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**THE DECISION TO USE MILITARY FORCE:
National Security Interests, the Military Intervention Ethic, and Decision-Making for
Senior Military and Civilian Government Officials**

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Abstract

The most difficult decision a president of the United States can make is the one to put American military forces in harm's way. The president and secretary of defense, with advice from the Joint Chiefs, must have a working methodology available to help them with this difficult decision. The purpose of this paper is to develop such a methodology so that senior government officials can determine whether or not to send U.S. military forces into battle.

While the United States intervened four times in the 1990s by engaging in Haiti, Somalia, Bosnia and Kosovo, it did not engage in Rwanda where genocide took place. It seemed American foreign policy was ad hoc versus being conducted in a systematic way. Why? Were United States national interests spelled out in ways to determine when military force should be used? Is there a military intervention ethic in the United States that helps foreign policy experts determine when and when not to engage? Finally, what decision-making methodology can be developed to help senior government officials make these weighty decisions?

This paper attempts to answer these three very difficult questions. First, a chapter on America's national interests covers the current thinking on defining those interests. It details vital, extremely important, important, and less secondary interests as spelled out by the 2000 Commission on America's National Interests. The argument continues with power and risk discussions and the current thought on reacting and engaging in the post-Cold War world.

Next, the military intervention ethic is pursued. The just-war theory and the three question, seven criteria of military intervention are discussed. It recognizes that each decision to intervene must be preceded by a thorough analysis of objectives and the means to carry out those objectives. Just cause, legitimate authority, and right intention must be comprehensively studied prior to committing force. A reasonable probability of success must be attainable so that futile battles and conflicts do not take place. Right intention, proportionality, and noncombatant immunity must be discussed so that innocent men, women, and children are spared the agony of war. While collateral damage can occur, it must be minimized.

Finally, this paper ties together both America's national interests and the military intervention ethic into a working methodology. This study finds that such a methodology would be beneficial to senior government officials and could perhaps help our nation's leaders make more systematic decisions on the use of military force.

CHAPTER I

INTRODUCTION

The most difficult decision a president of the United States can make is the one to put American military forces in harms way. The president and secretary of defense, with advice from the Joint Chiefs, must have a working methodology available to help them with this difficult decision. The purpose of this paper is to develop such a methodology so that senior government officials can determine whether or not to send U.S. military forces into battle.

This paper will address U.S. national interests as defined by the July 2000 report from The Commission on America's National Interests and discuss whether or not those interests, as spelled out, help decision-makers determine whether or not military force is appropriate. Next, it will consider power as defined by Professor Joseph Nye of the Kennedy School at Harvard University—should his thinking on hard and soft power be included in the decision to use military force? Finally, the discussion of national interests will conclude with a discussion of Ashton Carter's and William Perry's hierarchy of risks.

Chapter III of the paper will develop the military intervention ethic. Its goal is to present policymakers with a series of three questions and seven criteria that can be used to help determine whether or not it is appropriate to use military force in a given situation. The concepts of *Jus ad bellum* (defining conditions when it is right to go to war) and *Jus in bello* (defining how force is to be legitimately employed) will be discussed in detail. It is essential that policymakers understand these concepts so that American forces are not put into battle for an unjust cause or in a situation that leads to disproportionate ends. Why (for what purpose), When (under what conditions), and How (by which

means) should force be used? Just cause, proper authority, right intention, last resort, proportionality, probability of success, and noncombatant immunity are discussed in detail. The paper concludes by presenting a model for decision-makers to use to help them with the most difficult decision: When should American military forces be put in harm's way?

CHAPTER II

U.S. NATIONAL INTERESTS

*For the decades ahead, the only sound foundation for a successful, sustainable American foreign policy is a clear public sense of American national interests. Only a national interest-based policy will provide priorities for American engagement in the world and allow America's leaders to explain persuasively why expenditures of American resources and blood deserve support from American citizens.*¹

A Decade of Confusion

The American public's interest toward United States foreign policy has sharply declined since the end of the Cold War, as political leaders have turned their attentions to domestic issues. Admittedly, September 11th, sharpened that focus at least in the short term; however, the decade between the Gulf War and this current war on terrorism highlights a definite need to redefine United States national interests. The Gulf War and the war on terrorism in Afghanistan, was and are just wars. Aggression, rightfully so, must be met head on. Iraq was repelled from Kuwait due to its overt and unjustified aggression, while Afghanistan's national survival is being guaranteed by the just war the United States is waging against terrorism there. But what about the United States decision to employ force in Haiti, Somalia, Bosnia and Kosovo but not in Rwanda? If United States national interests are not clearly defined, and they are central to the thought process of American presidents and secretaries of defense, then how can they decide when to use military force?

America's Strength

America today has greater influence and power than perhaps in anytime in its history. Its ability to wield the instruments of national power—diplomatic and informational, economic and military—are

envied by most nations of the world. Since the collapse of the Soviet Union and the end of the Cold War, it is the world's sole superpower with a military capable of worldwide deployment and employment at a moment's notice. The United States military remains the best trained, best equipped, and most capable military force in the world. No other country's military has the ability for global reach like the United States military.² But if the United States is so strong, then why is America adrift in the post-Cold War era?

America Lacks Focus

According to the 2000 Commission on America's National Interests, a group of concerned American citizens with a vast background in American foreign policy, including Senator John McCain, Former National Security Advisor Brent Scowcroft, Condoleezza Rice, Graham Allison, Robert Blackwell, Richard Armitage, David Gergen and many other authorities on world affairs, "America lacks focus."³ They state, "A defining feature in American engagement in recent years has been confusion."⁴ It is simple to understand why, of course. The United States lacks an enemy. As described in President Ronald Reagan's 1988 National Security Strategy Document,

the United States fought two world wars to ensure no hostile state or group of states could take over the world's heartland, the Eurasian landmass. It then spent 40-plus years on the singular focus to contain the Soviet Union. This historical dimension of United States strategy was relatively simple, clear-cut, and immensely sensible.⁵

¹ The Commission on America's National Interests, 7 July 2000 Press Release.

² Quadrennial Defense Review Report, *United States Department of Defense*, Sept 2001: 8.

³ The Commission on America's National Interests, *America's National Interests*, July 2000.

⁴ *Ibid.*, 1.

⁵ National Security Strategy, 1988, Sec I, 1.

In 1989, the Cold War ended and, other than an appropriately aimed 1991 military campaign against the aggressor state Iraq, America's foreign policy has been adrift.

For instance, why did America send military forces to Somalia but not Rwanda? Why to Bosnia and Kosovo but not Sierra Leone? America's national interests and applying them to concerns around the world has led to a confused implementation of very weak foreign policy declarations. United States leadership seemed only to react if a conflict or situation ran on Cable News Network (CNN) long enough to cause concern. Graphic presentation of tragic human suffering, ethnic cleansing and despair, in Bosnia and Kosovo seemed to be enough to get the Clinton administration to act. Henry Kissinger believes "the Clinton Administration recoiled from the concept of national interest and distrusted the use of power unless it was presented as being in the service of some unselfish cause—that is, reflecting no specific American national interest."⁶

Am I saying it was wrong to engage in Bosnia? On the contrary, as a member of the first North Atlantic Treaty Organization (NATO) headquarters element on the ground in Sarajevo, I saw firsthand that international involvement with United States leadership was exactly what was needed. But then why didn't we stop the genocide of Rwanda? It is estimated that over 800,000 people were hacked to death in the streets and villages of Rwanda while the United States did nothing.⁷ Remarkably, it is discussed in numerous reports that the United States, after being shocked by the failure in Somalia,

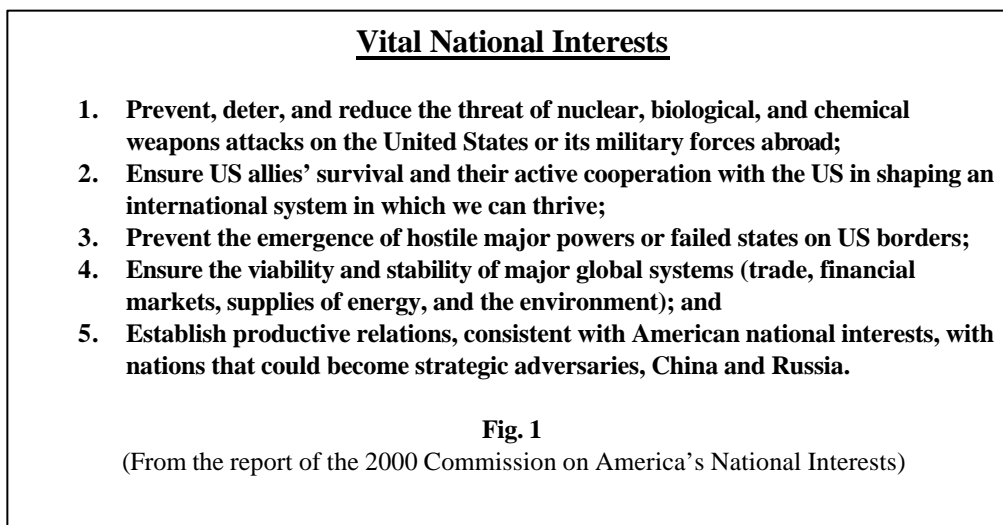
⁶ Henry Kissinger, *Does America Need a Foreign Policy* (New York: Simon and Schuster, 2001), 29.

⁷ Samantha Powers, "Bystanders to Genocide," *Atlantic Monthly* 288 (2001): 84.

could not stomach anymore reports of dead American soldiers, so it closed its eyes and turned its back on the people of Rwanda.⁸

America's Interests

There must be a way to define America's national interests so that a more coherent foreign policy can be formulated so that when crises raise their ugly heads around the world America knows when and how to act. The 2000 Commission on America's national interests is an excellent starting point. The commission categorized a hierarchy of interests from "vital" to "less important" in attempt to provide clarity for foreign policymakers. "Vital national interests, the most important, are conditions that are strictly necessary to safeguard and enhance America's survival and well-being as a free and secure nation."⁹ Figure 1 shows what the commission regards as U.S. vital national interests.



This short list of "vital interests" is worth fighting for since U.S. national survival is risked. All instruments of national power, including the use of military force, should be focused on ensuring they are

⁸ Walter Clarke, "Somalia and the Future of Humanitarian Intervention," *Foreign Affairs* 75 (1996): 70.

⁹ The Commission on America's National Interests, *America's National Interests*, July 2000, 5.

“enhanced and protected by singular United States leadership, military and intelligence capabilities, credibility, and strengthening critical international institutions—particularly the United States alliance system around the world.”¹⁰

Figures 2-4 highlight additional categories of national interests ranked from “extremely important” to “less important.” While thought provoking, the commission’s report did not attempt to apply any specific instrument of national power against each national interest. Is a categorized list of America’s interests enough to decide when or how to use military force to respond when they are threatened? The obvious answer is “no.” Given America’s military superpower status, the United States could elect to intervene with military force anywhere it chooses—but should it? Again, I return to the examples of the previous decade. The United States intervened in Bosnia without a true risk to its national survival; there were no vital United States interests in jeopardy. Why did the United States risk its military forces?

The war in Bosnia actually spread across the “extremely important” and the “important” interests lists. It met “extremely important” criteria by promoting the well-being of United States allies and friends, and preventing and managing, with reasonable cost, a major conflict in an important region. It also met “important interests” criteria by discouraging massive human rights violations. Do the lists then show us the way? The answer is again “no.” If this is how the United States made decisions on the use of force, then the U.S. military would be engaged all over the world since there are human rights violations going on in many countries. This is not the way to decide. Having a ranked list of national interests is therefore not enough basis to make this critically important decision.

¹⁰ Ibid.

Extremely Important National Interests

1. Prevent, deter, and reduce the threat of the use of nuclear, biological, or chemical weapons anywhere;
2. Prevent the regional proliferation of WMD and delivery systems;
3. Promote the acceptance of international rules of law and mechanisms for resolving or managing disputes peacefully;
4. Prevent the emergence of a regional hegemon in important regions, especially in the Persian Gulf;
5. Promote the well-being of US allies and friends and protect them from external aggression;
6. Promote democracy, prosperity, and stability in the Western Hemisphere;
7. Prevent, manage, and if possible at reasonable cost, end major conflicts in important geographic regions;
8. Maintain a lead in key military-related and other strategic technologies, particularly information systems;
9. Prevent massive, uncontrolled immigration across US borders;
10. Suppress Terrorism (especially state-sponsored terrorism), transnational crime, and drug trafficking; and
11. Prevent genocide.

Fig. 2

(From the report of the 2000 Commission on America's National Interests)

Important National Interests

1. Discourage massive human rights violations in foreign countries;
2. Promote pluralism, freedom, and democracy in strategically important states as much as is feasible without destabilization;
3. Prevent and, if possible at low cost, end conflicts in strategically less significant geographic regions;
4. Protect the lives and well-being of American citizens who are targeted or taken hostage by terrorist organizations;
5. Reduce the economic gap between rich and poor nations;
6. Prevent the nationalization of US-owned assets abroad;
7. Boost the domestic output of key strategic industries and sectors;
8. Maintain an edge in the international distribution of information to ensure that American values continue to positively influence the cultures of foreign nations;
9. Promote international environmental policies consistent with long term ecological requirements; and
10. Maximize US GNP growth from international trade and investment.

Fig. 3

(From the report of the 2000 Commission on America's National Interests)

Less Important or Secondary National Interests

1. Balancing Bilateral trade deficits;
2. Enlarging democracy everywhere for its own sake;
3. Preserving the territorial integrity or particular political constitution of other states everywhere; and
4. Enhancing exports of specific economic sectors.

Fig. 4

(From the report of the 2000 Commission on America's National Interests)

Power's Influence

Many strategists believe that national interests should be defined in relation to power. Professor Joseph Nye, former Assistant Secretary of Defense for International Affairs, believes that power today is distributed like a three-dimensional chess game: the top, military board is unipolar, with the United States far in the lead of any other nation of the world; the middle, economic board is multipolar, with the United States, Europe, and Japan accounting for two-thirds of world production; but the bottom of the board represents all transnational relations that cross borders and lie outside the control of governments. Power, therefore, cannot be defined as simply unipolar or multipolar.¹¹ It is neither one-dimensional nor easy to define. The United States must recognize it does not dominate across the spectrum of international affairs and must define its interests with the recognition that international support may at times be essential to fulfilling its interests. Even though the United States is the sole remaining superpower, it cannot and should not wish to go it alone in today's complex world environment.¹²

Hard Power, Soft Power

Another distinction brought up by Nye is the distinction between "hard power" (a country's economic and military ability to buy or coerce) and "soft power" (the ability to attract through cultural and ideological appeal.) United States "hard power" is well recognized around the world: It's military is the sole remaining force that can engage in any part of the world it chooses, while the U.S. economy is the largest and most powerful in the world, and most nations would do anything to compete on the

¹¹ Joseph Nye, "Redefining the National Interest," *Foreign Affairs* (1999): 24.

¹² Joseph Nye, *The Paradox of American Power, Why the World's Superpower Can't Go it Alone* (New York: Oxford University Press, 2001)

world stage with United States business. This “hard power” is significant but not the only power to consider when dealing with the world.¹³

American democratic values, a form of “soft power,” are desired throughout the world as well.¹⁴ The information age has opened up United States culture to the world so that both the good and bad of an open society are visible. Young men and women in closed societies are sneaking looks at the Internet and are marveling at American movies and the United States way of life, and the ability to do business the way you choose is appealing to the democratic world. But not all United States values strike with such enthusiasm. Some cultures, such as in the Arab world, are disgusted by what they see in American culture. American movies show open sexuality, violence, and women in clothes that do not necessarily cover their entire body as in their culture. American TV and the Internet also show the disparity between societies and can highlight human rights violations that in years past would not have been so visible. A newfound openness in a once closed society can lead to internal conflict and cause international structures to take notice. So, again, in this new and complex environment, when should the United States military intervene? How should America’s interests be discussed?

Rethinking Risks

William Perry and Ashton Carter believe it is time for the United States to develop a “strategy in the absence of a major threat.”¹⁵ Rather than just thinking about how the United States acts in the international environment in regards to a list of United States interests or power balances, Perry and

¹³ Joseph Nye, “Redefining the National Interest,” *Foreign Affairs* (1999): 24.

¹⁴ *Ibid.*, 24-25.

¹⁵ Ashton Carter and William Perry, *Preventive Defense: A New Security Strategy for America*. (Washington D.C.: Brookings Institute Press, 1999): 11.

Carter have developed a hierarchy of risks to United States security. At the top of the hierarchy is the “A list” of threats to survival of the nation, which equates to the commission’s “vital national interests” (see figure 1). These threats place national survival at risk and must be dealt with on a daily basis. The Soviet Union, with its missiles pointing toward the United States was a recognized “A list” threat until the end of the Cold War. Today, however, there are no imminent military threats to the survival of the United States.

A “B list” of threats would include major regional problems that could result in an imminent military threat to United States interests abroad. Korea and the Persian Gulf fit into this category. Although significant pain and anguish could be placed upon United States interests, it is doubtful that there is a risk to the survival of the United States. The United States military has planned for and continues to provide significant forward presence in both regions in recognition of their importance. These equate to the commission’s “extremely important” and “important” national interests (see figures 2/3).¹⁶ The third list in Perry and Carter’s hierarchy is the “C list,” which consists of problems that I described earlier as the decade of confusion in the nineties. They are important contingencies (Haiti, Bosnia, Kosovo, Somalia, Rwanda) but do not pose any imminent military threat to United States interests. This is not to say that they couldn’t indirectly affect United States interests, but that it was or is believed that they represent no significant threat to United States interests.

What is significant about this hierarchy discussion is that the United States had become preoccupied with “C list” contingencies in the 1990s. This preoccupation takes away focus from

¹⁶ It could be argued that the war on terrorism could fit into an A or B list, but I will save that discussion for a future chapter.

strategic planning for future “A” or “B” list threats. (Perhaps, the United States was taken off guard by September 11th because of a lack of effort on the terrorist threat due to its focus on “C list” contingencies.) As stated in the Quadrennial Defense Review Report dated September 2001, the American military’s readiness has declined in light of the number of deployments and missions it has been challenged with in the 1990s.¹⁷ How can the military defend the homeland, protect Americans abroad and our allies, and help with economic stability if it is tasked across the spectrum of operations from peacekeeping to peacemaking, to nation building, and to all forms of humanitarian operations? Perhaps September 11th did do one good thing: it refocused United States leadership on homeland defense, as well as protecting American citizens abroad, their allies, and the global economy.

What Is the Military’s Role in Formulating Policy?

As a 21-year member of the United States Air Force, you would perhaps think I would have participated in deliberations on whether or not it was appropriate for the United States military to employ force in a given situation. However, while I have discussed and implemented the “how” of using force, I have not been involved in whether or not it was appropriate from the start. In the United States, military leaders are not asked by their political superiors when and where to wage war, but how. How can the military instrument of power be used for strategic advantage? In fact, in the American tradition, it is rare for senior military leaders to involve themselves in the national security process at the grand strategy level.¹⁸

¹⁷ Quadrennial Defense Review Report, *United States Department of Defense*, Sept 2001, p 8.

¹⁸ Amos Jordan, et al, *American National Security, 5th Edition* (Baltimore: The John Hopkins University Press, 1999): 192.

Grand strategy, the first level of the policy process in which fundamental political goals are established, has been largely off limits to the military officer. Even with the Goldwater-Nichols Act of 1986, which reorganized the Defense Department, the Chairman of the Joint Chiefs, and his Chief of Staffs of the services, are more likely to be defining a force structure for a policy handed to them by their civilian political leaders then designing one themselves.¹⁹ There are exceptions to the rule, of course. Brent Scowcroft was an Air Force General who became the National Security Advisor to President Ford and Colin Powell worked as a White House fellow in the Office of Management and Budget and had unprecedented access to President Reagan as his National Security Advisor. However, these individuals were appointed because of their personal talents, not because they were military officers.²⁰

The 2001 Quadrennial Defense Review (QDR) reflects how Department of Defense leaders involve themselves in the grand strategy arena.²¹ It is the overall strategic planning document of the Department of Defense and, as the name implies, is required every four years by public law.²² It is presented to the president from the Defense Department as a review of its role in the national security process. More importantly, it demonstrates that the United States military establishment recognizes its requirement to force posture (building the how) based on securing United States interests by stating,

*The purpose of the U.S. Armed Forces is to protect and advance **U.S. national interests** and, if deterrence fails, to decisively defeat threats to those **interests**....The development of the defense posture (senior military officers major role, author added) should take into account the following enduring **national interests**.*

¹⁹ Ibid.

²⁰ Colin Powell, *My American Journey*, (New York: Random House, 1995): 351.

²¹ Quadrennial Defense Review Report, *United States Department of Defense*, Sept 2001.

²² Ibid., 71.

?? *Ensuring U.S. security and freedom of action, including:*

- *U.S. Sovereignty, territorial integrity, and freedom*
- *Safety of U.S. citizens at home and abroad*
- *Protection of critical U.S. infrastructure*

?? *Honoring international commitments, including:*

- *Security and well-being of allies and friends*
- *Precluding hostile domination of critical areas*
- *Peace and stability in the Western Hemisphere*

?? *Contributing to economic well-being, including:*

- *Vitality and productivity of the global economy*
- *Security of international sea, air, and space, and informational lines of communication*
- *Access to key markets and strategic resources*²³

By broadly stating the above national interests, the Defense Department sets the overarching theme for developing the “how” in defense preparation. Senior DOD leaders recognize that the size of the American military must be based on 1) homeland defense, 2) protection of Americans and allies abroad, and 3) the protection of the global economy. The Commission on America’s National Interests looked at all interests from “vital” to “secondary” regardless of which instrument of power might be required to facilitate that interest. The United States Defense Department, on the other hand, through the QDR, categorizes these interests into security-related interests. It is another look, another source, that can help us understand when and why military force might be employed to allow United States national interests to endure.

The Interaction of National Interests, Power, and Risks

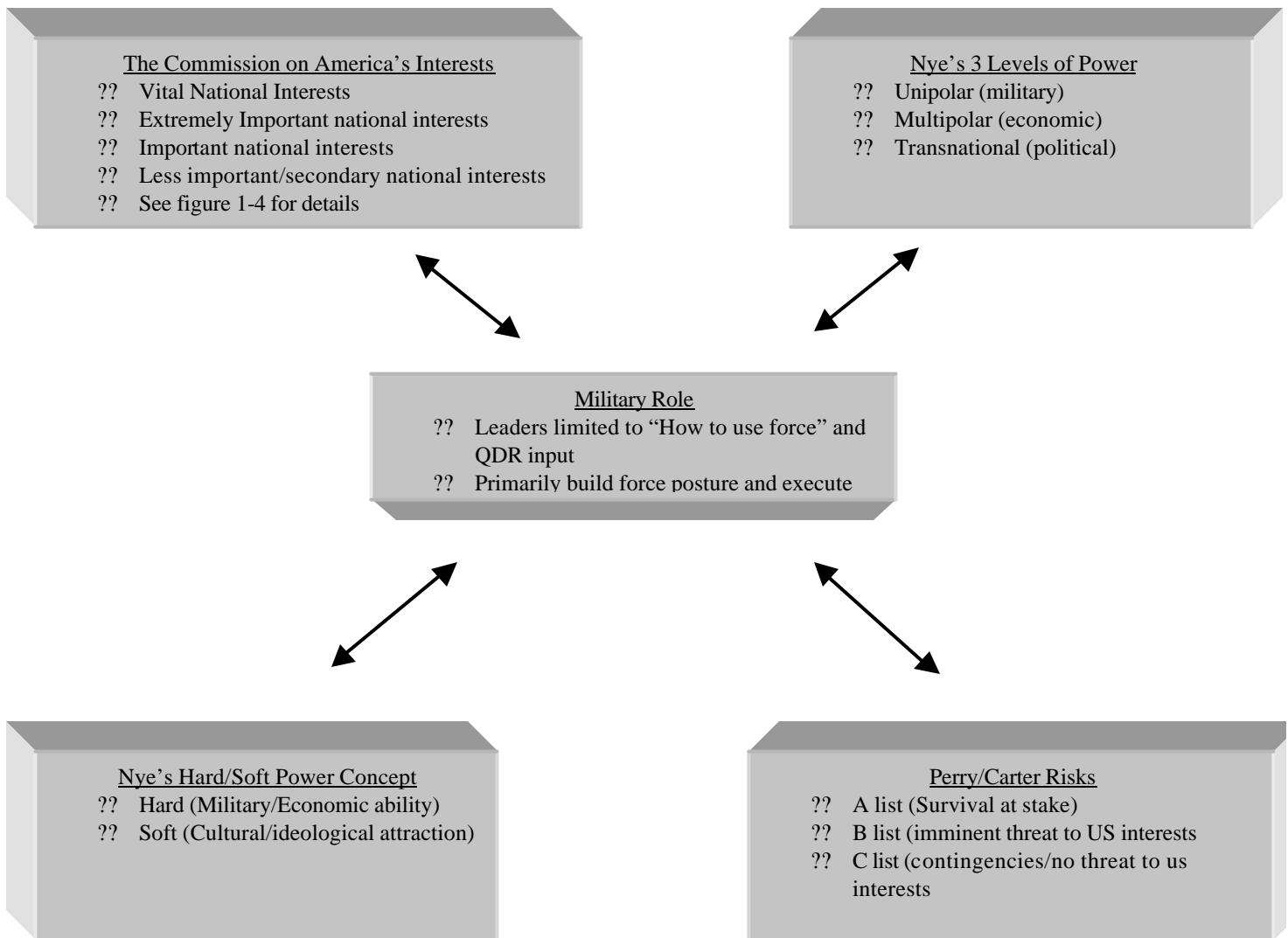
Deciding whether or not to put U.S. forces in harm’s way is dependent upon the ability of senior military and civilian leaders to place at the center of their thoughts a clearly defined national security

strategy. First, this strategy can only be developed with the following presumption: No president of the United States would ever put American military forces into harms way without a tie to national interests; therefore, U.S. national interests are always the foundation for its use of military force. However, national interests are not and should not be the only determinant when considering whether or not to employ American forces. The starting point is an understanding of the interaction between United States interests, power, and risks. Figure 5 attempts to show that interaction. Broadly defined national interests are acceptable at the macro level of strategic thought when considering how to apply a nation's use of all the diplomatic and informational instruments of power, as well as the economic and military instruments.

However, when discussing a situation to determine whether or not to use military force, some very tough questions must be asked: Does the situation require force because a vital or extremely important national interest is at risk? Is national survival at risk? Are United States allies in jeopardy? Will the global economy collapse? If it just falls in the realm of important or secondary, why are we considering the use of military force? Is the situation an "A", "B", or "C" list crisis? If it is a "C" list crisis, why are we considering risking American lives and resources? Have we exhausted all other diplomatic, informational, and economic means to solve the crisis? How much risk to national hard and soft power is too much? These are just a few of the many questions that demonstrate the interaction among national interests, power, and risk.

²³ Ibid., 2.

The Interaction of National Interests, Power, and Risk



(Fig. 5)

Summary

The emphasis of this chapter was to highlight the importance of determining U.S. national interests in a way that clearly helps define United States objectives as it interacts on the world stage. The easily recognized enemy, the “A list” Soviet Union, collapsed with the Berlin wall. Very few current world crises can be perceived as a risk to the survival of the United States. Although America is in some ways stronger than ever, U.S. foreign policy has lacked focus and can be characterized as confused as it has engaged around the world in the past decade. The Commission on America’s National Interest’s report of July 2000 is an excellent starting point if we wish to define and prioritize U.S. national interests. It does not treat, however, when to use military force other than to imply that military force will be used if vital national interests are at stake.

In his concept of “soft power,” Professor Nye recognizes that the information age and rapid global communications have changed the world. Not only will nations coerce their neighbors with military and economic might, but they can also attract or repulse their neighbors with their cultural and ideological values. As the last remaining military superpower with global reach and power capability, the United States has been pulled into “C list” contingencies without any direct threat to national interests. Is this the way the United States wishes to proceed? Should the American military become the world’s policeman?

Now that we understand that United States national interests, power, and risks interact as the foundation for a sound national security strategy, let us turn to the discussion of intervention. What

series of questions should be asked by senior officials to determine whether or not American military forces should be put at risk?

CHAPTER III

THE USE OF FORCE—THE ETHICS OF MILITARY INTERVENTION

What questions should the president and secretary of defense ask when deciding whether or not to place the men and women of the armed forces in harm's way? The first chapter recognized the importance of clearly defined national interests. These interests are at the foundation of any decision regarding national security but, other than agreeing that force would always be appropriate if national survival is at stake, (i.e. when a "vital national interest" is threatened), how are we sure it is appropriate to engage with military force in lesser contingencies?

The issue of military intervention when national survival is *not* at risk is central to my thesis. For purposes of this paper, I am also assuming that the use of force is always appropriate when defending our nation's "vital national interests." (see fig. 1 preceding chapter) If a threat to the United States reaches the level of an "A list," according to Perry and Carter, then it is again appropriate for the United States to defend itself. The real concern in today's very complex "C list" world is when should the United States intervene when national survival is not at stake?²⁴

It is important for you to understand my personal belief as a man shaped by 21 years of service in the United States military: the United States should always begin with a presumption of nonintervention. However, this presumption is not an absolute one. While it may be regretful that the United States must

²⁴ Ashton Carter and William Perry, *Preventive Defense: A New Security Strategy for America* (Washington D.C.: Brookings Institute Press, 1999): 11.

resort to the use of force to stop a tragedy from continuing or beginning, I recognize full well that there are just causes for intervention and that force is sometimes necessary. Therefore, while I believe that military intervention should be the exception, the United States should and must intervene when it is in its *interest* to do so. The problem is linking *national interests* to an ethic in military intervention.

Background on the Ethic of Use of Force

The issue of military intervention is not new. Father Bryan Hehir, outgoing Dean of the Harvard School of Divinity, has traced the history of intervention from Thucydides, to the religious wars of the sixteenth century that finally ended with the signing of the Treaty of Westphalia, through the balance of power politics of the eighteenth and nineteenth centuries, and then the World Wars and Cold War of the twentieth century.²⁵ Thucydides wrote that, “They that have odds of power exact as much as they can, and the weak yield to such conditions as they can get.”²⁶ Power has been key throughout history. Gaining power or ensuring that the balance of power remains intact has been the primary motive for intervention. It was a classic reason of security and power balancing. What has changed today?

The contemporary interest in intervention is driven more by value judgments and moral concerns, much to the dismay of conservative and realistic viewpoints. The classic concerns for intervention, eliminating a hostile regime, stabilizing the balance of power and defending a nation’s vital national interests, are no longer the only reasons for authorizing the use of force. State-centric reasoning has been replaced by a more global view of sharing responsibility for human suffering. The American’s classic balance of power ended with the collapse of the Soviet Union in 1991. Intervention, so that

²⁵ Class Notes at Harvard University, 27 Sep and 13 Dec 2001.

communism would not prevail around the world (power balancing), is no longer a viable or just reason for entering United States troops into conflict, since that threat has disappeared.

The United States interventions in the 1990s were because of lower level national interests: discourage massive human rights abuses and promote pluralism, freedom, and democracy. (see figure 2\3 previous chapter) These American normative values were at least part of the reasons that led President Clinton to engage United States military forces in Bosnia and Kosovo. How, therefore, do moral and legal obligations fit into the decision to use force?

Moral and Legal Traditions

Should the United States be obligated to respond to humanitarian concerns around the world? Obligation is a strong word that implies that one has a duty to act every time and although the United States is the sole remaining military superpower, it cannot be expected to react to every problem in the world. It, too, has limited resources and capability, even if those resources are greater than every other nation. What should the United States do morally and legally regarding the use of force?

First, there is an inherent struggle between the ethical viewpoint and the legal one. Morally, we, as Americans, would love to solve all the problems of the world by obligating our vast resources to every cause requiring our help. Legally, however, there is a consistent theme of nonintervention in the world that has existed since the Thirty Years War ended with the signing of the Treaty of Westphalia in 1648, which in turn led to the emergence of the modern nation-state system and the doctrine of sovereignty that has become the world's foundation. Because of this doctrine, a tradition of

²⁶ Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977)

nonintervention in the internal affairs of another state became the norm: what goes on within the confines of your own nation is your business. Peace among nations triumphed over whatever justice may or may not be taking place within the walls of a given nation. Today, however, as Henry Kissinger reminds us, “the Westphalian order is in systemic crisis. Noninterference has been replaced by universal humanitarian intervention.”²⁷

The tradition of nonintervention is upheld in legal tradition by the United Nations, which of course the United States is a primary player within. Article 2, paragraph 4, of the charter, states the customary norm of nonintervention:

*All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any manner inconsistent with the purpose of the United Nations.*²⁸

Article 2(4) and Article 51 both largely restrict the right of states to use force to one circumstance: individual or collective self-defense. It must be remembered that these Articles and even the founding of the United Nations came after World War II where the primary concern was to stop the external aggression of nation-states. This was believed the primary reason for war and therefore, rightfully, it was the obligation of states to defend themselves to stop the aggression, thereby stopping war and returning to peace.

Although self-defense has been the traditional motive for military action, the United States has more recently been intervening, as long as it has had the backing of legitimate authority. In the 1990s, the United States intervened in four humanitarian military operations: Somalia, Haiti, Bosnia, and

²⁷ Henry Kissinger, *Does America Need a Foreign Policy* (New York: Simon and Schuster, 2001), 21.

²⁸ United Nations Charter, Article 2. para 4.

Kosovo. Three of these operations received legal sanction from the United Nations; Kosovo, in America's eyes, received legal sanction when the North Atlantic Treaty Organization condoned and participated in the action.

The legal tradition continues to back the existence of the nation-state system as the primary political structure. It stresses the autonomy of states and the right to use force to preserve sovereignty and peace among states. With the exception of genocide, which has been internationally recognized as a reason to intervene through UN Charters, the presumption of nonintervention remains. On the other hand, the moral tradition focuses on forming bounds within the political community and potentially obligates the use of force as a duty of solidarity to those endangered or under attack. In this view, justice is more important than peace. The United States has intervened at least partly because of the moral argument. This perhaps highlights that existing law is too limited to deal with today's interventionist tendencies. The moral argument appears to be ahead of the legal basis in this regard.

Forming the Methodology

The end of the Cold War, the politics of the 1990s that led to four humanitarian interventions by the United States, and the underlying moral and legal traditions presented above highlight the need for the development of a decision-making methodology to help senior leaders decide on whether or not it is appropriate to intervene using military force. Again, what questions should we ask? What criteria should be used?

The first step in formulating any methodology is to understand the assumptions, which takes us back to the presumption of nonintervention. While the legal tradition concurs with this presumption,

moral tradition may take a bit of convincing. (Although, I like to assume that most people in the world wish to limit the amount of conflict and agree that the more we justify war the more likely it is to occur.) With this presumption, legal and morally justifiable exceptions can exist. Bryan Hehir defines these exceptions in terms of the *Just-war ethic* by using the terms *Jus ad bellum* (defining conditions under which force can be used) and *Jus in bello* (defining how force is to be legitimately employed).²⁹ Let's simplify them even further: *Jus ad bellum* are the conditions that give a country the right to intervene, while *Jus in bello* states if a country would like to intervene then it does so in a limited way, using appropriate means, emphasizing the sanctity of human life.

The following (figure 6) breaks down *Jus ad bellum* and *Jus in bello* by turning them into three questions and seven criteria that policymakers can use to determine whether or not it is practical or appropriate to use military force and intervene:

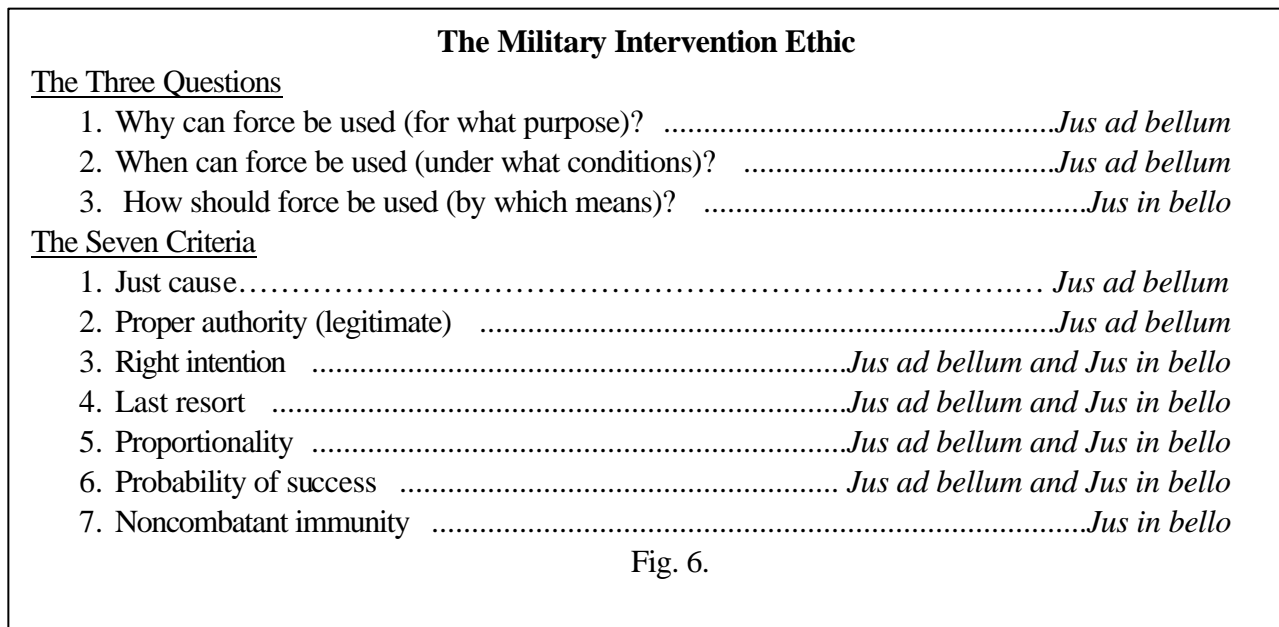


Fig. 6.

²⁹ Bryan Hehir, "Military Intervention and National Sovereignty: Recasting the Relationship," *Hard Choices*: 42.

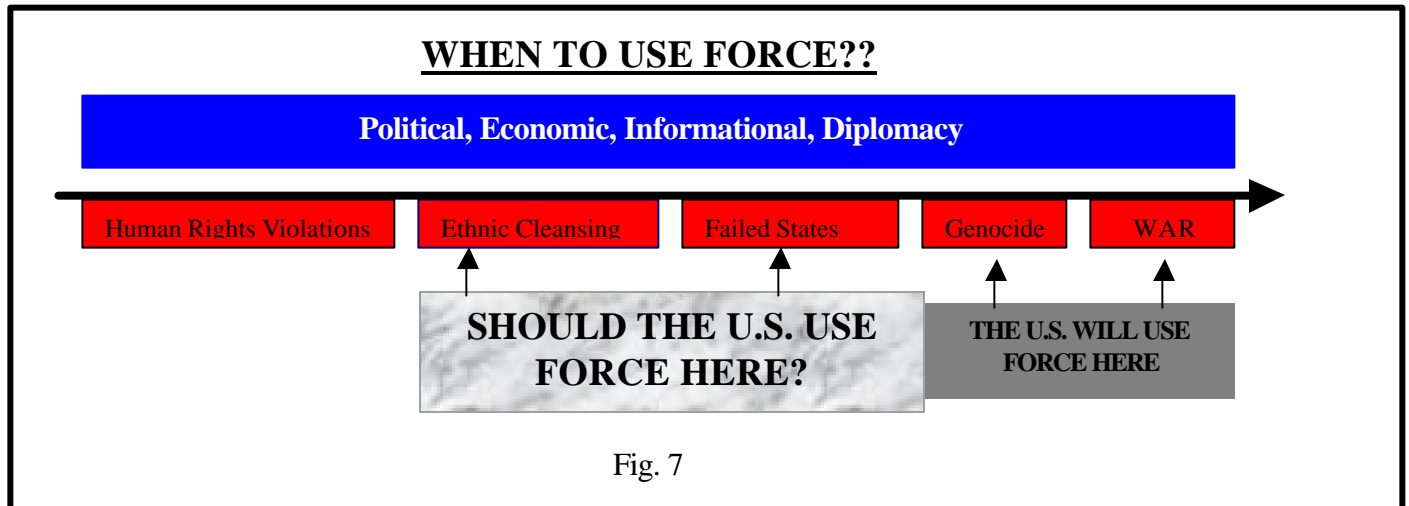
Why can force be used (for what purpose)?

United States military interventions in Bosnia, Kosovo, Haiti, and Somalia demonstrate the need for clarification on why force can be used in situations that arise around the world. They have been ad hoc responses to the desires of world leaders or to atrocities seen on CNN news. So, except for defending vital national interests, why should the United States use military force? The Westphalian principles of sovereignty and nonintervention have been challenged and, as discussed previously, genocide has become the only legally recognized exception to overriding the noninterventionist philosophy. Much of the policy debate in the United States, and the world, has been centered on whether or not it is appropriate for a country to intervene in the internal affairs of another state, especially with military force. The only reason military force can be used to intervene in another country's internal affairs is if there is "just cause." Is it time for the "just causes" of intervention to go beyond genocide?

A Spectrum of Problems

After the experiences of the 1990s, there is a belief that the just causes for intervention should in fact be expanded. While Bryan Hehir agrees with the presumption of nonintervention, he also recognizes the need for a systematic approach for expanding when to intervene. Figure 7 (When To Use Force?) shows a spectrum of conflict from generalized human rights violations to genocide and war showing a possible range to discuss when military intervention should be considered. For instance, human rights violations such as denying women the right to vote, using children in the workforce, racial prejudice, etc. are common throughout the world and should be dealt with on the international stage.

While political, economic, and diplomatic methods should



be used to decrease these abuses, it would be absurd to automatically intervene militarily because of them. Non-violent means are the only means that should be considered in these types of abuse cases. They do not cross the presumptive barrier for military intervention. If they did, the United States would be engaged militarily all over the world.

However, if human rights violations increase in quantity and can be characterized as for example ethnic cleansing, then perhaps, the barrier has been crossed. Political and diplomatic measures are, of course, the primary tools in international affairs across this spectrum of conflict but what do policy experts do in this gray area? The United States made the decision to intervene in Bosnia due to ethnic cleansing and to intervene in Somalia because it was a failed state and was unable to feed its own people.

The Gray Area

A gray area has developed in the world order based on the ethnic cleansing and failed states of the 1990s. “Ethnic cleansing approximates genocide,” according to Father Hehir, and “should not be classified simply as a human rights violation. It should be publicly identified as a distinct offense that the international community is willing to address through military measures.” He treats failed states in much the same way. When internal order has collapsed within a state and chaos threatens individuals and the international order, the international community should again be prepared to intervene with military measures.³⁰ Note that Father Hehir speaks of the “international community” versus just a single state when discussing whether or not to intervene. This will be an important part of his criteria, which will be discussed later.

WHEN CAN FORCE BE USED (under what conditions) and HOW (the means)?

Nation-states can only intervene with military force if the *Jus ad bellum* criteria defined earlier in the paper are considered and adhered to. First, there must be just cause; that is, aggression of one state toward another, (e.g. Iraq versus Kuwait), or a massive violation in human rights, including ethnic cleansing (e.g. Kosovo) and failed states (e.g. Somalia and Rwanda).

Second, a legitimate authority must sanction the use of military force. The United Nations should be the central clearinghouse for providing authority to international coalitions when they wish to intervene for just cause. However, this is not to say that existing alliances (e.g., NATO) and other international organizations cannot be the legitimate authority for approving interventions. Some believe it is appropriate for a prohibition on single-state intervention to accompany any expansion of an

³⁰ Ibid., 9.

interventionist policy.³¹ While the prohibition would leave intact the ability of states to defend themselves and fulfill alliance agreements, it may stop nations from falsely intervening by foregoing the third criteria, right intention.

The aim of political and military leaders must be peace with justice. The right intention in any conflict is essential to ensure that acts of vengeance and indiscriminate violence are forbidden. Expanding the justification for intervention could lead to corrupt governments intervening without just cause or the right intention under the guise of humanitarian intervention. This is why spelling out in detail the combination of just cause, proper authority, and right intention can help stop the unwarranted use of intervention for corrupt means. Fourth, all other means of intervention—political, economic, diplomatic, informational, and cultural—should be considered and exhausted before resorting to the use of military force. Force should truly be a last resort policy.

The “how” criteria, *Jus in bello*, must also be included in any decision regarding the use of force. The means must justify the ends; proportionality and noncombatant immunity are essential ingredients in any intervention decision-making process. Following proportionality criteria means that a country believes the overall destruction expected from the use of force must be outweighed by the good to be achieved. The military campaign must attain its objectives with no more force than is militarily necessary and must avoid disproportionate collateral damage to civilian life and property. If in order to fulfill your goals you must destroy an entire city, then the ends do not justify the means. Any military operation must pass this means test: Did military commanders attempt to achieve their objectives while limiting the risk to civilians and to private property?

³¹ Ibid., 9.

Noncombatant immunity is another absolutely essential ingredient when considering military intervention and must be considered in detail in all military operations. Civilians may not be directly targeted and military professionals must take all precautions so as to minimize harm to civilians. CNN will be the first to report on civilian casualties whether they are excessive or not. No one in the United States military wants innocent civilians harmed or killed. Not only is it morally unacceptable, but it may also hurt one's ability to target military objectives in future operations, especially if the pressure from past failures makes it difficult to convince your political masters that it won't happen again. Ensuring the safety of innocent men, women, and children is an absolute necessity in today's military planning and operations.

Finally, there must be a reasonable probability that the intervention you are about to consider will be successful, given the constraints of what we have discussed above. Considering noncombatant immunity and proportionality, can we achieve our objectives without doing more harm than good? Will we be successful without having to resort to disproportionate measures to achieve the desired results? Are we sure that, even in conflict, our intention will remain peace with justice?

Summary

The ethic of military intervention developed by Father Bryan Hehir at Harvard University is an excellent model to help frame a methodology for the decision on the use of military force. The sovereign state is still the primary actor in international affairs and a presumption of nonintervention and noninterference in the domestic affairs of states remains intact. However, a gray area is growing as demonstrated by the experiences of the 1990s. Legally, the right of self-defense, to respond due to

alliances, and genocide are the only reasons to intervene in another nations affairs. Moral pressures, however, are taking over as ethnic cleansing and failed states become reasons to intervene. Haiti, Bosnia, Somalia, and Kosovo are just four examples of U.S. interventions that took place in the 1990s, disregarding previous Westphalian noninterventionist tendencies. If we allow the gray area to grow, will the precedent be set for more and more conflict under the guise of humanitarian intervention?

The ethic of military intervention, with definitions, is outlined in Figure 8. It is essential to

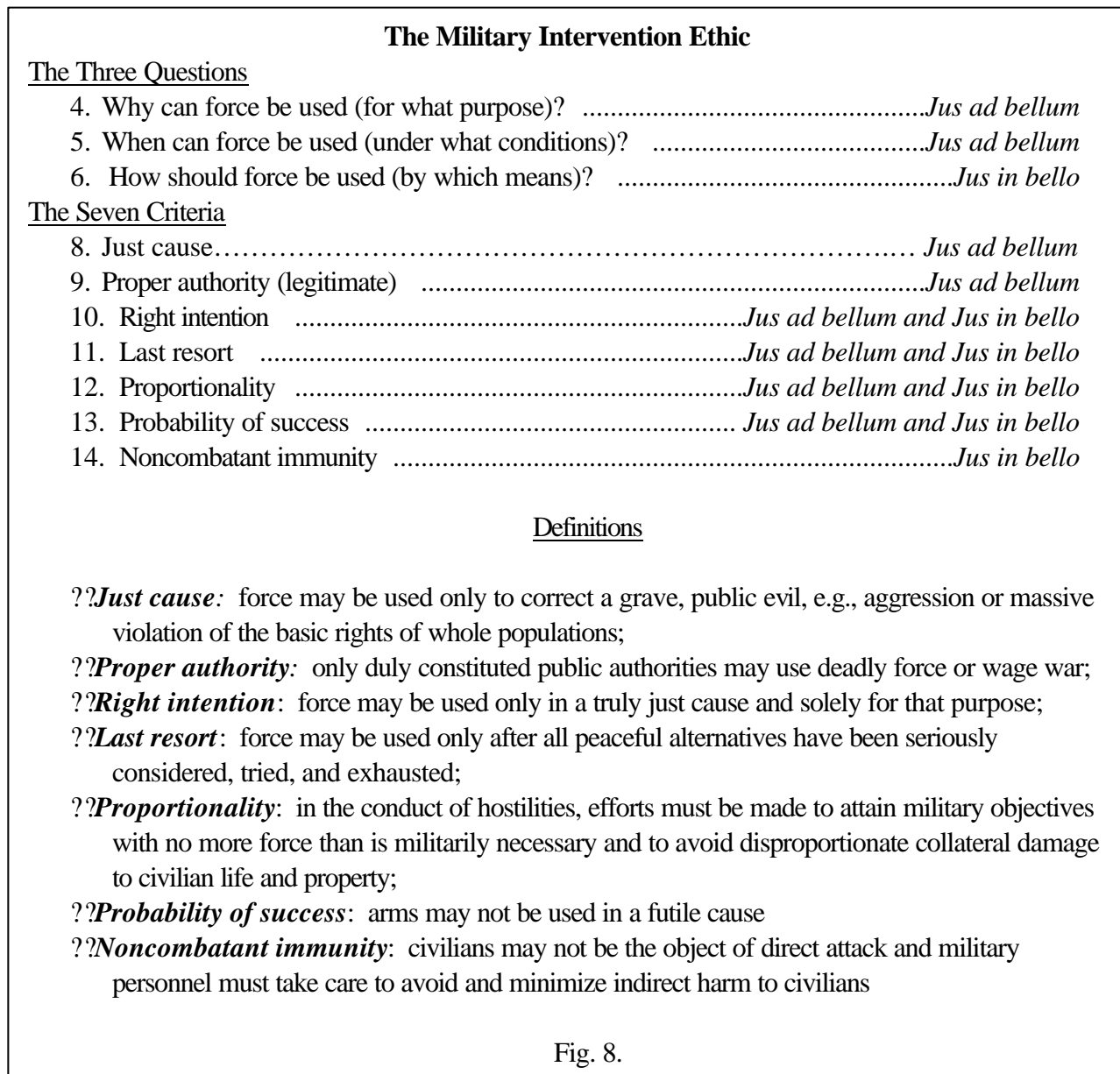


Fig. 8.

understand the interaction of the three questions and the seven criteria, which must be considered together as one unitary concept so as not to fall into the trap of committing military force to a conflict that does not or cannot override the barrier for the presumption of nonintervention. “*Jus ad bellum*—defining conditions under which force can be used” and “*Jus in bello*—defining how force is to be legitimately employed” are the essential ingredients in the ethic. The United States, as the sole remaining military superpower, has the burden to remain within the current legal framework of UN charters and resolutions and morally ethical when deciding when to use the military instrument of power. The “why to use military force” must be answered with a “just cause” and “right intention.” The “when and how to use military force” must be answered with consensus of “legitimate authority” and after considering and exhausting all other nonviolent options. The intervention with deadly force must truly be a “last resort” decision.” Once deciding to use force, “proportionality—i.e., avoiding disproportionate collateral damage to civilian life and property and “noncombatant immunity—avoiding the direct attack of civilians” must be followed. Only by considering all three questions and by applying the seven criteria can policy experts make both the legally correct and morally acceptable use of force decision.

The next chapter will tie the preceding two chapters together. We hope to build upon our discussion of national interests, risks and power, recognizing them as the foundation in any use of force decision-making scheme. We will then attach the ethic of military intervention to that foundation. The three question/seven criteria methodology will be essential ingredients in our formulation of our decision-making model. Finally, we will briefly discuss terrorism and how non-state actors fit into the model.

CHAPTER IV

INTEREST + INTERVENTION ETHIC = DECISION TO USE FORCE

While the United States has a unique role in the world as the sole remaining superpower with the largest military in the world, it cannot intervene in all cases of injustice. Only by using a coherent and defined rational model for force employment can the United States ensure that our forces are not committed haphazardly. The bottom line, therefore is that U.S. forces should only be committed when vital or extremely important national interests (as defined by the Commission of America's National Interests, 2000) are at stake, power's influence is considered, risk is discussed, and those interests are then linked to the military intervention ethic.

This connection is essential to ensure the president and secretary of defense ask the right questions when deciding whether or not to employ U.S. forces. While they do require a concentrated use of national power, lesser interests do not merit the last resort use of military force. Why then should they receive a concentrated use of national power? Lesser interests have a way of becoming vital or extremely important national interests if the other instruments of national power—diplomatic, informational, and economic—are not used effectively.

The Use Of Force Decision-Making Process

Figure 9 is a depiction of the use of force decision-making process. It shows a four step iterative procedure with its foundation based upon steps one through three: step one is determining whether a “vital” or “extremely important” national interest is at stake, step two forces the decision-maker to consider Professor's Nye's “hard and soft power” concept, and step three asks the

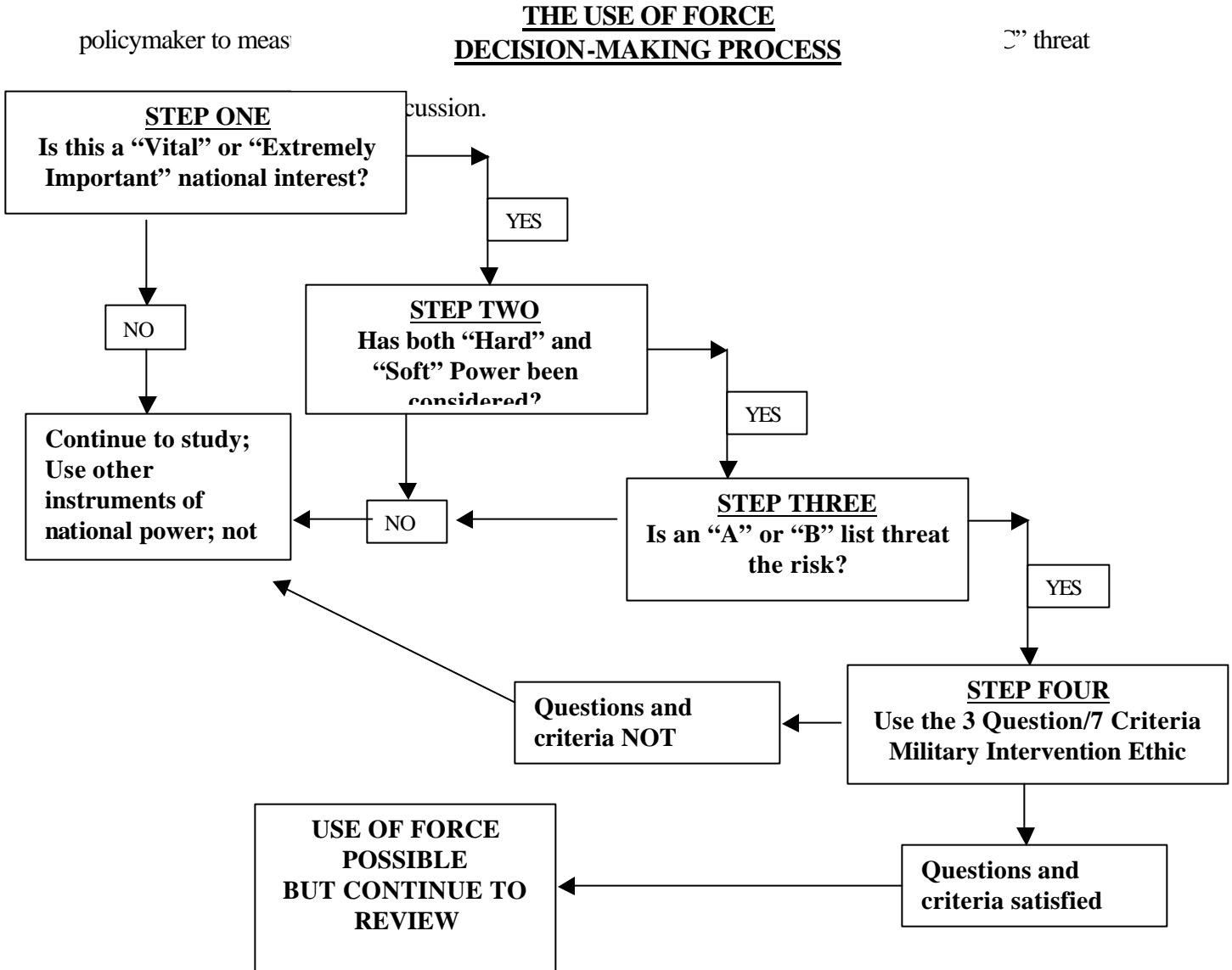


Fig. 9

STEPS ONE, TWO & THREE—Analysis of Interests, Power, and Risk

The first step in determining whether military force should be employed is an analysis of the situation in regards to the interaction of national interests, power, and risk. I have already stated my belief that the national interest in question should be a “vital” or “extremely important” national interest. I

recommend the Commission on America's National Interests lists of "vital" and "extremely important" national interests be adjusted as follows:

Vital National Interests

1. Prevent, deter, and reduce the threat of nuclear, biological, and chemical weapons attacks on the United States or its military forces abroad;
2. Ensure US allies' survival and their active cooperation with the US in shaping an international system in which we can thrive;
3. Prevent the emergence of hostile major powers or failed states on US borders;
4. Ensure the viability and stability of major global systems (trade, financial markets, supplies of energy, and the environment); and
5. Establish productive relations, consistent with American national interests, with nations that could become strategic adversaries, China and Russia.
6. **Suppress Terrorism (especially state-sponsored terrorism), transnational crime, and drug trafficking; (added by author)**

Fig. 10

(From the report of the 2000 Commission on America's National Interests)

Extremely Important National Interests

1. Prevent, deter, and reduce the threat of the use of nuclear, biological, or chemical weapons anywhere;
2. Prevent the regional proliferation of WMD and delivery systems;
3. Promote the acceptance of international rules of law and mechanisms for resolving or managing disputes peacefully;
4. Prevent the emergence of a regional hegemon in important regions, especially in the Persian Gulf;
5. Promote the well-being of US allies and friends and protect them from external aggression;
6. Promote democracy, prosperity, and stability in the Western Hemisphere;
7. Prevent, manage, and if possible at reasonable cost, end major conflicts in important geographic regions;
8. Maintain a lead in key military-related and other strategic technologies, particularly information systems;
9. Prevent massive, uncontrolled immigration across US borders;
10. ~~Suppress Terrorism (especially state-sponsored terrorism), transnational crime, and drug trafficking; and~~
10. Prevent genocide

Fig. 11

(From the report of the 2000 Commission on America's National Interests)

Considering Power and Risk

Once it has been determined that a given situation potentially fits into the “vital” or “extremely important” national interest categories, power’s influence and risks must be considered. Must the situation be handled with “hard power?” If so, can it be solved with “hard” economic pressure before resorting to “hard” military pressure? What effect does American “soft power” have? Can the U.S. use cultural or ideological influences to help in the situation? Or is it looked upon poorly because of this “soft power?” The example used in Chapter II is how the Arab world is disgusted by the open sexuality and violence in American movies. Because of the lack of “soft power,” will a coalition be essential to ensure the world supports U.S. military intervention?

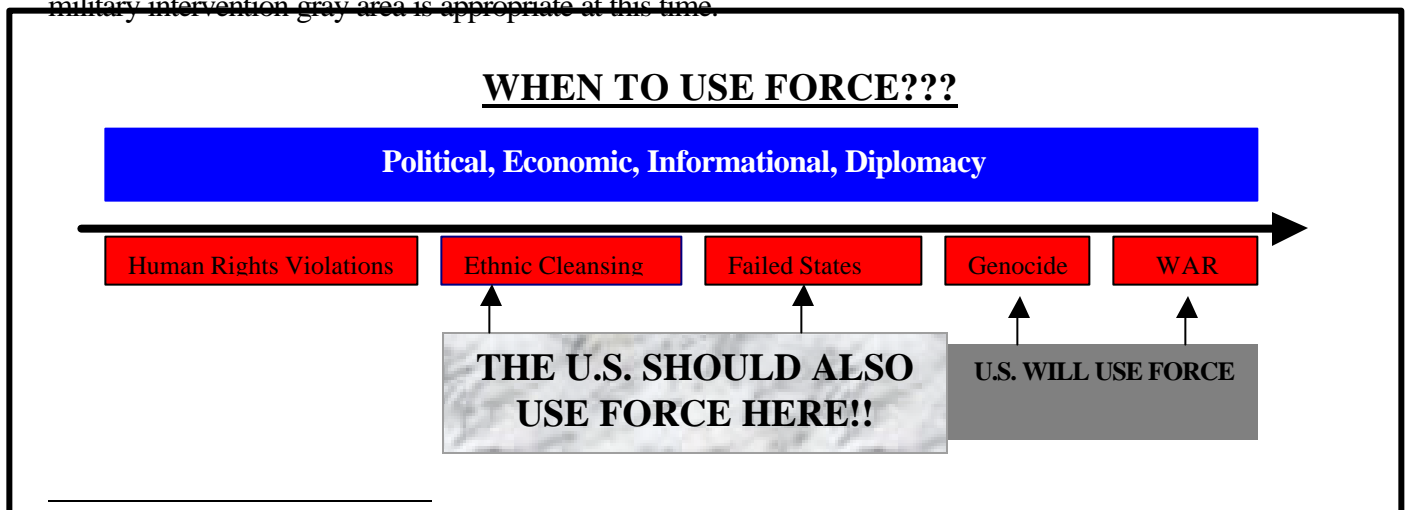
Finally, in step three, a strategic risk assessment must be conducted. Where does the situation fit into Perry and Carter’s risk assessment? Is it an “A,” “B,” or “C” list scenario? If it is an “A” list threat, and definitely effects national survival, then military force must be considered. Does the situation fit into a “B” list scenario? Could this result in a major regional problem in the Persian Gulf, Korea, or in Central Asia? If so, then it is again, appropriate to consider military force. The toughest analysis should take place when the situation fits into the long list of “C” contingencies. It is time U.S. policymakers recognize that the 1990s consisted of an unusual preoccupation with lesser contingencies. The American military has been over tasked and forced to respond around the world, increasing the day-to-day operational tempo to the detriment of the readiness of force. “The tension between preparations for the future and the demands of the present requires the United States to balance the risks associated with

each.”³²

This balance can only be achieved if appropriate decisions are made as to when and when not to consider the use of military force. If the military is used as in the 1990s, we can expect further degradation in valuable military capability. If lesser contingencies continue to be the focus, then preparation for potential “A” and “B” list threats and defending “vital” and “extremely important” national interests will be shortchanged.

STEP FOUR—The Military Intervention Ethic

Once we have determined whether a given situation has fallen into the “vital” or “extremely important” national interest category and an analysis is accomplished regarding power and risks, we can now begin applying the three-question/seven criteria military intervention ethic. In effect, we have already begun asking the “why” and “when” of should forced be used. The purpose of using force must be to defend “vital or extremely important” U.S. national interests while considering power’s influence (hard and soft) and whether or not the given situation fits into an “A, B, or C risk.” A discussion of the military intervention gray area is appropriate at this time.



³² Quadrennial Defense Review Report, *United States Department of Defense*, Sept 2001, p 13.

Fig. 12

It is this author's belief that the U.S. should intervene when failed states and ethnic cleansing arise around the world, especially in regions that may be greatly impacted by the results of either event. Both these phenomenon are breeding grounds for major regional destabilization and potential areas where terrorists can hide their training camps. Although not specifically defined as genocide by legal terms within the United Nations, ethnic cleansing crosses the boundary between a human rights violation and an event that could lead to massive abuses against great numbers of people and spread across borders causing regional instability.

Failed states, such as seen in Rwanda, are such a detriment to the well-being of their own people that massive atrocities can take place with little hope of any government intervening to stop it. This too can lead to genocide, regional instability, and the threat of further wars. This is where the United States, with coalition partners, using the UN as the central clearinghouse, can step in and stop such atrocities. The Commission on America's National Interests should consider adding ethnic cleansing and failed states to its "extremely important" national interests lists with the issue "prevent genocide."

Extremely Important National Interests

- 1. Prevent, deter, and reduce the threat of the use of nuclear, biological, or chemical weapons anywhere;**
- 2. Prevent the regional proliferation of WMD and delivery systems;**
- 3. Promote the acceptance of international rules of law and mechanisms for resolving or managing disputes peacefully;**
- 4. Prevent the emergence of a regional hegemon in important regions, especially in the Persian Gulf;**
- 5. Promote the well-being of US allies and friends and protect them from external aggression;**
- 6. Promote democracy, prosperity, and stability in the Western Hemisphere;**
- 7. Prevent, manage, and if possible at reasonable cost, end major conflicts in important geographic regions;**
- 8. Maintain a lead in key military-related and other strategic technologies, particularly information systems;**
- 9. Prevent massive, uncontrolled immigration across US borders;**
- 10. Suppress Terrorism (especially state-sponsored terrorism), transnational crime, and drug trafficking; and**
- 11. Prevent genocide, ethnic cleansing, and failed states (added by author)**

Fig. 13

(From the Report of the 2000 Commission on America's National Interests)

Summary—Continuing the Ethic

Once U.S. policymakers have concluded that the situation concerns a “vital or extremely important” interest, that military power may be appropriate and that an A or B risk is affected, then it is appropriate to continue with the seven criteria and by asking the third question, How (by what means) should force be used?

Each of the seven criteria should be considered on its own merits and linked to the other criteria to ensure that all are considered in complete detail. The definitions should be clear in every decision-makers mind, so that they can consider the consequences of their decisions. The definitions follow:

Just cause—force may be used only to correct a grave, public evil, (e.g., aggression or massive violation of the basic rights of whole populations); this includes ethnic cleansing, failed states, and terrorism.

Proper authority—only duly constituted public authorities may use deadly force or wage war.

(Osama bin Laden is not a proper authority) The United Nations should be the central clearinghouse for approving intervention. All nations, not just the United States, should be forced to demonstrate how they plan to uphold the military intervention ethic. Questions regarding just cause, right intention, last resort, proportionality, probability of success, and noncombatant immunity should be directed at the nation or nations that wish to intervene. Only after the answers meet the approval of the central body can the intervention take place. This is not to preclude nations from defending themselves from

aggression or executing operations they believe they must without approval due to secrecy or timeliness as long as they believe they can pass the ethic test post operation. This may be necessary when ethnic cleansing, genocide, or terrorist training is taking place and urgency in execution is essential to preclude an atrocity from taking place.

Right Intention—force may be used only in a truly just cause and solely for that purpose. There will perhaps always be arguments over right intention. One nation’s just cause may be another nation’s agenda to force its will upon a region’s people. This is why the nation or nations who wish to intervene must state their just cause with intention up front. The rest of the world can then decide whether or not they believe that intention and, if necessary, place limits on the intervention to ensure no nation overstates its bounds or authority.

Last Resort—force may be used only after all peaceful alternatives have been seriously considered, tried, and exhausted. Has the nation considered all other possible instruments of national power—diplomatic, informational, and economic—before resorting to force? The U.S. not only risks the lives of American servicemen and women but the national wealth and reputation every time it resorts to force. When the President says “go” to the U.S. military, it must be because all other means have been considered and the decision was appropriately the last resort.

Proportionality—in the conduct of hostilities, efforts must be made to attain military objectives with no more force than is militarily necessary and to avoid disproportionate collateral damage to civilian life and property. Can the military operation we are considering be carried out without disproportionate collateral damage? Will the results of the military operation be judged as overkill for the task at hand?

If the means employed cause such damage and devastation as to significantly outweigh the ends achieved, is it appropriate to attempt the mission?

Probability of success—military force may not be used in a futile cause. Measuring success, and therefore determining exit strategies, has become difficult when we intervene in “C” list scenarios. No nation should be able to wage a military campaign if it is determined from the start to be futile. If we are not defending a national interest, what are we doing? Why should we risk the lives of our volunteer force if the probability of success is unlikely?

Noncombatant immunity—civilians may not be the object of direct attack, and military personnel must avoid and minimize indirect harm to civilians. It is essential that when deciding whether to intervene that noncombatant immunity be considered early. If the objectives cannot be achieved without a large number of expected civilian casualties, then should the operation even be considered? If, for example, the only means a nation has is to burn a city to the ground to root out an evil regime, then the ends do not match the means and the operation should not be attempted.

United States policymakers must learn to understand and fully develop the military intervention ethic. By beginning with the three-question/seven criteria model and remembering the guidelines of *Jus ad bellum* and *Jus in bello*, policymakers have an excellent starting point when considering whether or not to use military force.

The Military Intervention Ethic

The Three Questions

- 7. Why can force be used (for what purpose)?*Jus ad bellum*
- 8. When can force be used (under what conditions)?*Jus ad bellum*
- 9. How should force be used (by which means)?*Jus in bello*

The Seven Criteria

- 15. Just cause..... *Jus ad bellum*
- 16. Proper authority (legitimate)*Jus ad bellum*
- 17. Right intention*Jus ad bellum and Jus in bello*
- 18. Last resort *Jus ad bellum and Jus in bello*

Terrorism

Finally, although this paper is not specifically about terrorism, it is important to demonstrate where the threat of terrorism fits into our decision-making model. Even before September 11th, the Commission on America's National Interests recognized that terrorism was a significant threat to America and it lists the suppression of terrorism, (especially state-sponsored terrorism), international crime, and drug trafficking as "extremely important" interests. The number one vital national interest is to "prevent, deter, and reduce the threat of nuclear, biological, and chemical weapons attacks on the United States or its military forces abroad."³³ Because of the concern that terrorists will sooner or later acquire weapons of mass destruction, I believe the next commission's report will place the suppression of terrorism as a vital national interest. Terrorism, regardless of whether or not it is state sponsored, needs to be attacked and attacked hard. It is an "A" list threat. It puts the survival of the United States and the world at risk and it must be eradicated. All the instruments of national power must be focused on this threat. President George W. Bush was right when he said,

We will direct every resource at our command—every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence and every necessary weapon of war—to the disruption and to the defeat of the global terror

³³ The Commission on America's National Interests, *America's National Interests*, July 2000, 5.

network. . . . Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists. From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.³⁴

This speech, perhaps the greatest speech since Roosevelt's "A day that will live in infamy" speech after Pearl Harbor was attacked on December 7th, 1941, has set the tone and focused American foreign policy. I only hope that his words are enduring and we do not lapse back into haphazard foreign policy decision-making.

"Important and secondary interests," while important to the foreign policy execution of the United States, do not require the use of force. However, let's remember that if appropriate attention is not given to these interests they can quickly elevate into "vital or extremely important" interests. An example is the number one "important" national interest on the commission's list: discouraging massive human rights violations in foreign countries. As shown by Rwanda, where 800,000 people were massacred, massive human rights violations can quickly become genocide. Because of a lack of focus by the Clinton administration, specifically his foreign policy team, and the embarrassment of a failed policy in Somalia, nothing was done to prevent the Rwandan catastrophe.

³⁴ George W. Bush, *Our Mission and Our Moment*. Address to the Nation, September 20, 2001, 12-13.

CHAPTER V

RECOMMENDATIONS

The most difficult decision a President of the United States can make is the one to put American military forces in harms way. The president and secretary of defense, with advice from the Joint Chiefs, must have a working model available to help them with this difficult decision. This paper recommends that:

1. The decision to use military force should only be considered if it can be tied to a defined “vital or extremely important” U.S. national interest.
2. Decision-makers must consider the effects of using both “hard” and “soft” power to accomplish a given objective. The result of the action on the reputation of U.S. “hard” and “soft” power should also be considered.
3. Threats should be categorized into “A,” “B,” and “C” list risks. An “A list” threat risks national survival; “B list” threats can result in imminent military threat to U.S. interests abroad but not risk national survival; “C list” risks are lesser contingencies that have little or no effect on national interests. Military force should only be considered for “A” and “B” list risks.
4. The military intervention ethic must be applied against the given scenario and analyzed in detail. Each of the three-questions and seven criteria should be measured individually and then against each other to ensure it is truly appropriate to consider the use of force.

5. If and only if items 1-4 above are completed and measured against each other can the final decision to use military force be made.
6. Finally, it must be remembered, while the process builds upon each step, in the end, it is an iterative process. Decision-makers are encouraged to go over each step again and again to fully develop the validity of the national interest, power's influence, the measured risk, and the three-question/seven criteria ethic to ensure the use of force decision is appropriate. There is after all, no more important decision than the one that decides to put American troops into harm's way.

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