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Welcome to the Spring 2024 issue of Parameters. Readers will note a few differences in the formatting for this issue: we are now using endnotes instead of footnotes to facilitate switching from pdf to html via Adobe’s Liquid App; also, readers will be able to click on each endnote number to view the full endnote and then switch back to the text to resume reading. Please drop us a note to let us know how you like the changes. More are coming!

This issue opens with two In Focus commentaries: one on the urgency of continuing aid to Ukraine and one addressing ways to improve the West’s use of sanctions as a coercive tool. We then feature three forums covering two geographic regions and one offering ideas to improve our strategic thinking. We wrap up this issue with remarks from the China Landpower Studies Center (CLSC) and an update from the Director of the Strategic Research and Analysis Department (SRAD).

Our first In Focus commentary, “Ukraine: The Case for Urgency,” is by Rebecca Jensen and Anthony Tingle. They argue the West must continue to support Ukraine, and with urgency, as a failure to do so will have severe repercussions for the United States and Western Europe, to include emboldening actors hostile to the rules-based international order. The second commentary, “Toward a Strategic Art for Sanctions,” by David Katz, outlines a possible strategic art for sanctions in an effort to increase their effectiveness.

Our leading regional forum, The Indo-Pacific Region, includes two articles. The first of these, “China’s Use of Nontraditional Strategic Landpower in Asia,” by Sheena Greitens shows how the People’s Republic of China uses its police and internal security forces as a nontraditional means of projecting strategic Landpower within the region. The second article, “US-Taiwan Relations and the Future of the Liberal Order,” by Christina Lai challenges the conventional wisdom that Taiwan’s geostrategic importance will inevitably lead to a conflict. She also sheds light on Taiwan’s soft-power reach.
The second forum, *The Middle East Region*, features two articles. In the first, “International Law, Self-Defense, and the Israel-Hamas Conflict,” Eric Heinze examines the international law of self-defense as it applies to the conflict in Gaza to determine whether the attacks of October 7, 2023, by Hamas give Israel the right to use military force in self-defense. The second, “The Politics of Restraint in the Middle East” by Andrew Payne, shows the relationship between a program of restraint and domestic opinion.

Our third forum, *On Strategic Thinking*, contains three articles that highlight different aspects of strategy. In “Rethinking the Relevance of Self-Deterrence,” Jeffrey Michaels clarifies the meaning of self-deterrence and outlines its utility in strategic planning. The second article, “Strategy as Problem-Solving,” by Andrew Carr, challenges the assumptions underpinning many post–Cold War approaches to strategy and offers an alternate rationale for applying strategy. The final article, “The Art of Avoiding Strategic Miscalculation,” by Steven Knott offers pertinent warnings about the pitfalls of strategic miscalculation by examining an influential memorandum penned by British War Secretary George Cornwall Lewis; the memorandum helped convince the British not to intervene in the American Civil War.

The Spring issue concludes with comments from our *CLSC Director’s Corner* and our *SRAD Director’s Corner*. In the former, Richard Butler and Joshua Arostegui discuss the Center’s key goal of examining the strategic issues associated with a protracted conflict against a major power. In the latter, Eric Hartunian previews a forthcoming report on emerging threats and technologies researched and developed by the US Army War College through a partnership with the NATO Centre of Excellence Defence Against Terrorism (NATO COE-DAT) in Ankara, Türkiye. ~AJE
ABSTRACT: If the United States and its allies seek to deny Vladimir Putin an objective victory in the Russia-Ukraine War, they must commit to providing sufficient aid to the Ukrainian army soon because the window of opportunity to provide sufficient resources is narrow—and closing. This article argues that the West must articulate a reasonable strategy for Ukrainian victory now, as a failure in Ukraine will weaken relationships between the United States and Western European states and their global partners while emboldening state and non-state actors to threaten the rules-based international order.

Keywords: Ukraine, Russia, NATO, Europe, security force assistance

The West is unable to articulate a reasonable strategy for Ukrainian victory. The current sustainment approach calls for slowly increasing Ukraine’s resources and capabilities while bleeding Russia. Given Russia’s population, economy, and ability to generate forces, this inadequate strategy may be enough to prevent a decisive Ukrainian loss, but it is insufficient for victory. Ukrainians predominantly believe that Ukraine has already won the war and that now it is just a matter of territory and casualties. While this bravado reflects and feeds into a comparatively high Ukrainian morale, it serves no other purpose. We believe that if this war continues at its current pace with the same Western approach to supporting its military, Ukraine will be unable to achieve a decisive victory on the battlefield. Worse, Ukraine will gain any incremental territory only at tremendous human cost and will do little to restore the status quo ante. Russia is strong and getting stronger (for example, the Kremlin plans on recruiting 400,000 soldiers in 2024). Western support for Ukraine may be reaching a crescendo. A growing Russian strength and a faltering Ukrainian army means Ukraine’s ambitions may soon be reduced to damage control rather than the pursuit of victory unless Ukraine and its supporters change their approach.
Endgame for Ukraine

Ukraine's situation appears grim, given the current conditions. The following scenario outlines the absolute best-case outcome under the status quo. For the next year, Ukraine will continue to make modest gains while repelling Russian counterattacks. Ukraine will eventually realize a breakthrough beyond the defenses of the Surovikin Line, isolate and bypass the hub city of Tokmak and may reach Melitopol on the Sea of Azov. Its army will bisect and force a retreat of the Russian forces into Crimea to the southwest and toward Rostov to the east. Ukraine will reclaim the Kherson and Zaporizhzhya oblasts, liberating territory and citizens. The Ukrainian army will then become permanently incapable of further offensive action.

What happens next will be pivotal. The Ukrainian army will be exhausted and depleted, with hundreds of thousands dead and multiple thousands more wounded. Its hastily donated mosaic of platforms will require extensive repair and maintenance, little of which can be conducted within Ukraine.\(^2\) Doctrine and training will need to be revised to reflect war experiences, and the force will enter a regeneration and reconstitution phase. As a result, the Armed Forces of Ukraine (AFU) will have insufficient means to conduct offensive operations for some time after culminating at the Sea of Azov. Crimea and the Donbas will be beyond reach, and Russia will continue to rebuild its forces. At that moment, Ukraine must sue for peace for roughly the borders of February 2022—not those of pre-2014, as the Zelenskyy government has declared.

The alternative to negotiation will be a stalemate. Ukraine could attempt further offensive operations with its depleted force but would be thwarted by extensive Russian defenses. Retaking land in the east also means facing challenging urban warfare in cities such as Sverodonetsk, Donetsk, and Bakhmut, which would take a toll on the Ukrainian forces; even the Russians avoid fighting in cities, as seen by their retreat from Kherson. Lines of contact will solidify as Russia spends the next few years rebuilding a new army to attack somewhere along the nearly 2,000-mile Russia-Belarus and Ukraine border. Russia will repeat the loss-pause-reattack cycle that characterized the war in Chechnya in 1996 and 1999. For Ukraine, this situation means endless war—with obvious human and economic costs and the inability to rebuild.
Challenges to a Ukrainian Military Victory

First, Vladimir Putin’s regime remains solid. Popular support for the war is strong, especially in Putin’s political centers of gravity, St. Petersburg and Moscow. The Kremlin is effectively downplaying casualty numbers, and Russians seem resigned to a war of attrition. Popular sentiment toward the war in rural areas remains robust, considering the continued monetary incentives for conscripted and contract soldiers that far exceed regular wages. The Wagner Group rebellion in late June 2023 yielded no significant reforms or protest movements and failed to undermine Putin’s authority in at-risk areas such as Belgorod or Rostov. Military leadership remains intact, especially that of Chief of the General Staff Valery Gerasimov and Minister of Defense Sergei Shoigu. While some suggest the Wagner Group revolt indicates regime weakness, the Putin regime was resilient enough to withstand this destabilizing event with few visible changes to its military capabilities, governance, or command and control.

Russia also has the advantage of its capacity to outpace Ukraine in conscription. With a population three times as large as Ukraine’s, Russia has a deeper bench for recruitment, and its greater acceptance of casualties means it will expend those lives more freely. It remains unknown whether Putin can withstand additional mobilization politically since the first partial mobilization after the Ukrainian Kharkiv offensive in late summer 2023 was poorly received. In Russia’s rural regions, at least on paper, monetary incentives for enlistment remain significantly higher than the average wage. As of early December 2023, Putin decreed that the Russian Army would increase by 15 percent. Lately, Ukraine has been reeling from battlefield losses and is having difficulty recruiting soldiers. The average Ukrainian soldier is over 40 years old. Many who were in the army in February 2022 or who joined shortly after have been fighting with minimal relief for almost two years. The Ukrainian government’s official casualty numbers are almost certainly low, and its soldiers seem to be reaching a crescendo of fatigue. As many as 50,000 Ukrainians have lost at least one limb in this war. If Putin can execute a politically acceptable recruitment or conscription scheme, Russia’s quantitative advantage over Ukraine will increase, even considering the Russian army’s inept “meat assaults” on the front lines.

The Russian economy is now shifting to a full “war footing.” Moscow will spend more than $100 billion on the war in 2024, the largest percentage of GDP (roughly 6 percent) spent on war since the Soviet Union era. Early in 2022, the Economist explained how the Russian economy recovered from the initial war shock through resiliency and years of economic downturns.
that conditioned the population to withstand pain.\textsuperscript{15} Although Russia’s overall oil and gas revenues have plummeted since the start of the war, sales of hydrocarbons have sufficiently buoyed its economy.\textsuperscript{16} Notably, since the beginning of the war, Europe has been the largest buyer of Russian liquified natural gas.\textsuperscript{17} Western attempts to use sanctions against Russia continue to be neutered by other actors, as China defiantly continues to supply Russia with dual-use components for military equipment, especially complete drone systems.\textsuperscript{18} Additionally, Iran and North Korea are providing military materiel.\textsuperscript{19}

Russia’s economy is unmistakably contracting. A jump in military spending is already increasing inflation, and Western sanctions may eventually cripple the Russian economy.\textsuperscript{20} These economic damages, however, will not peak in the short term, and their full effects will come too late to benefit Ukraine in this war. As the economy ramps up to full war capacity, Russia’s military-industrial output will rival Western inputs to Ukraine, and Putin will have ample resources to feed his war machine.\textsuperscript{21}

Western support for Ukraine grows precarious. The longevity of support is in danger due to political and physical problems. In the United States and Europe, politicians are using the war for political leverage. Donald Trump and many Republicans in America are outwardly against providing a “blank check” for Ukraine, and in early December 2023, the party blocked an emergency bill to fund the war.\textsuperscript{22} A recent Pew poll showed that half of Republicans in America believe the United States is providing too much aid to Ukraine.\textsuperscript{23} Attempts in Congress to tie Ukraine funding to other domestic and foreign policy issues have also attenuated the effect of the higher degree of support amongst Democrats.\textsuperscript{24} Can Washington stomach another geopolitical reputational blow on the heels of the Afghanistan withdrawal fiasco?

In Europe, even staunch supporters of Ukraine, such as Poland’s Prime Minister Andrzej Duda, have taken the opportunity to use vacillating support for the war as a political platform.\textsuperscript{25} Robert Fico, Slovakia’s new pro-Russia prime minister, with Hungary’s Viktor Orbán, is working to limit EU aid to Ukraine.\textsuperscript{26} While Geert Wilders, the surprise winner in the Netherlands’ recent election, has expressed support for Ukraine, he also believes the country should prioritize domestic spending over tangible aid to Ukraine.\textsuperscript{27} The dissolution of NATO’s once broad consensus on the need to help Ukraine has empowered Putin.

The more significant and pressing issue regarding Western support is dwindling military stockpiles. Although countries are steadily increasing war production (for example, the United States plans to increase 155mm
artillery shell production almost tenfold), military drawdowns for Ukraine are leaving the West uneasy, and it will take months or years for production to match consumption, let alone rebuild stockpiles.\textsuperscript{28} Western governments have been forced to make uncomfortable substitutions (such as cluster bombs for conventional 155mm shells) to offset inventory shortfalls.\textsuperscript{29} America is especially concerned about an impending conflict with China and how a smaller US arsenal could jeopardize deterrence and the ability to respond to aggression in the South China Sea. For example, newly delivered ATACMS missiles with their extended range are similarly useful in the Pacific fight, where the thwarting of distance is paramount. The rapid destabilization of the Middle East and the need to position forces and munitions to respond to emerging crises in this third theater further strain tangible and intangible resources. To enable a Ukrainian victory, Western governments must increase weapons production while assuming risk in other theaters.

Ukrainian logistics are faltering. The weapons systems that have already been delivered are failing at an untenable rate and given Ukraine’s dependency on these weapons the convoluted logistics system could become Ukraine’s greatest weakness in a protracted war.\textsuperscript{30} Operational readiness rates for heavy systems are dismal. According to one artillery officer interviewed near Robotyne, of his original 12 US Paladin artillery systems, only two are now available for combat. The others are in repair status, and many have been gone from the front for months, since any maintenance or repair beyond the most basic requires shipping the platform far west of the front.\textsuperscript{31} The same officer noted that the extremely high operational tempo prevents crews from performing necessary maintenance to keep the guns running.

Compounding this logistical nightmare is the hodgepodge of Western weapons given to the Ukrainians. For armor alone, the AFU is operating the British Challenger 2, US Abrams, German Leopards of several makes, and Soviet-era T-72s, each with their own logistical, maintenance, and operating requirements. The situation is similar for artillery and infantry fighting vehicles, drones, and simple trucking. At these platforms’ current rate of readiness and attrition, Ukraine will be left with very few functioning weapons.

The Ukrainian battlefield has proven inhospitable to the rapid maneuver warfare necessary to reclaim territory. Attrition can prevent Russian advances but will be insufficient to push troops out of Ukraine. Both sides have learned from challenging experience how the lethality, range, and accuracy of fires have dramatically increased, supported by loitering drones and, most recently, by first-person view (FPV) drones. Drone-enabled intelligence, surveillance,
and reconnaissance (ISR) makes surreptitious movement on the battlefield—especially during the day—perilous.

Recently, we have seen the failures of maneuver warfare on both sides. The Russians failed miserably circa March 2023 at the Battle of Vuhledar, losing at least 130 tanks and armored personnel carriers. The Ukrainians mirrored this catastrophe in the initial stages of the summer 2023 offensive at Mala Tokmachka. Most recently, Russia’s mechanized assault at Avdiivka was a devastating mostly Pyrrhic victory. The slow rate of Ukrainian advance is enabling Russia’s continual reinforcement and enlargement of its main defensive belt, especially in the south. Perhaps the most alarming indicator of Ukrainian hardship in the fight to come is the dearth of Ukrainian engineering assets with which to overcome these extensive Russian defenses, and the small number of Ukrainian troops with adequate combat engineer training may exacerbate this issue. A Ukrainian mechanized commander south of Orikhiv, whose unit had recently fought in the Zaporizhzhya region, said in a private interview that his battalion no longer had a viable engineer company—they were almost all dead. Continued progress on the battlefield will be costly for both sides. If the Russians can resist the impulse to carry out mindless armored counterattacks, however, they will preserve their numerical advantage.

Perhaps the most dangerous development for Ukraine is the rate of Russian adaptation on the battlefield. It is well known that the Russian Army follows a rigid Soviet model that disincentivizes innovation. For example, although the Russians took only months to adopt FPV drones, they took almost a year to adopt Mavic-type quadcopters for ISR and grenade dropping, demonstrating that while they may struggle to innovate, they are still learning and adapting. Moving forward, Ukraine will enjoy fewer benefits of being a technological first mover on the battlefield, the prospect of which has them worried.

**Western Support to the Endgame**

Time is running out for Ukraine. Russia seems committed to a long war, and barring any black swan events like a 1917-style military revolt or a regime change, Ukraine may have only one chance to force Russia to the negotiation table. A unified West must act now with the endgame in mind and accept the risk of lowered military stockpiles while rapidly investing in national and alliance defense industrial bases. This investment will be easier for European allies, as Russia is their main threat. At the same time, the United States must contend with China while attempting to serve as a guarantor of Middle East stability. There is a particular need for additional
operational assets (like ATACMS missiles and F16s). The West must send more heavy artillery and tanks and munitions immediately. A unified political front for the United States and the EU is crucial. There must be a surge in Western support. Additionally, while respecting Ukrainian sovereignty and ensuring that no war-inflicted deaths or injuries occur in NATO countries, partners should continue to provide intelligence and advice that will support the most effective AFU operational planning. While the United States and other allies have advantages in some intelligence areas, Ukraine has the most current and accurate understanding of the ground situation, and the function of external advice is to enhance Ukrainian planning, not to determine it.

The most important support the West can provide might be at the strategic level. If Ukraine continues to attack Russia’s most valuable assets (such as nuclear-capable bombers, submarines, and capital ships), it might succeed in inflicting pain beyond what Russia can bear. A Ukrainian attack on the Russian Northern Fleet would reinforce the perception created by the attacks on Pskov and Belgorod that Putin is losing his ability to protect Russian centers of power. Long-range assets like Storm Shadow and Taurus cruise missiles, ATACMS missiles, and extended-range drones can accelerate this capability. Other surreptitious means, including submarine technology and detailed strategic intelligence, will be vital to this support. Enabling Ukraine to attack Russian strategic assets might be the forcing function for the security elite to compel Putin to negotiate. At the same time, forceful US and NATO deterrence of Russian escalation will be key.

**Conclusion**

Ukraine’s cause is just, and the resilience and might of its people and military have inspired the West. It is a mistake, however, to assume the war is going well for Ukraine. Ukraine’s survival and achievements have exceeded all expectations since spring 2022 but are still insufficient for victory, and the situation for Ukraine is becoming dire. If we accept that Ukraine, at the current trajectory, will suffer unacceptable losses to secure anything resembling its pre-2014 borders, Western support must surge now. A positive result for Ukraine will reach far beyond Ukraine and Central and Eastern Europe. The United States and other nations have staked their credibility on their ongoing commitment to Ukraine. Some have argued that the withdrawal from Afghanistan in summer 2021 was widely seen as a signal of American unreliability. The consequences of allowing Ukraine to fail will be more severe and will weaken the relationships between the United States and Western European states and their partners around the world while emboldening state and non-state actors to threaten the rules-based international
order. The Russia-Ukraine War will be resolved at the negotiating table, where the strength of Ukraine’s position will be determined by the coming months—and the West must commit decisively before this window of opportunity closes.

Rebecca W. Jensen

Dr. Rebecca Jensen is a visiting researcher at the Royal Danish Defence College, where she is studying operational art and planning in the conflict in Ukraine. From January to August 2023, she was deployed in support of the US-led assistance mission. Her research focuses on operational art, military adaptation, doctrine, and operational concepts. Jensen is also an assistant professor at the Canadian Forces College.

Anthony L. Tingle

Dr. Anthony Tingle is a 1997 graduate of the United States Military Academy at West Point, an independent researcher, and an author who has been studying and writing on Ukraine since the beginning of the war. He has been to Ukraine multiple times, including in the Donbas near Bakhmut the weekend the Russians officially took the city, and near a town called Robotyne, where he accompanied a Ukrainian special forces unit into combat. Readers can follow him at warvector.com.
Endnotes


31. McLeary, “‘Allies’ Main Effort’ for Ukraine.” Return to text.


35. Author interview with acting 47th Mechanized Brigade Commander (Orikhiv region), late September 2023. Return to text.

36. Author observations and conversations with soldiers in the field (Zaporizhzhya area), late September to early October 2023. Most soldiers interviewed were most worried about FPV drones, not snipers or artillery. For examples of Russian adaptation, see Matthew Luxmoore and Michael R. Gordon, “Russia’s Army Learns from Its Mistakes in Ukraine,” Wall Street Journal (website), September 24, 2023, https://www.wsj.com/world/europe/russias-army-learns-from-its-mistakes-in-ukraine-a6b2eb4. Return to text.


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Toward a Strategic Art for Sanctions

David J. Katz
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ABSTRACT: New strategic art is required to maneuver political economies to meet the demands of future engagements and campaigns. Current discussions of the projection of political-economic power are typically abstract, high-level, and policy-focused or present singular tactical actions as strategic actions, creating a gap for campaign practitioners. This article addresses the gap by drawing on Joint Planning, Joint Publication 5-0, and Joint Campaigns and Operations, Joint Publication 3-0, to further develop the concept and methodologies first introduced in the author’s earlier article “Multidimensionality: Rethinking Power Projection for the 21st Century.”

Keywords: sanctions, political-economic power, Russia, Ukraine, China

In March 2014, Russian troops seized control of Crimea. By May 2014, Russian-backed separatists in the eastern Donetsk and Luhansk regions of Ukraine had declared independence. Shortly thereafter, armed conflict broke out between Russian-backed forces and the Ukrainian military in the southeast. These battle lines remained relatively static until February 24, 2022, when Russian troops invaded Ukraine in a multipronged special military operation. Over the course of almost two years of high-intensity battle, Ukraine pushed Russian forces back to the southeastern portion of the country, where they hold approximately 18 percent of Ukraine.

In response to Russia’s 2014 and 2022 invasions of Ukraine, the Council of the EU adopted 12 packages of sanctions. In turn, the United States has sanctioned 10,173 individuals, 4,089 entities, 177 vessels, and 100 aircraft. In total, Russia has been subjected to more than 14,000 sanctions. Alexandra Prokopenko from the Carnegie Foundation for International Peace notes, “That’s more than Iran, Cuba, and North Korea combined.” Yet, after 10 years of conflict and the most extensive sanctions regime in history, little has changed.

Have sanctions been effective in deterring Russian aggression or compelling Russian cooperation in Ukraine? From a military perspective, based on operations in Ukraine, sanctions have been irrelevant. From a political-economic perspective, the state of affairs is more ambiguous. Most supporting arguments
from sanctioning countries cite the reduction of Russian growth rates and slowdowns in supply, resupply, and production. This argument is about future opportunity costs and is highly speculative, given 10 years of imposed sanctions. After a decade, one would expect reductions in growth, not in the rate of growth. Advocates for sanctions who cite the need for longer durations or accumulation of effects should review Cuba’s experience. The United States has embargoed trade with Cuba since 1962 without forcing a regime change or a change in regime behavior.

Financially, the imposition of sanctions has had a significant effect on the Russian capital economy—specifically, the Russian ruble, the external value of which dropped by approximately 30 percent when the EU imposed its 10th package of sanctions on February 25, 2022. By June 2022, the ruble had more than recovered. From 2013 to 2023, the ruble experienced a 63 percent drop in value. After the February 2022 sanctions, the Central Bank of the Russian Federation hiked its key interest rate to 20 percent. The interest rate had dropped to 7.5 percent by May 2022, and the rate currently sits at 16 percent. By comparison, the US Federal Reserve interest rate is 5.3 percent. Sanctions against the Russian capital economy generated an intense but short-duration effect, after which the market found a new equilibrium.

Overall, the effect of sanctions against the Russian economy appears muted at best. Prokopenko reports the Russian Gross Domestic Product (GDP) fell just 2.1 percent in 2022 and grew by 2.2 percent in 2023; the International Monetary Fund forecasts Russian GDP will grow by 2.2 percent in 2024. Russia’s economic resilience relies heavily on the country’s resource economy—mainly, oil and gas production, which has remained consistent for more than 10 years, despite sanctions. According to CEIC Data, Russia is currently producing 9.877 million barrels of crude per day, off its 2022 production of 10.974 million barrels per day. The International Energy Agency cites Russia as having a sustainable capacity of 9.98 million barrels of crude per day.

Russia’s new budget, which President Vladimir Putin signed in November 2023, projects revenue will grow by more than a third in 2024, reaching 36.6 trillion rubles ($400 billion at current exchange rates). Of this amount, the Russian budget forecasts the oil and gas sector will contribute 11.5 trillion rubles. In a time of increasing US budget deficits, Russian deficits, even under sanctions, remain stable, from a planned 2 percent of GDP in 2023 to 0.8 percent of GDP in 2024. As of 2021,
Russia’s economy was the 11th largest in the world, accounting for 1.8 percent of the world’s total output.\(^{25}\)

Sanctions imposed by the United States have not yielded decisive results in constraining Russian aggression in Ukraine. Understanding why this outcome was inevitable requires an understanding of sanctions and their purpose. All sanctions are marketed upon the petit fiction they target foreign actors, such as Russia, Iran, and North Korea. This claim is false. In the case of US sanctions, they operationally target and penalize US actors and actors within US jurisdictions. In other words, US sanctions are US embargoes on US actors and in US jurisdictions, precluding transactions with thousands of named, foreign entities. Although the target appears to be Russia, Iran, or another foreign entity, the actual target is the US economy.

For US sanctions to have a significant effect on Russia, the United States would have to have been a significant trade partner of Russia. In 2012, before Russian aggression, combined US-Russian trade totaled $40 billion, with 73 percent of this total representing exports from Russia to the United States.\(^{26}\) In 2022, combined US-Russian trade totaled $16.1 billion, with 90 percent of this total representing exports from Russia to the United States.\(^{27}\) The United States was never a significant trade partner with Russia. Consequently, US sanctions could never have generated significant impact. The net effect of embargoes, sanctions, and designations is to truncate the US economy’s reach and global connectivity. The use of sanctions and designations has substituted internally directed regulation for external power projection. Given the United States was not a significant trade partner of Russia, sanctioning US trade with Russia could not generate significant results.

An obvious question is “Why have EU sanctions failed to constrain Russian aggression?” The EU is a significant trade partner of Russia. The EU’s sanctions should have a significant effect. In part, the mix of Russian exports addresses this question. In 2021, Russian global goods exports totaled $492 billion, with 45 percent of this total coming from oil, gas, and minerals.\(^{28}\) Fungible commodities with global, liquid markets are insanely difficult to track, sanction, or embargo. The consistency of sanction enforcement across EU member states is an open question. In 2022, EU member states Austria, Bulgaria, Croatia, Greece, Hungary, Luxembourg, and Slovenia increased imports from Russia, with Hungary having the largest increase at €1 billion.\(^{29}\) The EU’s dependence on Russian energy products—fossil fuels, in particular—is significant, constituting €110 billion or 74 percent of the EU’s total energy imports in 2021.\(^{30}\) Pipeline gas imports alone represent one-third of all EU energy imports.
from Russia, accounting for “more than 30 percent of all EU gas inflows” in February 2022. Seeking to address its Russian energy dependency, the EU has attempted to substitute liquefied natural gas for Russian pipeline gas and sought alternative sources of energy (Australian coal as opposed to Russian coal). These are expensive, slow, and fragmented solutions to an immediate problem.

The Department of the Treasury’s Consolidated Sanctions List contains 445 primary names, and its Specially Designated Nationals List 13,901 entries across 2,370 pages in PDF format. The cumulative compliance costs of these sanctions on the US economy, both actual costs and opportunity costs, are uncalculated and may be incalculable. As a result, the net positive benefit and the efficiency of sanctions remain open questions. Every US sanction is based on the presumption of continued US financial-network centrality—that the US banking system will dominate the center of a global financial commons. This presumption is static and backwards looking. Great-power competition incents innovation. Innovation embodied in the increasing reach of Alipay and other digital financial systems demonstrates the futility of truncating the US economy and positioning the United States against the sweeping and inevitable trends of increasing connectivity, technological innovation, decreasing cost, and increasing penetration due to the global scaling capabilities of digital products and services.

Because sanctions and designations are the preeminent—if not the sole—meaningful US policy response, these tools have become a process fetish in which the process becomes its justification, regardless of strategically irrelevant results. This diversion of attention and resources into a possibly inefffectual and inefficient approach appears to have stymied innovation elsewhere. Depending on sanctions is lazy thinking that sidesteps the development of actual means and methods of projecting power. By themselves, sanctions deliver ersatz, indirect network constraints, with increasing expense delivering decreasing results.

Sanctions could be valuable if the United States were to use them as part of a larger campaign against Russia’s political economy, rather than as a one-off solution. As we have seen, sanctions can initiate chaotic change in markets, such as the changes seen in the European natural-gas market and the Russian export market. The effects of sanctions can be intense but are of limited duration because the market will seek new prices that clear demand and establish a new equilibrium. This point argues for the use of sanctions as initiators for campaigns of sequential and possibly parallel operations. Sanctions strategy should include initiating systemic failures, such as contagions or cascades. Cascading failures occur when one
fault within a system, a supply chain, or a financial clearinghouse causes subsequent multiple failures downstream. System contagions occur when failures exploit a system’s connective characteristics to propagate effects that are antithetical to the system’s purpose. The Great Depression (1929–39) offers a contagion example. When a local bank failed, it did not repay all its debt, including borrowings from other banks. As a result, the holders of the debt—mostly, regional banks—failed, and lenders had to write off the regional banks’ debts as well. When regional banks failed, their creditors, which were money-center banks, either failed or sold their debt. Lending ceased, and illiquidity seized the economy. The resulting credit contraction spurred more local and regional bank failures. Contagions spread an infection through horizontal, peer-to-peer relationships, and cascade failures occur in vertically integrated systems, like supply chains.

Whether sanctions can be used to constrain Russian or Chinese aggression remains an open question. Currently, states employ sanctions as singular strategic actions. Much like World War I strategy, which maneuvered opposing armies into meeting engagements, sanctions maneuver opposing political economies into meeting engagements. Much like World War I, sanctions devolve into grinding wars of economic attrition rather than catastrophic battles that settle accounts. Currently, sanctions neither provide a solution nor allow for disengagement. As a previously cited example, the United States has embargoed trade with Cuba since February 1962 without strategic effect. Reminiscent of World War I tactics, repeated sanctioning linearly extends the financial engagement, hoping to flank the adversary’s political economy and overcome its economic resistance. Multiple iterations of EU sanctions—12 sanction packages, in the case of Russia—demonstrate this linear approach. This repetition has not worked. Sanctions, by themselves, are not able to provide a decisive solution.

We have reached an inflection point. If history is a guide, solving sanctions’ indecisive results will require something new. Napoleon’s military campaigns, the American Civil War, and World War I demonstrated the paucity of contemporary strategy and strategic art. Each spurred strategic innovation. Likewise, repeated sanctioning of Russia to little effect illustrates a dependency on tactics reminiscent of World War I. In reaction to World War I’s bloody and grinding linear war of attrition, Alexander A. Svechin, Georgii S. Isserson, Vladimir K. Triandafillov, and Mikhail N. Tukhachevsky created the concept of operations—the bridge between strategy and tactics—and the art of the deep operation. This concept transformed Soviet military doctrine in World War II and, through Operations, Field Manual 100-5, US military doctrine.
in AirLand Battle. Similarly, we must create new strategic and operational art that frames and guides campaigns to maneuver political economies in and out of engagements, in depth, in a nuclear age.

**Strategic Art**

The obvious question is “Is new art needed?” In part, we can answer this question by reviewing US geostrategic successes and failures from 2001 to the present. The United States is currently emerging from the Global War on Terrorism (GWOT) into peer competition. Before the war on terrorism, the last clear strategic victory for the US military was Operation Desert Storm, which began on January 17, 1991, and concluded on February 28, 1991, with the American-led liberation of Kuwait. The core of the war on terrorism, Operation Enduring Freedom, had initial tactical success but was a strategically irrelevant diversion of effort and resources, costing between $2 trillion and $8 trillion and ending ignominiously by unilateral US withdrawal 20 years later, on August 30, 2021, from the continuant operation, Operation Freedom's Sentinel. Over its lifespan, Operation Enduring Freedom spawned a variety of subordinate, equally strategically irrelevant military operations around the globe, Operation Iraqi Freedom, Operation New Dawn, Operation Odyssey Dawn, Operation Unified Protector, Operation Inherent Resolve, Operation Freedom's Sentinel, and Operation Resolute Support, collectively and colloquially referred to as the war on terrorism. Although Operation Iraqi Freedom succeeded in removing Saddam Hussein from power, the operation’s strategic success is ambiguous at best due to a poorly planned and incompetently led US transition from combat operations. Ironically, Operation Iraqi Freedom resolved the long-standing regional conflict between Iraq and Iran in favor of Iran. Operation Odyssey Dawn resulted in the death of Muammar al-Qaddafi and the collapse of the Libyan state, unleashing chaos in northeastern Africa.

This cascading series of incoherent, strategically irrelevant military campaigns demonstrates the paucity of strategic competence guiding the projection of US power. In other words, the United States loses strategically because it invests time and money into operations that do not matter, like irrelevant military campaigns. Even if the United States had won these military campaigns, their diversion of resources and attention almost guarantees strategic failure on the policies and initiatives that do matter.

During the time frame of Operation Enduring Freedom, Operation Iraqi Freedom, and the war on terrorism, the persistent strategic frustration and operational inability of the United States to respond
to Russian aggression in Europe, as well as Chinese aggression in Asia, revealed the mismatch of strategy and strategic art. Russia expanded south with the 2008 conflict in South Ossetia and west with the Russian seizure of Crimea and four Ukrainian oblasts—Donetsk, Kherson, Luhansk, and Zaporizhzhya—in 2014. Russian information warfare targeted Russophone populations in the Baltic states. Sergiy Gerasyemchuk lists Russian active measures, reflexive control, and deep operations in Moldova. Russian hybrid-warfare tactics in Georgia included the issuance of Russian passports to Abkhaz and Ossetians, “allowing Russia to justify its intervention in 2008 with the need to protect Russian ‘citizens.’” Russia’s military actions were accompanied by cyberattacks against the Georgian government’s information outlets and Georgian media, an influx of mercenaries and so-called volunteers into Abkhazia and South Ossetia, and an international disinformation campaign.

Before 2014, Ukraine represented a classic case of Russian subversion tactics used initially to forestall a military response, deter external intervention, and, by extension, make hybrid warfare viable. Alexander Lanoszka cites four Russian hybrid-warfare focuses: ethnic heterogeneity, latent historical grievance, the weakness of local civil society, and the resulting regional complexity, all of which Russia is better positioned to grasp than external powers. Russia’s seizure of Crimea and eastern Ukrainian oblasts in 2014 was a model of successful hybrid warfare. This success may have convinced Russia to attempt a full-scale invasion of Ukraine in 2021, which has been a catastrophe. In the aftermath of the invasion, Putin has arguably consolidated control over Belarus.

of the People’s Republic of China.\textsuperscript{64} A compendium of Chinese maritime laws can be found on Amazon Web Services GovCloud (US).\textsuperscript{65} On August 25, 2006, China rejected “Compulsory Procedures Entailing Binding Decisions,” Article 298, paragraphs 1(a)–(c).\textsuperscript{66} On July 12, 2016, China rejected the arbitration of exclusive economic zones after losing a case brought to the International Criminal Court by the Philippines.\textsuperscript{67} From 1992 forward, the People’s Republic of China carefully laid the legal groundwork for domestic civil governance of its near seas. China’s 2006 rejection of binding decisions in UNCLOS abandoned the functions of the treaty while maintaining its form. China’s rejection of international arbitration in 2016 signaled a rejection of the concept of a global maritime commons and denied the authority of an international rules-based order to maintain it.

Operationally, the People’s Republic of China honed its art and design through the employment of China’s People’s Armed Forces Maritime Militia as one means of achieving the country’s Guangkong or Jingule objective.\textsuperscript{68} The Chinese military deployed the People’s Armed Forces Maritime Militia in 2009 (harassing US Naval ship Impeccable), in the 2012 Scarborough Shoal standoff, and in the 2014 HD-981 clash.\textsuperscript{69} Beyond the South China Sea, the People’s Armed Forces Maritime Militia played a role in a large intrusion in 2016 and, more recently, in waters near the Senkaku Islands.\textsuperscript{70} Additionally, China has enhanced its force-projection capabilities by building islands in the South China Sea. The People’s Republic of China has built 20 outposts in the Paracel Islands and seven outposts in the Spratly Islands. In addition, China seized Scarborough Shoal in 2012.\textsuperscript{71} In total, the People’s Republic of China has created 3,200 acres of new islands in the South China Sea.\textsuperscript{72} Before 2022, Russia’s strategic approach worked. Since Xi Jinping’s accession in 2012, the United States has not effectively contested China’s aggression.

Given Chinese and Russian strategic successes prior to 2022, the United States needs new strategic art to respond effectively. Any discussion of strategic art should start with the definition provided in \textit{Joint Planning, Joint Publication 5-0}: “Strategic art is the formulation, coordination, and application of ends, ways, and means to implement policy and promote national interests.”\textsuperscript{73} \textit{Joint Planning} further states, “The essence of strategic art is distillation—organizing and articulating the complex interrelationship between national interests, policy, strategic ends, and practice, in clear terms.”\textsuperscript{74} Strategic art frames how strategy can imbue policy with force. Contextualizing sanctions as tactics in a campaign against an adversary’s political economy requires strategic art that can formulate, coordinate, and distill engagements between or among political economies. Scale is a problem. Political economies
are enormous systems of systems that are constantly interacting and continually rebalancing, aggregating, and accumulating actions, interactions, and transactions with other political economies, domestic constituencies, and the global commons. Art seeking to frame and guide policy through the cooperation, competition, and conflict of political economies must operate at a high level of abstraction as well as provide strategic subdivisions that support operational design.

The idea of a political economy has been a subject of debate for philosophers since the time of Aristotle. According to George E. P. Box and Norman R. Draper, “Essentially, all models are wrong, but some are useful.” No single model can encapsulate all aspects of a political economy. As strategic art, I propose a simple, utilitarian model of a political economy for use in planning and conducting strategic, operational, and tactical engagements between political economies. This model is sufficiently abstract to provide a convenient utility as well as describe the organization and interrelation among a society, polity, and economy. In this model, political economies are codependent categorical activities. The model consists of two categories: political and economic. The economy funds the political; the political facilitates the economic. Each category is internally integrated, and both categories are cross-integrated. The subdivisions within the economy are the factors of production: capital, labor, and resources. The capital economy consists of money and credit, equity and debt, and assets and liabilities. The resource economy consists of land, commodities,
and anything else required by production or distribution, other than labor or capital. Lastly, the labor economy consists of human activity and the expenditure of physical or mental effort used in the production and distribution of goods or services.\textsuperscript{77}

Political organization in this model describes the distribution and transference of power and the interrelationships among a society, a polity, and their accepted sets of laws. Customary governance of a society provides the fundamental, foundational, or commonly held assumptions and rationale that position the individual and explain the individual’s relationship to his or her society, from the smallest unit of social organization to the largest.\textsuperscript{78} Civil governance distributes power through a polity and provides its rationale, enforcement, and limits.\textsuperscript{79} Political governance manages the transference of power among competing constituencies within a polity.\textsuperscript{80} The legal organization of a polity provides the operating rule set that manages and intermediates between civil and political governance.\textsuperscript{81}

Cooperation is an act or instance of two or more entities working together for a common purpose or benefit. Cooperation is voluntary, mutual, and beneficial. Competition in the political economy is two or more parties acting independently to secure something of value from a third party.\textsuperscript{82} More specifically, competition is two or more actors independently delivering a value proposition to a third party in exchange for goods or services from the third party, political affiliation, or status as a customer. From the perspective of the third party, competition is voluntary, mutual, and beneficial. Aggression and conflict are neither voluntary, mutual, nor beneficial. Aggression is a forceful, unprovoked act that is hostile and injurious.\textsuperscript{83} Sanctions are a tactical form of instrumental aggression, albeit a form that is nonkinetic, because sanctions are hostile, planned with injurious intent, and neither voluntary, mutual, nor beneficial across participants. Conflict is active opposition to aggression backed by power. As Rudolph J. Rummel remarked, “Power, simply, is the capability to produce effects; conflict is the process of powers meeting and balancing.”\textsuperscript{84} Campaigning in the political economy requires we consider cooperation and competition as much as, if not more than, aggression and conflict.

As mentioned above, US sanctions are embargoes on US actors and actors in US jurisdictions. Sanctions preclude transacting with the sanctioned entity. By their nature, US sanctions are asymmetric and impose asymmetric costs on the US capital economy. On one side of a sanction, only the named
foreign entity is constrained; on the other side, all US actors and all actors in US jurisdictions are embargoed from transacting with the named entity. The first-order effect of a US sanction is to end transactions with the named entity, which changes the market clearing price for similar goods or services purchased by US actors or actors within US jurisdictions. Products and services sold by the sanctioned entity—raw materials, oil, and so forth used as inputs in US economic activities—are no longer available. This reduction of inputs changes the market clearing price for similar goods or services. Sanctions also change the market clearing price for economic inputs the named foreign entity previously purchased from US actors or actors within US jurisdictions. These price changes, or temporary disequilibriums, resonate as second-order effects through every linked economic activity in the resource and labor subcategories of both economies. In addition, third-order effects transmit the shocks within both economies to the political organization of both political economies.

The more a state imposes sanctions and aggresses, the more others will see the state as an aggressor. Aggression by sanction compels organic adaptation by named entities; potential counterparties; and, ultimately, all counterparties to the US capital economy. This adaptation occurs because the risk of transacting with the US capital economy increases every time the United States uses sanctions as a means to aggress. Policymakers who use sanctions to deter malign behavior in effect compel adaptations and alternative structures, which renders sanctions less effective over time. If we must aggress, we must aggress competently. This competence means using sanctions as part of a campaign that holistically anticipates and uses first-, second-, and third-order tactical effects across the political economy to obtain policy objectives strategically.

**Tactical Art**

This point introduces the question of how to conduct tactical actions within or across an adversary’s political economy. Economic activity, whether it is production or distribution, requires capital, resources, and labor as inputs. Economic activities add value through transformative processes that use these inputs to produce an output, which is sold or used in subsequent processes. The sale price or internal value of the output must be greater than the cost of inputs and transformation; otherwise, the activity will not be self-sustaining. Tactical economic engagement targets inputs, outputs and transformative processes, and the boundaries that protect them from external despoilation.
Where do sanctions fit? Again, US sanctions are embargoes on the US capital economy. Sanctions block transactions (distribution) of capital through internal administrative and regulatory means. Sanctions are a planned and executed engagement to achieve an objective. In other words, sanctions are a tactic. Because sanctions affect all US actors and US jurisdictions, rather than a singular, specific transaction, sanctions are a boundary action or hardening of the boundary surrounding the US economy. Every US sanction hardens the boundary and increasingly truncates the US economy’s reach. The hoped-for effect, truncation of the named entity’s economic activity, is ancillary. The magnitude of the effect of sanctions depends, in part, upon the centrality of the US capital economy. In other words, the ability of a US sanction to constrain the distribution of the products and services of the named entity depends in degree upon the positional dominance the US capital economy exerts over the formal banking sector of the global financial commons. Although the US capital economy is significant, perhaps exercising dominion in sectors of the global financial commons, US control is neither singular nor absolute.

As opposed to hardening access to and from the US economy, other tactical means include directly engaging the inputs and input transactions as well as the outputs and output transactions of the named entity. If successful, this tactic may deny the adversary’s transactions entirely—or at least increase the adversary’s expense. Penetrating the named entity’s political-economic boundary allows for seizing or misdirecting inputs and outputs inside the entity’s economy as well as disrupting an adversary’s transformative (economic) processes. These tactical actions are more specific and direct than sanctioning one’s own economy. Consequently, the operating costs are lower. Depending on the means of execution, the risks of a tactical action may or may not be lower. Interrupting market clearing mechanisms and risk estimation by interrupting transactions inside an adversary’s political
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The economy may generate effects that are as short-lived as US sanctions. But even short-lived effects—disrupting the inputs, transformative processes, and outputs of a vertically integrated supply chain—can collapse the system before it can regain equilibrium.

Over time, the repeated use of sanctions as the sole tactic of engagement erodes the tactic’s impact and reduces the persistence of the tactic’s effects. Adversaries adapt. These adaptations accumulate. Eventually, sanctions begin to damage the US economy more than they hurt adversaries’ economies. Sanctions are only one of many tactics available to engage an adversary’s political economy. Other tactics must be employed, and the United States must orchestrate all tactical results within a campaign—a series of related engagements of an adversary’s political economy aimed at achieving strategic and operational objectives within a given time and space. This orchestration alleviates the risk of a sanction failing to achieve strategic objectives. Much like the concept of operations bridged World War I’s gap between strategy and tactics, campaigns in the political economy offer a solution to grinding, repetitive, and ineffectual sanction regimes.

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Endnotes


28. Schwarzenberg, Russia’s Trade and Investment. Return to text.


31. Di Comite and Pasimeni, “EU Decoupling from Russia.” Return to text.

32. Di Comite and Pasimeni, “EU Decoupling from Russia.” Return to text.


47. “Major Military Operations.” Return to text.


72. “China Island Tracker.” Return to text.

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ABSTRACT: This article argues that the People’s Republic of China uses its police and internal security forces as a nontraditional means of projecting strategic Landpower in the Indo-Pacific and Central Asia. Instead of limiting analysis of China’s power projection to military forces, this article employs new data on Chinese police engagements abroad to fill a gap in our understanding of the operating environment in Asia. Policymakers will gain an understanding of how these activities enhance China’s presence, partnerships, and influence across the region to inform the development of recommendations for a more effective response.

Keywords: China, strategic Landpower, internal security, security force assistance, police

The People’s Republic of China (PRC) uses nontraditional forms of strategic Landpower, particularly police and internal security forces, to shape Asia’s strategic environment in Beijing’s favor. While focus has mostly been on the rapidly growing capabilities and activities of the People’s Liberation Army (PLA), two internal security agencies—the Ministry of Public Security (MPS) and the People’s Armed Police (PAP)—also conduct significant activities abroad, especially in the areas that make up China’s regional periphery. The Ministry of Public Security, China’s national police force, is responsible for public and political security. The People’s Armed Police is primarily an internal security paramilitary force; unlike MPS, it falls under the sole authority of the Central Military Commission.

The US Army, Marine Corps, and Special Operations Command have defined strategic Landpower as “the application of landpower towards achieving overarching national or multinational (alliance or coalition) security objectives and guidance for a given military campaign or operation.” I describe China’s use of internal security forces abroad as a form of “nontraditional strategic Landpower,” for two reasons. First, the forces employed are not traditional Landpower forces (armies) but internal security forces acting abroad. Second, these forces engage in activities that address nontraditional security threats, which play a prominent role in China’s comprehensive national security concept and are also salient to many countries along China’s regional
periphery. In these ways, China is applying ground forces to achieve its national security objectives and guidance.

While these activities aim to secure their objectives through peacetime operations and outreach below the level of armed conflict, they influence the scope and vitality of US partnerships and shape the regional theater in ways that could matter in a future conflict. The Department of Defense states that “the Joint Force must be ready to counter or defeat the efforts of hostile actors seeking to undermine our interests without triggering a joint conflict . . . [in] competition below the threshold of armed conflict.”

US Indo-Pacific Command (INDOPACOM) states that it “is committed to enhancing stability in the Asia-Pacific region by promoting security cooperation, encouraging peaceful development, responding to contingencies, deterring aggression, and, when necessary, fighting to win. This approach is based on partnership, presence, and military readiness.” As it pursues these objectives, the US Army, in particular, “cannot ignore the ‘Phase 0’ or competition below the threshold of war domain,” as “Army advantages in military-to-military relations with [INDOPACOM] allies and partners position the service well to counter this Chinese peacetime shaping during the competition phase.”

The international activities of China’s internal security forces should be included in assessments of China’s regional and global security presence to obtain a complete picture of the American military’s operating environment in Asia. These activities augment traditional military power by improving PRC intelligence and domain awareness and offering opportunities for the Chinese Communist Party (CCP) to shape the information environment and engage in narrative competition. They provide concrete security benefits to countries in the region but also disseminate Chinese ideas about using internal security forces for political and regime security and could open new avenues for potential PRC coercion. In general, overseas activity by internal security forces allows China to enhance its security presence, partnerships, and influence throughout Asia.

As a result, these activities require attention from the Department of Defense and interagency leaders. To compete effectively, the United States must not only “see, sense, and understand” regional threats, but also comprehend where and how PRC security forces operate, including these forces’ engagement in traditional and nontraditional security cooperation programs. An assessment of where and how China uses nontraditional forms of strategic Landpower to shape the operating environment in Asia
can inform future thinking on American Landpower projection and security force assistance in the Indo-Pacific.  

PRC Concepts of “National Security” and Activity by Internal Security Agencies Abroad

In assessments of China’s regional security presence, much of the US defense establishment’s focus has been on PLA military diplomacy and security cooperation. The Department of Defense’s 2023 Report on Military and Security Developments Involving the People’s Republic of China noted that “CCP leaders view the PLA’s growing global presence as an essential part of the PRC’s international activities to create an international environment conducive to China’s national rejuvenation.” The PLA engages in international military cooperation and military diplomacy in Asia to shape the strategic environment through port calls, exercises, the provision of humanitarian assistance, and the sale or donation of equipment, among other methods.

The concept of national security developed and implemented by the Chinese party-state under Xi Jinping (called the “comprehensive national security concept,” or 总体国家安全观, zongti guojia anquanguan) defines “national security” broadly and in ways that are different from the American conception of the term, which focuses primarily on the deployment of hard military power to defend against external threats. Today, China’s comprehensive national security concept encompasses 21 different types of “security,” almost double the number when the concept was first promulgated in 2014. The foundation of “national” security in China, however, is “political security”: protection of the “party leadership, China’s socialist system, and the authority of the CCP Central Committee with Xi Jinping as the core.” The concept closely links internal and external security and includes an enhanced focus on “nontraditional” security threats with a significant domestic component, such as terrorism, piracy, and social or political instability. Consequently, domestic and internal security agencies have a comparatively large role in forming and implementing China’s “national” security policy, which is fundamentally oriented around protecting party rule.

This framework for perceiving and defining national security threats allows nominally internal security agencies to assume a global presence. In 2017, Xi directed officials in China’s political-legal system (the internal security apparatus) to adopt a “global vision” in national and state security work. Since then, China’s use of police and law enforcement agencies...
to engage in security activities abroad has steadily increased; these activities include bilateral police diplomacy, formal security cooperation agreements, police training programs, multilateral engagement, global rendition campaigns, and “transnational repression” of individuals overseas. According to public statements by senior PRC officials, law enforcement activities abroad explicitly seek to prevent and resolve overseas security risks, revise global security governance, “build a new system for international cooperation in public security,” and “effectively enhance [China’s] security influence.” Internal security agencies, therefore, play a nontrivial role in China’s foreign security policy.

Recently, such activities have been described under the auspices of Xi’s Global Security Initiative (GSI). While GSI remains fairly vague, it describes global law enforcement cooperation as a means to build security architecture to address nontraditional threats and revise international security governance. Chinese rhetoric portrays the US alliance/partner system as zero-sum, destabilizing, and inadequate for many contemporary security challenges; the PRC offers nontraditional security cooperation through GSI as an alternative framework for security governance that better meets the needs of many countries, especially those in the developing world and Global South whose significant security challenges do not take the form of conventional military threats and who may not currently be included in the existing network of US alliances and partnerships. China’s internal security agencies are key actors in constructing this new global security architecture.

**Mapping China’s Nontraditional Security Outreach**

In pursuing national objectives, China’s internal security leaders not only act as domestic law enforcement officials, but also engage regularly with foreign counterparts. Figure 1 shows the foreign-diplomatic outreach of China’s top two domestic security officials from October 2022 to October 2023: Wang Xiaohong, the minister of public security, and Chen Wenqing, head of the Central Political-Legal Commission, which oversees China’s internal security system.
As figure 1 illustrates, much of China’s police diplomacy and law enforcement security cooperation is concentrated along the PRC’s regional periphery—either in Central Asia or Southeast Asia and the Pacific Islands. A 2022 study by the Center for American Progress similarly found that Asia was the largest recipient of the Ministry of Public Security’s bilateral diplomatic outreach, materiel assistance, and police training. Thus, although China’s police and law enforcement activities abroad are globally relevant, they are especially important for those seeking to understand the evolving security environment in Asia.

Figure 1 also highlights the utility of Asia’s regional organizations and fora, which allow China to augment its participation in and influence on nontraditional security cooperation mechanisms in the region. Over the course of roughly a year following the 20th Party Congress (fall 2022–fall 2023), Chinese domestic security leaders engaged with the Shanghai Cooperation Organization, ASEAN+3, the countries party to the Mekong Memorandum of Understanding on Drug Control, and a new ministerial-level forum, cohosted by Beijing, with Pacific Island countries; China also conducts regular joint security patrols along the Mekong River. Each forum offers China’s security
officials additional touchpoints with regional counterparts and creates opportunities for China’s domestic security agencies to advance their outreach and cooperation.

China also now hosts the Global Public Security Cooperation Forum (GPSCF, formerly the Lianyungang Forum), an MPS-backed effort to expand security cooperation among law enforcement agencies worldwide and to promote the export of China’s security and surveillance technologies. Hosting GPSCF also facilitates additional bilateral conversations on the Forum’s sidelines. During the 2023 GPSCF, for example, Minister Wang met with counterparts from Guyana, Kyrgyzstan, Nigeria, Pakistan, Russia, South Africa, Suriname, and Tajikistan.

Chinese security assistance and cooperation activities often address perceived security challenges along China’s regional periphery—either because Chinese officials share some degree of threat perception with their interlocutors or because Beijing’s assistance can help address a security problem their interlocutors believe demands attention. Some MPS outreach advances cooperation on nontraditional security and law enforcement challenges such as drug smuggling and transnational crime; other events explicitly promote the CCP’s regime-centric vision of national security and “political security.” At a 2021 “Peaceful China” summit held in conjunction with the Ministry of Foreign Affairs, for example, the MPS promoted Chinese policing techniques and tools as a model for combining economic growth with long-term social stability. At a BRICS meeting in July 2023, Wang Yi, Beijing’s top foreign policy official, argued that “countries in the Global South share an interest in resisting external infiltration and maintaining political and regime security” and should cooperate to do so. China’s domestic security organs do not neatly delineate ordinary criminal policing and law enforcement work from political policing in their internal operations, and MPS activities abroad blend traditional forms of law enforcement partnership with cooperation centered on protecting political and regime security.

Due to these actors’ outreach, many countries in Asia are engaged in conversations about security cooperation and assistance with Beijing—and they are doing so not just through military channels, but also through law enforcement outreach and cooperation. Depending on the arrangement, China’s interlocutors might be a country’s interior ministry, law enforcement agency, or military (including land forces). Some activities could provide Chinese security forces direct access to the country in question, but the circumstances and terms of that access are often not clear from publicly available information. For example, one of China’s two reported
facilities in eastern Tajikistan, ostensibly a “joint counterterrorism center,” is said to be staffed by the People’s Armed Police, while the other is described as falling under MPS—but it is unclear whether the lines of reporting and command run through the Ministry of Public Security (which absorbed the PAP’s Border Defense Forces in 2018) and State Council, or the Central Military Commission (under which the PAP now falls). A leaked draft of the PRC’s 2022 agreement with the Solomon Islands—implemented on the Chinese side by the PRC Ministry of Foreign Affairs, Ministry of National Defense, and Ministry of Public Security—raised concerns that it might allow the deployment of Chinese “police, armed police, military personnel and other law enforcement and armed forces” to the Solomon Islands in the event of domestic unrest.

China is also training security officials throughout Central Asia and the Indo-Pacific, building its own set of security partnerships and augmenting its regional presence. In 2017, at the Interpol summit in Beijing, Xi offered to share China’s experience in security governance with the world and said that MPS would establish an academy to train more than 20,000 law enforcement personnel from developing countries. An article the following year highlighting China’s contributions to international police cooperation reported that the MPS had trained more than 20,000 police officers from 116 countries. At the Shanghai Cooperation Organization summit in Uzbekistan in 2022, Xi offered to train 2,000 law enforcement personnel and assist with counterterrorism cooperation. China’s February 2023 white paper on the Global Security Initiative called for “the establishment of a global training system to train for developing countries more law enforcement personnel who are responsive to their countries’ security needs” and offered to provide “5,000 training opportunities” for security professionals from the developing world in the next five years.

Efforts to portray China as a global and regional security provider are not new. Most of China’s emphasis previously has been on its support for United Nations (UN) peacekeeping operations. Official sources note that China’s armed forces have contributed more than 40,000 personnel to UN peacekeeping operations, that the PRC’s troop contributions exceed those of the other P-5 countries combined, that China is the second-largest contributor to the UN peacekeeping budget, and that it provides training for UN peacekeeping forces. Less well-known is that China’s police, not just its armed forces, have been consistent participants in peacekeeping operations,
starting with East Timor in 2000. As of 2021, China had sent more than 2,600 “peacekeeping police” to 11 UN peacekeeping missions.

The Ministry of Public Security also runs a training center for peacekeeping police at China People’s Police University in Langfang (which hosts the ministry’s International Law Enforcement Cooperation School). Antonio Guterres, the UN Secretary-General, visited the China Peacekeeping Police Training Center (CPPTC) in 2018, and CPPTC hosted a conference in July 2023 on peacekeeping police with the UN, International Committee of the Red Cross, and law enforcement officials from 14 countries. As of 2020, China had provided training to 1,500 peacekeepers from 60 countries, and the MPS had trained more than 1,000 foreign peacekeeping police. The Ministry of Public Security, therefore, plays a substantial role in this facet of China’s global security presence and its engagement with the UN.

Implications of PRC Internal Security Agency Outreach in the Indo-Pacific

China’s nontraditional security cooperation in Central Asia and the Indo-Pacific shapes the regional operating environment and allows the PRC to enhance its presence, partnerships, and influence. These activities augment traditional Landpower by improving PRC domain awareness, offering opportunities to shape the information environment, providing concrete security benefits to current and potential American partners, disseminating Chinese ideas about political control, and opening potential new avenues for future PRC coercion.

First, Chinese police presence and partnerships in countries across the region may enhance PRC domain awareness and facilitate preparatory intelligence activities throughout the regional theater, including with respect to local infrastructure, leadership, and security threats. Chinese officials’ ongoing discussions with the government of Papua New Guinea about potential internal security assistance, for example, may help the PRC understand how Papua New Guinea views the principal challenges to its domestic security, how existing Australian and American defense and security assistance agreements do or do not address those threats, which types of security assistance could best fill the currently unmet needs of the PNG government, and what the government’s concerns about and conditions for accepting such assistance from the PRC might be. These activities and engagements also provide a mechanism by which PRC officials can distribute
messaging to foreign counterparts in government, media, and civil society, thereby shaping the information space and potentially facilitating future information operations. Washington’s ability to recognize where and how China’s use of nontraditional security cooperation could accrue informational advantages and shape the information space is important for US Army and interagency efforts in the region.

Second, by providing security benefits to regional countries and addressing security challenges in the region, China enhances its security influence and makes itself a viable—sometimes even attractive—partner to those countries. Where these activities and assistance address security threats and challenges that would otherwise go unaddressed, China’s role as a security provider to countries and organizations on its periphery fills needs that would either remain unresolved or require additional US and allied/partner investments to resolve. China’s focus on nontraditional security, moreover, means that it may be providing different and complementary security benefits within the region, which may be viewed positively by governments and leaders in Asia.\textsuperscript{37} American messaging about China’s nonmilitary security outreach in Asia, and Army efforts to succeed in narrative competition, must recognize and reflect this reality.\textsuperscript{38}

Third, international activity by MPS and other internal security actors opens new avenues for potential political influence and coercion to achieve political ends. Paul Nantulya notes that MPS, which provides police training in Africa on a scale that matches or exceeds the military sphere, organizes its training around core principles of party control over security forces.\textsuperscript{39} China’s nontraditional security outreach may therefore disseminate useful tactical and operational knowledge but simultaneously contribute to the dissemination of norms of authoritarian political control. Even if the CCP’s approach is not directly copied by recipient countries, repeated exposure could normalize its approach among a significant number of the world’s domestic security forces, with troubling implications for repression, civil liberties, and human rights.

Such influence could also open new avenues for future coercion. If China is willing to leverage its growing role as a security provider, the threat or future removal of specific benefits it currently provides could heighten or reintroduce security risks in those countries receiving training and assistance from PRC security forces. How regional countries view their “security partner(s) of choice” and their vulnerability to coercion bear directly on two of the metrics discussed by the Army as markers of success in competition.\textsuperscript{40} Thus, to the extent that China’s activities reduce America’s role as a security partner of choice across the region, and render regional actors more vulnerable
to security (not just economic) coercion by the PRC, American success in multidomain competition will require increased attention to those activities and an interagency strategy for responding to them.

Conclusion

The People’s Republic of China employs nontraditional forms of strategic Landpower—particularly its police and internal security forces—to shape the strategic environment in Asia, thereby enhancing China’s presence, partnerships, and influence in the region. The US government, the Department of Defense, the US Army, and INDOPACOM should add these activities to assessments of PRC regional and global security presence to gain a more comprehensive picture of the US military’s operating environment and sharpen their ability to “see, sense, and understand” the region’s evolving security landscape. Acknowledging the full range of Chinese security initiatives and activities will provide a more complete, nuanced picture of threats facing the region, the views of current/potential allies and partners, and the networks of partnership and presence the PRC is creating. This holistic view is critical for the United States to “seize the initiative” and respond to a broad range of regional security challenges effectively.

These revised assessments should prompt a reevaluation of American security force assistance programs in Asia, whether conducted by the United States military or by allies and partners. For example, the Army’s Security Force Assistance Brigades (SFABs), play a key role in a region where many militaries remain land-centric. Most central is the 5th SFAB, aligned to INDOPACOM, which currently distributes its work across 12 countries. The 54th SFAB has also deployed advisers to Indonesia, and the 3rd SFAB, regionally aligned to US Central Command (CENTCOM), has partnered with some Central Asian countries. Security force assistance programs can reassure allies and partners through forward presence at a lower cost while creating fewer targets (compared to bases or large deployments); form advisory relationships that generate enhanced cooperation in land, cyber, information, and space domains; reduce the scope for coercion of partner countries by offering “access to US resources, military technology and materiel and the possibility of greater financial, information, and economic cooperation”; and broadly help prepare the operational environment for a wide range of possible contingencies.

China’s employment of nontraditional forms of strategic Landpower to build its presence, partnerships, and security influence raises the question of whether—and where—the United States should revise its security force
assistance programs to compete effectively with China and where it might work with allies and partners to do so. American military leaders operating in the region must be aware of when and how their counterparts benefit from security assistance offered by Beijing and coordinate closely with their civilian counterparts to decide when and how countering or competing directly with that security assistance is appropriate and strategically advantageous. In some places, Beijing may offer forms of security assistance the United States cannot or should not try to match—for example, assisting police or paramilitary forces that repress domestic opposition to keep a particular regime or leader in power. In other cases, the United States may be able to address legitimate security challenges and provide security benefits that match or exceed those offered by Beijing, and doing so may provide new or enhanced opportunities to shape the regional environment in Asia in America’s favor.

To capitalize on these opportunities, the United States may need to consider sending security force assistance personnel to a broader pool of countries in Asia, beyond those with whom the United States already has deep and enduring security relationships. In an ideal world, the Army should consider aligning a second SFAB with INDOPACOM and revisit how the 3rd SFAB is employed to account for evolving Chinese security activities in CENTCOM’s area of responsibility, especially Central Asia. Since these changes may be infeasible in the near term, the interagency should also be engaged to provide full-spectrum support for redesigned and enhanced security assistance efforts in the region. In addition to Army SFABs, the National Guard’s State Partnership Program, the FBI, the United States Agency for International Development (USAID), the Department of Justice, the State Department’s International Law Enforcement Academy (ILEA) Program, and others can be leveraged to integrate nontraditional security, law enforcement, and rule of law training into cooperation and assistance programs with a broad range of countries, tailored appropriately to the circumstances and US objectives in each.

The United States should also work with allies and partners who can bring their capabilities and expertise in nontraditional security assistance to augment capacity. Japan, for example, has experience with human security–focused assistance and is increasingly a trusted security and defense partner for much of Southeast Asia. Existing European police training programs could also be leveraged to address critical security needs in Asia. In light of China’s use of nontraditional forms of strategic Landpower in Asia, reviewing, redistributing, and enhancing American and allied/partner security force assistance capacity across the region could address many of the region’s critical security challenges and enable the United States to maintain and strengthen
the presence and partnerships that support American strategic Landpower in the Indo-Pacific.

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Endnotes


7. Reference to US Army Pacific’s need to “see, sense, and understand” regional threats appears in *Statement Before the Senate Armed Services Committee, Hearing on the Posture of the United States Army, 118th Cong.* (2023) (statements of Honorable Christine E. Wormuth, Secretary of the Army, and General James C. McConville, Chief of Staff of the Army), 2. [Return to text.]

8. Wong et al., *New Directions*. [Return to text.]


35. “China’s Armed Forces.” Return to text.


37. Fung, “China’s Small Steps.” Return to text.


40. HQDA, Army in Military Competition, ii. Return to text.


46. Some of this activity is already occurring and could be increased or redistributed (for example, factoring China’s security outreach into USAID spending priorities in the region). [Return to text.]

47. Ryan Ashley, “Japan’s Security Relations with Southeast Asia” (PhD diss., University of Texas at Austin, 2024). [Return to text.]


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US-Taiwan Relations and the Future of the Liberal Order

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ABSTRACT: Strengthening ties with Taiwan is the best chance the United States has to preserve the liberal international order in Asia and improve its security relative to China. This study offers a normative perspective on how Taiwan can contribute to US-led international institutions and the Asian regional order and reduce conflict risk. It concludes with recommendations for the United States and its partners to integrate Taiwan into multilateral institutions in Asia.

Keywords: US foreign policy, China, Taiwan, Indo-Pacific, rules-based order

China’s rise in the twenty-first century poses challenges and opportunities for the United States and the liberal international order (LIO). Scholars and policymakers in international relations have had heated debates over the nature of the LIO and what tenets should be upheld. In addition, Beijing’s economic coercion and military intimidation toward Taiwan might render it the next flashpoint in Asia, leading to a possible conflict between the United States and China. For example, in 2021, US Admiral Philip S. Davidson, former head of the US Indo-Pacific Command, claimed that within the next six years, China will have the capability to force reunification with Taiwan. The risk of a conflict between China and Taiwan, possibly involving others in Asia, cannot be ignored.

Nevertheless, Taiwan’s diplomatic isolation and quest for legal status lead to an empirical puzzle: How can Taiwan, a liberal democracy in East Asia, contribute more to the resilience of the current LIO? Can the United States move beyond bilateralism with Taiwan and maintain its competitiveness with China during the power struggle? Taiwan’s limited participation in international affairs is a missed opportunity for the LIO and presents a long-term risk to the global community.

This article challenges the conventional wisdom that Taiwan’s geostrategic importance will inevitably lead to a conflict and argues that Taiwan’s soft-power reach outweighs its geopolitical location. It focuses
instead on how the United States and its allies might engage Taiwan to reduce the risk of conflict and stabilize the LIO in Asia. While this study acknowledges that a miscalculation could lead to a major conflict, it also observes that this fear has led to the current inertia in US-Taiwan relations. Fears of conflict with China and possible US abandonment of Taiwan are overdetermined and have enabled Beijing’s slow but inevitable creep toward forced reunification.

To achieve greater security vis-à-vis Beijing, the United States needs to embed Taiwan into its newly established regional networks for fostering the LIO. This study offers a normative perspective on how Taiwan can contribute to the US-led international institutions and Asian regional order. The United States and its partners could greatly strengthen the LIO’s crucial rules-based order by integrating Taiwan into the multilateral institutions in Asia and beyond, thus greatly reducing the potential for conflict.

This article first establishes the current state of the LIO in Asia by examining US-China relations, Asian security, and Taiwan’s foreign policy through the framework of the LIO’s critical components. Second, it proposes an in-depth analysis of Taiwan’s quest for political status and its contributions to the LIO. Third, it suggests that the United States move beyond the existing political arrangement with Taiwan and advocate for Taiwan to have a stronger presence in the international community. Finally, it concludes with the prospects of the US-Taiwan-China triangle and policy implications for the Taiwanese government.

Taiwan and the Liberal International Order

After World War II, the United States and its Western allies set up international institutions characterized by liberal ideas (such as liberal democracy, the free market, and the rule of law). This system is known as the liberal international order. The US effort to uphold the LIO has encountered increasing challenges from authoritarian countries such as China and Russia, who pick and choose among the existing rules and exploit them. In the context of China-Taiwan relations, a realist perspective might argue that China, with its rising capabilities, would try to take control of Taiwan and exert greater influence in Asia in the near future. This scenario is certainly possible, given the intense power competition between the United States and China.

Although the LIO has fostered unprecedented cooperation among states in Europe, East Asia, and North America since 1945, this concept remains highly contested in international relations. This article offers a common understanding of the LIO: states and non-state actors follow rules, norms, and legal procedures
in international affairs. The rules-based aspect is a constitutive part of the Asian regional order. The future of Taiwan and the Asian regional order also depends on the resilience of the LIO and other middle-power states in the Asia-Pacific. While liberalists are confident that the LIO will remain strong even following America’s recent decline, some have questioned whether the LIO was ever liberal at all. Still others suggest that new forums or alternative institutional settings might emerge to regulate economic affairs and global politics. Despite their contested meanings, this article centers on the fundamental elements underpinning the current US-led LIO: democracy, free trade, and international institutions. It also highlights how Taiwan can significantly strengthen the LIO in the Indo-Pacific and beyond.

Liberal Democracy and Political Freedom

Taiwan underwent a peaceful transition from authoritarian rule to a vibrant democracy in the 1990s, and it has experienced peaceful power transitions in its presidential elections. Over the last several years, the Taiwanese people have developed a civic identity that embraces democratic government, the rule of law, and open dialogue. For instance, the Sunflower Movement in 2014 was a notable series of large-scale protest organized by college students, social activists, and nongovernmental organizations (NGOs). This social movement was nonviolent in nature, and it demanded that then President Ma Ying-jeou retract a controversial trade pact with China.

More recently, President Tsai Ing-wen has openly indicated the resilience of Taiwan’s democracy, progressive values, and the rule of law in the face of China’s political and security challenges to the liberal democratic order. In a recent statement, Tsai also said she expected Taiwan could contribute more to regional trade, high-end research, and educational exchanges in the Indo-Pacific.

Conversely, China under President Xi Jinping’s rule has imposed stronger social control over its citizens. For example, human rights abuse in Xinjiang, political oppression in response to Hong Kong’s social movements, and strictly enforced lockdowns during the COVID-19 pandemic all point to Beijing’s refusal to embrace Western political freedoms and legal rights. More recently, China launched misinformation campaigns to undermine Taiwan’s democratic
elections in 2020 and 2024.\textsuperscript{13} The increasingly authoritarian rule in China presents a sharp contrast to Taiwan’s democracy and vibrant civil society.

\textbf{Free Trade}

Starting in the 2010s, China’s economic sanctions against its neighbors have led to economic losses for Japan, the Philippines, and South Korea. These sanctions also created increasing worries that China might apply these coercive measures more frequently in maritime disputes or political friction, which would gradually undermine the Asian regional order. Meanwhile, Taiwan’s trade reliance on China has rendered its export and service sectors vulnerable to China’s economic sanctions.\textsuperscript{14} The Taiwanese government, along with the agricultural and manufacturing industries, needs to diversify its trading partners to hedge against China’s coercive measures.\textsuperscript{15}

The Trans-Pacific Partnership (TPP), formally established in 2016, included countries such as Australia, Japan, and Singapore across the Asia-Pacific region. It was one of the most important economic initiatives that includes specific measures to lower both non-tariff and tariff barriers. This partnership also established an investment dispute settlement mechanism that provides economic safety for all signatories.\textsuperscript{16} Entry into the Trans-Pacific Partnership was one of the most important objectives for Taiwan’s trade policy, as membership would integrate Taiwan’s economy into the regional network. The Trans-Pacific Partnership intended to formulate a multilateral trade and service agreement with higher standards for labor rights and environmental protection regulations. After US President Donald Trump withdrew from the Trans-Pacific Partnership, the Biden–Harris administration made it clear they would not pursue the Comprehensive and Progressive Agreement for the Trans-Pacific Partnership (CPTPP).\textsuperscript{17}

Japan has led negotiating the agreement, which might help Taiwan expand its markets to other counties in the Asia-Pacific region. There are still challenges to Taiwan’s membership, including the Taiwanese government’s need to resolve its trade disputes with Japan.\textsuperscript{18} China has also applied for membership and might invoke its One China policy to delay Taiwan’s entrance. Japan, along with other middle powers in the Asia-Pacific region, should seriously consider Taiwan’s case prior to China’s entry, as such a trade pact should prioritize economic merits and qualifications over diplomatic recognition.\textsuperscript{19} Taiwan’s CPTPP membership could greatly enhance its resilience to China’s economic coercion because
the trade partnership upholds a higher standard for regional trade agreements, and it could also help Taiwan diversify its trade away from China.

More recently, US Secretary of the Treasury Janet Yellen proposed “friend shoring” to address trade vulnerabilities amid increasing geopolitical rivalries. Yellen calls for “countries that share common values about global trade and economy” to work together in competition with China’s unfair trade practices.\(^{20}\) Although she was referring to diversifying the supply chain of rare earth materials, diversifying Taiwan’s trade policy and development of advanced technologies could help the United States and others to reduce economic reliance on China. For example, Taiwan’s government and the semiconductor manufacturers are well positioned to provide such an opportunity, since they contribute to the resilience of the global supply chain for computer chips.

**Multilateralism**

The other LIO components rely heavily on multilateralism, which stresses transparency, reciprocity, and dispute settlement in international or regional institutions. Beijing consistently blocks Taiwan from joining international organizations, limiting Taiwan’s official participation in regional institutions. It was due to the CCP’s long-held view of the One China principle that Taiwan’s legal status was denied. On the other hand, foreign-policy and global governance scholars have addressed what types of strategies a rising or middle power can implement when it joins international institutions.\(^{21}\) These organizations’ multilateral settings provide a structural opportunity for stronger and weaker members to exert more balanced influence on one another and reach a consensus on crucial issues.

Taiwan’s unique political status does not preclude it from participating multilaterally in regional affairs. In 2016, the Tsai administration launched the New Southbound Policy (NSP), an interdepartmental ocean affairs council that promotes people-to-people exchanges, investment partnerships, and informal dialogues in Southeast Asian countries.\(^{22}\) The NSP policy’s nonpolitical nature circumvented the issue of Taiwan’s “official representation.” Therefore, the Taiwanese government, along with NGOs and universities in Taiwan, jointly developed educational and technological programs with local Indian and other Southeast Asian
This bottom-up, multilateral approach to regional engagement aims at deepening economic and cultural ties with Southeast Asia.

**Taiwan's Legal Status**

Contemporary histories of Taiwan and mainland China have diverged dramatically since World War II, as the former has never been under CCP rule. From the CCP's perspective, Taiwan became a renegade province following the Nationalist Party’s (Kuomintang, KMT) forced evacuation to the island in 1949. More recently, Xi explicitly claimed that Taiwan's unification is essential for China's rejuvenation and national pride.

The formal justification for Taiwan’s exclusion from international organizations comes from the UN Resolution 2758 passed in 1971, in which the People's Republic of China formally replaced the Republic of China in the “China” seat. The Chinese government dedicated significant efforts to associating its One China principle with the UN resolution, limiting Taiwan's access to most specialized UN agencies and NGOs. Therefore, Taiwan's diplomatic isolation and limited participation in international affairs have mainly been due to China's sovereignty claim over Taiwan. This situation presents a serious challenge to the LIO in the Asia-Pacific, where China’s neighbors are becoming increasingly worried about Beijing’s expansionist ambitions.

In this regard, Taiwan’s quest for political recognition and greater participation in international affairs offers a chance for the LIO to endure, as Taiwan can exert greater influence in Asia. For example, Taiwan demonstrated the strength of its universal healthcare system in fighting the COVID-19 pandemic and its goodwill by helping countries in need. Taiwan and the United States should firmly oppose Beijing's campaigns and coercion, but maintaining Taiwan’s military deterrence and asymmetry capabilities is only part of the solution. Integrating Taiwan into the LIO can also prevent Beijing from conducting reckless military attacks against Taiwan. Unlocking Taiwan's great potential for the LIO by including it in newly established networks would be indispensable to US-Taiwan relations.

The United States and its allies in Asia and beyond must be careful not to support Beijing’s controversial narrative that Taiwan has always been an integral part of China. These nations need a systematic strategy to enhance Taiwan's security and diplomatic contributions, and some modest steps would be suitable for positive momentum. For example, they can first consider issuing a joint statement supporting Taiwan’s
reinstatement to the World Health Assembly and its participation in other major international organizations. Coherent resolve and diplomatic dexterity are crucial for addressing Taiwan’s political status as a sovereign country (the Republic of China). Second, other nations can invite Taiwan to join the Indo-Pacific Economic Framework for Prosperity (IPEF), the Quadrilateral Security Dialogue (Quad) Plus, and Australian, UK, US (AUKUS) Plus trilateral security partnership. Long-term, a sustainable Taiwan policy should ensure Taiwan’s consistent presence in international affairs and embed its security in the multilateral Indo-Pacific security networks.

Democratic consolidation, promoting free trade, and implementing people-centered diplomacy are the key features of Taiwan’s agenda. These soft-power appeals have already increased Taiwan’s visibility in the globalization era, and the “non-state-centric,” or low-politics, perspective is one of the more effective ways for the Taiwanese government to avoid China’s objections. Nevertheless, this option will be unsustainable for Taiwan when faced with intense geopolitical competition between China and the United States. Taiwan would also be an underappreciated asset for the United States if it were to reinvigorate the LIO in Asia and beyond.

Putting US-Taiwan Relations in Perspective

Ever since the United States normalized diplomatic relations with China, it has maintained informal relations with Taiwan. Specifically, when the United States established diplomatic relations with China through the 1979 Joint Communiqué, the Taiwan Regulations Act (a piece of domestic US legislation) began to regulate US-Taiwan relations. Since the 1990s, US policy toward Taiwan has been characterized as one of strategic ambiguity, as both sides have not reached a consensus on how to address China’s rise and its challenges to the LIO.

A Bilateral Relationship

Given the tense bilateral relations between the United States and China, Congress is becoming increasingly concerned over the status quo in the Taiwan Strait. To address Taiwan’s diplomatic presence, Congress issued the Taiwan Allies International Protection and Enhancement Initiative Act of 2019, which calls for the US government to “increase economic, security, and diplomatic engagement with nations that have strengthened and maintained ties with Taiwan.” Congress also issued the Taiwan Travel Act in 2018 that allowed high-level officials
from Taiwan, including the president or vice president, to meet with officials in the United States.  

Although these legislative acts signal US commitment to Taiwan, they remain bilateral in nature due to China's assertiveness. Sister-city connections, student-exchange programs, and NGO linkages can maintain current engagement between civil-society groups in Taiwan and the United States and might even lead to a formal or routinized meeting in the future. Nevertheless, the bilateral relations between the United States and Taiwan alone, including bills, informal contacts, and arms sales, might be insufficient to address China's territorial expansion in Asia and its challenge to the LIO.

Currently, the Trade and Investment Framework Agreement (TIFA) is the policy platform for US-Taiwan economic relations. The TIFA council meetings promote trade and investment dialogue between American and Taiwanese authorities, and both sides are committed to protecting intellectual property rights, better worker rights, and supply-chain resilience. The Global Cooperation and Training Framework (GCTF) established by both governments has provided professional workshops sharing expertise in public health, technological development, and disaster relief.

There is still more to be done, however, to enhance bilateral trade and promote greater engagement among the private and public sectors. For example, the US executive branch should devise a legal framework, along with TIFA and GCTF, to negotiate a free trade agreement (FTA) with the Taiwanese government. This deeper engagement would benefit both sides and pave the way for Taiwan to sign FTAs with other nations.

A Recalibration from Bilateralism to Multilateralism

Starting in the 2020s, US-led security networks, such as the Quad and AUKUS, point to a gradual departure from the long-held hub-and-spoke alliances in Asia to a multilateral arrangement. These newly established institutions also provide great opportunities to renegotiate Taiwan's legal status, since these organizations are free from Chinese pressure to deny Taiwan's participation.

For example, Australia, a Quad and AUKUS member, has an increasing stake in maintaining maritime security and regional stability in the Asia-Pacific. It has also suffered significant economic losses due to China's trade sanctions on products ranging from wine and beef to coal. Meanwhile, in deterring China's expansion in the South China Sea or military attacks against Taiwan, the Australian government should not
merely advocate for Taiwan’s defense. Instead, it should work closely with fellow member states, such as Japan, the United Kingdom, and the United States, to signal a collective, coherent, and credible commitment to Taiwan’s autonomy.  

This reasoning might also apply to other members in the US-led networks. Including Taiwan in these partnerships can lessen the risk of an individual country suffering from China’s targeted coercion. Furthermore, Taiwan’s strategic location in the first island chain has put it at the frontline of China’s territorial expansion and military provocations. Taiwan’s de facto control of Itu Aba Island (or Taiping Island, in Chinese) could serve as a focal point for supplying logistics and a naval base in the South China Sea. Taiwan could be a valuable dialogue partner of AUKUS, as its government and technological industries could help strengthen the collaboration on artificial intelligence, cyber security, and quantum computing, one of AUKUS’s main concerns. Such technology partnerships would bolster free trade and build Taiwan’s multilateral network.

Additionally, the majority of people in Taiwan support the status quo of not declaring legal independence and prefer to maintain the “Republic of China” as the country’s formal name. The Tsai administration adopted a status quo position to maintain Taiwan’s autonomy while remaining open to engaging in political dialogue with China. Taiwan’s quest to deepen ties with the Indo-Pacific points to China’s challenges to liberal democracy and the LIO. For example, Tsai said:

Today, it’s Taiwan, but tomorrow it may be any other country that will have to face the expansion of China’s influences. . . . We need to work together to reaffirm our values of democracy and freedom in order to constrain China and also minimize the expansion of their hegemonic influence.

If the United States can effectively elicit collective support from like-minded countries, then Taiwan can gain more substantive influences in international politics and regional affairs. In 2021, Taiwan and the United States announced the US-Taiwan Consultations on Indo-Pacific Democratic Governance, a mechanism intended to deliver meaningful commitments, including support for transparent governance, countering disinformation campaigns, and leveraging Taiwan as a platform for democratic promotion. The Taiwanese government certainly has the political will and capability.
to work with the United States and its security allies to make greater contributions to the LIO.

It is unfortunate that Taiwan was not included in IPEF in 2022, as Taiwan’s technology companies support more digital trade talks to ensure greater market access in the Asia-Pacific. For example, the Biden-Harris administration could have expanded the current Blue Dot Network and encouraged Taiwan, which currently has the world’s fifth-largest foreign-currency reserves, to participate actively in the high-quality infrastructure projects in the Indo-Pacific region. Similarly, the Taiwanese government could work with AUKUS member states to strengthen critical communications, operations systems, and cyber security. In fact, the Tsai administration has implemented a foreign-policy posture as a pivot in the Indo-Pacific, expanding its soft-power appeal and economic linkages in the region through the NSP policy and the Indo-Pacific Affairs Section within the Ministry of Foreign Affairs, among other examples. These policy initiatives strengthen cultural exchanges, investment planning, and trade facilitation with South and Southeast Asian countries.

Admittedly, such a move could present risks of political friction and military conflict, as Beijing may consider Taiwan’s regional presence a provocative step toward legal independence. This “red line” scenario would likely trigger China’s use of force against Taiwan. Continued isolation for Taiwan wherein its foreign policy depends solely on the United States would be worse for regional stability, however. Even if Taiwan were considered a normal state, Beijing has tried to woo away Taiwan’s diplomatic partners over the last few years. Suffering from such strong pressure, Taiwan might push back against China’s diplomatic strategy by advocating for more secessionist moves that would not serve Beijing’s interests. Such a spiral of animosity would easily lead to a conflict between China and Taiwan.

**Policy Measures for the United States**

The US and Taiwanese governments should address China’s assertiveness and provocations by working closely to develop greater deterrence capabilities. Military development is only part of the solution, though. A more urgent but often neglected aspect is how the United States strengthens the rules-based order in the Indo-Pacific and promotes Taiwan’s substantive participation in international organizations.

The United States needs to take more concrete steps to secure and elevate its bilateral relations with Taiwan. First, Taiwan could be included as a dialogue partner of the Quad and the IPEF and later join different
working groups on critical issues in the Indo-Pacific. For example, the Quad has expanded its scope to address emerging technologies, COVID-19 vaccines, and humanitarian assistance, and the Taiwanese government can certainly share its expertise and knowledge on semiconductors and public health. Similarly, there are four pillars of the IPEF that member states value most: connection, resilience, cleanness, and fairness. Taiwan’s high-end technology industries and increasing trade volume with Asian countries can fulfill the IPEF’s goals.

In regional-security terms, US-Taiwan defense ties should not be about high-profile arms sales alone but should include a routinized mechanism for addressing security threats to Taiwan, like economic coercion, cyberattacks, and information warfare. Regular dialogue between the United States and Taiwan could turn into a joint review on Taiwan’s capabilities in which both sides ensure greater collaboration on critical issues. Furthermore, the US government could draft a white paper elaborating upon the legal foundation for Taiwan’s participation in a US-led framework, such as the Quad Plus, IPEF, and AUKUS Plus partners. An official statement would also clarify how such Taiwan’s inclusion would be consistent with US policy in Asia.

Admittedly, the Biden-Harris administration has maintained strategic ambiguity for US-Taiwan relations, and these initiatives would require a significant change in the US position. Nevertheless, implementing “Taiwan’s meaningful participation” in international affairs and regional organizations would certainly fail to deliver its intended effect, unless the US government demonstrates political support, bureaucratic buy-in, and legislative backing as an explicit signal to US allies in the Indo-Pacific. These policy measures would enhance US-Taiwan relations and improve Taiwan’s agency in countering Beijing’s efforts to undermine Taiwan’s diplomatic space.

**What US Partners Can Do**

The United States and its Asian partners can develop substantive alliance relations to facilitate peace and stability in Asia by promoting Taiwan’s presence in regional affairs. Specifically, the United States can engage in contingency planning for a military crisis in the Taiwan Strait with its counterparts in Australia, Japan, and the Philippines.

As a founding Quad member, Japan seeks to uphold the rules-based order in the Indo-Pacific, and it also shares security concerns with Taiwan over the East China Sea. The Senkaku Islands, Okinawa, and Kadena Air Base
are situated in crucial locations for the Taiwan contingency (military attacks from China) and are vulnerable to China’s navy. Still, there is no platform for policy coordination and communication for Japan, Taiwan, and the United States. In this sense, a trilateral security network built on existing US-Japan relations and the Quad could help stabilize regional order and promote Taiwan's resilience. Such a US-Japan-Taiwan framework could start with Taiwan's involvement as a dialogue partner on contingency planning and logistics support, strengthening Taiwanese-Japanese security ties over time through intelligence sharing, surveillance, or coast guard training.

Asian countries can also initiate political discussions with the United States about Taiwan's presence in US-led organizations in the Indo-Pacific. For instance, Taiwan could begin to participate meaningfully in the Indo-Pacific as a dialogue partner or semiofficial member in America’s multilateral discussions with Australia, Japan, South Korea, and other nations on export controls, cybersecurity, and supply-chain issues. The United States and other Quad members could consider expanding the network and invite Taiwan to join Quad-Plus meetings, initiatives, and workshops, thus improving policy coordination, contingency planning, and economic resilience in the Indo-Pacific.

The rationale for Taiwan’s membership is normative and strategic. First and foremost, Taiwan, a liberal democracy and growing economy, shares similar political values with the aforementioned countries. Second, the more Taiwan participates in US-led institutions and the more diplomatic presence it enjoys in Asia, the more likely this strategy is to prevent Beijing from starting a military conflict or attempting to occupy Taiwan by force. Collective support of Taiwan from US allies and partners in Asia can remind China that the United States is not the only country attempting to improve Taiwan’s presence in regional organizations and multilateral frameworks.

According to a recent survey, more than half of American respondents would be in favor of defending Taiwan if China attempted to occupy it by force. Promoting Taiwan's substantive participation in the US-led regional networks and maintaining its military deterrence against Beijing's threats of forceful unification therefore need not be mutually exclusive. More importantly, embedding Taiwan in the regional networks can increase the stakes of an attack by Beijing’s military and therefore ease China-Taiwan tensions. Moving from bilateralism to multilateral
engagement is a feasible and desirable path for the US government to defend Taiwan and maintain the LIO in Asia.

Deterring a military conflict between China and Taiwan is certainly no easy task, given the power shift toward China and geographical challenges in East Asia. Nevertheless, the United States and its partners in Asia can still leverage their collective and technological advantages to raise the cost of a possible Chinese attack amidst China’s continued provocations. This article provides a roadmap for the United States and its allies on the means and ends to stabilize regional order and secure Taiwan’s autonomy. These goals will require real and sustained US support for Taiwan’s participation in multilateral institutions, and US initiatives could gradually gain support from other like-minded countries in Asia and beyond.

**Conclusion**

A stronger China might be more assertive in forcibly claiming Taiwan as territory. Beijing believes it is entitled to govern the island under the nonintervention principle. As a result, Taiwan’s legal status or political recognition cannot be established easily, given that China has devoted considerable effort to isolating Taiwan. Yet, this does not mean that US allies and partners in Asia and Europe can do nothing about it. In fact, the United States can prioritize its Taiwan policy with newly established institutions, such as the Quad, IPEF, and AUKUS, to ensure Taiwan’s meaningful participation in regional affairs.

Taiwan has much to offer the international community, and it also has much to learn from the emerging regional networks in the Indo-Pacific region. This article emphasizes democracy promotion, the free market, and multilateral engagement. These essential features of the LIO represent deliberate US and Western efforts to establish and maintain the post–World War II order.

Starting in the 2010s, China’s assertive sovereignty claims over Taiwan and rapid military buildup have posed significant challenges to US interests in Asia and its global leadership. A military conflict in the Taiwan Strait or a forced occupation of the island would lead to severe consequences to geopolitics and economic development. If successful, Beijing would expand its growing naval presence in the East China Sea and South China Sea, two of the world’s most prosperous shipping lanes. Prolonged armed conflict might also disrupt Taiwan’s semiconductor production, and delays in chip
delivery would harm the global supply chains for smart phones, cars, weapons, and more.

China’s frequent military intrusions into Taiwan’s airspace, naval exercises in the Taiwan Strait, and consistent efforts to isolate Taiwan are serious security concerns for regional stakeholders and the United States. Taiwan’s future will impact US national interests with respect to the Indo-Pacific’s economic development and security. The United States and its allies and partners in the Asia-Pacific and Europe have the political influence and regional initiative to promote Taiwan’s participation, stabilize China-Taiwan relations, and reinvigorate the LIO.

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Endnotes


60. Taylor, “Taiwan Flashpoint.” Return to text.


International Law, Self-Defense, and the Israel-Hamas Conflict

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ABSTRACT: This article examines the international law of self-defense as it applies to the ongoing Israel-Hamas conflict to determine whether the October 2023 attacks by Hamas against Israel can be interpreted under Article 51 of the UN Charter as an “armed attack” that gives Israel the right to use military force in self-defense against non-state actors. It situates the conflict within ongoing legal and political debates, shows how this conflict fits into a changing global reality where the most dangerous security threats do not exclusively emanate from other states, and concludes that Israel’s resort to force in the current conflict appears to have a sound basis in international law.

Keywords: self-defense, international law, non-state actors, Israel, Hamas

The attacks perpetrated by Hamas from the territory of Gaza on October 7, 2023, against military bases and civilian kibbutzim in southern Israel were unprecedented in terms of their scale, lethality, and gratuitous barbarism. The deadliest attack against Israel in its 75-year history, the attacks claimed more than 1,200 Israeli lives and resulted in around 240 others being held hostage in Gaza by Hamas and allied militant groups. By now, the images, videos, and descriptions of the attacks are familiar, as thousands of Hamas militants breached barriers and attacked some 22 Israeli military installations and kibbutzim, and an outdoor music festival, using small arms, artillery, grenades, and incendiary devices. Hamas militants recorded themselves deliberately committing all manner of atrocities against Israeli civilians, including murdering entire families with grenades, decapitations, brutal sexual violence against women and girls, and other torture and mutilation of defenseless civilians, including children. Such crimes certainly call for criminal prosecution, but whether such atrocities constitute an “armed attack” that gives Israel the right to use military force in self-defense is a separate question.

Israel’s response has been swift and severe. Following a declaration of war against Hamas and after securing the sites Hamas had initially attacked, Israel ceased all food, water, medicine, and fuel deliveries to Gaza
and cut off the electricity. The following weeks witnessed a relentless Israeli bombing campaign against Hamas and military targets in Gaza, followed by a slow but steady ground incursion intended to root out and destroy Hamas. Unsurprisingly, the severity of Israel's military response has come under intense scrutiny as civilian casualties mount, spurring a heated debate over Israel's right to self-defense against Hamas under international law. This debate raises a question of *jus ad bellum*—or whether a state's resort to the use of force is lawful—which is different than whether its means and methods are lawful. Critics of Israel's efforts have questioned whether Israel has the right to use force self-defense at all against Hamas under international law. The thrust of these arguments is that due to Gaza's status under international law as a non-state actor and purportedly occupied territory, the rules applicable to self-defense under the UN Charter—specifically Article 51—do not apply.

This article examines the international law of self-defense as it applies to the ongoing Israel-Hamas conflict. I ultimately conclude that Israel's resort to force in self-defense is lawful under Article 51 because of how the rules of self-defense have evolved over the past two decades. This conclusion is supported by an examination of the following concerns as they pertain to this case: 1) whether the “scale and severity” of October 7 attacks qualify as an “armed attack” for the purposes of Article 51, 2) whether Gaza, as a purported non-state actor that is under international occupation, is legally capable of undertaking “armed attack” that could trigger Israel's right to self-defense, and 3) whether Israel's resort to force meets “necessity and proportionality” requirements as part of *jus ad bellum*. Importantly, this essay does not address questions of *jus in bello* and will not investigate concerns related to the actual conduct of the hostilities wherein Israel has undertaken a relentless and deadly campaign against an enemy that is deliberately ensconced among civilians.

**The Right to Self-Defense**

As a sovereign state and UN member, Israel has the right to use military force to defend itself from an armed attack. Article 51 of the UN Charter makes this right abundantly clear, and self-defense is perhaps the least contested legal basis for a state resorting to military force. Article 51 reads: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence 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.”
The reference to a state’s “inherent” right to self-defense is understood to reference states’ preexisting right to self-defense as it existed under customary international law, consisting of legal rules derived from consistent state practice over time. Accordingly, the right to self-defense is subject to evolution and reinterpretation in light of prevailing understandings by international bodies and state practice. Since the drafting of the UN Charter, however, the concept of an “armed attack” has been the subject of some controversy, specifically surrounding the “scale and severity” of a purported armed attack and the extent to which non-state actors are capable of undertaking an “armed attack” for the purposes of Article 51.

The Concept of “Armed Attack”

The UN Charter does not define “armed attack,” but it is generally understood that not all uses of force will cross the threshold of intensity, breadth, and gravity to qualify as an “armed attack.” Only attacks that reach a certain scale and severity would qualify, so as to preclude lesser uses of force—border skirmishes, a minor small-arms fire, or even accidents—from triggering a self-defensive armed conflict. The International Court of Justice (ICJ) in the 1986 Nicaragua case, for instance, suggested that a “mere frontier incident” would not qualify as an armed attack, while the UN General Assembly’s “Definition of Aggression” resolution clearly states that military incursions must pass a certain threshold of violence to qualify as an “armed attack.” While there is not a consensus on exactly where this threshold lies, legal commentators typically refer to uses of force that produce “serious consequences, epitomized by territorial intrusions, human casualties, or considerable destruction of property.” Aside from this broad standard, there is considerable ambiguity on when the threshold for an “armed attack” has been met.

In the case of the Israel-Hamas conflict, there seems to be little doubt that the October 7 attacks met and exceeded the levels of violence required to rise to the level of an “armed attack” under Article 51. It involved a breach of Israel’s border with Gaza by hundreds or thousands of armed Hamas militants, firing rockets at Israeli bases and civilian areas, using military-grade weapons (small arms, grenades, RPGs, thermobaric bombs), resulting in the deaths of 1,200 people and thousands more injured, mostly civilians, while more than 240 Israelis were kidnapped and taken hostage by Hamas. Moreover, the direct and deliberate attacks against civilians, the torture and kidnapping of civilians to be used
as human shields or as bargaining chips, undoubtedly constitute Crimes Against Humanity, and would meet the definition for war crimes.

When states resort to the use of force in self-defense under the authority of Article 51, they are required to report their intention to do so to the UN Security Council. For its part, once the Israeli military had provided immediate defense to the bases and civilian areas under attack, Israel announced to the UN Security Council that it would “act in any way necessary to protect its citizens and sovereignty from the ongoing terrorist attacks originating from the Gaza Strip.”11 While it is clearly invoking the discourse of self-defense, and allies like the United States are insisting that Israel has the right to defend itself under Article 51, this statement does not appear to be a formal invocation of Article 51. Likewise, the initial draft resolutions circulated at the Security Council in reference to the attacks and Israel’s response were vetoed by the United States because they did not reaffirm Israel’s right to self-defense.12

Despite the October 7 attacks reaching the threshold to qualify as an armed attack, there are still several reasons why we might question Israel’s legal right to resort to self-defensive force in Gaza. First, a landmark 2004 Advisory Opinion by the International Court of Justice on the legality of Israel’s separation barriers (the “Wall Opinion”) has stated, prima facie, that Article 51 does not apply to situations where the threat being opposed exists in a territory under the control of the state invoking Article 51.13 In this advisory opinion, the International Court of Justice is responding to the argument that Israel’s construction of a separation barrier on its frontiers with the Palestinian territories was justified as an act of self-defense under Article 51.14 The Court concluded that since Israel did not claim that a foreign state had attacked it, and since the attacks emanated from a territory that Israel controls (occupied territory), Article 51 does not apply in this situation. Accordingly, some observers of the present conflict invoke the 2004 opinion to conclude that Israel has no right to defend itself from attacks emanating from Gaza or the West Bank.15

There are several reasons to doubt the validity of this reasoning, which claims that Israel has no right under international law to take forcible action against large-scale and deadly violence perpetrated against its citizens and territory. First, ICJ advisory opinions do not have the same legal effect as verdicts rendered in contentious cases, that is, they are not legally binding. Thus, while we often draw legal conclusions from advisory opinions, they are not binding as a technical matter of international law, though they do have a certain authoritative force.
regarding the interpretation of international law. Likewise, even if we consider this opinion binding, the problem it addresses is the legality of the construction of a separation barrier as an act of self-defense, which is a qualitatively different activity than using force in self-defense against attacks. Thus, it addresses very different kinds of activity being justified by Article 51 than the current conflict in Gaza.

Assuming that we can apply the legal logic of the Wall Opinion to the present situation, it raises two additional issues: 1) the legal validity of using force against threats that emanate from occupied territories, and 2) using force in self-defense against non-state actors. The ICJ’s Wall Opinion asserted that 1) Article 51 does not apply in cases where the threat emanates from occupied territory, and 2) Article 51 does not apply to attacks perpetrated by non-state actors. Developments in the 20 years since the Wall Opinion affect how we view the present situation in Gaza.

Self-Defense, States and Non-state Actors

Whether Article 51 applies to attacks perpetrated by non-state actors has been the subject of significant debate in international law on self-defense. While the language of Article 51 does not explicitly require state involvement to trigger the right to self-defense, the prevailing interpretation—at least prior to the September 11, 2001, terrorist attacks—has been that only states are capable (legally speaking) of undertaking an “armed attack” for the purposes of Article 51. The drafters of the UN Charter did not consider terrorist violence to be on the same threat level as violence perpetrated by state militaries and therefore did not have terrorist attacks in mind when they drafted the rules on the use of force. Likewise, the world in 1945 had not yet experienced the advent of global, state-sponsored terrorism capable of inflicting the levels of violence and carnage perpetrated on 9/11 and October 7, 2023.

The Legal Status of Gaza/Palestine

Israel’s right to self-defense under the existing interpretation thus rests on two questions: whether Palestine is still occupied in the international legal sense and whether “Palestine” is considered a state actor. Regarding the first concern, according to the Hague Regulations, which constitute customary international law on occupation, “a territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised.” While international opinion is divided on whether
the Palestinian territories continue to be occupied by Israel in the legal sense and Israel claims it no longer occupies Gaza, it seems clear that political and military affairs within Gaza have not been under Israel's full control since September 2005, when Israel withdrew its forces and citizens from Gaza to the 1967 Green Line. Hamas took political control of Gaza two years later, and since then, there have been routine rocket attacks emanating from Gaza toward Israel and Israeli military incursions into Gaza. Israel continues to control Gaza's air and maritime space, and most of the land crossings into Gaza, while Gaza has remained dependent on Israel for most of its water, electricity, and other utilities.\textsuperscript{19}

Although Israel exerts significant control over many aspects of life in Gaza, it does not appear to meet the Hague Regulations' standard for occupation. Some legal scholars believe that while Israel withdrew ground forces from Gaza in 2005, it retained control over its airspace and maritime areas and should therefore not be assumed to have relinquished effective control.\textsuperscript{20} The level of control required to be considered an occupying power, however, assumes some level of control over the daily governance of the territory, and it is hard to determine whether Israel maintains such control, given that Palestine is governed in ways that are manifestly against its desires and interests.\textsuperscript{21} Israel’s presence in the West Bank and East Jerusalem may very well meet the definition of occupation, but Israel’s exercise of authority in Gaza is far more limited than it was prior to its withdrawal in 2005.

One could also reasonably argue that Gaza—and indeed “Palestine” as a whole—is a sovereign state; even if Israel considers Gaza neither a state nor an occupied territory but rather an entity with sui generis status.\textsuperscript{22} It is unclear whether Palestine would meet the criteria for statehood outlined in the Montevideo Convention on the Rights and Duties of States (a permanent population, defined territory, government, and the ability to enter into foreign relations), particularly since Palestine’s boundaries are disputed and no one government exercises exclusive authority within its territory.\textsuperscript{23} Still, most countries recognize the “State of Palestine” as comprising the West Bank, Gaza, and East Jerusalem, the UN has considered it to be a “non-member observer state” since 2012, and 138 of the 193 UN members recognize it.\textsuperscript{24} Palestine is a party to the 1949 Geneva Conventions. In 2014, it began to accede to at least eight major international human rights treaties, and in 2015, it became a State Party to the International Criminal Court.\textsuperscript{25} Since at least 2007, Hamas has also been the undisputed political authority in Gaza, performing virtually all the typical functions of a government. Thus, under international
law, Palestine plausibly meets the conditions of statehood, complete with a military capable of legally undertaking an armed attack against another state, giving Israel the right to use force in self-defense under Article 51.

If we do not consider Palestine a state and regard Hamas as a non-state terrorist group, the predominant view (at least prior to the 9/11 attacks) would be that “armed attacks” had to be either perpetrated by or attributable to a state actor. This discussion played out significantly during the Cold War, when it became clear that states were utilizing non-state proxies to undertake cross-boundary violence. As some of these conflicts made their way to the International Court of Justice, the prevailing legal interpretation was that a non-state actor is only capable of undertaking an “armed attack” for the purposes of Article 51 if the attack in question is attributable to a state actor, with the pertinent issue being the standard for attribution, or the nature of the nexus between the state and non-state actor. Consistent with jurisprudence flowing from the International Court of Justice, and the opinions of the International Law Commission’s Articles on State Responsibility, the standard of “effective control” emerged. Essentially, a state must exercise “effective control” over a non-state actor, which must go beyond the mere provision of supplies, arms, or logistical support. In practical terms, “effective control” meant that the non-state actor literally had to be sent on the state actor’s behalf or otherwise act under their orders.

Under these circumstances, Israel’s right to use force in self-defense may be limited inasmuch as the nexus between Hamas and any state actor—most obviously, Iran—would need to meet the standard for the October 7 attacks to be attributed to a state. While it is well known that Iran sponsors and supports both Hamas and Hezbollah, and there is evidence Iran had some involvement in helping Hamas prepare for the October 7 attacks, the extent to which Iran was involved, or if their involvement would meet the “effective control” standard, is currently unknown. Importantly, if Iran was found to have exercised effective control over Hamas in this regard, it could open them up to self-defensive measures by Israel, as well. My own view, based on the evidence currently publicly available, is that Hamas was probably not acting under orders from the Iranian state when it carried out the October 7 attacks and, as such, this situation would leave Israel without a lawful military option to defend itself, against either Hamas or Iran.

Self-Defense against Attacks by Non-state Actors

A new consensus has arguably emerged on the question of self-defense against attacks by non-state actors. Indeed, after the 9/11 attacks,
the United States invoked its right under Article 51 of the UN Charter to commence its invasion of Afghanistan and directed self-defensive measures against both the Taliban and al-Qaeda. The US operation in 2001 received near-universal support, with some of the usual suspects objecting (Iran, Iraq, and North Korea). The UN Security Council passed resolutions in response to America’s actions that reaffirmed “the inherent right of individual or collective self-defense in accordance with the Charter.” Both NATO and the Organization of American States (OAS) adopted resolutions that likewise confirmed that the United States had the right to self-defense in response to the 9/11 attacks, even concluding that “those responsible for aiding, supporting, or harboring the perpetrators of [9/11] are equally complicit in these acts.” Based on the international reaction, it seemed clear that most states and international bodies accepted that the 9/11 attacks gave the United States the legal right to use force against both the Taliban and al-Qaeda in self-defense.

This support is significant because it was not at all clear that al-Qaeda was acting on behalf of a state actor—the Taliban—and we now know that the Taliban was not even close to exercising “effective control” over them. Nonetheless, the fact that US defensive measures were directed at both the Taliban and al-Qaeda—and that the international community broadly accepted this operation—suggests one of two developments: Either the standard for attribution has been relaxed from “effective control” to some less stringent standard—perhaps “harboring”—or states recognize that a non-state actor is legally capable of undertaking an “armed attack” for the purposes of Article 51 independently, regardless of any nexus to a state actor.

These developments may not be mutually exclusive, however, as one can accept that non-state actors are legally capable of undertaking “armed attacks” independently of states while concluding that the level of state involvement in those attacks sufficiently implicate a state actor (and make them the lawful targets of self-defensive measures), whatever the standard of attribution happens to be. It is unclear what exactly this new standard of attribution indicates, but state practice since the 9/11 attacks appears to accept that states may lawfully direct self-defensive military measures against non-state actors, regardless of any involvement by a state actor. Whether such actions may take place in the territory of another state, without the latter’s permission, is a more controversial proposition. Depending on that state’s level of involvement in the attacks, though, it could become a lawful target of self-defensive military action.

Subsequent state practice has further refined this legal evolution, as numerous states began to cite America’s response to 9/11 to justify
their own military measures against terrorists operating from neighboring or nearby states with little protest. Such cases include Russian strikes against terrorists in Chechnya in 2002, a Turkish incursion into Iraq in 2008 against the Kurdistan Workers’ Party (also called the PKK), airstrikes by Colombia against the Revolutionary Armed Forces of Colombia (known as FARC) terrorists inside Ecuador in 2008, attacks by Ethiopia against terror groups operating from Somalia in 2006, a Kenyan incursion into Somalia to target the Al-Shabaab terrorist group in 2011, and Egyptian airstrikes in 2015 against an ISIS-affiliated group operating in Libya.\footnote{Consider also the actions of various Western and Arab states against the Islamic State terror group operating in Iraq and Syria that began around August 2014. Led by the United States, a coalition of Western and Arab states responded to ISIS’s rapid and brutal takeover of territory and cities in Iraq and Syria by launching thousands of airstrikes against ISIS targets in Iraqi and Syrian territory. While the Iraqi government consented to these strikes—and indeed requested assistance from the United States—Syria did not consent and protested that the strikes violated international law.\footnote{The United States argued in its September 2014 letter to the UN Security Council that the bombing campaign was an act of collective self-defense as ISIS had undertaken a series of armed attacks against Iraq, which requested US and coalition military assistance.\footnote{Importantly, the United States did not argue that ISIS was under the effective control of a state, once again departing from the idea that a nexus to a state actor is required to constitute an armed attack. Since Iraq had consented, the coalition attacks against ISIS in Iraqi territory were relatively uncontroversial. It thus appeared again that states were willing to accept the idea that non-state actors could undertake an armed attack for the purposes of Article 51. Many states were initially reluctant to accept the more expansive argument that the United States advanced, that since Syria was “unwilling or unable” to prevent its territory from being used by terrorists for attacks, then coalition forces could direct self-defensive measures against ISIS within Syrian territory without Syria’s permission.\footnote{Further support for these arguments came in 2015 when ISIS bombed a Russian airliner over Egypt and attacked a stadium and concert hall in Paris, killing or injuring more than 800 people. In response, the UN Security Council unanimously passed resolution 2249, calling for “all necessary means” to eradicate the ISIS safe havens from Syrian territory. While legal scholars do not consider the precise wording of this resolution to provide any independent legal authority, “it does}}\footnote{}}
stand as a confirmation that the use of force against ISIS in Syria is permissible,” lending further weight to the “unwilling or unable” doctrine that allows states to direct self-defensive measures against non-state actors in another state’s territory without that state’s permission.

While there is still disagreement among states and legal scholars regarding the “unwilling and unable” doctrine as it pertains to self-defense against non-state actors, the emerging consensus is that states have the right to self-defense against non-state actors whose attacks cannot be attributed to a state. The International Law Association’s 2018 report on aggression and the use of force, which reflects the opinions of leading experts and international legal practitioners, shares this view. Furthermore, at a relatively recent informal meeting of the UN Security Council called by Mexico to address this issue in the context of counterterrorism, states appeared to take for granted that Article 51 allowed the use of force in self-defense of attacks by non-state actors, and instead focused on the “unwilling or unable” doctrine. Accordingly, while states still disagree on whether they may direct self-defensive measures at a non-state actor in another state’s territory without the latter state’s permission, most states appear to have endorsed the view that a non-state actor is capable of undertaking an armed attack that triggers the right to self-defense under Article 51.

Such a conclusion would appear to vindicate Israel’s right to use force in self-defense against Hamas under the legal authority of Article 51, while the “unwilling or unable” doctrine would be inapplicable, since Hamas was operating from territory it controls. The “unwilling or unable” doctrine and questions of attribution may come into play if Israel decides to direct military measures against, say, Iran, for its support and sponsorship of Hamas. Such an attack would probably be inconsistent with international law given that 1) the level of control that Iran held over Hamas is insufficient to attribute the October 7 attacks to Iran, and 2) Hamas is not operating or otherwise launching its attacks from Iranian territory. If Hamas were operating and launching attacks from Iran, Israel could, at most, direct self-defensive measures against Hamas personnel and bases located in Iran, assuming that Iran was “unwilling or unable” to prevent them from using its territory. Nevertheless, until evidence emerges that implicates Iran as having directly participated in the October 7 attacks against Israel, Israel could not attack Iran in self-defense.
Necessity and Proportionality

A final consideration regarding Israel’s use of force in self-defense relates to the requirements of necessity and proportionality, which require “an imminent threat of force or a continuing armed attack” and that “any [military] response must be necessary to avert the threat.” Although distinct concepts, proportionality and necessity are related in that the force used in self-defense may not be more than necessary to provide actual defense against the attack. While this concern moves closer to questions of *jus in bello*, the idea of having necessity and proportionality as part of *jus ad bellum* is to forbid violence that is known beforehand to be futile, unnecessary, or ineffective in neutralizing a threat. As it pertains to necessity, it seems clear that the October 7 attacks were a lawful basis for Israel to resort to deadly force. Israel did not stop once the initial terrorist attacks had been successfully halted and the various kibbutzim and military installments secured, however. Whether Israel is allowed to use force beyond providing immediate self-defense against the October 7 attacks is a more difficult question. Still, it appears that based on the 9/11 precedent, Israel would be permitted to take action to try and prevent future attacks, insofar as we would regard the October 7 attacks as an armed attack that commenced an armed conflict between Hamas and Israel, and any peaceful options for addressing the conflict were unavailable. Statements made by Hamas officials clearly indicate that in their minds, October 7 was just the beginning, and that Hamas intends to undertake more attacks against Israel like the October 7 attacks, with the ultimate goal of annihilating Israel. Such threats, alongside numerous Hamas proclamations that they seek the destruction of the State of Israel, would seemingly necessitate the resort to force.

Now, whether Israel’s military measures have been proportionate is less clear, and there is a prima facie case that Israel’s response has been wildly disproportionate. At the time of writing, Israel’s response has entailed a blockade of food, water, medicine, electricity, and fuel—and a massive and devastating bombing campaign that has resulted in as many as 20,000 Palestinian deaths. By the time this article is published, that figure is likely to be much higher as Israel will have begun its ground assault. Nonetheless, given that the purpose of self-defense is to defend a state from imminent or ongoing attacks and explicit threats of future attacks, Israel is responding to the ongoing threat of terrorist violence and rocket attacks emanating from Gaza. Accordingly, the proportionality test should be applied as it pertains to what is required to avert *this* threat—which arguably entails the destruction of the State of Israel—and not simply
to achieve an equivalent or symmetrical level of violence to the original (October 7) attacks. In this sense, arguments comparing the number of deaths caused by the initial Hamas terror attacks to the number of deaths caused by Israel’s self-defensive measures are not necessarily legally relevant.

Conversely, one must question whether such heavy-handed measures will avert or increase the ongoing terrorist threat to Israel. In this sense, if a military action is likely to increase the terrorist threat it can hardly be said to be necessary to avert it, thus potentially impacting the legality of such a use of force in self-defense. Whether Israel’s conduct has been legally necessary and proportionate is thus exceedingly difficult to ascertain and will be fraught with the uncertainty and incomplete information—the Clausewitzian “fog and friction”—that characterizes every war.43

Conclusion

This analysis suggests Israel has the right to use force in self-defense under Article 51 of the UN Charter in response to the Hamas terrorist attacks of October 7, 2023. There is bound to be disagreement on whether Israel is still the occupying power in Gaza, whether Palestine is a state for the purposes of international law, and the extent to which international law recognizes self-defense against attacks perpetrated by non-state actors. In light of how international law has evolved since the 9/11 attacks, however—or at least how many states have come to interpret this body of law—Israel’s resort to force in this context appears to have a sound basis in international law.

This conclusion does not mean that the manner in which Israel has been conducting its operations are consistent with jus in bello and international humanitarian law, which govern the means and methods of warfare and outline the rights of the victims of war (that is, wounded combatants and civilians). If Israel claims the jus ad bellum right to self-defense under international law to protect itself from attacks emanating from Gaza, it must also conduct itself in a way consistent with the laws of war, especially the principles of distinction and proportionality. While this article has not delved into these jus in bello questions, observers must continue to question whether Israel’s strikes in Gaza that have resulted in substantial civilian deaths are consistent with applicable international rules.

There is much room for disagreement with the various conclusions reached in this analysis, but there is little denying that over the past 20 years, states have claimed (and arguably been granted) substantial
leeway in their efforts to neutralize threats from non-state actors operating from outside their jurisdiction. Since 9/11, states have increasingly accepted that non-state actors can carry out armed attacks for the purposes of Article 51, and that victim states have the right to use force in response—even, at times, in the territory of other states without their permission. While this situation does not suggest a limitless right to self-defense, it does reflect the changing reality in world politics that some of the most dangerous security threats faced by states do not exclusively emanate from other states. The evolution of these legal rules is simply international law catching up with this political reality.

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15. For example, Nasri, “Israel’s False Claim”; and Erakat, “Right to Self-Defense.” Return to text.


42. CBS News and AP, “Palestinian Death Toll.” Return to text.

The Middle East Region

The Politics of Restraint in the Middle East

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ABSTRACT: Domestic constraints make it difficult for the United States to pursue a coherent program of restraint in the Middle East. As events in Gaza revive debates about the appropriate size and scope of the military footprint in the region, this article shows the importance of grounding any revised posture on a firm domestic foundation. Going beyond accounts that blame the obstructionism of a foreign policy establishment, it explores barriers to strategic adjustment and supports its claims through a case study of the Obama administration’s record, drawn from relevant literature, data on the distribution of military capabilities, and interviews with senior officials.

Keywords: Middle East, restraint, public opinion, domestic politics, polarization, civil-military relations

The Israel-Hamas War of 2023 has reignited a debate over the appropriate size and scope of US commitment to the Middle East. Until recently, the notion that blood and treasure have been invested disproportionately in a region of declining strategic importance had been emerging as the new conventional wisdom. For some, the events in Gaza offer definitive proof that it is an “illusion” or “myth” to suggest the United States can pull back without leaving chaos in its wake.1 Others fear the Biden-Harris administration’s response to the current crisis could herald a return to the “bad habits” of past policies and bloated force postures that increase the chances of the United States entering costly regional conflicts where it has few interests at stake.2 Few, however, would contest that existing policies toward the region (and the assumptions underlying their development) are ripe for reassessment.

This important debate rests on a shaky assumption. In prosecuting the case for change, few commentators have seriously considered whether any administration could embark on a more fundamental course correction than we have seen to date, even if it wanted to. Without fully understanding the constraints on strategic adjustment, realistic assessments of the prospects for change will remain mired in what one scholar has called “a somewhat

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confused mixture of normative recommendations and questionable empirical assertions.”

Successive administrations have found it difficult to do less in the Middle East because of a series of powerful domestic checks on a program of restraint. Going beyond accounts that ignore the role of domestic determinants of grand strategy or attribute the challenges narrowly to the obstructionism of a foreign policy establishment, and drawing on insights from political-science studies, this article sheds light on the broader and more nuanced ways public opinion, electoral pressures, and civil-military relations constrain attempts to right-size strategy. Illustrated by evidence from the Obama administration, this argument responds to and amplifies recent calls for grand-strategy scholars to take the role of variables below the level of relative power and national resources more seriously.

This argument will begin with a brief survey of the case for doing less in the Middle East, followed by an assessment of the degree to which the Obama administration embraced the logic of restraint, an outline of three pathways through which domestic pressures constrain strategic adjustment, and a discussion of the policy implications of these findings.

The Case for “Doing Less”

The past three American presidential administrations have sought to divert resources and attention away from the Middle East and toward other geopolitical priorities, notably those in Asia. For the purposes of this study, I define the Middle East broadly to comprise those states within the area of responsibility (AOR) of US Central Command (CENTCOM). This exercise in strategic adjustment aligns with the assessment of a growing number of scholars and policymakers that Washington’s commitment to the region is lopsided relative to the range and significance of US interests at stake. Historically, these interests have been anchored in three core tasks—ensuring the free flow of oil from the Persian Gulf; guaranteeing the security of Israel; and preventing the emergence of a regional hegemon. Over time, additional interests have been added to this list, such as promoting democracy, tackling Islamist extremism, and limiting nuclear proliferation.

Advocates of a more restrained grand strategy are among the most committed proponents of the case for doing less in the region. For them, recent US involvement in the Middle East serves as a case study of the ills of a strategic approach they refer to as liberal hegemony or primacy.
Through that lens, efforts to promote democracy, human rights, and other liberal values in Iraq and Syria (and Libya) are judged as ineffective and counterproductive attempts to remake other societies in the image of the United States. Elsewhere, the seemingly unconditional support granted to countries such as Saudi Arabia and Israel undermines the ability of the United States to mediate regional disputes effectively and apply meaningful leverage in the conflict behavior of allies. While terrorism and proliferation remain real problems, restrainers believe there are limits to how much the United States can do to address them using military instruments; instead, restrainers prefer pursuing diplomatic and other nonmilitary solutions.

Restrainers are not isolationists. They generally concede that the United States should maintain a favorable balance of power in the Persian Gulf. Still, they are skeptical of the utility of force postures in which that balance is preserved through the forward deployment of significant numbers of troops. Instead, they point to the historical record of successful retrenchment attempts, which generally involve reducing the scope of overseas commitments. Most favor some form of offshore balancing, whereby local allies shoulder a greater proportion of the burden to ensure no single power dominates the region. Implicit in this prescription, too, is an assessment of the strategic threat posed by Iran as relatively modest. While Tehran has undoubtedly engaged in destabilizing activities across the region, its principal threat to the United States manifests in its capacity to disrupt the flow of oil through the Strait of Hormuz. In turn, the enhanced resilience of the hydrocarbon market, coupled with increased domestic production through fracking practices, has insulated the United States from price fluctuations that might result. Many analysts suggest the risks to energy supply routes can be managed through an over-the-horizon posture that relies on intelligence and patrols by local forces and unmanned systems or, at most, a skeleton deployment of logistics and tactical airpower units.

Prescriptions for a sufficiently restrained commitment vary. Some call for a complete withdrawal and abandonment of the region. Others recommend maintaining a residual forward presence, albeit downsized and consolidated across fewer bases and installations. It suffices here to recognize that a consensus exists on the primary direction of this debate: a more restrained strategy does less with less. In other words, advocates of restraint favor curtailing the ends, ways, and means of America’s commitments in the Middle East. We can usefully think about the degree to which a given administration embraced the logic of restraint in terms of the extent to which it (1) redefined
a more limited range of core interests, (2) reduced its reliance on military intervention when addressing threats to those interests, and (3) retrenched the overall military presence in the region.

**The Obama Administration’s Attempt to Rebalance**

Barack Obama came into office intending to embark on at least some degree of strategic adjustment. His opposition to the “dumb war” in Iraq contributed to his emergence as a national political figure and subsequent electoral victory when he made clear his intention to focus on “nation-building at home” after years of overextension in the Middle East. Scholars have complained, however, that Obama’s policies represented more continuity than change, while restrainers argued that his record was one of “judicious trimming, not retrenchment.” To what extent does the historical record reflect these assessments?

**Redefining Interests**

A retrospective look at Obama’s actual Middle East policy statements reveals that his objectives hardly lacked ambition. In a 2009 Cairo speech, Obama reaffirmed the US commitment to fight violent extremism, foster peace in the Arab-Israeli conflict, counter nuclear proliferation and promote democracy, religious freedom, and women’s rights across the region. His administration formally embedded these interests in the 2010 *National Security Strategy*. As the Arab Spring swept across the region, Obama used a May 2011 speech to clarify US support for political and economic reform in the region “is not a secondary interest” before indicating support for regime change in Syria.

While Obama would subsequently receive criticism for his limited belief in the ability of US power to bring about these changes, it is important to note that the loftiness of his administration’s goals was not the principal source of frustration for those charged with turning them into action on the ground. As David Petraeus, who served as CENTCOM commander during this period, told me, “the administration repeatedly fell into the trap of very expansive rhetoric in speeches, but then hesitated to actually take the actions that the rhetoric led folks to believe would logically follow.” The ends of policy therefore remained expansive.
Reducing Military Interventionism

On the one hand, it seems axiomatic that Obama favored a less militarized role for the United States in the Middle East. He did, after all, order an end to the combat phase of the Iraq War and invested considerable energy in fostering diplomatic solutions to problems such as nuclear proliferation, yielding the 2015 Joint Comprehensive Plan of Action with Iran. His preference for “light footprint” approaches to countering terrorism may also be indicative of a desire to reduce the traditional US reliance on military instruments, as part of a perception that “the strategy that was crafted in Washington didn’t always match up with the actual threats that were out there.”

On the other hand, the vast expansion in the scope of military activities and frequency with which force was used mitigated any judgment that Obama had fully embraced the logic of restraint. Reasonable observers can and do disagree on the wisdom of Obama’s response to the Middle East’s complex international, regional, and local politics that consumed 80 percent of National Security Council meeting time by 2015. Nonetheless, the administration’s record of military intervention was more substantial than anticipated. Between his “surge” in Afghanistan, support for regime change in Syria (and Libya), a campaign of airstrikes and support for proxies in the fight against ISIS in Iraq and Syria, and continued arms sales that effectively underwrote Saudi Arabia’s war in Yemen, the Obama administration actively participated in these developments. In Obama’s final year in office, the United States dropped at least 24,287 bombs on two countries alone. As one observer wryly said, “None of this has the smell of a country that is looking to leave the Middle East.”

Retrenching Military Presence

Finally, available data on the distribution of troop numbers indicates the extent to which Obama aligned the means of US policy with the logic of restraint. Figure 1 illustrates the number of active-duty personnel deployed to countries in the CENTCOM AOR in which at least 1,000 troops were stationed. When measured in these terms, Obama oversaw a significant reduction of the US military footprint. In 2009, Obama’s first year in office, 167,000 troops were stationed across these ten countries. By Obama’s final year in office in 2016, this figure totaled 32,000—a more than 80 percent reduction.
Even this significantly reduced overseas presence dwarfs that of the pre-9/11 era. Figure 2, depicting troop levels in the same countries between 1980–2020, shows Obama’s retrenchment from a historical perspective. With the brief exception of Operation Desert Shield, US force levels never approached the Obama-era presence in the two decades prior to 2000 and have held steady. This data is also likely an underestimation since it does not include National Guard and National Reserve deployments, which comprised a significant portion of the overall force composition during the wars in Iraq and Afghanistan. Department of Defense data shows overall personnel levels increase by 36 percent from 2009–16 when these deployments are added alongside civilian personnel stationed in the region.19

Depicted this way, the effect of the wars in Iraq and Afghanistan is clear. To be sure, deployments elsewhere in the region were often inextricably linked to changing support requirements, pre-positioning, and redeployment patterns in those conflict theaters. A more granular single-country focus thus sheds further light on the scale of the permanent overseas presence the Obama administration left in place, even as it sought to wind
down those principal combat operations. In Obama’s final year in office—five years after the end of the Iraq War and two years after the combat mission in Afghanistan finished—there were still more than 20,000 troops stationed across Bahrain, Kuwait, and Qatar, the three states hosting the forward service headquarters.\textsuperscript{20}

To sustain its forward presence, the United States maintains or has access to a sprawling network of bases and military facilities across the region. While well-documented diplomatic and legal agreements cover the largest and oldest bases, the United States has also repurposed preexisting facilities and established temporary structures to support ongoing combat missions without formally disclosing locations. Ambiguity as to what constitutes a “US” facility further muddies the water, since US forces often use many ports, airfields, and other structures that retain civilian and commercial capacities. Nevertheless, the information released by the Department of Defense tells the story: one of a significant physical infrastructure that expanded to meet the needs of the war on terror and has since proven remarkably sticky.\textsuperscript{21}
A Mixed Record

Taken together, Obama’s Middle East policies resemble a middle ground between his overstretched inheritance and the prescriptions of restraint scholars. Exemplified in the president’s unofficial doctrine—“don’t do stupid [expletive deleted]”—his strategy has been described as selective engagement or liberal internationalism lite. In other words, Obama reduced the costs of the means of the existing strategy but failed to alter the ends fundamentally. In doing so, he left the underlying overseas presence that made it easy to fall back on militarized responses when regional events invited further US intervention. It is, therefore, difficult to categorize Obama’s record as a victory for the supporters of restraint in the Middle East. “Adjustments might be in the offing,” recalled Andrew Bacevich, “but the United States military was not coming home.”

Domestic Constraints on Restraint

This section draws on studies of public opinion, foreign policy decision making, and civil-military relations to illustrate how domestic constraints can explain the partial nature of Obama’s embrace of restraint. It makes the three following key claims.

1. Public opinion is permissive of expansive strategic commitments.

The first domestic hurdle operates at the level of mass public opinion, where polls reveal a degree of dissonance between the public’s growing disillusionment with military primacy and its residual preoccupation with a range of threats emanating from the Middle East.

On the one hand, opposition to the wars in Iraq and Afghanistan have led to widespread skepticism of the utility of large-scale military interventions and strong support for global diplomatic engagement. Recent polls show that most voters do not support an increase in defense spending and would prefer to decrease the number of troops stationed across the world. On the other hand, the public also routinely expresses concern about a wide variety of security challenges in the region, often conveying substantial—if declining—support for the use of force to address them. Taken together, these dynamics reduce the political space available for elected officials to embrace a fuller measure of proposals for retrenchment prescribed by advocates of restraint.

Polls conducted during the Obama administration illustrate the residual comfort with the expansive nature of strategic priorities in the Middle East that many Americans feel. A survey conducted in 2012—after the withdrawal
from Iraq and before the emergence of the Islamic State—revealed that 73 percent of respondents considered the region to represent the most significant source of future threats to US security. International terrorism topped the list of concerns, with majorities in favor of the use of military tools to address this threat. Fifty-three percent supported the use of troops to ensure the oil supply.\(^{25}\) Under Obama, Iran topped Gallup’s list of countries Americans considered to be the greatest enemy of the United States more times than any other state.\(^{26}\) Solid majorities favored increasing or maintaining economic aid to Israel, with a poll taken shortly after Obama left office finding as many as 73 percent supported US military backing of Israel.\(^{27}\) More generally, 42 percent of respondents in 2012 thought maintaining US military superiority was very effective in achieving US foreign-policy goals—more than double the proportion who felt similarly about nonmilitary instruments. About 61 percent favored maintaining or increasing the number of US-operated bases overseas.\(^{28}\) In short, voters might not favor “endless war,” but they still have a long “to-do” list—one that would require elected officials to maintain a considerable investment of military resources in the region.

Some of the dissonance described above may be explained by the limitations of aggregated polling data. Surveys capture only a snapshot of public sentiment. Moreover, the conventional wisdom that voters tend to know little—and care less—about foreign policy contains a kernel of truth. The preferences expressed above may therefore be weak or latent, revealed to pollsters only when prompted, and otherwise not of daily concern. Experimental work consistently demonstrates, however, that public opinion is not as irrational and incoherent as was once assumed. Experts now generally agree that citizens rely on cues from political elites and social peers when forming judgments about a given foreign-policy issue.\(^{29}\) Public attitudes, as expressed in polls, must therefore be understood in the context of the partisan identities and broader foreign-policy dispositions from which they spring.

A closer inspection of the data reveals sharp partisan divides in public attitudes. During the Obama administration, Republicans were more supportive than Democrats of keeping troops in Afghanistan, addressing terrorist threats with military tools, and intervening militarily in Syria and even Iran.\(^{30}\) In theory, this divide might have provided the president an opportunity to reduce the military footprint further. Since liberal-minded citizens tend to be more concerned about casualties than conservatives, a Democratic president might be able to rely on sympatico co-partisans for political insulation when pursuing extraction from conflicts overseas.\(^{31}\) As the association between restraint and the Republican party during the Trump administration has demonstrated, however, the apparent ownership
of a particular foreign-policy posture by one side of the political aisle may be a double-edged sword.\textsuperscript{32} Precisely because voters tend to support their own party’s policies and instinctively oppose those of the other party, it is difficult for any president to embark on a major strategic overhaul that can survive the next electoral cycle. The partisan roots of public attitudes may therefore make the pursuit of more restrained policies more difficult over the longer term.

We also know there is a “hawk’s advantage” at the ballot box, whereby voters favor candidates who espouse policies that cultivate an image of strong leadership, \textit{even if} those policies are more hawkish than what voters want.\textsuperscript{33} This explains why candidates who appear likely to increase defense spending enjoy an electoral advantage, despite most voters not actually supporting the raising of defense expenditures.\textsuperscript{34}

Studies also show that while the average voter may generally pay little attention to far-off events in distant lands, preferring to delegate foreign policy to elites, this “rational ignorance” can be interrupted by events that “activate” public attention.\textsuperscript{35} Shocking acts that are perceived to threaten cherished values or spark moral outrage are particularly significant means of awakening voters to foreign policy issues. The severity and frequency of these traumatic events in the Middle East have, in turn, generated and sustained a strategic narrative in which elected officials must appear to “do something” to avoid suffering a domestic political penalty for appearing “weak.”\textsuperscript{36}

In this context Obama’s counterterrorism policies centering on drone warfare and targeted assassination can be best understood. Although Obama doubted the utility of military force in addressing the root causes of terrorism, he routinely signed off on security agencies’ “kill lists,” attuned to advisers’ warnings that a “new, liberal president couldn’t afford to look soft on terrorism.”\textsuperscript{37} When Islamic State forces murdered journalists in 2014, Obama again found himself out of step with the public mood and adjusted accordingly. Although he privately bemoaned the inflation of the terrorist threat, citing the higher probability of being injured by slipping in a bathtub, Obama felt the pressure of what one adviser called “the Fox News bullhorn, which depicted the world as a raging inferno that demanded more bombs and tough talk.”\textsuperscript{38} The president’s subsequent use of airpower, special operations forces, and local proxies scratched the interventionist itch of an otherwise war-weary public. As Obama left office, a massive 82 percent of Americans supported continued US involvement in the counter-ISIS campaign, despite just 26 percent believing the United States and its allies were winning.\textsuperscript{39}
It is not all bad news for restrainers. Public opinion is malleable, with citizens relying at least in part on cues from the elite when coming to judgments. Advocates of restraint can, therefore, try to lead the public toward such an agenda.\textsuperscript{40} Battle in the court of public opinion will be difficult; under Obama, a bipartisan consensus in favor of liberal internationalism among foreign-policy opinion leaders persisted.\textsuperscript{41} The polling data above might be interpreted as a sign of their rhetorical success. Still, others have noted the considerable restraint constituency to which pro-restraint voices might appeal, and the electoral salience of the “endless war” label in recent years indicates that central elements of that agenda can attract mass support.\textsuperscript{42} The challenge here is that it is easier to mobilize public opposition to protracted and costly conflicts in which the concept of victory is elusive than to educate voters about the benefits of alternative force postures—issues familiar to defense intellectuals and military practitioners but not well known to the wider public.

2. For elected officials, the status quo offers the path of least political risk.

Although foreign policy rarely decides electoral outcomes, some research indicates that decisions involving the commitment of military force are important exceptions to this conventional wisdom—especially during ongoing wars.\textsuperscript{43} Public perceptions of presidential policies can meaningfully shape voting patterns and turnout.\textsuperscript{44} Elected officials’ decision making about military and diplomatic strategy must, therefore, balance the national interest with their own political interest. Not all presidents weigh these competing preferences equally, but as professional politicians, they understand that failure to manage the political risks of foreign-policy commitments can weaken their ability to pursue their preferred policies. Lyndon Johnson captured this dynamic perfectly in a comment to an adviser in 1963. “I’d hate like hell,” he said, “to be such a statesman that I didn’t get elected.”\textsuperscript{45} This dilemma has several implications for the prospects of pursuing more restrained policies in the Middle East.

First, at the presidential level, political constraints encourage commanders in chief to perpetuate US involvement in wars as an exercise in blame avoidance. While leaders who inherit wars may be less “culpable” for their outcomes than their predecessors, they may still be vulnerable to partisan charges of “bungling” the conflict or “selling out” to reach a suboptimal outcome.\textsuperscript{46} As a result, even those firmly convinced victory is unattainable may end up prolonging or escalating a conflict to mitigate the domestic political consequences of admitting defeat.
This quandary could explain Obama’s slower-than-expected drawdown in Iraq, whereby the administration left tens of thousands of troops stationed in theater for more than a year beyond the end of the combat phase in mid-2010. Former US Ambassador James Jeffrey, who played a key role in subsequent negotiations to keep troops on even longer, told me Obama’s appetite for a prolonged commitment represented “an insurance policy against a return to chaos.” With his reelection bid on the horizon, Obama wished to avoid the fate of predecessors (whose presidencies were blown up by foreign policy crises) and believed a residual troop presence “might be able to fix something that starts going wrong.”

Second, elected decisionmakers face incentives to embrace military strategies and tools that enable them to satisfy the public’s demand to do something about threats without incurring the political costs associated with large commitments of boots on the ground. By relying on technology over manpower, presidents can redistribute the costs of using force away from the average voter, thereby mitigating domestic constraints. At some level, this “light footprint” approach might be considered consistent with a broader strategy of restraint since it requires a reduced investment of military resources. In practice, however, few of these capabilities negate the forward deployment of at least some supporting capabilities. More importantly, policymakers may feel more tempted to use force if the available tools are cheaper and less politically controversial—a dynamic that cuts against the basic thrust of a more restrained approach.

Obama’s embrace of drone warfare and doctrinal pivot from counterinsurgency to counterterrorism to wage the broader war on terrorism is paradigmatic of these dynamics. John Brennan explains, “By definition counterterrorism involves less commitment of resources, personnel on the ground, a real presence, than a counterinsurgency,” adding that this situation “was in keeping with what President Obama campaigned for, in terms of reducing our engagement in these foreign wars and trying to extricate ourselves.” Not everyone agrees. Petraeus, Brennan’s predecessor as CIA director, told me the idea that counterterrorism operations are less dependent on ground forces “by definition” amounts to “an exercise in redefining doctrinal definitions so that they fit the desired amount of commitment.” Even Brennan concedes that some in the administration “had an inflated view about the ability to replace an on the ground presence with a more technical capability, such as drones.” As he told me, “It’s not just a drone in a box . . . there is a tremendous, tremendous upstream capability you need.” Additionally, since local forces in places like Iraq could not carry
out these operations, “an American presence on the ground was critically important in order to be able to have the infrastructure, the hardware, and the capabilities that are necessary.” Beyond Iraq, Obama’s vast expansion of the use of armed drones for counterterrorism missions in non-battlefield settings—a policy explicitly described to the American people as a means of addressing the threat in a relatively precise and less costly manner—now stands as a legacy of military interventionism that is central to the restraint school’s critique of US policy in the Middle East.

Third, in a polarized environment, legislative-branch representatives have weak incentives to assist any sustained process of strategic adjustment. Members of both parties have moved toward ideological extremes and increasingly distrust the other side. As a result, from a political perspective, it pays to criticize the other side’s initiatives. It is easy to exaggerate the extent to which foreign policy founders on the rocks of political discord. Democrats and Republicans have always proven capable of coming together to support some policies despite irreconcilable differences elsewhere. Partisan bickering is thus a feature of the US political system, not a bug. Unlike grudging cooperation on specific issues, however, obtaining alignment long enough to redirect and sustain a national effort is very difficult. As others have emphasized, the political system offers a weak foundation upon which new or prolonged international commitments are difficult to build and sustain. So, too, does the absence of a bipartisan compact inhibit attempts to do less. For strategic adjustment, the perils of polarization run both ways.

During the Obama administration, majority leader Mitch McConnell said the quiet part out loud when he declared that “the single most important thing we want to achieve is for President Obama to be a one-term president.” More interested in political tribalism and point-scoring than the exercise of meaningful oversight, Obama’s critics used “apology tour” and “Benghazi” as bywords for the supposed incompetence of the administration’s Middle East policies in a manner almost entirely disconnected from those policies’ substance. These dynamics also help explain the legislative branch’s lack of appetite to claw back its traditional war powers by challenging the president’s reliance on the 2001 Authorization for Use of Military Force. Obama’s decision to put intervention in Syria to a congressional vote in 2013 was the exception to the rule of Congress lacking interest in exercising meaningful oversight of the executive branch’s frequent resort to military force in the Middle East. When the administration sought to negotiate a diplomatic route out of cyclical hostility with Iran, legislators’ reluctance to cross the political
aisle led the president to pursue an executive agreement—rather than a legally binding treaty—making it relatively easy for Donald Trump to withdraw from the 2015 nuclear deal later.\textsuperscript{55}

3. **Senior military officers can be powerful bureaucratic roadblocks to retrenchment.**

The military should not constrain a president’s decision to do less in the Middle East. Under the constitutional principle of civilian control, commanders in chief should be able to order the military to carry out any lawful policy they choose, irrespective of its strategic merits. They have the “right to be wrong.”\textsuperscript{56}

In reality, however, senior officers operate as an important group of foreign-policy elites with whom the president must bargain to manage the politics of national security.\textsuperscript{57} This group can evade civilian authority and increase the amount of political capital required for the president to be able to pursue the administration’s preferred policies. They may achieve these goals by issuing direct public appeals challenging the wisdom of a policy with which they disagree. They can mobilize public opposition indirectly, relying on allies in Congress or retired military elites to exact a political price for proceeding with a course of action they deem unwise.\textsuperscript{58} They can also register their objections through bureaucratic means by framing courses of action and obstructing the implementation of orders to force the president to adopt the military’s preferred option.

While a president can punish any behavior that amounts to shirking, overruling recalcitrant generals carries potentially grave political risks. Societal attitudes toward the military are such that the revelation of any significant disagreement may trigger a backlash, even when the military remains apolitical and works. This dynamic is rooted in the extraordinary level of public confidence in the military, which sees senior officers as more credible cue-givers on the wisdom of a policy than civilian leaders.\textsuperscript{59} Recent surveys confirm that the public wants elected officials to defer to the military’s judgment of the military in a manner that is inimical to civilian control.\textsuperscript{60} As former Vice Chairman of the Joint Chiefs of Staff James Cartwright put it, “The country spends all this time saying how wonderful the military is, so politically it’s very difficult to criticize them.”\textsuperscript{61}

While there is no reason to believe the military is automatically opposed to restraint, the sheer size of CENTCOM and its responsibilities
for advising on force posture in the region ensure that senior officers engaging in these debates carry immense bureaucratic heft. Under Obama, these dynamics can be observed most clearly in the interactions between the White House and the four-star generals in charge of the wars in Iraq and Afghanistan who repeatedly pressed the administration to maintain or increase its commitment to those theaters. The civil-military drama of the Afghan “surge” has been well documented, with White House sources complaining that the president had been “boxed in” by a slew of senior generals’ on-the-record comments in the press advocating for more troops. Obama later wrote of his concern that “an entire agency under my charge was working its own agenda” through seemingly routine leaks. The episode illustrated to the president “just how accustomed the military had become to getting whatever it wanted” thanks in part to the fact that the public “saw the military as more competent and trustworthy than the civilians who were supposed to make policy.” Similar dynamics operated in the debate over the pace and finality of a drawdown in Iraq.

Conclusion

The Obama administration fell short of fundamentally altering the military foundations of US commitment to the Middle East. While the president and his critics in the restraint school may agree that the foreign-policy establishment’s status quo bias influenced this outcome, the argument presented here demonstrates that the pathways through which domestic political pressures make it difficult to do less are deeper and broader than this narrative implies. Dynamics associated with public opinion electoral pressures, and civil-military relations coalesce to narrow the political space available for a more comprehensive strategic adjustment of the ends, ways, and means of policy.

This argument carries significant scholarly and policy implications. At a general level, as decisionmakers return to the questions of whether and how the United States should scale back its commitment to the Middle East, this study indicates that the success of any revised posture depends on the strengths of its domestic foundations. When choosing among the myriad paths available, this example serves as a cautionary tale of how domestic constraints can limit the appetite and capacity of elected officials to carry through a coherent program of strategic adjustment.
More specifically, advocates of restraint should engage more closely with political-science studies to identify more concrete steps toward greater realization of their preferred policies. Those tasks might involve crafting a rhetorically appealing framework for the public to understand the full implications of a restraint program, going beyond the highly salient but prescriptively thin “endless war” slogan that addresses the interventionism but not the underlying infrastructure of the United States’ commitment to the region. Alternatively, greater effort might be invested in building bipartisan coalitions behind the scenes on elements of the restraint agenda that do not cut through with the public at large, capitalizing on the common desire among progressives and libertarians to reduce the costs of overseas commitments. Either way, a greater appreciation of the political constraints on elected officials’ decision making and a wariness about allying too closely with any partisan side is vital to sustain momentum for a set of policies that can endure beyond the next electoral cycle.

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Endnotes


28. Smeltz et al., *Foreign Policy in the New Millennium*, 16, 23. Return to text.

30. Smeltz et al., *Foreign Policy in the New Millennium*, 46–47. Return to text.


32. Walldorf and Yeo, “Domestic Hurdles,” 46–47. Return to text.


50. Petraeus, e-mail message. Return to text.

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Rethinking the Relevance of Self-Deterrence

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ABSTRACT: Self-deterrence is critically understudied in deterrence theory. Similarly, deterrence practitioners prefer to focus on adversaries’ threats rather than seeking to account for the full scope of fears influencing the decision calculus of policymakers. Through historical case studies, this article identifies where self-deterrence has occurred, highlights the benefits of incorporating the concept in future strategic planning and intelligence assessments, and recommends that policymakers, strategists, and analysts acknowledge self-deterrence as an important factor when preparing for future wars.

Keywords: deterrence, self-deterrence, chemical weapons, nuclear weapons, decision making

Policymakers, strategists, and scholars tend naturally to discuss deterrence in terms of deterring others (how does A deter B). In contrast, they devote hardly any attention to self-deterrence (in what ways does B deter B). Many analyses fail to provide a comprehensive examination of the consequences the adversary’s leadership fears and avoid identifying their self-imposed limitations on the use of force. They also overlook how political and military strategies can exploit an adversary’s self-deterrence (how can A’s strategy take advantage of B deterring B).

States refrain from taking military action for various reasons, including fear of consequences other than those threatened by their adversaries. Sometimes, the consequences an adversary could impose are mental phantoms for policymakers and strategists rather than approximate reflections of reality. There are also countless examples of leaders refraining from initiating wars due to the anticipated consequences imposed by third parties, domestic elites, and their constituents. In cases involving territorial conquest and occupation, leaders may fear the costs of long-term occupation more than the costs of the initial conquest. Thus, we should not restrict our understanding of the consequences that adversaries fear to the consequences that we have the means to impose directly on them, particularly as other types of fears may have a greater effect on an adversary’s decision calculus.

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Normally associated with the tradition or taboo on the nonuse of nuclear weapons, scholars who refer to self-deterrence typically ignore its wider relevance and utility for other dimensions of military affairs and statecraft. This article draws attention to this understudied topic and highlights its relevance for crafting deterrence strategies. It first reviews the concept and its traditional definitions, then demonstrates how self-deterrence can explain war-related decisions and restrictions (especially on the weapons employed) as well as influence decisions about military interventions and covert actions.

Defining Self-Deterrence

In contrast to the then-burgeoning deterrence literature that emerged in the 1950s amidst the Golden Age of strategic studies, references to “self-deterrence” only began to appear in the late 1970s and early 1980s. At the time, self-deterrence was effectively synonymous with self-restraint, usually regarding the prospect of US or NATO unwillingness to use nuclear weapons. In some contexts, self-deterrence was misused, such as when referring to the fear of Soviet retaliation for a nuclear strike on the Soviet Union. Here, a simple reference to deterrence would have sufficed. In other contexts, it seemed more appropriate, such as when expressing concern that NATO would be unwilling to use nuclear weapons on member states’ territory—particularly West Germany—to repulse a Warsaw Pact invasion.

Robert Jervis provided the first meaningful scholarly treatment of self-deterrence in the early 1980s, noting: “States can successfully deter others unintentionally or unknowingly. Because actors can perceive things that are not there, they can be deterred by figments of their imagination—‘self-deterrence’ if you will.” Although Jervis’s definition represented an advance, the distinction between deterrence and self-deterrence remained unclear. Jervis’s case study of British fears of German air superiority in the 1930s illustrates this conceptual overlap. He observes that British fears of the damage the Germans might theoretically inflict—as opposed to the damage the Germans could or intended to inflict—played a key role inhibiting a more robust British policy. Thus, although the existence of a powerful German air force was a fact, the British significantly exaggerated its power, which had a corresponding deterrent effect on their policy calculations.

Shortly after Jervis’s contribution, Richard Ned Lebow expanded the concept. Instead of focusing on self-generated and misperception-based fears, Lebow spoke about the “anticipated domestic political, moral, and psychological costs of a foreign policy” that he believed “may be at least as important a motive for moderation as deterrence in the traditional sense,
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brought about that is by fear of external punishment.”

Lebow also complained that deterrence theorists “have generally failed to take these considerations into account.”

The identification of “domestic political, moral, and psychological costs” expanded upon Jervis’s more limited focus on military consequences. After that, self-deterrence was increasingly associated with a taboo. Although conceptually useful, its strategic implications remained largely unaddressed.

Two decades later, in his discussion of “internalized deterrence,” Lawrence Freedman observed that an actor might avoid actions because of “mythical fears about the possible consequences” and the “thought of how the target might respond.” Unlike other scholars who referred to self-deterrence to explain inaction or sought to overcome its constraints, Freedman highlighted how to use it as part of a strategy. After all, deterrence means inducing fear. Determining what available military and other means A had to deter B normally characterized A’s strategy. This approach unintentionally emphasized only B’s fears relevant to A’s means. Instead, a strategic mindset stressing self-deterrence would concentrate on B’s fears, irrespective of A’s means. Even if these fears included things A could not directly threaten, they might nevertheless include fears that A could exacerbate, for instance, through psychological manipulation, or, as Freedman put it, “no more than a hint there and a quiet word there.” At a minimum, exacerbating B’s fears in this way could improve A’s chances of successful deterrence.

Additional studies also framed nuclear non-use in terms of self-deterrence. For instance, Scott Sagan focused on the nonuse of nuclear weapons against nonnuclear states, noting that self-deterrence can result from “pressures from important allies or public opinion.” Similarly, T. V. Paul defined self-deterrence as “self-imposed reputational concerns arising from moral, legal, and other normative considerations.” While reputational consequences inhibit nuclear weapon use, particularly against nonnuclear states and non-state actors, and therefore constitute an important element of self-deterrence, the exclusive focus of Paul and other scholars on reputational concerns unduly restricts the concept’s wider applicability.

Before considering a less restrictive definition of self-deterrence, we must understand deterrence. Alexander L. George and George Smoke offer this commonly used definition: “Deterrence is simply the persuasion of one’s opponent that the costs and/or risks of a given course of action he might take outweigh its benefits.” Many similar definitions of deterrence contain two elements: two actors (A and B) and the communication of consequences
intended to raise the costs of a contemplated action. These definitions often include but fail to distinguish between reference to deterrence as a *process* and an *effect*. The former alludes to the threat of consequences (as an input into the decision calculus), whereas the latter refers to success or failure (whether one has deterred or not deterred).

The same basic principles apply to self-deterrence; only the actor changes (B deters B instead of A deterring B). Rather than external adversaries threatening consequences (as in deterrence), self-deterrence consists of a distinct set of consequences articulated internally by policymakers that negatively affects their cost-benefit calculus. More precisely, whereas an adversary might threaten military punishment to deter an unwanted action, many other plausible or fanciful consequences that will affect the decision to take that action fall outside the purview of whatever the adversary threatens. These consequences can include reputational damage from a hostile domestic or world audience, third-party intervention, and the long-term political, economic, social, and military problems that would arise regardless of any short-term military success. Policymakers might also have erroneous beliefs about an adversary's capabilities and intentions. For example, policymakers may base expectation of an adversary's behavior or the consequences of pursuing a course of action on little more than an extrapolation from a historical analogy. So much depends, therefore, on policymakers’ conceptions of war and the consequences they associate with them.

There is also considerable overlap in terms of deterrence as an effect. Consider this basic definition of *deterrence success*: “A potential attacker’s restraint from using force *because* of the deterrer’s threats.” Other definitions also stress the importance of deterrent threats determining the potential attacker’s decision not to use force. Similarly, *success* in the context of self-deterrence can be defined as a potential attacker’s restraint due to a fear of consequences other than those threatened by the adversary. One can often find traces of self-deterrence in policymakers’ discourse when the prospect of military action is being contemplated. In some cases, policymakers will reject military action. In others, limited military action will go ahead. During these deliberations, reasons not to take military action or to restrict it will typically arise.

Crucially, the consequences policymakers fear will often *not* be threatened but may still be assumed. For example, throughout the Cold War, NATO did not threaten the Soviet Union with a large-scale resistance movement. Instead, NATO based its approach to deterrence on conventional defense and nuclear use. To threaten guerrilla warfare meant conceding that NATO territory might be seized. In stark contrast, the deterrence policies
of non-NATO countries such as Yugoslavia and Switzerland relied heavily on the threat of guerrilla warfare. Nevertheless, leaders contemplating a foreign invasion may still fear a costly occupation, even if not threatened by the adversary. On the other hand, when threatened, it is unlikely that fears of occupation will affect policymakers if they believe the population will welcome the invaders as liberators. So much of the outcome depends on their conceptions of war, values, and fears, not what we think they should fear.

Precursor to the Nonuse of Nuclear Weapons

While scholars often associate self-deterrence with the nonuse of nuclear weapons, many of the concept’s features appeared long before 1945. Prior to World War I, there was significant opposition to using chemical weapons in war. This inhibition could be traced to the long-standing norm against using poison, later codified in various legal conventions, most notably at the 1899 and 1907 Hague Conventions. At the root of the matter was the belief that certain weapons were too horrific to use in combat or against civilian targets. The emergence of international norms led to fears associated with violating these norms. To engage in proscribed practices would damage one’s reputation, with all the attendant political and diplomatic consequences. This fear led governments to institute special controls to ensure that only senior leaders could authorize use of these weapons.

Amidst the carnage of World War I—often characterized as a “total war”—both sides breached the norm on chemical weapons use but restricted it to the battlefield. Governments rejected calls to extend its use to enemy civilian targets. Although both sides grew desperate to break the battlefield stalemate, two main arguments persuaded leaders to oppose the use of chemical weapons on enemy cities. The first was the fear of retaliation, a classic deterrence argument. The second was the anticipated reputational damage and associated consequences resulting from engaging in this type of warfare, or at least engaging in it first. One fundamental reason norms were taken seriously was the broader fear of alienating public opinion in neutral countries, which raised the risk of bringing them into the war on the wrong side. Which of the two arguments was more decisive in preventing the expanded use of chemical weapons is less noteworthy than the fact that both arguments strongly influenced the decision calculus.

Despite the lack of chemical weapons use on cities during World War I, the negative experiences and images that arose from their battlefield use led to the 1925 Geneva Protocol, which reaffirmed the earlier nonuse norm.
By the start of World War II, chemical weapons use against both civilian and military targets was viewed as reprehensible. Nevertheless, during the interwar period, military theorists contemplated the prospect of widespread chemical weapons use at the outset of a future European war. Some governments maintained arsenals of these weapons as an existential deterrent and insurance policy if the norms were not adhered to and deterrence failed. Furthermore, they took extensive civil defense precautions, including distributing gas masks to their populations. These visions of future war proved ill-founded, however. It was not until May 1942 that concerns about German chemical weapons use against the Soviets led to the first extended deterrence threat to retaliate if these weapons were employed. That month, UK Prime Minister Winston Churchill publicly stated:

I wish now to make it plain that we shall treat the unprovoked use of poison gas against our Russian ally exactly as if it were used against ourselves and if we are satisfied that this new outrage has been committed by Hitler, we will use our great and growing air superiority in the West to carry gas warfare on the largest possible scale far and wide against military objectives in Germany.18

Why did it take until May 1942 for such a threat to be issued? Why did the Germans not use poison gas earlier in the war, for instance, against Poland in 1939, Belgium, the Netherlands, and Norway in 1940, or Greece and Yugoslavia in 1941? Given the virtually nonexistent prospect of retaliatory use of poison gas by these countries, deterrence seems an unlikely explanation, nor did Britain proclaim it would extend its chemical weapons deterrent to them. There are at least three plausible explanations:

1. There was no military advantage to using these weapons;
2. Adolf Hitler and German generals who experienced gas warfare in World War I had bad memories of it;
3. The Germans feared alienating international opinion, provoking a chemical weapons arms race, and opening a Pandora’s box of use by the British or another adversary.

The third explanation, self-deterrence, seems at least as plausible as the others, if not more so. Unlike most other weapons that could inflict mass destruction if used against urban targets or simply on an isolated battlefield, chemical weapons were deemed politically sensitive
due to the prevailing international norms against their use and, hence, would incur greater reputational damage than the use of conventional explosives. Consequently, instead of delegating use decisions to lower-level commanders, special controls were established to ensure they were not used unless authorized at the highest level.\textsuperscript{19}

Concerns about violating international norms were also evident with the advent of the atomic bomb and the political controls on its use. Although it was well understood prior to Hiroshima that the use of such a powerful weapon required high-level approval within the US government—and ostensibly the approval of the UK government—the precise arrangements remained somewhat informal.\textsuperscript{20} Presidential control over decisions to use atomic bombs was only formalized several years later in NSC 30 (US Policy on Atomic Warfare).\textsuperscript{21} As other countries obtained nuclear capabilities, they, too, instituted political control systems.\textsuperscript{22} Like other WMD controls, deeming this control necessary reflected a recognition that nuclear weapons generated far more political controversy than nonnuclear weapons and incurred greater reputational risks.

War and the Conduct of War

Analysts are likely to recognize the reasons policymakers avoid wars and place limits on them as important, but they are highly unlikely to examine them, at least explicitly, using a self-deterrence framework. For example, analysts almost certainly underappreciate how much \textit{speculation} about what an adversary might do—as opposed to actual threats or realistic capabilities—can deter action. Likewise, analysts are unlikely to pay sufficient attention to the fact it is not just adversaries that can impose costs. In practice, many of the costs that arise in policymakers’ discourse when debating the prospect of going to war exist in their heads rather than reflecting an adversary’s threats. These concerns often include allies’ negative reactions, domestic unrest, opportunity costs, jeopardizing a wider set of interests, and fear of creating a quagmire. The following historical anecdotes illustrate the types of issues deserving more analysis.

An examination of Israeli policy making across several Arab-Israeli conflicts during the Cold War highlights how a heavy reliance on external military and diplomatic support ensured Israel would have to restrain its behavior to avoid jeopardizing this support. Avi Kober observed that the “shadow of superpower intervention hovered over all the Arab-Israeli wars, and Israeli leaders often feared that such intervention might undo Israeli achievements
on the battlefield.” Potential costs Israeli leaders recognized included the United States withholding support. As one CIA estimate noted, “A major factor tending to inhibit Israeli aggressiveness is that Tel Aviv presumably anticipates that an Israeli-initiated war would seriously damage relations with the US and jeopardize the flow of US military and economic aid.” As a practical matter, this fear translated into Israel feeling obliged to restrict the scope and intensity of its battlefield activities to ensure they were not counterproductive to the country’s longer-term interests and a military-planning assumption that its freedom of action to conduct a military campaign was limited to a handful of days.

In the late 1970s and early 1980s, US policymakers were concerned about the possibility of a Soviet invasion of Iran and tried to deter it. Their actions led to the development of the Carter Doctrine and the formation of the Rapid Deployment Joint Task Force. American analysts often framed the issue as one in which the prospect of US military intervention would be the key factor deterring Soviet aggression and advocated strategies to maximize US deterrence in that contingency. Still, leaving the potential deterrent effect of any US military intervention aside, there were many local reasons a Soviet invasion of Iran was highly improbable.

In its assessment of this scenario, the CIA identified basic problems that would self-deter the Soviet leadership. These problems did not include battlefield defeats that Iran could inflict on the Soviets. The CIA expected it would take 14 weeks—at the most—for the Russians to overcome strong Iranian resistance; with limited resistance, it would take roughly six weeks. Instead, due to Iran’s size, terrain, and large population, the CIA found the invasion requirements to be on a scale far surpassing “anything the Soviets have attempted since World War II” and estimated the Soviets would “need to commit a large occupation force, probably 300,000 to 500,000 men, to contend with an anticipated Iranian guerilla movement.” Analysts also assessed the action would generate adverse political consequences outside the region and assumed the Soviets’ recent experience of getting bogged down in Afghanistan was “likely to make them extremely chary of sending troops into either Iran or Pakistan and thus multiplying their problems with guerrilla resistance.” Despite an awareness that local problems would make a Soviet invasion of Iran a highly unattractive endeavor, US policymakers and analysts did not address these factors in policy debates. Instead, they overwhelmingly discussed the prospect of a Soviet invasion of Iran in terms of American deterrence rather than Soviet self-deterrence.
Self-deterrence also significantly influenced American political and military leaders when they were contemplating an invasion of North Vietnam in the late 1960s. Importantly, little evidence exists that US leaders feared a military defeat by the North Vietnamese. Moreover, to limit the possibility of a Chinese intervention—an assumed threat extrapolated from the Korean War experience rather than a formal threat issued by the Chinese government—US military planners specifically designed campaign plans of limited duration and geographic scope. In this sense, the campaign design already included self-deterrence. These self-imposed limits had a knock-on effect. In terms of the utility of an invasion, US leaders saw little point initiating a large military campaign in which only limited North Vietnamese territory was seized prior to the United States withdrawing from it shortly thereafter. In 1967, when US military planners proposed an invasion of North Vietnam with combined airborne, amphibious, and ground forces consisting of six divisions, the costs involved in generating sufficient forces and providing logistical support far outweighed any conceivable strategic benefit.  

The Kennedy administration’s assumptions about the worldwide consequences if it attacked Cuba in October 1962—especially its fear that the Soviets would retaliate by seizing West Berlin—reflect the shortcomings of deterrence relative to self-deterrence in explaining military inaction. The following sequence illustrates the basic problem US policymakers faced: the leadership of A assumes that if it attacks B, then B’s ally C will attack A’s ally D. Senior policymakers repeatedly invoked the analogy of the 1956 Soviet intervention in Hungary (being facilitated by the Anglo-French invasion of Egypt) despite its questionable historical accuracy. As President John F. Kennedy warned: “If we attack Cuba . . . then it gives them a clear line to take Berlin, as they were able to do in Hungary under the Anglo war in Egypt. . . . We would be regarded as the trigger-happy Americans who lost Berlin. We would have no support among our allies.” Secretary of State Dean Rusk similarly noted the United States was “. . . so intimately involved with 42 allies and confrontation in so many places that any action that we take will greatly increase the risks of a direct action involving our other alliances and our other forces in other parts of the world.” Chairman of the Joint Chiefs of Staff General Maxwell Davenport Taylor concurred: “The worldwide problem has certainly been before us, Mr. President. . . . It may have been a deterrent to my enthusiasm for an invasion of Cuba.”
The fears Kennedy, Rusk, and Taylor expressed can hardly be classed as successful deterrence by Cuba and the Soviet Union. To deter a US invasion of Cuba, the Soviets issued a public statement on September 11, 1962, that contained a vague threat of nuclear retaliation and no mention of attacking West Berlin.\textsuperscript{36} Although the Soviets had the military capabilities to seize West Berlin, they also had other available retaliatory options in Europe and elsewhere, including nuclear use of some kind. Kennedy’s focus on West Berlin was entirely speculative, rather than based on an explicit Soviet threat. As such, assumptions about actions the Soviets might conceivably take based on a prominent historical analogy or pure guesswork, and concern about the damage to America’s relationships with allies, should more appropriately be understood in terms of self-deterrence.

The Cuban missile crisis also highlights the perceived reputational consequences of taking military actions widely deemed to be unethical despite being militarily prudent. Several key US policymakers were concerned about conducting a sneak attack on Cuba, an action analogized to Pearl Harbor “in reverse.”\textsuperscript{37} For instance, Under Secretary of State George Ball warned that by attacking Cuba without first issuing a warning, the United States would “alienate a great part of the civilized world.”\textsuperscript{38} It was largely due to this negative prospect that Kennedy rejected the option of an air strike on Cuba without a warning.\textsuperscript{39} Indeed, America’s leadership chose the blockade option, despite its questionable legality, due to concerns about the detrimental impact on US allies and the propaganda defeat Washington would suffer if it took military action contravening international law.\textsuperscript{40}

Military Intervention and Covert Action

Decisions on whether to undertake military interventions or rely on covert action often involve complex calculations about whether to use force (as opposed to some nonviolent policy tool), what level of force to use, and the problems created by using a state’s armed forces. In most cases involving powerful states acting against weaker states, there is little fear of military defeat or the inability to achieve an immediate policy objective. Instead, the principal risks are quite different.

During the 1980–81 Polish crisis, the CIA assessed the prospects of a Soviet military invasion of Poland and identified challenges the Soviets would face. As with its militarily unopposed 1968 intervention in Czechoslovakia, the Soviets did not expect significant resistance from the Polish armed forces. Instead, Moscow assumed that because of “widespread Polish resistance by civilians and possibly by some
military forces,” the Soviets would still require a large force to overcome immediate resistance and to engage in occupation and policing tasks over the longer term. There also seemed little chance for the Soviets to establish a “viable indigenous vassal regime.” Consequently, Moscow would be obliged to administer Poland directly and indefinitely. In these circumstances, Poland’s economic productivity would drop, forcing the Soviets to provide subsidies. The Soviets would also have to anticipate a global propaganda defeat. Having recently invaded Afghanistan, this action would reinforce the world’s view of the Soviets as aggressors, undermining Soviet efforts to weaken NATO. In short, the Soviets would have to contend with a wide range of longer-term, nonmilitary, and international consequences resulting from a successful intervention.

Concerning Cuba, US leaders shared many of the Soviet misgivings about military interventions in Eastern Europe. The Bay of Pigs in April 1961 was conducted as a covert operation due to a deliberate rejection of an overt military intervention. American policymakers offered numerous reasons why a military intervention would be detrimental to US interests, none of which involved fears of the Cuban military inflicting substantial casualties.

Admiral Arleigh Burke, Chief of Naval Operations, drew attention to the legal straitjacket preventing military action. He noted that America’s treaty commitments obliged it to refrain from military interventions unless sanctioned by other Latin American countries, meaning that if the United States wanted to overthrow Fidel Castro, it had three options: “(1) multilateral intervention through the OAS (Organization of American States), (2) unilateral overt intervention, and (3) unilateral covert action.” The problem with the first option was the United States was unlikely to receive support from other Latin American countries. Moreover, even if the OAS sanctioned it, the matter would still likely require UN Security Council approval, but this was impossible due to a Soviet veto. A unilateral overt intervention was expected to be disastrous for the US global image. By not going through the OAS, the United States would face charges of aggression at the UN, alienate its regional allies, and demonstrate disregard for international law. As for unilateral covert action, despite “no certainty of success,” its key advantage was that the United States would “not be charged with aggression.”

When President Kennedy came to office, many political assumptions about the disadvantages of a military operation carried over from the previous administration. Concerns were also expressed about the risks of a covert operation. Arthur Schlesinger Jr. articulated these risks most cogently, warning
that a covert operation would undermine the “reawakening world faith in America,” specifically the new administration’s image. Although officially deniable, the United States would still “be held accountable for it before the bar of world opinion.” For instance, Schlesinger argued that the Communists would score a massive propaganda victory in the third world by portraying the Kennedy administration “as a gang of capitalist imperialists maddened by the loss of profits and driven to aggression and war.” They would also portray Castro as “the defender of the colored races against white imperialism.” Other consequences would likely include attacks on American embassies and isolation of the United States at the United Nations. Furthermore, should the covert operation appear to be failing, Schlesinger warned that domestic pressure would build for an overt military intervention, which would have “almost irreparable” international political consequences equivalent to an “American Hungary.”

After the Bay of Pigs invasion floundered and Kennedy refused to intervene overtly with the US military, the administration’s Cuba policy remained torn between conducting additional covert operations and preparing for an invasion. Prior to the October 1962 Cuban missile crisis, US officials continued to debate the merits and drawbacks of these options. As before, policymakers raised the same arguments, and the option of military intervention remained unattractive. The same was also true during the missile crisis when the option of a full-scale invasion (OPLAN 316–62) was debated again and rejected. One of the great ironies of Nikita Khrushchev’s decision to send nuclear weapons to Cuba—ostensibly to deter an American invasion—is that it was probably unnecessary. Had the Soviets appreciated the extent to which Kennedy feared a seizure of West Berlin in retaliation for an invasion of Cuba, threatening this latter option might have sufficed as a deterrent.

**Conclusion**

Are policymakers deterred from taking military action, not by fear of what an adversary threatens, but due to a range of consequences that do not fit neatly within traditional understandings of deterrence? As this article shows, self-deterrence is often a crucial factor. On the other hand, the spectrum of explanations for military inaction extends beyond deterrence and self-deterrence. There are many reasons why states are not constantly at war with one another and why small wars do not expand into larger wars. Nevertheless, the examples provided here highlight that self-deterrence frequently affects major policy decisions about war and its conduct, military interventions, and covert action and is therefore a concept worthy of future
scholarly investigation and practitioner interest. American officials responsible for crafting deterrence strategies and communicating warning messages will be more successful if they avoid restricting their focus to consequences that can be directly threatened with the means at hand, particularly the military means.

Given the numerous deterrence failures traced to narrow assumptions about an adversary’s cost-benefit calculus, policymakers, strategists, and analysts tasked with warning about and preparing for future wars should utilize self-deterrence to account for and exploit a broader range of adversary fears than they are traditionally used to doing. As the objective of a deterrence strategy is to produce a deterrent effect upon an adversary, an appreciation of the full range of consequences the adversary fears can offer a greater number of opportunities to achieve that goal. When assessing the prospect of China, Iran, North Korea, Russia, or another adversary waging war in the future, analysts should devote more attention to the self-imposed restrictions these states place on using military force. It is also crucial to be aware that attempting to manipulate or take advantage of an adversary’s fears is something the adversary will almost certainly be doing as well. It would be extremely shortsighted to assume that the adversaries who are intent on deterring the United States are not seeking to identify and exploit self-imposed limitations on American power.

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Endnotes


8. Freedman contrasts self-deterrence with “the sort that captures the most attention from policymakers and academics, when a determined effort is made to dissuade another party from taking action you judge harmful to your interests,” Freedman, *Deterrence*, 31. Return to text.


17. For instance, in the German debate about unrestricted submarine warfare, concerns about American entry into the war were initially a major consideration, albeit by the end of 1916 the belief existed that this previously unthinkable scenario could be tolerated. See Dirk Steffen, “Document of Note: The Holtzendorff Memorandum of 22 December 1916 and Germany’s Declaration of Unrestricted U-Boat Warfare,” Journal of Military History 68, no.1 (January 2004): 215–24, https://doi.org/10.1353/jmh.2003.0412. Return to text.


31. Despite acknowledging a wider set of inhibiting factors, the CIA still stressed the American deterrent role in Soviet calculations. As one estimate noted, “The scope and nature of their actions would depend in large part on their assessment of the likely US response. . . . If Moscow judged the risk of a direct confrontation with the United States to be high . . . it probably would be deterred from undertaking massive military action to seize the oilfields in Khuzestan.” National Foreign Assessment Center, “Soviet Response to an Iraqi-Iranian Clash: An Intelligence Memorandum,” CIA, April 1980, https://www.cia.gov/readingroom/docs/CIA-RDP81B00401R00050050007-8.pdf. Return to text.


34. May and Zelikow, Kennedy Tapes, 36. Return to text.


38. George Ball, as cited in Tierney, “Pearl Harbor,” 63. Return to text.


42. CIA, “Soviet Invasion.” Return to text.

43. CIA, “Soviet Invasion.” Return to text.


46. Burke to Merchant. Return to text.


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ABSTRACT: This article proposes a new definition of strategy as problem-solving that challenges the focus on goals and assumptions of order within many post–Cold War approaches to strategy. It argues that the military needs strategy to diagnose the complex problems of the twenty-first century before they can be solved. Inspired by practitioners such as Andrew Marshall and George F. Kennan, this new definition clarifies what strategists do and offers a logic for distinguishing the use of the term strategy. Practitioners will also find problem-solving tools and pedagogies they can adopt today.

Keywords: complexity, Andrew Marshall, George F. Kennan, problem-solving, strategy

Life brims with problems. Many problems are mundane and can be solved by following an instruction manual. Other problems are unique but can be broken down into manageable parts and reliably solved by experts. By contrast, some problems are genuinely complex and require strategy to solve. For instance, when a government seeks to overcome a peer competitor, a society grapples with an unstable environment, or a military confronts the “essential Clausewitzian problem” of how to use force to achieve a political outcome.¹

During the Cold War, problem-solving language was common among US strategists such as George F. Kennan and Andrew Marshall. In Kennan’s famous “Long Telegram,” he explained that the “problem of how to cope with” the Soviet Union required the “same thoroughness and care as solution of [a] major strategic problem in war.” He compared the strategist’s task to a “doctor” analyzing a difficult patient.² Marshall likewise described his approach to strategy as one of “diagnosis,” centered on a “way of thinking about things, the structure of the problems, that is very important.”³ Mie Augier, who worked with Marshall, assessed that his “vision and work lies in the idea of problem-driven research: the interest in, and ability to use, elements of ideas from many different disciplines to understand a particular problem.”⁴

Inspired by such thinkers, I propose a new definition of strategy as problem-solving. America’s leaders need strategy because there are no
reliable or repeatable solutions to problems such as China, climate change, or war. To make headway on these complex problems, strategists must first diagnose them and identify and interrogate their key dispositions through probing, sensemaking, and seeking feedback. A strategist helps to determine which problems matter and why they are challenging to enable clarity as to the trade-offs needed, the resources required, and the potential pathways to overcome them. Effective strategy is a sustained process of confronting the problems that impede organizational or national thriving. This definition of strategy is more modest than popular approaches, yet its focus on practical outcomes and operating under uncertain conditions better suits these contested times.

This four-part argument for strategy as problem-solving begins by showing how it offers a distinct approach to many post–Cold War theories of strategy. I then adopt Dave Snowden's Cynefin framework to explain what a “strategic problem” is, arguing that the kinds of problems we face and, in turn, how we try to solve them depend on the nature of our environment. Part three discusses how strategists diagnose problems and the steps involved in that process. The final section outlines three advantages to viewing strategy as problem-solving:

- Clarity about what should and should not be called strategy and what strategists do.
- Access to problem-solving tools practitioners can adopt straightaway.
- The opportunity to use reliable pedagogical methods such as the case method and problem-based learning to teach problem-solving skills.

The Lost Art of Problem-Solving

The term strategic problems is common to the academic literature yet surprisingly under-explored. Bernard Brodie, in his classic paper “Strategy as a Science,” argues that “the whole purpose of this article to bring home is that what is needed in the approach to strategic problems is genuine analytical method.” So, too, Thomas G. Mahnken and Joseph A. Maiolo’s widely adopted Strategic Studies: A Reader tells us, “theory offers the student of strategy a conceptual toolkit to analyze strategic problems.” In their book Successful Strategies, Williamson Murray and Richard Hart Sinnreich describe how strategists “have found a solution
to complex and seemingly insoluble strategic problems.” Readers will look in vain, however, for conceptual guidance as to what a strategic problem is. While these scholars (most of whom once worked with Marshall) keep the language of problem-solving alive, their way of thinking is out of sync with many contemporary approaches to strategy.

Three decades ago, at the start of the post–Cold War period, officials and scholars anticipated an increasingly orderly world where “the rule of law supplants the rule of the jungle,” and US primacy was unquestioned. This worldview, in turn, shaped the strategic theories that rose to prominence. The Lykke model, published in 1989, assumes a reliable environment on which to apply its “literal formula” of “Ends + Ways + Means = Strategy.” Grand Strategy, which enjoyed a renaissance in the 2000s, requires high degrees of “order and consistency” and “predictable terrain” to be effective. Many Western armed forces promoted the operational level as a space where military expertise could be left alone to solve military concerns.

What unites these post–Cold War approaches to strategy are two related assumptions. First, they are goal-focused, defining a specific end that resources and activity are directed toward. Second, they have an “assumption of order” emphasizing “underlying relationships between cause and effect . . . to produce prescriptive and predictive models and design interventions.” These approaches urge us to plan for and organize the rational alignment of resources toward our goals with efficiency as a primary value.

Although these assumptions make sense in many environments, they are not universal. The world of the 2020s embodies many of the dynamics of “complex systems” that operate through very different patterns of order. In complex environments, we cannot assume linear and causal paths, apply a ready-made best practice, or expect an enduring “victory.” Indeed, having fixed goals in a complex world is unhelpful because complex worlds are not fixed. What we seek and how we seek it will continually evolve.

While focusing on goals may be “the most common pop-culture advice for setting strategy,” it has proven about as helpful as “a coach who shouts ‘Win the Game!’ instead of giving advice on how to play.” Business studies literature has begun to focus on problem-solving as the core work of strategy to generate that advice. Richard Rumelt publicized this reorientation in his book The Crux, arguing, “A strategy is a mixture of policy and action designed to surmount a high-stakes challenge. . . . It is a form of problem-solving, and you cannot solve a problem
you do not understand or comprehend.” Before we can apply ideas from earlier eras (US policy in the Cold War) or different domains of activity (business) to address national and military strategic concerns, we need a framework to distinguish a “strategic problem” from nonstrategic problems.

**Why Do Some Problems Require Strategy?**

Cognitive scientists and psychologists have extensively studied human problem-solving for decades in laboratory or controlled conditions. What counts as a problem, and how we might attempt to solve it, depends considerably on our environment. To understand the different types of problems we may face, we can use the Cynefin framework, which “help[s] us to know what kind of system context we find ourselves in . . . determine the appropriate actions to take, and the methods and tools that are fit for that particular systemic context.” The Cynefin framework identifies four different “domains” or “systems” distinguished by the level of order found within them—“Clear,” “Chaotic,” “Complicated,” and “Complex.” Systems in this context are “a set of things . . . interconnected in such a way that they produce their own pattern of behaviour over time.”

“Clear” systems produce problems that can be solved in a repeatable and consistent fashion through specific steps. To answer a math equation, a student uses a formula. To bake a cake, a cook follows a recipe. Many day-to-day elements of military conduct involve clear problems and a definable “best practice” of standards, techniques, and procedures, a quality exemplified by tactical-level doctrine.

Second, in diametric opposition to the coherence of clear systems, are “Chaotic” systems. Within chaotic environments there is “the absence of effective constraints for decision support,” for instance, in the immediate aftermath of a natural disaster. Little to no order is present in the system, and strategy is not much help as leaders must act first and analyze later. Thankfully, such systems will return to a degree of order over time.

Third are “Complicated” systems, for which problem-solving may involve unique or unknown tasks. These systems reflect an underlying stable order and should be amenable to reductionist techniques guided by expertise. For example, despite the immensely difficult and new challenges in building the space station and developing the COVID-19 vaccine, the experts solving these problems could rely on universal physics, chemistry, and reliable methods for proceeding. The operational level is roughly analogous to a complicated system in that
each campaign involves unique organizational and logistic challenges, but experts can develop solutions through tried and tested methods.

Finally, we come to “Complex” systems, where levels of order vary considerably between and within systems over time. We cannot assume repeatable and enduring causal relationships; expertise can only take us partway to a solution. This type of system is where we find “strategic problems.” To understand what strategic problems involve, the core principles of complex systems should be understood:

1. Complex systems are nonlinear, meaning there is no direct relationship between inputs and outputs. Endless resources can be devoted to a task with seemingly no effect until, suddenly, there is a rapid change. Small, well-timed inputs can also have outsized effects.

2. The level of order is never static. As such, the best we can hope for is “pockets of order” with patterns disposed to our interests.

3. The actors within complex systems adapt and change over time based on feedback. Actors that are better able to adapt and more attuned to environmental feedback will outperform actors lacking these qualities.

4. These interactions can form emergent phenomena that move the system into new patterns and dispositions.23

A complex system’s problems cannot be solved in the same way as clear or complicated problems. As Jennifer Berger and Keith Johnston observe, “the rules are different in a complex world . . . and they fight against our reflexes.”24 The problems of a complex world are by nature “ill-defined,” meaning there is “no clear problem definition, their goal state is not defined clearly, and the means of moving towards the (diffusely described) goal state are not clear.”25 Problem-solving in a complex world cannot begin with identifying goals and then discussing preferred solutions. Instead, we first need to tease out the nature of the problem and the environment we are in (such as its patterns, dispositions, and ways we can influence it).26 According to C. F. Kurtz and David Snowden, “The decision model in this space is to create probes to make the patterns or potential patterns more visible before we take any action. We can then sense those patterns and respond by stabilizing those patterns that we find desirable.”27 I have adopted the term diagnosis here to capture this effort to sense and interpret.
To be clear, not everything that is “difficult” or “challenging” involves a complex system. Yet there is reason to believe that the current international order is a more genuinely complex environment than the order three decades ago. There has been an expansion of important actors, a diffusion of power across those actors, and a profusion of avenues for connection and feedback between these actors.\(^2\)

For students of strategic theory, the world described by complexity theorists should sound familiar. For instance, compare the descriptions of acting in a complex world with the account Lawrence Freedman provides in the opening of his magisterial history of strategy: “The picture of strategy that should emerge from this book is one that is fluid and flexible . . . there is rarely an orderly movement to goals set in advance. Instead, the process evolves through a series of states, each not quite what was anticipated or hoped for, requiring reappraisal and modification.”\(^2\) Several scholars have drawn explicit links between complexity theory and classic strategic theory, especially in the writings of Carl von Clausewitz.

In a famous 1992 article, Alan Beyerchen set out to show that “in a profoundly unconfused way, [Clausewitz in On War] understands that seeking exact analytical solutions does not fit the nonlinear reality of the problems posed by war.”\(^3\) In the years since, scholars such as Everett Carl Dolman have used complexity science to ground their analyses of strategy.\(^4\) Sean T. Lawson and Antoine Bousquet have charted the growing embrace of complexity thinking in modern conceptions of warfare.\(^5\) Additionally, in 2022, B. A. Friedman revisited the burgeoning scientific literature on complexity, finding that “subsequent advances in complexity science not only confirmed Beyerchen’s assertions but have offered the opportunity to extend them.”\(^6\) While strategic theory and complexity science are both ways of grappling with uncertain environments, how do strategists actually help us solve the problems we face in complex systems?

How Do Strategists Solve Strategic Problems?

Under strategy as problem-solving, the strategist’s primary contribution is the diagnosis of complex problems. Diagnosis attempts to frame, map, and probe a complex problem to identify the level of order, dispositions, and pathways for potential resolution. The word itself emerges from the Greek diagignōskein, meaning “to distinguish,” with the root word,
gignōskein, meaning “to recognize” or “to know,” and is commonly associated with medical practice today.\textsuperscript{34}

Perhaps the best-known example of strategic diagnosis is George Kennan’s 1946 Long Telegram. Written while Kennan was a diplomatic official based in the Soviet Union, it likens the task of analyzing the Soviet Union to how a “doctor studies [an] unruly and unreasonable individual.” Drawing on Russian history, economics, politics, and philosophy, Kennan concluded that “(1) Soviet power, unlike that of Hitlerite Germany, is neither schematic nor adventunstic [sic]” and “(2) Gauged against Western World as a whole, Soviets are still by far the weaker force. Thus, their success will really depend on degree of cohesion, firmness and vigor which [the] Western World can muster.”\textsuperscript{35} This diagnosis enabled the Truman administration to develop a solution centered on “a long-term, patient but firm and vigilant containment of Russian expansive tendencies.”\textsuperscript{36} Kennan did not tell Washington, DC, the goals it should seek, nor did he provide mission statements to guide it. Instead, he wanted US government officials to understand their adversary’s nature and pursue a geopolitical environment with patterns of order disposed to US interests.

The process of diagnosis should be iterative, changing over time with each problem as we better understand it. Marshall famously did not have a set methodology for Net Assessments during his time at the Pentagon. Still, there are at least two common elements strategists use to diagnose problems: identification and interrogation. First, we need to identify what problem we are trying to solve. In 1944, Joseph Stalin provided the Soviet Union with a long-term advantage by realizing his most important problem was not how to defeat Nazi Germany but, instead, how to position the Soviet Union for the postwar environment, leading to a focus on rapid territorial gains in Eastern Europe.\textsuperscript{37} As this example suggests, problem identification must be an active step that explores problems presented to us as well as working to discover future problems that we might preempt and potentially to create problems for our adversaries. Marshall’s career provides two other examples of successful problem identification. In the 1970s, he identified ways to create significant problems for the Soviet Union through competitive strategies, such as stoking technological arms races that could damage the Soviet economy.\textsuperscript{38} Two decades later, he stewarded efforts to discover the forthcoming revolution in military affairs, enabling the United States to gain a significant operational advantage.\textsuperscript{39}
Second, we need to *interrogate* the system at work: the mindsets, dispositions, and patterns behind the specific problem. Where goal-focused strategies get us to concentrate on what we can do, interrogating a complex environment requires us to analyze the broader context and interaction of various actors. As Robert Jervis observes in his book on politics and complexity, “One hand cannot clap; we need to look at the goals, resources and policies of those with whom the actor is dealing.”

If we are in a complex system, we must “probe, sense, respond” and try to clarify “the inclinations of the system” to find our way. Stephan Frühling observes that in war, “Patterns . . . arise through self-organization and show ‘retrospective coherence’: they can be identified ex-post, but cannot be predicted. . . . Information can be gained by probing the system and observing reactions.” For these reasons, a good diagnosis is not handed down in some grand document but is continually refined through experimentation and feedback carried out by other parts of the organization.

Good diagnosis is often a process of finding the right questions. One of Marshall’s core “beliefs” was that “most analysis spends far too little time on what the real questions are . . . poor, mediocre answers to good questions are more important, more useful, than splendid answers to poor questions.” Good questions identify areas where we can seek feedback, probing how the system responds and helping to identify where potential “attractors” sit—the leverage points that shape a complex system’s dispositions.

Assistance with finding those key points and navigating complex systems is found within several academic fields that have embraced the study of complexity. The literature on problem-solving and critical thinking highlights the importance of questioning our key assumptions, exploring whether they are necessary, and developing new “frames” to organize them. So, too, design-thinking literature emphasizes a sustained interrogation of the “central paradox . . . that makes the problem so hard.” Only when we have the right questions and diagnosis of the specific problems we face can our strategic answers—the “ends” we seek—begin to be meaningful. One Office of Net Assessment
analyst recalled Marshall telling him, “You keep giving me solutions. Stop giving me solutions. Why don't you tell me what the problem is.”

A Fresh Lens: Strategy as Problem-Solving

Any useful idea must pass the “so what” test. How can defining strategy as problem-solving help those who make or teach strategy? Three benefits stand out:

- Clarity about what should and should not be called strategy and what strategist do.
- Access to problem-solving tools practitioners can adopt straightaway.
- The opportunity to use reliable pedagogical methods such as the case method and problem-based learning to teach problem-solving skills.

Concerns over the lost meaning of strategy are well known. The first benefit of this framework is the clarity it provides in explaining what counts as strategy. This paper follows the work of philosopher Stephen Toulmin, who argued that “domains have to be identified not by the types of objects with which they deal, but rather by the questions which arise about them.” Strategy, in general, is the purposeful attempt to diagnose and solve complex problems wherever they may be found.

Domains do matter for the types of strategic practices that are pursued. We may therefore distinguish military strategy by its unique concern with diagnosing how to link force to the achievement of political goals. This is the “essential Clausewitzian problem,” as Richard K. Betts tellingly puts it. Following this logic, we can also describe a line of effort as maritime strategy or cyber strategy when it involves diagnosing complex problems specific to one of these environments. Moving wider afield, business strategy emerges when individuals and groups seek to navigate the complex adaptive systems known as markets. Entering a new industry, succeeding in competition, or reforming a large organization can raise complex problems. So, too, political strategy describes efforts to navigate international orders and domestic political environments that fit the characteristics of a complex system. Strategy is an orientation toward solving complex problems.
Everything else, if it deals with “Clear,” “Chaotic,” or “Complicated” problems, should not be called strategy, however important it may be.

With clarity about what strategy is, we then have a firm idea about what the strategist’s role is: to diagnose complex problems. A compelling diagnosis allows other parts of organizations to undertake their equally important roles. Decisionmakers such as presidents and generals take the diagnosis and decide which problems to prioritize, identify how values and principles will shape behavior, and allocate resources to implement specific solutions. This is the realm of policy and politics, which sets the values, ambitions and boundaries of any solution. So, too, the execution of the strategy by officials and public servants is essential. A military may attack a target; a diplomat may negotiate with a foreign partner. This management arena ensures that implementation occurs in line with the decisionmaker’s requirements. None of these roles can function in isolation. Feedback from those making and implementing decisions must consistently flow back to the strategists to inform their work.

The second benefit of viewing strategy as problem-solving is that problem-solving is a relatively well-studied area that offers many practical tools. For practitioners, these tools include those from complexity science, such as the Cynefin model used here, which can help us find “the way out” of complex problems. Similarly, design thinking offers useful insights for problem-solving under complexity. Cognitive science and business literature also offer various problem-solving tools, such as:

- Visual tools (for example, Ishikawa diagrams and mind maps), which graphically display issues to identify key questions, assumptions, and steps in a process.

- Group dynamic tools (such as premortems or an Agreement-Certainty Matrix) that enable small groups to work through an issue creatively.
Data tools (such as RAND’s Delphi technique) that represent relationships, hierarchies, or weighted preferences to help quantify the problem faced or organizational preferences for a solution.\(^{54}\)

Artificial intelligence is also emerging as a compelling aid to problem-solving.

A third and final benefit of the strategy as problem-solving approach is that it can be taught using pedagogical methods that get away from traditional lecture formats and provide students with active and authentic learning experiences. As Celestino Perez Jr., a promoter of problem-based learning, has argued, “strategy is performance; it is not simply a discipline one can read about.”\(^{55}\) Problem-based learning gives student groups problems to work through and solve. This method has long been used in medical schools and was trialed at the US Army War College, with a 2021 study finding it “an ideal instructional strategy for postgraduate and executive education environments.”\(^{56}\) Case method teaching, which business schools have used for over a century, utilizes the narrative method and in-depth real-world scenarios to enable students to practice pattern recognition and diagnosis while building teamwork and communication skills.\(^{57}\) Although most students will not become formal strategists, they will still benefit from these methods of instruction. Both the World Economic Forum’s Future of Jobs report and the Organisation for Economic Co-operation and Development have identified “Complex Problem Solving” as one of the most essential skills for employment in the future.\(^{58}\)

Problem Solved?

In On War, Clausewitz set the bar for theory’s contribution as such: “Theory ought to throw a clear light on the mass of objects, that the mind may the easier find its bearings . . . it should show the relations of things to each other, separate the important from the trifling.”\(^{59}\) Defining strategy as problem-solving helps us to clarify what strategy is in an accessible way. It identifies what strategists do—diagnose complex problems—and how their role relates to other critical tasks, such as decision making and implementation. It also has readily available tools that practitioners in institutions and professional
military education environments can draw on today to use in their practice or teaching of strategy.

This proposed definition is not intended as the only or last word on how to understand strategy. Indeed, it is hopefully a way of redefining strategy in a more modest, practical conception that better suits the needs of working within large organizations. As Marshall observed of his career, “My notion is that you work on long-term and more or less permanent kinds of problems and issues, and try, through giving people better ways to think about those problems, to persuade them that this is the best way of looking at it.” That is a world away conceptually from the effort of some contemporary strategists who wish to fashion grand documents that unite entire societies and realize goals a half-century ahead.

While the conceptual outline for viewing strategy as problem-solving is provided here, there are still important questions to flesh out. Comparative and historical studies will be necessary to explore how different cultures think about solving strategic problems. Equally, there are opportunities to develop new problem-solving tools designed for the strategic problems of the twenty-first century. Just as Marshall developed Net Assessment to aid the United States in the Cold War, what tools can strategists develop to help us overcome today’s strategic problems?

The widespread human need for strategy did not emerge because we required someone to write down goals or set ambitions for us, nor can strategy be reduced to reductionist formulas befitting an orderly world. Strategy exists because the world brims with complex problems that we must address head-on. Today, when the stakes of modern problems facing the West include great-power competition, the risk of nuclear war, rapid changes in new technology, and the omnipresent challenge of climate change, we need the distinctive contribution of strategists as problem-solvers more than ever.

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Endnotes


43. McKittrick and Angevine, Reflections on Net Assessment, 16. Return to text.


54. For details about these tools, see S. Ian Robertson, *Problem Solving: Perspectives from Cognition and Neuroscience* (Abingdon, UK: Routledge, 2017); and Chevallier, *Strategic Thinking*. Return to text.


The Art of Avoiding Strategic Miscalculation

Steven W. Knott
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ABSTRACT: This examination of British War Secretary George Cornewall Lewis and the gold standard memorandum he penned in 1862 (that proved instrumental in preventing British intervention in the American Civil War) offers insights for modern leaders on how to avoid institutional barriers to effective strategic thinking and political-strategic miscalculation through insightful analysis of potential liabilities and policy assumptions. It shows how outstanding strategic thinkers possess an informed and reflective filter to evaluate past, present, and anticipated events—developed through a good education, diverse practical experience, lifelong intellectual curiosity, empowerment, and access to senior leadership.

Keywords: George Cornewall Lewis, Anglo-American relations, strategic thinking, denial systems, Abraham Lincoln

During the fall of 1862, British Secretary of State for War Sir George Cornewall Lewis recognized strategic vulnerability. Competing political leaders vied for control of his nation's foreign policy governing American relations; Prime Minster Palmerston had backed away from potential recognition of the Confederate States of America following the publication of President Abraham Lincoln's Preliminary Emancipation Proclamation. Yet, influential members of the British cabinet continued to maneuver politically to reverse Palmerston's preference for neutrality. In order to assist the prime minister in resisting these machinations, Lewis penned a confidential memorandum for distribution to the entire cabinet. A combination of legal opinion and summary of historical precedents, the document proved most influential in its analysis of British interests and potential liabilities from proposed mediation initiatives and/or recognition of the Confederacy. His strategic observations and uncomfortable queries highlighted the vulnerabilities inherent in impulsive actions taken in the absence of informed reflection. In short, Lewis employed a strategic thinking solution to forestall policy miscalculations he viewed rife with unanticipated and problematic consequences, and the success of his initiative is most evident in the results. As a leading historian of Anglo-American diplomacy during the American Civil War concluded, Lewis’s memorandum “injected the voice of reason” at the most opportune time and “predetermined the final [cabinet] decision against intervention.”

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Although a nineteenth-century example, Lewis’s story remains germane to modern leaders because strategic thinking is not common and, when available to decisionmakers, often fails to influence political-strategic effect. A recent study published in the *Harvard Business Review* reveals that only one in five senior corporate executives can think strategically.\(^2\) Another prominent researcher at the Strategic Thinking Institute reports that senior business leaders routinely conflate strategic thinking with planning and adds that 90 percent of directors and vice presidents have received no education in strategic thinking.\(^3\) Comparable statistics for military cohorts are not available, but the likelihood of finding a greater percentage of strategic thinkers is higher, given the educational opportunities available at the senior service colleges and special programs (such as the Army Strategic Education Program at the US Army War College). Despite limited access to military strategic studies, elected and government Senior Executive Service leaders likely score similarly to corporate executives due to commensurate deficiencies in appropriate education. Regrettably, on the infrequent occasions when sound strategic thinking analysis is available to decisionmakers, the advantage of such insights is often forfeited or ignored due to “systems of denial.”

*Systems of denial*, a concept coined by organizational and behavioral specialists Andrew Hill and Stephen Gerras, describes a prevailing tendency in high-performing leadership teams to “focus organizational energy and attention on refining their dominant theories of competition, often resulting in dysfunctional organizational responses . . . to strategic anomalies—inconvenient information—that contradict assumptions.” Although these anomalies can include emerging strategic vulnerabilities or opportunities, establishment decisionmakers prefer to rely on well-practiced core capabilities and proven operating methods when confronted with new facts in the competitive environment. In doing so, they often choose obsolete ways and means no longer relevant to the circumstances, while simultaneously acting to discredit or minimize the inconvenient anomaly instead of working to devise appropriate responses.\(^4\)

Traditionalists have three denial systems available to make the anomalous information go away. The first targets the legitimacy of the source by questioning subject matter expertise or, less frequently, by impugning credibility or simply resorting to ad hominem attacks. The second denial system assails the validity of the data by questioning the applicability or procedural methodology and orchestrating in-house testing that deliberately fails to replicate the anomalous findings. The final option entails revising the legacy operating theory to make it more difficult to test against new data.
This last way is accomplished by adding intangible variables or replacing the theory with a similar but more malleable substitute.\(^5\) Senior leaders who cling to outmoded “theories of competition” and defend them with systems of denial risk making strategic miscalculations with the attendant potential for disadvantage or danger. Hill and Gerras examine denial systems as impediments to military innovation, but these institutional barriers similarly negate the influence of strategic thinkers in formulating sound national security policy.

Definitions of strategic thinking range from verbose to pithy and populate a diverse selection of national security, business management, and leadership development publications.\(^6\) Despite this abundance of choice, a tailored definition can better aid an examination of the enduring relevance of Lewis’s memorandum. For this purpose, *strategic thinking* is defined as the intuitive ability to recognize opportunity and vulnerability within the political-strategic competitive environment. This intellectual process also integrates and synthesizes critical, systems, historical, ethical, and creative thinking competencies to create a mental lens through which past, present, and potential events are evaluated. Of course, strategic opportunity and vulnerability can exist simultaneously, but one or the other will typically predominate within a given set of circumstances. Since strategic vulnerability often leads to dire consequences of national significance, a more robust analysis of Lewis’s actions in 1862 is warranted. A review of key Anglo-American events precipitating the secretary’s concerns will lead to an exploration of strategic thinking insights from his cautionary missive and will instruct readers about effective ways to avoid traditional systems of denial employed against strategic thinkers.

**Lincoln and Emancipation**

The culmination of Confederate General Robert E. Lee’s first campaign north of the Potomac River at the Battle of Antietam in September 1862 provided Lincoln the first real prospect to forestall the potential intervention of Great Britain in the Civil War. If war can be succinctly described as the transformation of blood into political-strategic effect, then the sanguinary expenditure of Union lives at Antietam delivered a valuable bequeathment—opportunity. Leaders on both sides of the Mason-Dixon Line, and in Europe, realized the easiest path to Confederate independence entailed great-power recognition and succor, a familiar and proven model well demonstrated during the American Revolution. Persuaded by US Secretary of War Edwin M. Stanton and New York attorney Francis B. Cutting that widespread public abhorrence of slavery
in Europe could be used to block British intercession in American affairs, Lincoln became convinced that emancipation represented a potent tool in his struggle to save the Republic. The president pursued a clearly stated priority of preserving the Union while seeking an opportunity to end slavery in the United States. These twin goals, however, appeared mutually exclusive during the first 15 months of the war. Lincoln, therefore, directed his considerable intellect toward crafting policy that harmonized these disparate ends, though he struggled at times to find the appropriate mix to satisfy the divided views on emancipation within the larger domestic political environment.

The US Congress provided the first step toward emancipation by passing the second Confiscation Act, which the president signed into law on July 17, 1862. The act codified the existing practice of emancipating slaves that came within the control of Union military forces in the seceded states, neutralized the Fugitive Slave Act of 1850, and repealed the ban on recruitment of African American soldiers into federal service. Moreover, Section 2 proclaimed that any person who engaged in “rebellion or insurrection” would be punished with imprisonment, fines, or “liberation of all his slaves.” Section 6 proved unprecedented and announced a forthcoming presidential proclamation warning those pursuing “armed rebellion” that the failure to suspend military resistance and proclaim allegiance to the United States would result in the direct seizure of all property on the sole authority of the commander in chief. The combination of Sections 2 and 6 constituted the legal underpinning for an emancipation proclamation via executive order. Unsurprisingly, Lincoln penned the first draft of the Preliminary Emancipation Proclamation within days of the second Confiscation Act, though he elected to defer publication for over two months.

Lincoln’s Preliminary Emancipation Proclamation, issued on September 22, 1862, declared the enslaved people in coerced service of the Confederacy “thenceforward, and forever free” should the states in rebellion not return to federal authority by January 1, 1863. Originally crafted in July 1862 “as a fit and necessary military measure” to deny practical benefit to the enemy, the executive order expanded well beyond a domestic context in the wake of Antietam to provide Lincoln with the means to influence the direction of British foreign policy. The proclamation deftly exempted the four slave-holding border states (Delaware, Kentucky, Maryland, and Missouri) from forfeiture of slave property because Lincoln, having issued the order as military commander in chief, did not acknowledge presidential authority to confiscate property beyond the seceded states due to constitutional
protections regarding property rights. It is also obvious he wished to avoid antagonizing the border states for fear of driving them into the Confederacy.\textsuperscript{12} The new policy furthermore promised those citizens residing within the Confederacy who remained loyal would “be compensated for all losses by acts of the United States including the loss of slaves.”\textsuperscript{13}

Of course, Lincoln fully realized the Emancipation Proclamation could only be enforced in territory occupied by federal troops, so he admitted the inherent limitation of “a document that the whole world will see must necessarily be inoperative, like the Pope’s bull against the comet,” to alter the immediate circumstances of enslaved African Americans held within the Confederate states.\textsuperscript{14} While the realm of the possible in 1862 dictated that he act by executive order, the president never lost sight of the more ambitious goal of amending the Constitution to assure the permanent destruction of American slavery.\textsuperscript{15}

Lincoln intended to publish the preliminary proclamation in the wake of the second Confiscation Act, but the war intervened. Federal battlefield reverses outside of Richmond, Virginia, during the Peninsular Campaign in early July—compounded by wholesale rout at the Second Battle of Bull Run near Washington in August—delivered strategic circumstances unfavorable to such a consequential policy announcement. Sensing the president’s impatience, Secretary of State William H. Seward advised Lincoln against hasty emancipation, asserting that it would be perceived as the desperate “last measure of an exhausted government, a cry for help [and] our last shriek on the retreat.”\textsuperscript{16} Consequently, Lincoln waited until Union forces thwarted General Robert E. Lee at Antietam on September 17 to issue the proclamation. The political instincts of Seward and Lincoln proved correct; despite federal successes in Maryland and Kentucky in the fall of 1862, key British leaders still viewed the proclamation of emancipation as a Hail Mary to stymie inevitable defeat by instigating a slave uprising in the Confederacy.\textsuperscript{17}

**Palmerston and Potential British Intervention**

The political, social, and economic landscape in Great Britain during the Civil War is best characterized as paradoxical. Wealthy investors and working-class laborers with shared interests in the textile industry remained sympathetic to the Confederacy, while those unconcerned with access to Southern cotton and who recognized the amorality of slavery favored the North. Parliament had outlawed slavery in 1833, so the American “Peculiar Institution” created a schism in English society that inevitably spilled over into economic, domestic, and foreign policy making.
Palmerston, therefore, navigated the ship of state through a decidedly narrow political strait, constrained between the turbulent shoal waters of antislavery sentiment on one side and the clamor for cotton on the other. Southerners confidently began to refer to the crop as “King Cotton” because the Confederate states produced 75 percent of the world’s supply and the British textile industry obtained nearly 80 percent of its imports from them. More significantly, cotton fueled the dominant economic engine in Great Britain; nearly one in four citizens secured their livelihood from textile production or related industries, two-thirds of the world’s mechanical spindles resided in domestically owned and operated factories, one-half of all exports consisted of finished cotton goods, and one-tenth of all capital investment went to the textile enterprise. Consequently, the Southern monopoly in cotton production dictated that the Palmerston government could not eschew interest in the American war.

Unprecedented cotton crop yields in 1859 and 1860 worked against Confederate interests at the outset of hostilities because the British purchased the surplus as a hedge against future uncertainty. While this stockpile permitted Palmerston to wait out a Confederate cotton embargo in 1861, economic and social conditions eroded the following year as cotton availability diminished. Lancashire, at the epicenter of the textile industry, tallied a quarter million unemployed workers and another half million dependent on government relief by the summer of 1862. The ensuing potential for calamitous civil strife dramatically altered the political and strategic calculus for Palmerston. By September 14, 1862, the prime minister favored a plan proposed by Foreign Secretary John Russell to intervene in the Civil War and communicated his shift in policy following news of the Southern victory at the Second Battle of Bull Run:

. . . [T]he battles of August 29 and 30 between the Confederates and the Federals show that the latter got a very complete smashing; and it seems not altogether unlikely that still greater disasters await them. . . . If this should happen, would it not be time for us to consider whether in such a state of things England and France might not address the contending parties and recommend an arrangement upon the basis of separation?

Russell’s plan entailed brokering first an armistice between North and South, then introducing great-power mediation to resolve the sectional American conflict permanently and restore the antebellum cotton supply to Europe. Moreover, Russell intended to recognize the Confederacy immediately
should Lincoln and Seward reject foreign mediation. The prime minister expected to present Russell’s plan to his cabinet advisers at a meeting scheduled for October, little anticipating that Antietam and emancipation would preempt this initiative with mere weeks to spare.\textsuperscript{24}

Lincoln intentionally targeted English societal division over slavery with the Preliminary Emancipation Proclamation, asserting days before its publication, “No other step would be so potent to prevent foreign intervention.”\textsuperscript{25} He remained convinced that emancipation alone would tie Palmerston’s hands diplomatically and prevent British recognition of the Confederacy. Based on intelligence provided by American Minister to Great Britain Charles Francis Adams, the president believed Palmerston would face domestic political complications if London assisted the Southern states due to newly energized antislavery constituencies. As Lincoln calculated, the prime minister retreated from potential intervention following the release of the proclamation on September 22. Palmerston, admitting that the British mediation initiative “has been lately checked” by word of federal success at Antietam and the resulting emancipation, felt compelled to return to a policy of neutrality.\textsuperscript{26}

Nevertheless, Lincoln failed to anticipate the subsequent outrage among many governing elites and newspaper editors in England when news of the proclamation reached London. Fearing the president’s “escalation” would increase sectional enmities to the point of no return and generate a servile uprising with attendant atrocities, this bloc of British leaders considered a speedy resolution to the war of utmost urgency. Russell and Chancellor of the Exchequer William Ewart Gladstone concurred with like-minded pundits who declared that Lincoln obviously sought to “render intervention impossible.” Many also predicted the dire outcome of the “cold, vindictive, and entirely political” Emancipation Proclamation would be civilian bloodshed on the scale of the French Revolution. The two cabinet members, therefore, moved with alacrity to influence Palmerston (and their cabinet peers) to adopt Russell’s mediation and recognition plan immediately. In an attempted ambush, Russell and Gladstone planned to force the prime minister’s hand at the cabinet meeting on October 23. Palmerston avoided their scheme by absenting himself from the gathering, thereby forcing a postponement so no official decision could be reached.\textsuperscript{27} All these political maneuvers would soon be rendered obsolete by a confidential memorandum that would deliver a mortal blow to potential British intervention in the Civil War.
Lewis’s Confidential Memorandum

To bolster Palmerston’s preference for continued neutrality, Lewis prepared a thorough legal examination of the merits regarding recognition of Confederate sovereignty based on precedents found in international law. As a leading authority on the subject, few in Great Britain were more qualified to produce such a document. Lewis graduated from Oxford University in 1828 with degrees in classical studies and mathematics, pursued higher education in jurisprudence philosophy, and passed the bar in 1831. He entered government service two years later as a commissioner assigned to evaluate policies regarding the treatment of Irish residents in the United Kingdom; his findings contributed to the establishment of a new system of national poverty relief for over two million destitute citizens. A subsequent two-year commission in Malta beginning in 1836 earned Lewis notoriety within Liberal Party circles when he drafted a new legal code that improved colonial administration, increased local participation, and reduced civil restraints imposed by the governor. In the 1840s and early 1850s, he served as a member of parliament, Under-Secretary of State for Home Affairs, financial secretary to the treasury, city commissioner in London, and editor of a prestigious national magazine.28

Following succession to his father’s baronetcy in 1855, Lewis’s keen legal mind and reputation as a problem-solver resulted in serial cabinet appointments as chancellor of the Exchequer, home secretary, and secretary of state for war. During his tenure at the helm of national finances, he burnished his standing in London by devising successive budgets that employed a creative amalgam of loans and income taxation to pay for the Crimean War. His success at the Exchequer ensured a permanent place on Palmerston’s cabinet, though his declining health retarded his effectiveness as home secretary, a post he assumed in 1859. Nevertheless, the prime minister asked Lewis to assume the duties as war secretary in 1861, a role he judged “distasteful” due to his lack of experience or knowledge of military matters.29

Lewis distributed his memorandum to every member of the cabinet in early November 1862. The document, “Recognition of the Independence of the Southern States of the North American Union,” reviewed the impact of the overseas conflict on British interests, defined the prerequisites for establishment of an independent state, analyzed seven analogous historical precedents detailing recognition by a “third State,” and then offered some unsolicited strategic observations.30
The opening paragraphs of his memorandum highlight the unprecedented cost of the American war on the British economy, noting that the first 18 months of the conflict had already exceeded the exorbitant cost of the 15-year struggle against Napoleon. Lewis further asserted that the Union blockade of Southern ports and interdiction of the cotton supply to England had resulted in “greater loss, privation, and suffering” than heretofore imposed on any neutral nation, even surpassing the deleterious effects of the Napoleonic Continental System. He also acknowledged, despite the “distress” imposed on the British economy, general “sympathy with the weaker [Southern] party, which is resisting the coercion of a powerful Government” and recognized “the humanity of all disinterested observers has been shocked at the sanguinary, and, at the same time, indecisive character of the war.”

Lewis concluded his introductory summary by repeating a common assumption among the governing elites, most notably Russell, that the war would end promptly upon the establishment of Confederate independence. Lewis, dubious regarding any supposition that recognition of the Confederacy by Great Britain would “induce the North to desist from the contest,” cautioned that foreign attempts to “accelerate this consummation” might equate to “playing with edge tools” and result in unintended consequences leading to the suspension of diplomatic relations or armed conflict with the United States.

**Legal Grounds for Recognition**

Lewis then executed a deliberate and thorough examination of the legalities governing the formal recognition of independence of “revolted subjects” by a neutral state. Noting that a nation cannot recognize the independence of a newly formed state until it is “virtually an independent community according to the principles of international law,” he asserted that such recognition must occur only after the independence of the new country is an undisputed fact. Simply, “if that independence be a fact, the act of the recognizing State is justifiable, and affords no just ground of offense” by the previously sovereign power. Lewis emphasized, however, that “insurgent subjects, who resist, even for a considerable time, the authority of their Government, do not form an independent State.”

Instead, two conditions must exist to determine undisputed independence; first, the community claiming independence must have its own government, and second, the “habit of obedience” to the former sovereign government must have irrevocably ceased, and any preexisting governing relationship must have been “entirely broken and destroyed.” Lewis concluded that
the Confederacy had undoubtedly met the first prerequisite, but the second requirement remained more difficult to gauge. To aid Palmerston and the cabinet members in determining if the Southern states had met the second condition of independence, Lewis provided seven historical precedents in international law for their edification: independence of the Netherlands from Spain (1648), Portugal from Spain (1668), the American colonies from England (1783), the American colonies (Chile, Colombia, Mexico, and Peru) from Spain (1825), Brazil from Portugal (1825), Belgium from the Netherlands (1831), and Greece from Turkey (1832). The inclusion of American independence from Great Britain demonstrates the professional objectivity with which Lewis crafted his legal opinion. 34

Following his examination of the historical precedents, Lewis returned to the current “American question” and the opposing arguments. The case in favor of recognizing Confederate independence, proposed by Russell and Gladstone, rested on two points; first, “the immediate recognition of the independence of the Southern States [was] consistent with international law,” and second, such recognition would present a fait accompli to the Lincoln administration and “bring on a settlement between the North and South, and to induce the North to recognise the independence of the South.” Lewis countered the pro-recognition argument by declaring that “we may observe that (except in the case of Portugal, which was the recognition of a restored independence) this country has never recognized the independence of revolting subjects, while a bonâ fide struggle with the legitimate sovereign was pending.” Moreover, he directly challenged the prevailing assumption that the United States would quit the contest in the wake of British recognition of Confederate independence with a salient question:

Can it be reasonably expected that the President [Lincoln] and his Ministers, who are deeply pledged to a war policy, who have carried on the war from the beginning, and who have repeatedly staked their credit upon its success, will, upon the simple bidding of the European Powers, and without fear of ulterior consequences, consent to surrender the object for which such vast exertions and sacrifices have been made and incurred?

It was more likely, he argued, that even “amicable interference” would “give umbrage” and lead to a break in diplomatic relations or to war between the United States and Great Britain. The obvious conclusion, Lewis asserted, revealed that the second prerequisite for establishing independence—
the dissolution of any preexisting governing relationship between sovereign authority and insurgent community—had not been met.\textsuperscript{35}

\textbf{Strategic Analysis}

While Lewis’s legal examination consumes most of the memorandum, his strategic analysis in the final four paragraphs likely altered the direction of British affairs in late 1862. He realized that determining if the “habit of obedience” between the Southern states and Washington had been severed irrevocably would prove subjective, and much like “in other cases of difference of degree, there is much difficulty in applying the test to cases lying upon the confines. It is easy to distinguish between day and night; but it is impossible to fix the precise moment when day ends and night begins.” Therefore, he may have recognized that his findings would be insufficient to dissuade Russell and Gladstone.\textsuperscript{36}

Perhaps due to such concerns, or just confident that intervention by London in the American Civil War would constitute a grave strategic miscalculation, Lewis appended some inconvenient observations and sharp-edged queries to the end of his legal conclusion—the content of which reveals a purpose as obvious today as it was effective then. First, he highlighted some inherent problems associated with great-power involvement: military projection across the Atlantic Ocean would prove costly and time-consuming and, he added sardonically, “the intervention of European fleets and armies on the Potomac is very different from their intervention at Navarino or Antwerp.” Lewis further reminded the cabinet ministers that the United States had become a respectable power and cautioned them against underestimating the danger American ironclad warships posed to their wooden naval vessels in littoral waters. Moreover, if the other four great powers (Austria, France, Prussia, and Russia) joined Great Britain, competing national interests might confound consensus on many issues: “A single intervening Power may possibly contrive to satisfy both the adverse parties, but five intervening Powers have first to satisfy one another.” The distance involved would also complicate communications with the respective European capitals and result in “interminable delays”—especially on unforeseen issues—and frustrate unified action.\textsuperscript{37}

Second, Lewis raised several thought-provoking questions that exposed significant vulnerabilities associated with intervention, such as: “What would an eminent diplomatist from Vienna, or Berlin, or St. Petersburg, know of the Chicago platform or the Crittenden compromise?” His point being that Europeans would be “ignorant” concerning
the intricacies of American domestic politics, even on recent high-profile issues such as the Republican Party Chicago platform of 1860, which limited the expansion of slavery and precipitated the initial secession of several Confederate states, and the failed Crittenden Compromise, which proposed six constitutional amendments to remedy the secession crisis by making slavery permanent in the lower half of the United States. Furthermore, how would the mediators solve disputes relating to boundaries and territories? How would they determine policy governing internal navigation on the Mississippi River and sectional debt resolution? And “of peculiar difficulty,” how might the great powers settle the question of slavery and policies relating to the Western territories? Lewis concluded these several queries with an unmistakable point of emphasis: “These and other thorny questions would have to be settled by a Conference of five foreigners, acting under the daily fire of the American press.”

The Palmerston cabinet finally convened on November 11 to discuss Russell’s plan, days after the distribution of Lewis’s memorandum. Describing the proceedings, Lewis reported to a former colleague that the foreign secretary’s “proposal was now thrown before the Cabinet, who proceeded to pick it to pieces. Everybody present threw a stone at it of greater or less size, except Gladstone, who supported it.” The cabinet voted overwhelmingly against proffered mediation, recognition of the Confederacy, or any other interventionist gambit. A despondent Gladstone wrote his wife that Russell “turned tail” and capitulated too easily, admitting “the United States affair has ended and not well.” Historian Howard Jones concludes Russell’s speedy surrender resulted because “no argument could surmount the obstacles set forth by Lewis.” Thereafter, the likelihood of any realistic future discussion of direct British involvement in United States affairs waned irrevocably. The Earl of Clarendon, who served as foreign secretary during the Crimean War, received an early copy of Lewis’s manuscript and declared to the author: “You have made so clear the idiotic position we should occupy, either in having presented our face gratuitously to the Yankee slap we should receive, or in being asked what practical solution we had to propose after an armistice had been agreed to at our suggestion.” Clarendon asserted further that Lewis’s efforts proved “effective . . . in smashing the Foreign Secretary’s proposed intervention” and added sardonically that “Johnny [Russell] always loves to do something when to do nothing is prudent.”

Indeed, inaction can constitute sound strategic policy. The Earl of Donoughmore, a former president of the Board of Trade, proclaimed to Confederate envoy James Mason in 1865 that when General Robert E. Lee
was at the very gates of Washington” following his decisive victory at the Second Battle of Bull Run in August 1862, British recognition would have followed “but for slavery,” suggesting Confederate advantage in the absence of Antietam and emancipation. It is intriguing to contemplate this possibility; had Lee resisted the impulse to order his army north of the Potomac River, perhaps the political-strategic opportunity afforded by Antietam would have been supplanted in historic significance by Second Bull Run. Nonetheless, Lee did carry the war into Maryland, the Confederates did suffer a strategic setback at Antietam, Lincoln did issue the Preliminary Emancipation Proclamation, and Lewis did pen his confidential memorandum. The role played by Lewis in forestalling European intercession favoring the Confederacy proved to be his final act on the British political stage, and his contributions to final Union victory remain regrettably little known. He died prematurely the following year, and his lifetime of public service to the British crown was memorialized in print and bronze statuary. An obituary in the Standard lauded Lewis’s success as chancellor of the Exchequer but also declared that during his short tenure “as Minister of War he had less opportunity to distinguish himself.” Lincoln would certainly have disagreed.

The Art of Avoiding Strategic Miscalculation

While an exceptional lesson in the virtues of strategic thinking and the critical evaluation of policy assumptions, what can Lewis’s experience tell us about the successful avoidance of institutional “systems of denial?” Hill and Gerras offer six recommendations for leaders to employ in overcoming denial systems and adapting to evolving competitive circumstances, asserting that “effective military leaders must create an environment in which organizations identify anomalies in the external environment . . . and revise their strategic assumptions (theories of competition) to make them more testable or replace them with alternatives.” Their solutions include conducting thought experiments designed to anticipate strategic anomalies, avoiding tyrannies of expertise ensconced within the system, creating space for “planned and unplanned variance,” seeking out unanticipated experimental results, revising or supplanting existing orthodoxy, and transforming the organizational culture to embrace change to established methodologies. These solutions all constitute effective tools available to senior decisionmakers. Lewis and his memorandum offer another lens to view this topic—instead of the leader or organizational perspective, we can examine how strategic thinkers can avoid denial systems or similar institutional barriers.
As previously noted, strategic thinkers are uncommon. They must first be identified, empowered, and then placed in appropriate advisory positions to influence senior leaders. Lewis’s career demonstrates the most dependable way to identify true strategic thinkers is by observing documented performance over time. Lewis was a recognized and effective problem-solver, which led to high-profile assignments developing solutions to wicked strategic problems, exemplified by his reforms to reverse rising civil tensions in Malta and by how he devised financial policies to pay for the Crimean War. His demonstrated success, in turn, ensured sequential cabinet appointments with direct access to the prime minister. Modern diagnostic evaluation tools or specialized educational programs can also be effective ways to identify strategic thinking talent, but they remain an inferior substitute for performance in real-world scenarios. Once recognized, strategic thinkers must be institutionally acknowledged and cultivated. In ever-expanding and complex modern bureaucracies, formal management systems are indispensable to document and track these vital assets to ensure more effective placement and utilization.

Following identification, empowerment and access to senior leaders become crucial—strategic thinkers without influence are akin to elite opera singers performing without an audience. Lewis enjoyed status and direct access to the prime minister, cabinet members, national media, and other leading influencers in Great Britain. Such personal and professional associations ensured the ability to engage decisionmakers when seeking to deliver inconvenient information involving potential strategic vulnerabilities. The advantages of Lewis’s access can be well illustrated by a more recent, yet negative, example. In June 1999, United States Central Command hosted a team of more than 70 analysts from several interagency departments to conduct a war game ("scenario") and assess the “risks, threats, opportunities, and challenges that are likely to be present” in a post-Saddam Iraq. This collection of representatives from the Department of State, Department of Defense, National Security Council, CIA, and other organizations produced a credible strategic thinking product not unlike Lewis’s memorandum.46

Their observations and conclusions, published in the Desert Crossing Seminar After Action Report, anticipated postwar vulnerabilities of national consequence should military action be taken to defeat Iraqi forces and oust Saddam Hussein’s government. The most significant findings predicted Iranian intervention in Iraq ranging from “harassment of U.S. forces to terrorist attacks,” the emergence of internal Iraqi opposition groups, divergence of regional interests among Arab coalition partners, exacerbation of relations with many coalition partners due to a prolonged Western
occupation of Iraq, and an anticipated US occupation period likely to exceed ten years.\textsuperscript{47} The Desert Crossing report also envisioned the requirement for 400,000 troops and infeasibility of a viable democratic government in Iraq. Although the war game and assessment described accurately the actual post-conflict environment and vulnerabilities confronted in the wake of Operation Iraqi Freedom, the strategic thinking effort resulted in no benefit due to insufficient access to President George W. Bush and his senior national security team in 2003. In fact, General Anthony Zinni, the United States Central Command commander who initiated the war game “Desert Crossing,” asserted in 2004 that the study had been forgotten within three years due to inadequate “corporate memory.”\textsuperscript{48}

Even if available to senior leaders, strategic thinking assessments are often discounted because these inconvenient observations contradict orthodoxy. Lewis’s example demonstrates an effective way to increase the probability that valuable strategic insights will gain traction despite institutional barriers. A detailed description and thorough analysis of anticipated vulnerability is far more persuasive—and more difficult to discount or rationalize away—than incomplete, cursory assumptions. For example, stating that the light at the end of the tunnel may not be the exit but an oncoming train is less attention provoking than proclaiming the light is three 200-ton locomotives pulling 125 tanker cars filled with chlorine and sulfuric acid. Detail matters when attempting to persuade decisionmakers and counter denial systems because analytic and descriptive detail is the by-product of intellectual rigor. Lewis’s influence on Palmerston and a majority of his cabinet members in their policy deliberations no doubt hinged a great deal on the detailed presentation and thoughtful conclusions Lewis provided. Granted, the modern information environment dominated by electronic communications, PowerPoint briefings, and white papers makes the ability to convey strategic thinking insights in appropriate detail more difficult. Empowerment, access, and reputation, therefore, remain essential to overcome the trend toward superficiality—otherwise, strategic vulnerabilities of the scope and scale Lewis identified risk being ignored today.

Subject matter expertise alone is insufficient to be an effective strategic thinker. Lewis, readily acknowledged as a leading authority on international law, certainly possessed the expertise to author “Recognition of the Independence of the Southern States of the North American Union.” Exceptional professional knowledge alone proved inadequate to make the memorandum an insightful strategic-level analysis. The compelling insights required are generated instead by combining subject expertise with critical, systems, historical, ethical, and creative thinking competencies. The resulting amalgam produces
diversity of perspective, unfettered imagination, and rare strategic vision. Lewis achieved these attributes through an exceptional education, diverse practical experience, and lifelong devotion to intellectual curiosity. Perhaps best described as a Renaissance man, he studied extensively and wrote prolifically on a variety of topics, including government, political theory, philosophy, economics, horticulture, astronomy, languages, ancient history, and even etymology. The resulting synthesis and cultivated intellect allowed Lewis to develop an informed and reflective filter through which he evaluated past, present, and anticipated events, thus transcending subject matter expertise to intuit strategic anomalies and challenge orthodoxy.

Lewis provided invaluable service to Great Britain, and his November 1862 memorandum represents the gold standard in strategic thinking and critical evaluation of political-strategic assumptions. Not only did he summarize the domestic costs borne of shortfalls in American cotton supply and review in detail several historical precedents germane to potential recognition of the Confederacy, but through ensuing legal analysis concerning the merits of British intervention—punctuated by his final inconvenient queries—Lewis also illustrated the enduring verity that the questions asked can often be more important than knowing the answers.

Moreover, Lewis shows the best ways to avoid institutional barriers to effective strategic thinking. Strategic thinkers must be recognized and empowered, possess true access to senior decisionmakers, and communicate potential vulnerabilities or opportunities within the competitive environment in persuasive detail. Much more than subject matter experts, they must be multifaceted thinkers imbued with diversity of perspective and intuitive sagacity. To be otherwise risks losing sight of the most important contribution of strategic thinking: the intellectual means to avoid Thomas Carlyle’s admonition that “nothing is more terrible than activity without insight.” The inevitable alternative leads to “playing with edge tools” in unfortunate scenarios rife with Gordian vulnerabilities.

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Endnotes


23. Owsley, *King Cotton Diplomacy*, 337–42. Return to text.


32. Lewis, “Independence of the Southern States,” 2. Return to text.


44. Fenn, *A Randorshire Gentleman*, 305. Return to text.


47. USCENTCOM, *Desert Crossing Seminar*, 4–7. Return to text.


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In this second installment of the CLSC Director’s Corner, Joshua Arostegui, the Center’s research director and chair of China studies, and I discuss the Center’s research agenda. Previously, I outlined the center’s mission and how the research agenda answers large campaign questions across the perspectives of the People’s Republic of China (PRC), the United States, and US allies and partners.

To advance the Center’s research plan, we hosted a daylong roundtable for our counterparts from the Department of Defense China-focused research centers. These government think tanks, located within the other senior professional military education schools, have done a fantastic job researching the strategy, jointness, weapons, and modernization of key components of the People’s Liberation Army (PLA), including the PLA Navy, the PLA Air Force, and the PLA Rocket Force. Their work, however, does not assess how the People’s Liberation Army views and applies Landpower. Thus, the CLSC research team focuses on the PRC’s strategy, government, and military to determine whether military deterrence activity will buy the trade space required for economic, diplomatic, and informational activity that maintains the rules-based international order.

Our research plan explores the necessity for strategic Landpower and develops a different perspective on the capabilities and the limitations of a protracted conflict that the US military has not had to deal with since the end of World War II. Its goals are to:
Understand the strategic and operational environment from the Chinese Communist Party and the People’s Liberation Army viewpoint not as a mirror of ourselves but from the perspective of a Marxist-Leninist state that thinks historically as a land-centric power.

Assess how the PLA Army and other PLA services’ ground components, the People’s Armed Police, and the Ministry of Public Security participate in military diplomacy and support the PRC’s multiple global economic and security initiatives.

Determine how the PRC’s ground forces are refining their strategies as part of the joint force by using Chinese language-enabled research to discover how China views the application of Landpower from the strategic to the operational level (or the “campaign level,” according to Beijing).

Collaborate with our expert affiliates to understand better the all-domain operations the People’s Liberation Army is already conducting in the Sino-Indian border region.

Tailor our research to assess People’s Republic of China ground-force leadership and decision making from the Central Military Commission to the joint theater command and military districts to gain insights into the Chinese Communist Party’s use of the military instrument of power.

Analyze the growing collaboration in the Indo-Pacific between the People’s Republic of China, Russia, and the Democratic People’s Republic of Korea.

Illuminate where US Landpower plays an outsized role in balancing deterrence in favor of maintaining a free and open Indo-Pacific. Stated another way, is coercion theory being applied appropriately in the Indo-Pacific?

Outline crisis and wartime options for using strategic Landpower to deny initial adversary objectives and to provide options throughout a potential war to avoid culmination and end the conflict on favorable terms.

Explore great-power conflict, including potentially protracted war, as a norm between great powers.
Advise stakeholders, including overseas counterparts, on the lessons to be learned from historic or current conflicts and how foreign nations can integrate their visions of multidomain operations via strategic engagement, exercises, training, posture changes, and foreign military sales or finance into that which US Army Pacific Command coordinates on behalf of United States Indo-Pacific Command as the Theater Joint Force Land Component Command.

The CLSC research team works on these efforts simultaneously by focusing and prioritizing research goals annually. These annual themes form the building blocks of a long-term education plan that will help our stakeholders better understand the interactions among the military ends, ways, means, and risks associated with maintaining the rules-based international order as China continues to rise. Each themed year culminates at the annual Carlisle Conference on the People’s Liberation Army, which will study how to deter and prepare better for war, how day-to-day campaigning should change, and what reforms the defense establishment may need. The fall 2024 conference will focus on “protracted war” and the character of peer conflict.

To participate in the center’s research, analysis, and educational process, please e-mail us at CLSC@armywarcollege.edu.

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Emerging Technologies in Terrorism:
A Report from NATO’s COE Defence Against Terrorism

Eric Hartunian

Keywords: biological weapons, unmanned killing machines, detection, attribution, accessibility

For the last several years, the Army’s focus has turned increasingly toward competition and large-scale combat operations (LSCO)—and rightfully so. The global threat landscape as articulated in the most recent National Security Strategy clearly highlights China and Russia as the most pressing strategic challenges. The pervasive threat of terrorism still exists in earnest, however, and we must not lose sight of how this threat is evolving, particularly through advanced and readily available technologies.

The Strategic Studies Institute, in partnership with the NATO Centre of Excellence Defence Against Terrorism (NATO COE-DAT) in Ankara, Türkiye, will soon publish a report on emerging technologies in terrorism. We solicited expert researchers and asked them to share their knowledge of emerging threats and technologies. To allow for greater imagination and innovation, we did not constrain the researchers with specific parameters. Candidly, when I first encountered their work, I found it unsettling. Their findings indicate that terror groups and individual terrorists no longer need to look far to harm others.

Threat Overview

This overview will highlight three factors currently inhibiting counterterrorism—size (and detection), accessibility, and attribution—and what the policy and defense communities can do about them. Then, with these three themes as a backdrop, I will preview the project’s findings as four threat scenarios.

Size

One of the key facets of emerging technology is the ever-increasing difficulty for counterterrorism agencies to detect when something is amiss. Think about size for a moment—what is a nanometer, and just how small are these threats? One strand of human hair is 80,000–100,000 nanometers thick. DNA is about 2.5 nanometers thick. Bacteria cells are about
1,000 nanometers in size. Particles of this size cannot be detected by optical microscopes. Think for a moment about air travel in the post-9/11 world. Airports across the country are staffed with security officers to detect dangerous contraband that may be used in a terror attack. Detection abilities in that setting are limited to vision and X-ray devices, which are unhelpful in the nano-world. In these contexts, smaller is deadlier—and current tools, tactics, and procedures are ineffective at shielding us against such threats.

**Accessibility**

We are not talking about access to specific conventional weapons. Most weapons-grade WMD are difficult to acquire, and we have policy tools and regulatory frameworks that monitor precursor ingredients and most forms of WMD. While the thought of a nuclear weapon in the hands of a terrorist is terrifying, gaining access to one is not easy. These emerging technologies, however, have a much lower barrier to entry in terms of finances and accessibility. Small capable drones, for example, are cheap (often less than $100), readily available online, and easily weaponized with minimal training. They take almost no training to fly and are capable machines. With artificial intelligence (AI) technology, often available for free online or with a minimal subscription cost, an individual with little to no training can quickly generate deepfake videos and post them online for ill intent. The democratization of technology, while amazing in some respects, presents significant risks for the counterterrorism community.

**Attribution**

In response to most terror attacks, a nation’s actions are often governed by its ability to attribute blame—whether to a group, an individual, or another state. The small and accessible world of these new technologies will create significant roadblocks for states to attribute attacks to perpetrators. In some cases, such as food-supply attacks or genetic manipulation that targets specific populations, the terror attacks of the future may be unrecognizable as attacks until long after the damage occurs. Even then, if the attacking party does not claim responsibility, attribution will limit a nation's response significantly.

**Threat Scenario 1: Invisible Extinction**

In invisible extinction, the threat would be only a few nanometers and could take the form of genetic mutations targeting specific individuals or whole groups with particular genetic markers that pinpoint brain functions or cause
cardiac arrest. These weapons are undetectable and can act immediately or have a delayed response. Attribution will be nearly impossible.

**Threat Scenario 2: Unmanned Killing Machines**

These increasingly accessible, available, and cheap unmanned devices are getting smaller, are able to fly further and faster, and can carry heavier payloads. They have seen action in the Russia-Ukraine War, operating on a conventional battlefield. The battlefield I am discussing here is more unconventional. Drones and self-driving vehicles loaded with explosives, or chemical or biological weapons, can be used to target crowds, critical infrastructure, crops, or water supplies. These weapons may be controlled by AI, further challenging the ability to attribute responsibility for the devastation they cause. More problematic is the fact that Western societies are becoming accustomed to seeing drones in everyday life. In the agricultural sector, drones are used to map fields and deliver pesticides and fertilizers. Realtors use them for property photographs. Drones are even used for recreation. A drone circling above a populated area would not be out of place or cause alarm. The increasing ease with which these drones can be weaponized with harmful agents is worrisome.

**Threat Scenario 3: The Virtual Becomes Reality**

Terrorists can harness biometrics (face, retina, iris, ear shape, palm and fingerprints, and voice patterns) from TikTok videos or other social media to hack secure systems. Certain technologies can create dummy eyes or 3D-printed faces of government officials from photos on official websites. Chatbots can be used to identify and recruit vulnerable individuals and to plan attacks. Augmented reality can create realistic, persuasive environments for radicalization and even mission planning and execution.

**Threat Scenario 4: Biological Weapons**

Technology will increasingly lower the cost and barriers to scale the production of harmful biological materials. Terrorists will be able to acquire more sophisticated biological materials, with a lower probability of detection. States with less-developed governance and regulatory frameworks will be fertile ground for terrorists to pursue these agents, which is one of the more concerning risks.
Recommendations

What can we do about this challenge? Technology is outpacing regulations and policymakers’ knowledge—they do not know what to regulate. We need to:

- Include scientists and academics in the room with practitioners and policymakers
- Develop a better sense of imagination of the threat environment and how potential terrorist actors can find novel ways to use what is often dual-use technology for ill intent
- Recognize that our basic building blocks—DNA—need to be safeguarded
- Build digital and cyber resilience through whole-of-society programs
- Use AI tools to help us understand when our data are being manipulated and how to spot deepfakes

We should not view these actions as an opportunity cost with LSCO but rather as a complement to broader competition activities.

Eric Hartunian

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Endnotes


Anna Arutunyan challenges what she believes to be the Western narrative around the 2022 Russia-Ukraine War in her historical account of the conflict. In her view, the West’s perception of the current Ukrainian conflict runs along the following simple black-and-white lines: President Vladimir Putin is an evil dictator with an insatiable desire for more land and power—get rid of him and you get rid of the problem. Arutunyan turns this narrative on its head by making two convincing arguments. First, she depicts Putin as weak, paranoid, undecided, and unwilling to take risks that would damage his reputation. Second, she gives voice to the disillusioned inhabitants of eastern Ukraine, the nationalist rebels, and the oligarchs wishing for the glory of the Soviet days who are far more ready to take chances and who she believes were much more responsible for paving the way for the 2022 invasion.

The book is a must-read for senior members of the US defense community seeking to understand the diversity of motivations and formative influences impacting the people working to bring Ukraine under Russia’s rule. It is also helpful in its explanation of the methods and stages of warfare—“hybrid (2014), proxy (2015–21) and full-scale military (2021–22)”—used by the Russian and Russian-Ukrainian players in the conflict (12). At once descriptive and provocative, she addresses what she calls “misunderstandings” about the hybrid war, which she argues are “more of a product of American military thought to which Russian military strategists felt they needed to respond” (13).

While current Western research on the Russia-Ukraine War focuses on political and historical figures associated with the Kremlin (a topic with ample resources already available), this book relies on Russian sources from media and academia, as well as on hundreds of interviews Arutunyan conducted in eastern Ukraine and Russia. Her interviewees include soldiers,
disenfranchised citizens, local security forces, and local government figures, whom she interviewed first as a journalist for the *Moscow News*, and later as a researcher for Mayak Intelligence, the Wilson Center, and the Kennan Institute. Her work contributes the voices of the members of Russian and Russian-Ukrainian civil society and rebel and military fighters from the Russian front to the current body of research, lending perspectives that have not yet been heard in the West.

Arutunyan brings to life figures like Alexander Zaldostanov, the rebel-turned-nationalist Harley-Davidson biker, and leader of the Night Wolves Club; Dima, a Ukrainian volunteer fighter disillusioned with Kyiv; Anatoly Kuznetsov, a deeply Orthodox family man; and Franz Klintsevich and his volunteer fighters from the Russian Union of Veterans of Afghanistan. Together with the Moscow-picked leaders of Donetsk and Luhansk, they form the complex group of actors working to change Russia’s borders and sphere of influence. In Arutunyan’s words:

> But that still left tens of thousands of fighters—idealists, enthusiasts, mercenaries, drifters, men, and women with criminal pasts—who were not acting under orders from Moscow but were used because their choices and desires aligned, briefly, with a half-baked Kremlin plot . . . The Kremlin was never really on the side of these self-proclaimed underdogs. It used them as fuel and fodder. (21)

In the end, Arutunyan leaves no simple answers for the resolution of the conflict, instead hoping the “dying empire” of Russia will be reborn, and Ukraine will soon be able to rebuild (254). She criticizes the Kremlin’s indecision and chaos during the invasion, but also NATO and the United States for being slow to defend Ukraine even though Russia had been signaling its potential invasion before 2014. In her telling, this conflict is the people’s war. It equally impacts Putin and people like Dima, the Ukrainian volunteer fighter who had “the barely repressed rage of someone who couldn’t make it and, deep down, feared it was all his fault” (253). That aggrieved rage lit the match for the current conflict and is fueling it still. Arutunyan brings US strategists and military planners face-to-face with Russia from the perspective of its citizens, and encourages them to think beyond segmented operations to ensure Russia’s broad defeat.
The aftermath of the long war against al-Qaeda has spawned numerous memoirs, though the most important of that war’s commanders, General David Petraeus, has not yet added his own to that collection. The closest thing to a memoir that readers are likely to get from Petraeus is his new book, Conflict: The Evolution of Warfare from 1945 to Ukraine, written in partnership with Andrew Roberts, a noted British military historian.

Petraeus clearly took the lead in writing the chapters on the American wars in Vietnam (the subject of his doctoral dissertation), Iraq, and Afghanistan. Indeed, the latter two chapters are written in first person—the Iraq chapter concluding with four appendices, one providing Petraeus’s “Commander’s Counterinsurgency Guidance” and the other three containing PowerPoint slides from his tenure as commander of Multi-National Force—Iraq and US Central Command. It would be safe to assume Petraeus also took the lead in writing the concluding chapters on the Russia-Ukraine War and the future of warfare. While there is nothing wrong with the chapters examining the post–World War II era for lessons for future conflicts, potential readers will not buy this book for those chapters. Conflict achieved New York Times bestseller status because of the success and notoriety of Petraeus, who concluded his public service as director of the CIA for President Barack Obama.

Future commanders and staff officers will find value in the book’s introduction, which forms the skeleton for the analysis of each of the dissected campaigns. Petraeus argues that there are four major tasks leaders (whether politicians or generals) in any war must master: get the big ideas right, communicate those big ideas, execute those big ideas, and “determine how the big ideas need to be refined, adapted, and augmented, so that they can perform the first three tasks again and again and again” (4). If these tasks sound simple, read the book to see how many politicians and generals have failed at them—particularly at getting the big ideas right, which is far harder than it sounds.
For instance, history might have been much different if President Lyndon B. Johnson (LBJ), as he chose between Generals William Westmoreland and Creighton Abrams for command of the American war in Vietnam in 1965, had asked each candidate what his big idea was for that war and how he planned to implement it. Westmoreland, of course, would have gotten that question wrong. When asked what the answer to insurgency was at a press conference, he answered, “Firepower. Next question?” Whether LBJ would have understood that it was the wrong answer is a different question entirely. Petraeus, from his study of the Vietnam War and his experience in two counterinsurgency campaigns, clearly knows better, and the conclusion of his Iraq chapter, the heart of the book, is worth quoting at length:

Keeping counter-insurgency doctrine current and educating mid-grade and senior leaders about it (while understandably focusing more on major combat operations given the developments of the past decade) will be a small price to pay to ensure that when the United States is again confronted with a messy, irregular conflict the leaders of its armed forces are intellectually prepared to cope with it (340).

Petraeus notes that “the U.S. Army required more than three years in Iraq to regain the competencies so unwisely jettisoned after the end of the Vietnam War” without noting how influential he was, as the commander of the Combined Arms Center at Fort Leavenworth, in helping it regain those competencies (340). Written in Petraeus’s 71st year, this book is likely to be the best first-person account in history of his efforts and results in Iraq and Afghanistan that made him the most important Army officer of his generation. All Army officers and national security officials who bear the responsibility to ensure America does not lose a war again as catastrophically as it did in Afghanistan—or come within a hair’s breadth of doing so, as it would have in Iraq without Petraeus’s big ideas and extraordinary focus on implementing them—must read this book.

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Keywords: Vietnam, Iraq, Afghanistan, Ukraine, leadership

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