resort in going to war. Americans traditionally have been very reluctant to resort to force unless they have been directly attacked. There is always a strong desire to give diplomacy a chance or obtain sufficient results through the application of economic sanctions or other pressures. Time is also needed to mobilize domestic and international support. However, it may not always be wise to delay military action. Once again, George Shultz challenged this point, "The idea that force should be used 'only as a last resort' means that, by the time of use, force is the only resort and likely a much more costly one than if used earlier."⁶⁵ General Wesley Clark, in his examination of the Kosovo campaign, concluded that the key lesson must be that "nations and alliances should move early to deal with crises while they are still ambiguous and can be dealt with more easily, for delay raises both the costs and the risks. Early action is the objective to which statesmen and military leaders should aspire." All of this has direct relevance for the threat of catastrophic

terrorism. Countering undeterrable terrorist organizations armed with weapons of mass destruction places the other instruments of statecraft at a huge disadvantage. “To consider force as a last resort is appropriate when trying to settle interstate conflict,” according to Ivo Daalder, “but when it comes to . . . preventing the proliferation of weapons of mass destruction, or defeating terrorism waiting too long to employ force can both enhance the cost and reduce the effectiveness of its use.”⁶⁶

The last two items on Weinberger’s list concern how force should be used. The first of these addresses the importance of committing sufficient forces to accomplish the objectives. The goal is to avoid a long, drawn-out gradual employment of force that may not accomplish the objectives in a swift and decisive manner. This is the essence of the Vietnam syndrome. The U.S. military wants to avoid a half-hearted approach that results in higher casualties, a prolonged war, and a decision to quit before the mission is accomplished. One significant deterrent to U.S. action in Bosnia was the estimated steep cost of intervening in terms of troops required. For instance, the Joint Staff estimated in 1992 that it would take 50,000 U.S. ground troops to secure the Sarajevo airport for humanitarian relief operations. The airlift was eventually conducted under the watchful care of only 1,000 Canadian and French forces.⁶⁷

On the other hand, it is normally better to go into a hostile environment with too much rather than too little force. General Powell used the phrase decisive force and indicated that decisive means and results are always preferred, and that if force is used “we should not be equivocal: we should win and win decisively.”⁶⁸ Decisive means eventually evolved into overwhelming force, and related concepts, such as shock and awe. Joint Pub 1, notes that “when combat is possible, the force employed must be both overwhelming and decisive.”⁶⁹ The controversy about U.S. endstrength in Iraq, in both the initial combat phase and the subsequent stabilization and reconstruction phase, will only contribute to renewed military reluctance to undertake operations with less than overwhelming or decisive force. General Clark has argued in this regard that Operation IRAQI FREEDOM took “unnecessary risk because it skimmed on the forces made available to the commanders” during the combat phase, and he claimed the existence of excessive risk during the post-combat phase. “The result was a U.S. force at the operation’s end that was incapable of providing security, stopping the looting and sabotage, or establishing a credible presence throughout the country.”⁷⁰ The all-or-nothing versus limited objective (limited war) debate continues.

Michael Handel refers to the final item, the need for continuous reassessment, as the escape clause. Circumstances may change, or the enemy may respond in an unexpected manner, all necessitating a reassessment of objectives (ends), concepts (ways), and forces (means). That criteria also implies that if the costs become too high or if the objectives do not justify a greater commitment of resources, it may be prudent to terminate the conflict.⁷¹

Figure 4 clearly shows that several of the Weinberger guidelines have evolved and been modified over the years. One of the most important and far-reaching evolutions is the expansion of applicable interests categories and the recognition that limited options for the use of force may be appropriate in the pursuit of less than vital interests. Another is the inclusion of the concern about multilateral or international support. That guideline was added in the Clinton administration’s national security strategies and reflected a growing interest in ensuring multilateral responses to security issues. Multilateralism obviously included deliberations and support from NATO, but also recognized an enhanced role for the United Nations. America’s alliances were one of the keystones of Clinton’s selective engagement strategy, and the administration saw the UN as an important actor in the new world order. Having partners when it comes to using force also contributes to gaining and sustaining public support. As Charles Krauthammer argued at the close of the Gulf War, “Americans insist on the multilateral pretense. A large segment of American opinion doubts the legitimacy of unilateral American action, but accepts action taken under the rubric of the ‘world community’.” He went on to say that the ultimate problem with “multilateralism is that if you take it

seriously you gratuitously forfeit American freedom of action.”⁷²

Finally, in terms of the evolution of the Weinberger guidelines, there is the inclusion of end state and exit strategy concerns. The desire to establish an exit strategy is principally associated with interventions that do not involve vital interests. If vital interests are at stake, national security experts generally assume that politicians will apply overwhelming force, unilaterally if necessary, until the conflict is resolved. For interventions in support of important or humanitarian issues, there is much more of a premium placed on quickly reaching an agreed upon end-state, getting U.S. forces out, and reconstituting them for the next “big one.” As indicated on Figure 4, the Joint Staff has expanded this criteria to include specific termination conditions, paths to success, and milestones along those paths. Rumsfeld’s guidelines, however, seem to challenge this point by specifically cautioning against arbitrary deadlines. He is supported in this view by Richard Haass who argues that it is important to “avoid a specific end point or certain date for ending the commitment regardless of local developments. Artificial boundaries on a U.S. intervention run the risk of emboldening adversaries, who need only to wait until the deadline has passed, and unnerving allies.”⁷³ End states can also be very ambiguous and constrained, since they rarely include unconditional surrender, regime change or destruction of the warmaking capability of the other side.⁷⁴

Michael Handel’s analysis of the Weinberger doctrine concluded that it represented a utilitarian, realistic yardstick not much concerned with moral and ethical questions, although it does in fact provide useful insights for moral and ethical decisions about the use of force.⁷⁵ The proliferation of intrastate conflicts in the post-Cold War world, and the growing threat posed by non-state actors, will continue to place pressure on decisionmakers to decide when and how to use force. Figure 5 represents a score card of sorts to portray a subjective assessment of the application of the Weinberger doctrine to recent U.S. military operations.

Weinberger Doctrine from Vietnam to Iraq

Criterion	Vietnam	Grenada	Lebanon	Panama	Persian Gulf War	Somalia	Haiti (1994)	Bosnia	Kosovo	Iraq (2003)
1. Vital interests at stake	NO	NO	NO	NO	YES	YES	NO	NO	NO	YES
2. Commitment to victory	NO	YES	NO	YES	YES	NO	YES – for regime change NO – nation bldg	NO	NO	YES – for regime change ? – nation bldg
3. Clearly defined pol/mil objectives	NO	YES	NO	YES	YES	YES then NO	NO	?	YES – short term ?- long term	YES
4. Continuous reassessment	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
5. Public support (mobilized by the gov’t)	NO	NO	NO	NO	YES	YES (at first)	YES	YES (?)	YES	YES
6. Last resort	NO	NO	NO	NO	NO	NO	YES	NO	NO	YES/ NO
Success or Failure	FAILURE	SUCCESS	FAILURE	SUCCESS	SUCCESS	FAILURE	FAILURE	?	?	?

Figure 5. Weinburger Doctrine from Vietnam to Iraq.⁷⁶

Legitimacy

One of the main tenets of the Weinberger doctrine was the need to garner public and congressional support—“some reasonable assurance we will have the support of the American people and their elected representatives in Congress.”⁷⁷ Public support represents the will of the people, and as Harry Summers concluded, the failure to invoke that national will was one of the principal strategic failures of the Vietnam War, producing a strategic vulnerability that the North Vietnamese were able to exploit.⁷⁸ Public support and national will are both a reflection of the legitimacy with which the use of force is viewed. Legitimacy is fostered and sustained through many channels, including the steadfast application of Weinberger doctrine-like guidelines, Congressional resolutions and legislation, Presidential leadership, and actions of the international community. Legitimacy is thus grounded in both domestic processes and international or multilateral organizations and processes.

The President and the Congress

Constitutional provisions represent the foundation of legitimacy in the United States. Under the constitution, the president and Congress share the war powers. The president is commander in chief (Article II, Section 2), but Congress has the power to declare war and raise and support the armed forces (Article I, Section 8). Congress, however, has only declared war on five occasions, the last being World War II. Despite having considerable constitutional authority over decisions about the use of force, Congress has largely deferred to the president as commander in chief, in general recognition that this role makes him responsible for leading the armed forces and gives him the power to repel attacks against the United States. Consequently, the executive branch has executed most military interventions.⁷⁹

In an effort to regain some control over decisions on the use of force, and as a backlash to the Vietnam War, Congress passed the War Powers Resolution (WPR) over President Nixon’s veto in 1973. The purpose of the WPR was to ensure that Congress and the President share in making decisions about the use of force. Compliance becomes an issue when the president introduces forces abroad in situations that might be construed as hostilities or imminent hostilities. The law included a broad set of triggers for executive consultations and explanations of the rationale for, and the scope and duration of military operations. If Congress does not grant authorization in a certain period, the law does not permit the action to continue. Presidents have never acknowledged the constitutionality of the WPR; however, they have made modest efforts to comply with its reporting requirements, submitting 104 reports to Congress concerning troop deployments abroad.⁸⁰ Some deployments were not reported because of the brevity of the operation or the perceived lack of hostilities or imminent hostilities. Most of the reports submitted to Congress are done “consistent” with the WPR, and not in “compliance” with the WPR.

Despite this record on reporting, a longer-term issue concerns the degree to which Congress is actually participating in the decisions to employ force. The WPR requires the president to consult with Congress prior to introducing U.S. forces into hostilities and to continue consultations as long as the armed forces remain. The conclusion of one Congressional Research study is that there has been very little executive consultation with Congress, “when consultation is defined to mean seeking advice prior to a decision to introduce troops.”⁸¹ It is certainly in the country’s best interest to garner congressional support, and thus the two branches of government need to work out useful political processes that debate, inform, and support the country’s engagement in conflict. From this perspective, a major purpose behind the WPR was not necessarily to constrain the president, but to force Congress to meet its obligations to share in decisions on the use of force, “compelling members to face within a predictable period and under specified procedures the fundamental question regarding military action by the United States: Does the Congress endorse or oppose the commitment of American blood and treasure to a particular mission?”⁸² The question is

appropriate for Congress. As confirmed by Secretary Weinberger, U.S. military personnel want to know that it has the backing of the public—a commitment affirmed through a constitutional political process.⁸³

The WPR played an important role in the Persian Gulf War of 1991. In response to the Iraqi invasion of Kuwait in 1990, President Bush notified Congress that he had deployed forces to the region. Although he had not consulted with Congress before acting, both houses later adopted resolutions supporting the deployment. Throughout the fall of 1990 there was intense debate within Congress concerning the use of force. Urged by congressional leaders, President Bush later asked for a resolution supporting the use of all necessary means to implement the UN decrees on Iraq. On January 12, 1991, both houses, by narrow margins, approved a joint resolution authorizing the use of force pursuant to UN Resolution 678, which had been passed on November 29, 1990.⁸⁴

In the crisis in Bosnia, on the other hand, the United States participated without congressional authorization in humanitarian airlifts into Sarajevo, naval monitoring and sanctions, and aerial enforcement of no-fly zones and safe havens. In late 1995, after President Clinton committed over 20,000 combat troops as part of the NATO-led peacekeeping force, Congress considered several bills and resolutions authorizing this deployment, but failed to reach a consensus. In 1999, President Clinton ordered U.S. military forces to participate in the NATO-led military operation in Kosovo, without specific authorization from the Congress, a state of affairs that one analyst has termed “virtual consent,” in which the public is consulted but the formal institutions of democracy are bypassed: “The decay of institutional checks and balances on the war-making power of the executive has received almost no attention in the debate over the Kosovo conflict. This suggests that citizens no longer even care whether their elected politicians exercise their constitutional responsibilities. We have allowed ourselves to accept virtual consent in the most important political matter of all: war and peace.”⁸⁵

The catastrophic events of 9/11 initially created a united sense of purpose between the executive and Congress. Only three days after the terrorist attacks, Congress passed a Joint Resolution authorizing the president “to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks.” Three weeks later, “consistent with the War Powers Resolution,” President Bush reported to Congress the use of force against Afghanistan.⁸⁶ In a similar manner, Congress passed the Joint Resolution, “Authorization for the Use of Military Force Against Iraq,” in October 2002. This resolution authorized the President to use the armed forces of the United States “as he determines to be necessary and appropriate,” to defend the United States against the threat posed by Iraq and to enforce all relevant UN Security Council Resolutions regarding Iraq. The President, in turn, dutifully reported to the Congress on March 21, 2003, “consistent with the War Powers Resolution” and pursuant to his authority as Commander-in-Chief, that he had “directed U.S. Armed Forces operating with other coalition forces, to commence operations on March 19, 2003, against Iraq.”⁸⁷

The political storm gathering around the 9/11 Commission and the ongoing struggle in Iraq will constitute a severe test of the nation’s willingness to support a prolonged and deadly conflict. The legitimacy of these actions will largely be dependent on the President’s ability to mobilize public opinion, and the willingness of Congress to continue to provide support. According to Alton Frye, “unless there is continuing consultation in good faith between Congress and the Executive, the unity that marks the beginning of the campaign against terrorism could degenerate into the profound disunity that scarred American politics thirty years ago.”⁸⁸ But the harsh reality is that Congress rallies around victory and piles on in defeat. Success matters more than procedure in the politics of making war.⁸⁹

The United Nations

The founding of the United Nations substantially narrowed the legitimacy of the use of force by

individual nation-states. The UN Charter indicates in its Preamble that the UN is established “to save succeeding generations from the scourge of war,” and its substantive provisions obligate the member states to “settle their international disputes by peaceful means” (Article 2(3)) and to “refrain . . . from the threat of use of force against the territorial integrity or political independence of any state . . .” (Article 2(4)). In place of the traditional right of states to resort to force, the charter creates a system of collective security in which the Security Council is authorized to “determine the existence of any threat to the peace” and to “decide what measures shall be taken . . . to maintain international peace and security” (Article 39).⁹⁰

The UN security apparatus created in 1945 was a hybrid, combining a universal quality with a great power concert. The system did not work well during the Cold War because the UN was kept on the sidelines by U.S.-Soviet bipolar rivalry. With few exceptions, UN involvement in use of force decisions began in the 1990s. The evolving nature of global threats, however, has caused a reexamination of the collective security apparatus. UN Secretary General Kofi Annan helped set the stage for this process: “The United Nations Charter declares that ‘armed force shall not be used, save in the common interest.’ But what is the common interest? Who shall define it? Who shall defend it? Under whose authority?”⁹¹

Article 51 of the UN Charter recognizes the inherent right of self-defense: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.” Some authorities interpret Article 51 to permit anticipatory self-defense in response to an imminent attack. Such an interpretation allows action, either unilaterally or collectively in self-defense, or preemptively based on an interpretation of imminent threat. The threat of catastrophic terrorism argues for a requirement to establish intelligible and transparent criteria of imminent threat that could provide for legitimate unilateral, coalition of the willing, or hopefully UN Security Council action.⁹² Even Kofi Annan has suggested that UN members should consider developing “criteria for an early authorization of coercive measures to address certain types of threats—for instance, terrorists groups armed with weapons of mass destruction.”⁹³ Article 106 of the charter can be interpreted to allow coalitions of states to take action to maintain international peace and security pending UN Security Council action. This article was originally added to accommodate regional alliances such as the RIO Pact and NATO. By modifying certain aspects of the charter, to include article 106, a better understanding may be developed for the legitimate requirements for multilateral response to threats outside the confines of the Security Council.

Based on the use of force in the last decade, some analysts have argued that the UN Security Council must be reformed: enlarged to become more representative, and restructured to replace the veto system. One rationale for the elimination of the veto power of the permanent five is based on the need for legitimacy:

All modern military operations need international legitimacy if they are going to succeed. Consequently, the great powers, especially America, face a difficult choice: they can either maintain the veto, and embark on unsanctioned military adventures with their partners only to see these fail because of lack of international approval; or they can surrender veto power in return for the increased likelihood of securing majority approval for the use of military power.⁹⁴

As this argument relates to the debate in the UN about Iraq, France, or any other country on the Security Council, should be in a position to adopt and support a particular view, but it should not be in a position to block pursuit of a vital interest and put at risk the entire UN enterprise. “What do you do if, at the end of the day, the Security Council refuses to back you?” asks Charles Krauthammer, “Do you allow yourself to be dictated to on issues of vital national—and international security?”⁹⁵ Thomas Friedman answered the question, “The French and others know that . . . their refusal to present Saddam with a threat only guarantees U.S. unilateralism and undermines the very UN structure that is the best vehicle for their managing of U.S. power.”⁹⁶

This debate also touches on the concept of multilateralism. Americans define multilateralism as a policy that actively seeks to gain the support of allies. As such, Security Council authorization is a means to an end—gaining more allies—not an end in itself. The Europeans, on the other hand, view multilateralism much more narrowly as a legitimate sanction from a duly constituted international body—the Security Council. Despite the fact that the United States enjoyed the support of dozens of nations for the war in Iraq, and is supported by 33 troop-contributing coalition partners as I write, many critics continue to charge that the United States is acting unilaterally. The current debate “over multilateralism and legitimacy is thus not only about the principles of law, or even about the supreme authority of the UN; it is also about the transatlantic struggle for influence. It is Europe’s response to the unipolar predicament.”⁹⁷ In any event, it is clear that any new arrangements to exercise collective security need to be developed and given legitimacy by the international community.

Conclusion

War between nation-states endures because human interests, values, and commitments are often irreconcilable. In addition, because of the existence of a much more insidious kind of violence—catastrophic terrorism—military power remains the ultimate defender of common human values, and the ultimate arbiter of human disagreements:

The efficacy of force endures. For in anarchy, force and politics are connected. By itself, military power guarantees neither survival nor prosperity. But it is almost always the essential ingredient for both. Because resort to force is the ultimate card of all states, the seriousness of a state’s intentions is conveyed fundamentally by its having a credible military posture. Without it, a state’s diplomacy generally lacks effectiveness.⁹⁸

Strategists must be able to answer the classic charge from Clausewitz, “No one starts a war . . . without first being clear in his own mind what he intends to achieve by that war and how he intends to conduct it.” The political objectives for the use of force must be continually reassessed in light of the changing nature of warfare and the proliferation of non-traditional threats. Likewise, remembering the caution raised by President George H. W. Bush that there can be no single or simple set of fixed rules for the use of force, the prudent strategist needs to keep in mind relevant questions and issues he should evaluate in each particular circumstance that might require military force. Finally, democracies have the unique challenge of dealing with the elusive and malleable concept of legitimacy. “Discovering where legitimacy lies at any given moment in history,” according to Robert Kagan, “is an art, not a science reducible to the reading of international legal documents.”⁹⁹ Still there are immutable principles such as that of Horace who cautioned that “force without wisdom falls of its own weight.” Today, more than ever, the key question concerning the use of force is not whether it is lawful, but whether it is wise.¹⁰⁰

Notes - Chapter 14

1 The author would like to acknowledge the grateful assistance of Dr. Charles Krupnick and Dr. David Jablonsky in reviewing and making valuable suggestions for this chapter.

2 Han J. Morgenthau, *Politics Among Nations*, 5th Edition (New York: Alfred A. Knopf, 1973) 29.

3 Anarchy refers to the absence of government, but should not be confused with chaos. International politics exhibits a great deal of order, regularity, and cooperation, but also includes much coercion, unpredictability, and bloodshed. Robert J. Art, *A Grand Strategy for America* (Ithaca, NY: Cornell University Press, 2003), 4. Kenneth Waltz is quoted in Robert J. Art, “The Fungibility

of Force,” in Robert J. Art and Kenneth N. Waltz, ed., *The Use of Force: Military Power and International Politics*, 5th ed. (New York: Rowman & Littlefield Publishers, Inc., 1999), 5-6.

4 *The Military Balance: 2003-2004* (London: The International Institute for Strategic Studies, 2003). Also refer to Anup Shah, “High Military Expenditures in Some Places,” <http://www.globalissues.org/Geopolitics/ArmsTrade/Spending.asp>, accessed March 23, 2004.

5 Art, “The Fungibility of Force,” 4.

6 Paul Kennedy, *The Rise and Fall of the Great Powers* (New York: Vintage Books, 1989), 515. Kennedy posits two challenges for the longevity of every major power: “whether, in the military/strategical realm, it can preserve a reasonable balance between the nation’s perceived defense requirements and the means it possesses to maintain those commitments; and whether, it can preserve the technological and economic bases of power.” 514 His basic declinist argument is that if a “nation overextends itself geographically and strategically” and chooses “to devote a large proportion of its total income to ‘protection,’ leaving less for ‘productive investment,’ it is likely to find its economic output slowing down, with dire implications for its long-term capacity to maintain both its citizens’ consumption demands and its international position.” 539 The United States was able to harness the economic vitality of the information age and thus avoid the predictions of decline at the end of the 20th century. Perhaps it will not be as fortunate in this new century. James Fallows, “The Hollow Army,” *The Atlantic Monthly*, March 2004.

7 John Baylis and James J. Wirtz, “Introduction,” in John Baylis, James Wirtz, Eliot Cohen and Colin Gray, eds. *Strategy in the Contemporary World: An Introduction to Strategic Studies* (Oxford: Oxford University Press, 2002), 12; Carl Von Clausewitz, *On War*, Michael Howard and Peter Paret, ed. and trans. (Princeton, NJ: Princeton University Press, 1976), 88, 605. As famous as this dictum is, it is not fully accepted without some debate. Colin Gray goes into some depth on this issue in his book, *Modern Strategy*. He goes so far as to say, “Although Clausewitz was more wise than foolish in this dictum, the wisdom in the formula is hostage to the folly.” He concludes his initial review of this topic by stating that “the idea of force as an agent of political purpose is generally persuasive,” but should be viewed as the product of not only political purpose, but also of an ongoing political process. Colin S. Gray, *Modern Strategy* (Oxford: Oxford University Press, 1999), 30, and Chapter 2, “Strategy, Politics, Ethics,” 48-74; Colin L. Powell, “US Forces: Challenges Ahead,” *Foreign Affairs*, Vol. 71, No. 5, Winter, 1992/93, 39. General Powell contrasted the success of military operations in the 90’s with the failed mission to Lebanon in 1983. Concerning Lebanon, he stated that we, “inserted those proud warriors into the middle of a five-faction civil war complete with terrorists, hostage-takers, and a dozen spies in every camp.” Perhaps the successes of the 90’s resulted from simpler problems or an avoidance of the very complex, a prescription that the West may not be able to follow in the new century.

8 Joint Publication (JP) 1, *Joint Warfare of the Armed Forces of the United States* (Washington, DC: The Joint staff, 14 November 2000), I-4.

9 Robert J. Art, “To What Ends Military Power?,” *International Security*, Vol. 4, No. 4 (Spring 1980), 3-35.

10 Figure is a modified version from David E. Johnson, Karl P. Mueller, and William H. Taft, V, *Conventional Coercion Across the Spectrum of Operations: The Utility of U.S. Military Forces in the Emerging Security Environment* (Santa Monica, CA: Rand, 2002), 9. Several noted analysts are more inclined to classify compellence as the sole coercive component (Art and Colin Gray). Gray, in *Maintaining Effective Deterrence* (Carlisle, PA: Strategic studies Institute, August 2003), refers to compellence as coercion or coercive diplomacy. (13) But he later recognizes that deterrence is “executed as a coercive strategy intended to control unfriendly behavior.” (17) Thomas Schelling, who coined the term compellence, also concluded that, “‘Coercion’ . . . includes ‘deterrent’ as well as ‘compellent’ intentions.” *Arms and Influence* (New Haven: Yale University Press, 1966), 71.

11 JP 1, III-1.

12 Schelling, 1-2.

13 Art, “To What Ends Military Power,” 5-6. Richard Haass includes preventive attacks and punitive attacks, along with deterrence and compellence as the principle uses of military power. See Richard N. Haass, *Intervention: The Use of American Military Force in the Post-Cold War World* (Washington, DC: The Carnegie Endowment for International Peace, 1994), 50-56. For another interesting discussion of preventive war and preemption as strategic choices, refer to Richard K. Betts, *Surprise Attack* (Washington, DC: The Brookings Institution, 1982), 141-149.

14 Daniel Byman and Matthew Waxman, *Confronting Iraq: U.S. Policy and the Use of Force Since the Gulf War* (Santa Monica, CA: Rand, 2000), 6

15 Schelling, 3.

16 Johnson, 15-17; Byman and Waxman, 8-9.

17 John J. Mearsheimer, *Conventional Deterrence* (Ithaca, NY: Cornell University Press, 1983), 14; Amos A. Jordan, William J. Taylor, Jr., and Michael J. Mazar, *American National Security* (Baltimore, MD: The Johns Hopkins University Press, 1999), 38. A fundamental debate concerning U.S. grand strategy involves the continued deterrability of U.S. opponents. Failed and rogue states may not be viewed as rational, particularly from a western perspective. Nevertheless, as David Jablonsky argues, even crazy states can be deterred: “. . . a state may behave rationally in an instrumental sense of effectively achieving its ends or goals which in themselves may be ‘crazy’.” He emphasizes that there must be at least a modicum of instrumental rationality on the part of a nation to be deterred. David Jablonsky, *Strategic Rationality is not Enough: Hitler and the Concept of Crazy States* (Carlisle, PA: Strategic Studies Institute, 1991). Unfortunately, the current list of opponents includes highly lethal non-state organizations, such as the al Qaeda terrorist network. As Paul Davis and Brian Jenkins argue, this class of terrorist, driven by extremely strong, messianic, religious views, lacks instrumental rationality, and therefore cannot be deterred and must be eradicated. Paul K. Davis and Brian Michael Jenkins, *Deterrence & Influence in Counterterrorism* (Santa Monica, CA: Rand, 2002).

18 Henry Kissinger, *Diplomacy* (New York: Simon & Schuster, 1994), 608. There is a vast literature on the evolution of nuclear strategy during the Cold War. One source for a systematic and comprehensive treatment of the major themes of nuclear strategy is Lawrence Freedman, *The Evolution of Nuclear Strategy* (New York: St. Martin's Press, 1983). Despite using the word ‘evolution’ in the title, he claims that it is somewhat misleading. In the introduction he mentions the cyclical character of the debates and states that “much of what is offered today as a profound and new insight was said yesterday; and usually in a more concise and literate manner.” The utility of military power during the Cold War, particularly concerning great power competition, was constrained by the logic of nuclear deterrence. As Bernard Brodie declared, “Thus far the chief purpose of our military establishment has been to win wars. From now on its chief purpose must be to avert them.” Bernard Brodie, “Implications for Military Policy,” in *The Absolute Weapon: Atomic Power and World Order* (Harcourt Brace, 1946), 76.

19 Gray, 13. See also Johnson, *et. al.*, 10-12; Haass, 50-51; Philip Bobbitt, *The Shield of Achilles: War, Peace, and the Course of History* (New York: Alfred A. Knopf, 2002), 14-15 and 328-329. Bobbitt makes the argument that extended deterrence has driven U.S. nuclear strategy, not central deterrence. Concerning a more contemporary issue—missile defense—Bobbitt reiterates the ongoing importance of extended deterrence: “Extended deterrence is the single most effective instrument the United States has to prevent major-state proliferation because it permits these states to develop their economies without diverting vast resources to the nuclear arms competition, and yet remain relatively safe from nuclear attack.” Although the United States has vastly reduced and restructured its nuclear force posture, nuclear deterrence retains its relevancy even after the end of the Cold War.

20 Kissinger, 608.

21 Gray, vii. See also William T. Johnsen, *The Future Roles of U.S. Military Power and their Implications* (Carlisle, PA: Strategic Studies institute, April 17, 1997), 7; and Bobbitt, 12. Colin Gray points out that the current concern is not about irrational leaders—those leaders that cannot connect means purposefully with ends. “The problem is not the irrational adversary, instead it is the perfectly rational foe who seeks purposefully, and rationally, to achieve goals that appear wholly unreasonable to us.” He goes on to argue that he believes Al Qaeda is deterrable. “Al Qaeda has many would-be martyrs in its ranks, but the organization is most careful of the lives of its key officers, and it functions strategically. It can be deterred by the fact and expectation of strategic failure.” vii, viii, and 21-22. He also recommends several practical measures to enhance the role of deterrence under the current circumstances and recognizes the synergy achieved through combining elements of both deterrent and defensive (preventive-preemptive) postures. “A little prevention-preemption would do wonders for the subsequent effectiveness of deterrence in the minds of those whose motives were primarily worldly and pragmatic.” *Ibid.*, v, 29. Gray's bottom line is that deterrence, though diminished in significance, remains absolutely essential as an element of U.S. grand strategy.

22 *The National Security Strategy of the United States of America* (Washington, DC: The White House, September 2002), 15. Also see John Lewis Gaddis, *Surprise, Security, and the American Experience* (Cambridge, MA: Harvard University Press, 2004), 69-70.

23 Byman and Waxman, 6; See also, Art, *Grand Strategy*, 5; Schelling, 72.

24 Art, “To What Ends Military Power?,” 8. See also, Schelling, 69-91. Byman and Waxman argue that it is often difficult to distinguish compellence and deterrence. “Classifying cases as compellence as opposed to deterrence is always speculative to some degree, given the inherent opacity of enemy intentions. And, ultimately, general deterrence and compellence are

codependent, as success or failure in coercion affects the coercing power's general reputation to some degree and thus its overall ability to deter." 7.

25 Art, 8-10; and Haass, 53-54.

26 A slightly modified version of a chart found in, Barry M. Blechman and Tamara Cofman Wittes, "Defining Moment: The Threat and Use of Force in American Foreign Policy," *Political Science Quarterly*, Vol. 114, No. 1, Spring 1999, 7.

27 Ibid., 5-11. This point was explicitly expressed by Mohamed Farad Aideed to Ambassador Oakley concerning the disastrous U.S. involvement in Somalia: "We have studied Vietnam and Lebanon and know how to get rid of Americans, by killing them so public opinion will put an end to things."

28 Ibid., 27.

29 Bobbitt, 14; *The Quadrennial Defense Review Report* (Washington, DC: The Department of Defense, September 30, 2001), 11. For a good discussion of the benefits of forward presence, see Art, *A Grand Strategy for America*, 139-145; Johnsen., 11.

30 Thomas P.M. Barnett, "The Pentagon's New Map," *Esquire*, March 2003, 228.

31 Andrew Bacevich, *American Empire: The Realities & Consequences of U.S. Diplomacy* (Cambridge, MA: Harvard University Press, 2002), 128. Bacevich argues that the United States has been pursuing a grand strategy of "openness" since the days of Woodrow Wilson. This strategy seeks economic expansion and aims to foster an open and integrated international order, thereby perpetuating the undisputed primacy of the world's sole remaining super power.

32 National Security Strategy, 2002, 30.

33 *QDR*, 2001, 12.

34 Barton Gellman, "Keeping the U.S. First: Pentagon Would Preclude a Rival Superpower," *The Washington Post*, March 11, 1992, 1. The principal author of the document was then Under Secretary of Defense for Policy, Paul Wolfowitz. When the draft DPG was leaked it was roundly criticized and, consequently, dramatically toned down in the final version. It seems that the Secretary meant what he said 10 years ago, in that it is now an accepted tenet of the U.S. defense strategy.

35 Donald H. Rumsfeld, "Transforming the Military," *Foreign Affairs*, Vol. 81, No. 3, May/June 2002, 27. He goes on to cite several specific examples: deployment of effective missile defenses to dissuade ballistic missile programs; hardening U.S. space systems to dissuade the development of killer satellites; new earth-penetrating weapons that would make deep-underground facilities obsolete as hiding places for terrorists or WMD capabilities.

36 Richard Kugler, "Dissuasion as a Strategic Concept," *Strategic Forum*, Institute for National Strategic Studies, NDU, No. 196, December 2002, 1-2.

37 Gray, "Maintaining Effective Deterrence," 14.

38 Joseph S. Nye, Jr., "U.S. Power and Strategy After Iraq," *Foreign Affairs*, Vol. 82, No. 4, July/August 2003, 72.

39 This list is taken from JP 1, III-14-III-15 and Haass, 51-65.

40 Art, *A Grand Strategy for America*, 5-6.

41 Jennifer D. Kibbe, "The Rise of the Shadow Warriors," *Foreign Affairs*, Vol. 83, No. 2, March/April 2004, 104. Covert actions are distinct from clandestine missions. The term "clandestine" refers to the secrecy of the operation itself, "covert" refers to the secrecy of its sponsor.

42 United States Special Operations Command, *Posture Statement 2003-2004*, 36.

43 Kibbe, 105. The definition and oversight requirements were contained in the Intelligence Authorization Act for fiscal year 1991.

44 Donald Rumsfeld, *2003 Secretary of Defense Annual Report to the President and the Congress* (Washington, DC: The Pentagon, 2003), 2. This report highlights the historic change in the charter of the SOCCOM, from supporting missions of the other regional combatant commanders, to planning and executing its own missions in the global war on terrorism. Kibbe, 109.

45 Joint Publication 3-0, *Doctrine for Joint Operations*, September 10, 2001, II-3-II-4.

46 Clausewitz, *On War*, 605; Sun Tzu, *The Art of War*, translated by Samuel B. Griffith (New York: Oxford University Press, 1963), 142; Colin Powell, *My American Journey* (New York: Ballantine Books, 1995), 561; *Isaiah* 6:8.

47 Michael Ignatieff, *Virtual War: Kosovo and Beyond* (New York: Picador USA, 2000), 179.

48 The discussion in this section is related to the discussion on just war theory, as presented in Chapter 3 of this volume, “Ethical Issues in War: An Overview,” by Martin L. Cook. This section will focus on political and military considerations, as opposed to the international legal framework associated with just war theory. However, it should be clear that many of the issues overlap.

49 Michael I. Handel, *Masters of War: Classical Strategic Thought*, 3rd ed. (London: Frank Cass, 2001), 10-11.

50 Edward Luttwark refers to this as “Napoleonic” warfare—wars fought for grand purposes, implying the decisive employment of large forces. Edward N. Luttwark, “Toward Post-Heroic Warfare: The Obsolescence of Total War,” *Foreign Affairs*, Vol. 74, No. 3, May/June 1995, 113-114.

51 Alexander L. George, “The Role of Force in Diplomacy: Continuing Dilemma for U.S. Foreign Policy,” talk at CSIS Security Strategy Symposium, June 25, 1998; Available from <http://www.pbs.org/wgbh/pages/frontline/shows/military/force/article.html>. Accessed, March 2, 2004; Colin Powell, “U.S. Forces: Challenges Ahead,” *Foreign Affairs*, Vol. 71, No. 5, Winter 1992/93, 36. Also see, Les Aspin, “The Use and Usefulness of Military Forces in the Post-Cold War, Post-Soviet World,” from an address to the Jewish Institute for National Security Affairs, Washington, DC, September 21, 1992; excerpted in Haass, 183-190.

52 Handel, 10; Evan Thomas, “The Vietnam Question,” *Newsweek*, April 19, 2004.

53 George P. Shultz, *Turmoil and Triumph: My Years as Secretary of State* (New York: Charles Scribner’s Sons, 1993), 650.

54 The Weinberger doctrine was first presented in a speech before the National Press Club, 28 November 1984. It’s rendition for the figure is from Handel, 310-311. The criteria are numbered in accordance with the sequence in which they were originally presented. However, that sequence is broken on the chart to help categorize criteria as either addressing the “when” or “how” of using force. Colin Powell’s list is taken from Aspen (as excerpted in Haass), 184-185. The best first person account is from Powell’s *Foreign Affairs* article which was previously cited. Secretary William Perry’s list is from “The Ethical Use of Military Force,” the Forrestal Lecture, Foreign Affairs Conference, U.S. Naval Academy, Annapolis, MD, April 18, 1995. These points were largely incorporated in all subsequent National Security Strategies issued by the Clinton administration. Joint Pub 1, *Joint Warfare of the Armed Forces of the United States*, 14 November 2000, contains a list of considerations for the use of military force, IV-2. The final set, from Secretary Donald Rumsfeld, is taken from his remarks before the Fortune Magazine Global Forum, November 11, 2002.

55 Samuel Huntington, “The Erosion of American National Interests,” *Foreign Affairs*, Vol. 76, No. 5, September/October 1997, 35. Huntington goes on to state that “national interests usually combine security and material concerns, on the one hand, and moral and ethical concerns, on the other.” *A National Security Strategy for A Global Age* (Washington, DC: The White House, December 2000), 4; George, 3.

56 Huntington, 37.

57 Handel, 312; Bobbitt, 298. Perry was initially responding to the ongoing debate about committing U.S. forces to help solve the crisis in Bosnia. The National Security Advisor for Bush (41), Brent Scowcroft, clearly reflected the opposite view that helped keep U.S. forces out of Bosnia for years. “We could never satisfy ourselves that the amount of involvement we thought it would take was justified in terms of U.S. interests involved . . . We were heavily national interest oriented . . . If it [war] stayed in Bosnia, it might be horrible, but it did not affect us.” Quoted in Samantha Power, *“A Problem From Hell” : America and the Age of Genocide* (New York: New Republic Book, 2002), 288.

58 David Halberstam, *War in a Time of Peace: Bush, Clinton, and the Generals* (New York: Scribner, 2001), 390-391; Ignatieff, 72.

59 Clausewitz, 579.

60 Handel, 316.

61 Haass, 74.

62 Shultz, 650.

63 Handel, 318.

64 Power, 509. Public support can be very fickle, based on the latest news from the battlefield, and is particularly problematic in prolonged and costly military operations. Handel, 319.

65 Haass, 88-89; Shultz, 650.

66 Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs, 2001), 423; Ivo H. Daalder, "The Use of Force in a Changing World—U.S. and European Perspectives," The Brookings Institution, November 25, 2002, 12.

67 Handel, 314; Power, 283. Another example cited is the claim, once again in 1992, by Lieutenant General Barry McCaffrey, to Congress, that 400,000 troops would be needed to enforce a cease-fire. Scowcroft conceded that the military's analysis was probably inflated.

68 Powell, "U.S. Forces: Challenges Ahead," 40.

69 Joint Pub 1, IV-2.

70 Wesley K. Clark, *Winning Modern Wars: Iraq, Terrorism, and the American Empire* (New York: Public Affairs, 2003), 86-87. Clark went on to conclude, that the "ensuing disorder vitiated some of the boost in U.S. credibility won on the battlefield, and it opened the door for deeper and more organized resistance during the following weeks."

71 Handel, 317.

72 Quoted in Harry G. Summers, Jr., *On Strategy II: A Critical Analysis of the Gulf War* (New York: Dell Publishing, 1992), 252.

73 Haass, 76-77.

74 Ignatieff, 208. As an example of an ambiguous end state, he cites the military technical agreement that concluded the conflict between NATO and Serbia. It specified the terms and timing of Serbian withdrawal and the entry of NATO troops, but left entirely undefined the juridical status of the territory over which the war was fought.

75 Handel, 324.

76 This chart has been modified from one that appears in Handel, 326. Handel's chart did not include Haiti (1994), and Iraq (2003). Handel had also included a column for Central America, which has been omitted. As mentioned in the body of the chapter, these ratings should be viewed as subject to open debate and discussion. In fact a useful exercise would be to determine your own ratings for particular interventions. As one example of the subjectiveness of these ratings, concerning Kosovo, Handel concluded that the public supported the operation. Ignatieff, on the other hand, stated that "the public did not sign up to 78 days' worth of bombing, and had they been asked, most would have said no." 183.

77 Handel, 311.

78 Summers, *On Strategy*, 43.

79 Roger H. Davidson and Walter J. Oleszek, *Congress and Its Members*, 9th edition (Washington DC: Congressional Quarterly, Inc., 2004), 439.

80 Richard F. Grimmett, "War Powers Resolution: Presidential Compliance," *Issue Brief for Congress*, Congressional Research Service, updated March 24, 2003, CRS; Robert B. Zoellick, "Congress and the Making of U.S. Foreign Policy," *Survival*, Vol. 41, No. 4, Winter 1999-2000, 33; Grimmett. Of the 104 reports, Ford submitted 4, Carter 1, Reagan 14, George H.W. Bush 7, Clinton 60 and George W. Bush 18; CRS-11.

81 *Ibid.*, CRS-13.

82 Alton Frye, "Applying the War Powers Resolution to the War on Terrorism," testimony before the Senate Judiciary Committee, April 17, 2002.

83 Zoellick, 34.

84 George Bush and Brent Scowcroft, *A World Transformed* (New York: Vintage Books, 1998), 446. For a superb discussion of the intricacies of gaining both domestic and international support for the use of force refer to pages 355-449. Concerning this debate, Brent Scowcroft had this to say: "We were confident that the Constitution was on our side when it came to the president's discretion to use force if necessary: If we sought congressional involvement, it would not be authority we were after, but support."

- 398 And President Bush added; "...even had Congress not passed the resolutions I would have acted and ordered our troops into combat. I know it would have caused an outcry, but it was the right thing to do. I was comfortable in my own mind that I had the constitutional authority." 446.
- 85 Grimmatt, CRS-3—CRS-4; Ignatieff, 180-181.
- 86 Davidson and Oleszek, 440.
- 87 "Congressional Joint resolution to Authorize Use of Force Against Iraq," *Washington Post*, October 11, 2002, A12; Grimmatt, CRS-12.
- 88 Frye, Congressional testimony.
- 89 John Lindsay, cited in Zoellick, 34.
- 90 David M. Ackerman, "International Law and the Preemptive Use of force Against Iraq," *CRS Report for Congress*, Congressional Research Service, updated march 17, 2003, CRS-3.
- 91 Kofi Annan, "The Legitimacy to Intervene," *Financial Times*, December 31, 1999. Available from: www.globalpolicy.org/secgen/interven.htm
- 92 John Burroughs, et. al., "The United Nations Charter and the Use of Force Against Iraq," October 2, 2002, 2; Robert S. Litwak, "The New Calculus of Pre-emption," *Survival*, Vol. 44, No. 4, Winter 2003-03, 73.
- 93 Quoted in , Robert Kagan, "America's Crisis of Legitimacy," *Foreign Affairs*, Vol. 83, No. 2, March/April 2004, 81.
- 94 Ignatieff, 182.
- 95 Charles Krauthammer, "The Unipolar Moment Revisited," *The National Interest*, Number 70, Winter 2002/03, 17.
- 96 Thomas Friedman, "Present At...What?" *New York Times*, February 12, 2003.
- 97 Kagan, 82-83.
- 98 Art, "To What Ends Military Power?," 35; The United States Commission on National Security/21st Century, *New World Coming: American Security in the 21st Century*, September 15, 1999, 3-5.
- 99 Kagan, 77.
- 100 Michael J. Glennon, "Why the Security Council Failed," *Foreign Affairs*, Vol. 82, No. 3, May/June 2003, 16.