



THE ATLANTIC COUNCIL
OF THE UNITED STATES

**Enforcing the Peace:
An American Bird's Eye View**

David C. Acheson

OCCASIONAL PAPER

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THE ATLANTIC COUNCIL

OF THE UNITED STATES

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FOREWORD

Few foreign policy challenges have provoked greater discussion and dissension in the United States and other countries over the last decade than that of how to deal with humanitarian crises. Both at the level of principle – in what circumstances is international intervention justified and of what kind? – and at the level of operational practice – how can intervention be made effective and reasonable in its costs in money and lives? – these crises have raised serious and difficult questions that have preoccupied and frustrated experts and citizens alike. Most recently, in the U.S. presidential campaign debates of late 2000, this issue was one of very few international matters to which the two candidates devoted significant time and attention.

During much of that decade of debate and practical experience on this subject David Acheson served as the president of the Atlantic Council and was in a privileged position to witness and contribute to the discussions within the Atlantic community. In this paper he has distilled the lessons of his deep and extensive reflections and experience on the many issues bound up in the problem of humanitarian intervention. With fine discrimination and acute concern for both morality and practical efficacy, the paper derives sobering lessons from our recent experiences in the Balkans, Africa and elsewhere and poses stringent challenges to both executive and legislative leaders alike as they prepare to confront the new humanitarian emergencies that seem almost certain to develop.

It is a pleasure and privilege to present my predecessor's analysis on these complex issues. This paper represents the author's views and not necessarily those of the Atlantic Council. But we hope that they will serve to stimulate further debate and discussion and to ensure that in future situations of this kind our policies benefit from the judgments and wisdom of those that have gone before.

On behalf of the Council, I would like to thank all those who have contributed to the production of this paper, most especially those distinguished experts who are listed in the separate Acknowledgement by the author and who participated in a review of an earlier draft of the paper, generously contributing their knowledge and experience to its preparation.

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President, The Atlantic Council of the United States

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David C. Acheson

Enforcing the Peace: An American Bird's Eye View

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Introduction

Enforcing the peace in troubled parts of the world plays upon the paradoxes in the American character, perhaps in human nature. Americans, and perhaps the civilized world, generally regard genocide, and mass slaughter falling short of the particular definition of genocide, as abhorrent and something to be prevented. Such outrages offend our humane instincts and our standards of civilization. Yet we have doubts about whether intervention is any of our business, particularly when the area afflicted is distant and not obviously relevant to American security concerns. We feel something like the citizen who observes a robbery in progress. His instinct to help the victim collides with his instinct for self-preservation. He may intervene or he may say: What business is it of mine?

Governments are not dissimilar. They are made up of people who, in the robbery case, may come out on different sides of the dilemma, and we have seen this reflected in the long delay that preceded international intervention in Bosnia and Kosovo, and in the protracted hand-wringing over the slaughter in Rwanda. Yet NATO has staked its future on the mission of bringing stability to Europe, enforcing the peace. As many of us are aware, the signs are multiplying that the task is far more demanding than either U.S. or European leadership has led us to believe, in respect both of the necessary resources and the necessary duration of commitment. Peace enforcement, or "humanitarian intervention" as UN Secretary General Kofi Annan calls it, is testing the limits of patience, attention and self-sacrifice of which democracies are capable, yet hundreds of thousands of lives in various places depend upon success. Americans and Europeans alike, not to mention others, are still reaping the bitterness of standing by during the height of the genocide in Rwanda, however difficult and debatable timely armed intervention there might have been. It is not too much to say that peace enforcement is too difficult to succeed, but too important to fail. Claudius in *Hamlet* observes to Gertrude: "When sorrows come they come not single spies, but in battalions". The complexities and burdens of peace enforcement are like that. And the complexities and burdens have just begun, if we can expect the dissolution of societies in Africa to pose the next big wave of peace enforcement challenges.

This paper examines the factors that make peace enforcement politically and operationally complicated and undermine the will, the resources and the parliamentary consensus to undertake missions of peace enforcement. It will try to suggest means of moderating some

of these negative factors and increasing the chances of success in peace enforcement operations, though no one would suggest that the problems can be made to go away.

A clarification may be necessary. By the term “peace enforcement” is meant armed intervention to force combatant parties to stop fighting each other and, invariably, killing helpless civilians. Intervention should be seen as a two-phase operation. Phase one is a combat phase, the application of armed force to suppress hostilities. Phase two, presumptively a far harder, longer and more complex undertaking, is to try to rectify the causes of the violence, to provide a stable administration of the area and bring about some degree of economic and social recovery. “Peace enforcement” may be contrasted with the term “peace keeping”, which usually refers to token forces and/or a civilian authority standing by as monitors to observe compliance with a settlement that the formerly warring parties themselves have made.

I. Tardy Action and Self-Delusion

Experience teaches us that democracies and their potential coalitions are slow to intervene in situations of ethnic slaughter. There are human and political reasons for this. Often these crises start small, the violence seems highly localized, the scale of killing regrettable but not alarming, and it is hard to know whether the violence will remain localized or spread in scale and area. The Serbian shelling of Dubrovnik affords a good example of this. Before the powers that are capable of effective intervention can become sufficiently outraged the scale of atrocities must, it seems, reach sufficient scale to feature in the news and inflame parliamentary and public opinion. Unlike the individual who might see a robbery in progress and be motivated to act instantly, parliaments are made up of some people who would, and some people who would not, be moved to act. It takes time for a democracy to resolve this ambivalence, to measure the relevance of the crisis to the national interest, and to focus the views of the parliament and the popular will. This having been done on a national scale, it then remains to repeat this process of measuring interest and political will among the members of the group of nations that make up the relevant alliance or potential “coalition of the willing”. Thus, months go by, a year in the case of Kosovo, two years in the case of Bosnia.

In a perfect world we would know which small insurgency is going to turn into a massive ethnic slaughter and we would then be alerted to act preemptively and put the small fire out. But because we are humans and do not live by “worst case” planning, we always want to wait and see if we can luck out. It would have been comparatively easy to stop the Serbs at Dubrovnik, and at a fraction of the cost of the ultimate NATO intervention in Bosnia, but western public and parliamentary opinion, even that of the government elites, was not sufficiently jolted by the scale of the Dubrovnik phase to think the crisis would grow to threaten the stability of eastern Europe. We can almost lay down an axiom: it is all but impossible for democracies to act preemptively. The scale of crisis that it takes to make democracies respond leads to a very high cost of ultimate containment. Hence, we waited for the inevitable collapse of the Vance-Owen peace initiative (which totally lacked leverage),

the attack on Bosnia and the near destruction of Sarajevo before the UN and NATO could decide upon the use of high-intensity force.

Each phase of these crises appears to be governed by similar principles: first allied or other concerned governments entertain the hope that "diplomacy" (too often a euphemism for talk without pressure) will end the crisis; then they resort to token shows of force to indicate seriousness; finally they realize that those efforts indicate lack of seriousness and that a heavy hammer is needed. By then many people have died and the cost of resolving the crisis has soared. This pattern has been followed in the Bosnia crisis, the Kosovo crisis, the Rwanda crisis and more recently in Sierra Leone. Indeed, the pattern has become so predictable that one wonders about the seeming absence of institutional memory.

A related pattern has also emerged, namely, to underestimate radically the resources and time it will take to bring stability to the afflicted region once the fighting between organized partisan forces has been suppressed. In Bosnia, ethnic neighborhoods still will not tolerate the return of displaced minorities; their houses are burned, their persons suffer violence. NATO forces do not see it as their role to keep the civilian peace "at the retail level". The High Representative of the UN still does not have enough trained and truly neutral police to guarantee the safety of civilian minorities; local police have frequently been the cause or abettors of ethnic trouble rather than a remedy. Independent and qualified judges to complete the justice system are few and hard to find. There are virtually no endemic justice and law enforcement systems in former Yugoslavia that are independent of local politics and the Dayton accords largely ignored this key deficiency. Lacking these tools, the hope of economic rehabilitation is a pipe-dream.

In the Balkans, the culture gap contributes to unrealistic judgments by western authorities of the situation on the ground. Until it happens, western troops find it difficult to believe that ethnic civilian gangs will attack armed NATO troops with stones, or burn down their neighbor's house at night when the residents are inside asleep. In Kosovo, both Albanian and Serbian partisans, even civilian mobs, have attacked NATO personnel and have sought to take over the local authority in a number of towns. NATO finds that persuasion often does not work, but is anxious not to make the situation worse by firing on crowds. The situation cries out for greatly enlarging the assets of the UN civilian authorities so they can deal with the level of order that lies outside the NATO mandate. These civilian authorities to keep the civilian side of the peace are the weakest dimension of allied peace keeping in the Balkans. A code of justice that will reinforce civilian peace keeping has yet to be enacted for the areas controlled by NATO forces in Bosnia or Kosovo and a critical oversight of the Dayton accords was not to provide for a system of justice that would be free of local politics. UN Secretary General Kofi Annan said it well in a guest piece in *The Economist* of September 18-24, 1999: "The aftermath of war requires no less skill, no less sacrifice, no fewer resources than the war itself, if lasting peace is to be secured."

The voice of reason might well suggest that, to take the European example, advance contingency plans should be made in the NATO military command, SHAPE, for various ethnic war scenarios, complete with authority lodged in the SACEUR in advance, so that when a crisis arose a plan could be plucked off the shelf, so to speak, and suppressive action taken

against the insurgents immediately. By such means the discussion in the North Atlantic Council that must precede military action would already have taken place in the planning stage.

However, ethnic insurgency crises come in a great many varieties and combinations of area, severity, mode and political ramifications. Even if the military planners at SHAPE had the time and resources to make intervention plans for a large number of contingencies, the North Atlantic Council (at the permanent representative level or the ministerial level) does not. Even a foresighted minister might set back the planning process by seeking a green light from his parliamentary committee, which would mean going public. Under the media microscope as they are, governments are not going to engage in extended wheel-spinning absent an imminent case.

Nevertheless, a limited form of advance planning, what we might call “channels planning” can save time by delineating lines of responsibility, who is in charge, what he or she needs to know and where to find it. A framework for crisis planning can be established, even though operations plans and logistics planning cannot be made until the crisis is identified. This has been attempted in the United States by Presidential Decision Directive 56 (May 1997), but of course the specific problems on the ground must await the identification of the next crisis.

II. The Mantra of Sovereign Integrity

Few doctrines have been as entrenched in international law and acceptance as the sanctity of territorial sovereignty, the principle that the government of a nation is the exclusive authority over what transpires within its borders. Nevertheless, this doctrine has taken some hits, thanks to the excesses of Hitler and particularly his genocide program against the Jews of Europe, and, more recently, thanks to outrageous carnage in the Balkans, Africa and Indonesia. The evolution of international recognition of crimes against humanity and genocide, two rather different bodies of jurisprudence, has been a significant incursion into the sanctity of sovereignty. Yet there is a lot of vitality left in the sanctity of sovereignty and it takes a large scale of killing inside the afflicted area, and a high sense of outrage outside, to support the determination that intervention in another nation’s sovereignty is justified.

By what right does a nation or group of nations presume to intervene in events occurring entirely inside another nation’s borders? It is not only wholly wrong, but foolish, to say, as was reported from a senior member of the Clinton administration, “Human rights trump sovereignty.” While this might have been a flip comment focused on Kosovo-Serbia, imagine how alarming such a remark must seem to China or Russia when coupled with criticisms of their human rights practices also coming from Washington, and when further coupled with their paranoia over what they see as American unilateralism. So when the Kosovo crisis began to expand in scale and intensity, every NATO member’s foreign office pondered long and hard over the question whether genocide was present and whether crimes against humanity had attained a dimension that would justify armed intervention by NATO forces. Since the definition of genocide in the applicable resolution of the UN is

sufficiently narrow and technical to raise doubts and since the crimes against humanity in Kosovo were initially horrible enough, but scattered and of insufficient scale to overcome the presumption to respect the sovereignty of Serbia, NATO did not act until ethnic cleansing and the movement of Serbian troops into Kosovo became large in scale and threatening to the stability of neighboring Albania and Macedonia.

As the news reports at the time made clear, the bitter hostility of Russia to NATO action in Kosovo or Serbia itself was based on a natural apprehension: if the sovereignty of Serbia is not a bar to intervention, what is to stop NATO from intervening in Chechnya, or Georgia, or Tajikistan? The practical answer, of course, was and is that the North Atlantic Council would be most unlikely to gain a consensus to take action against Russia, short of collective defense against a Russian attack, for a host of reasons – nuclear risk, destroying the east-west relationship, the more robust nature and size of Russian forces compared with Serbia, etc. – and surely Russia is aware of all this. Nevertheless, in Russian eyes a long revered icon – sovereignty – had been smashed and only NATO's discretion appeared to Russia to stand between Russia and the risk of foreign intervention. Russian sensitivity to this was heightened by the memory of British and American intervention in 1919-1920 in Archangel and Siberia to support the resistance of the White Russians and Admiral Kolchak to the Bolsheviks.

It would seem very much in the world's interest, certainly in the interest of NATO and the United States, to lend a greater degree of principle to this creeping assertion of the right to intervene in another nation's territory so that apprehension of it does not lead to greater bitterness and perhaps even to a permanent poisoning of relations between the west and Russia and between the west and China, another determined opponent of foreign interference. Whether a coherent rationale and wider acceptance could emerge from an international conference, or from a committee appointed by the UN Secretary General, or from a multilateral treaty process is debatable, but it is not healthy for large powers that are suspicious enough of the west to feel that the United States and NATO are making up the intervention rules *ad hoc*. There needs to be broader acceptance of standards for the sake of greater legitimacy for intervention than we now have, either that or greater restraint in intervention, yet hard criteria or codification would clearly be impracticable. If Murphy's Law still works, codification would signify intervention when national interest said no, and vice versa. We should keep the lawyers out of this one.

III. Is the UN Security Council the Sole Keeper of the Right to Intervene?

The pretensions of the UN to be the sole arbiter of intervention for peace enforcement seem to rest upon the view that nothing less than the nod of an organization of universal membership will bestow legitimacy upon intervention in another nation's jurisdiction. Indeed, Kofi Annan, in his article in *The Economist* cited above, takes the position that the NATO action in Kosovo, in the absence of such legitimation, lacked "international consensus

and clear legal authority". This view raises problems that can frustrate any timely intervention.

Experience shows that waiting for the UN to deal with the matter can sacrifice crucial time and makes it impossible for coalitions of the willing or regional organizations like NATO or African *ad hoc* coalitions to act preemptively, or as near preemptively as "the international community" is capable of acting. When North Korea attacked the South in 1950, the resistance was initiated by U.S. and Republic of Korea forces well before any UN mandate was forthcoming. UN Security Council "sanction", as it was then called, was made possible in that crisis by a fluke that we cannot expect to be repeated: the Soviet Union had boycotted the sessions of the Security Council for a week. Later, forces of Turkey, Brazil and others were added in response to the UNSC resolution. But, of course, a defensive action is far from a close parallel to intervention. In Bosnia, waiting for UN authority carried two heavy penalties. One was time. The UNSC mandate came two years too late to stop large scale killing of civilians. The other penalty was that, when the UN mandate came for the use of NATO forces, it was on wholly impracticable terms designed to establish the broadest possible jurisdictional role of the UN. The UN reserved the right for its representative in the theater, Yasushi Akashi, to permit or deny NATO orders for combat actions, the infamous "dual key" which put Boutros-Ghali's representative squarely in the middle of military operations.

It was partly the memory of this monstrosity that strengthened the determination of the North Atlantic Council not to put the UN athwart NATO operations again. Added to this was NATO's impatience with the UN's tendency to reach consensus only on "tit-for-tat" reprisals, actions of minimal, symbolic scale, intended to avoid escalation. There is something in the process of negotiation within the UN that results in eschewing force even when force has been decided upon, perhaps deriving from the long history of UN peace monitoring with skeleton military missions. In the Balkans, the message was read to mean that the major powers would not allow the UN Protection Force to be serious about suppressing violence. On the other hand, when determined force was deployed by the peace enforcers, ethnic fighting was suppressed and the credibility of the enforcers greatly strengthened. This was also the case in the later stages of Kosovo and more recently in Sierra Leone. One would hope that belief in gradualism in raising the level of force used in intervention has not survived.

Returning to the question of UN jurisdiction, simple logic would compel the conclusion that, if there is a crisis of ethnic violence of a scale that cries out for someone to stop it, the UNSC cannot stand as the exclusive source of legitimacy of intervention, since any permanent member of the UNSC can veto UN intervention. China and Russia would be particularly likely to veto any such action proposed by the west, unless, as in East Timor, the offending nation itself consents to a peace enforcement presence (Indonesia admitted that the government had lost control of its troops in East Timor and that foreign intervention was necessary). Russia's atavistic distrust of NATO would be virtually certain to prompt its veto of any effort to lend a UN mandate to intervention by NATO forces in eastern Europe or in any area regarded by Russia as a region of interest, or likely any area at all. So it makes no sense to say that peace enforcement in each case must face the dilemma of acting illegally or not

acting at all. Secretary General Annan seeks to escape this dilemma by writing: "The choice must not be between council unity and inaction in the face of genocide – as in the case of Rwanda – and council division, but regional action, as in the case of Kosovo . . . the Security Council . . . must be able to rise to the challenge." But in fact, because the veto power in the UNSC is unconditional, the UN charter poses exactly the choice that Annan deplors. The founders of the UN thought it more important to preserve consensus than to allow divided decisions in the Security Council.

A reasonable way out of the box might be to take the view that the UN Security Council should be accorded paramount, but not exclusive, jurisdiction to mandate intervention. That is, in a given case the UNSC should have the first opportunity to consider mandating intervention, but, if its action is vetoed or if undue delay threatens to let ethnic violence go unchecked, then regional organizations may act on their own authority. There is an analogy for this principle in the Common Law. If a citizen sees a robbery or assault under way or about to be committed, he may intervene and effect a "citizen's arrest" to protect the victim and apprehend the assailant. He is not required to search out a policeman or seek a judge and obtain a warrant, by which time the crime would have been completed. This doctrine recognizes that protection of the individual is the duty, but not the exclusive province, of the state. This principle is given at least lip service by the UN Universal Declaration of Human Rights. It is not a great leap to reason that regional organizations may act on those principles in cases where the UN will not.

But NATO, OAS and other regional organizations stretch the logic if they take action going well beyond remedial intervention. If interdiction turns into offensive war, new legitimacy questions are raised. In the Kosovo crisis, NATO went way beyond remedial action. Argument continues as to whether NATO attacks by ground forces and close support fighter-bombers on the Serb forces that were attacking the Kosovar civilians might have suppressed the Serb actions at the outset. In the later phases of the Kosovo crisis, tactical air operations in Kosovo did succeed, when the KLA often pin-pointed ground targets for the NATO air units. But by high altitude bombing of Serbia proper out of concern for allied casualties, NATO made the plight of the Kosovar civilians much worse and went far beyond what could have been explained to the rest of the world as an interdictive action. That leap in escalation crossed the line into offensive war, outraged Russia and China, and must now be seen as an unnecessary political error that made NATO appear to be acting as a law unto itself, and, of course, resulted in the bombing of the Chinese embassy in Belgrade. Former SACEUR and Secretary of State Alexander Haig, Jr. stated the case well in his recent speech to the Foreign Policy Research Institute: "NATO had attacked a sovereign state to rearrange the politics of one of its provinces even though the situation did not pose a threat to the Alliance itself. Clearly such actions alarmed other countries who feared that the promotion of our values would become an excuse to intervene in their internal affairs." Bombing Belgrade may also have delayed the opportunity for the opposition political forces to mobilize in Serbia (though it would be hard to prove) and certainly produced in the new leader of Serbia, Mr. Kostunica, a marked anti-U.S., anti-NATO posture, however strong he has been for reform.

IV. Political Will

It is obvious to say that humanitarian intervention to stop mass killing and genocide requires political will, but political will does not come easily. Basically, neither the voters nor the U.S. Congress nor foreign parliaments wish to spend their money or risk their citizens' lives to intervene in foreign civil wars or mass murder, unless their natural aversion is counterweighed by a revulsion of conscience against the manner and scale of the violence. Often, as in the Bosnia, Kosovo and Sierra Leone cases, this revulsion depends upon the repetitive impact of news photos and television scenes and upon the growth of the scale of the crisis, and this takes time. So a small crisis, easy to extinguish, may not generate enough distress in the far away western capitals to build the political will to intervene. When enough distress has been built, the crisis may have become so large it will be far costlier to suppress. This is why the pattern of these crises consists of a delay-and-dither phase, a debate phase and an action phase, the last of these perhaps a year or two from the first. Where humanitarian response is strengthened by a sense of strategic interest, which was present in both Balkan crises, but absent in Rwanda, intervention may be hastened.

At present writing this familiar rhythm of crises is made slower and tends to extra hand-wringing because so many of the governments in the western alliance are weak in the classic political sense, i.e., they have narrow parliamentary margins or, as in France and the United States, their major institutions are divided between opposing political parties (an exception is Britain which, at least at the moment, has a large government majority in the parliament and what appears to be a strong prospect of reelection in May 2001, and possibly Germany where the CDU finance scandals have given the social democrat-led coalition a strong, if temporary, mandate). Political weakness not only extends the debate but has other influences that undermine consensus, such as the temptation to fudge the commitment, to which President Clinton succumbed when he represented to the Congress and the country the duration of the deployment of American forces in Bosnia as one year. All the allied governments have been loath and late to tell their parliaments and citizens the unpleasant truth, that they have a tiger by the tail in Kosovo and Bosnia and can neither subdue it nor let go. Military people who have served in both countries estimate that the mission must continue for a decade or more and even then may not accomplish its purpose.

Political will goes beyond simply the question whether and when to intervene in peace enforcement missions. It runs also to how to intervene. The nervousness in NATO capitals about possible casualties cast a long shadow in the Kosovo crisis when the U.S. administration would not permit the use of helicopter gunships and low-level fighter sweeps for fear of casualties, even though it was reported at the time that the SACEUR, the NATO commander, wished to deploy them. One might have thought that volunteer armed forces would not have to be coddled with quite so much apprehension, and in fairness to the troops it must be said that they did not ask for this. A politically weak administration felt it could not afford even minor casualties.

V. The End Game

To say that enforcing the peace is profoundly influenced in its effectiveness by the determination of the objective sounds obvious, but is fundamental. This is dramatically apparent in Kosovo, where NATO and the UN both have insisted that their mission is not to interfere with Serbian sovereignty in Kosovo. This, of course, is the principle of the sanctity of sovereignty coming back to haunt the restoration of peace. A majority of Kosovars appear to want independence and the Kosovo Liberation Army plainly stated that objective from the start. The insistence of NATO and the UN that the KLA be effectively disbanded and that its leaders do nothing to achieve that objective is now a grievance and cause of disorder in certain NATO-occupied areas and has led to instances of violence between local Kosovar groups and NATO troops. On February 12, 2001 it was reported in *The New York Times* that the KLA has taken effective control of the frontier buffer zone and that time is running out to resolve the status of Kosovo peacefully. It is far from certain that Serbia is willing or able to move toward resolution in time to avoid preemptive action by the Kosovar extremists. If the west has to fight the people it came to save in order to keep Kosovo in Serbia, one wonders whether the continued allied presence in Kosovo has any purpose. It is not written anywhere that restoring the *status quo ante* must be the objective of all peace enforcement operations.

The unreal nature of the stated objective in Bosnia as a multi-ethnic federation, is equally plain. Years after the advent of NATO forces, the acceptance of displaced minorities in their former places of residence has still not been achieved. Perhaps the most dramatic illustration of this was in the June 1998, Bosnia elections. Displaced minorities were trucked and bussed back to their former places of residence to vote under military armed guard. But NATO could not protect them for long in those locations because NATO did not see citizen protection at the "retail level" as a NATO responsibility since that would pin down NATO forces needed elsewhere. So, after voting, the minorities were hauled out again under military armed guard to their places of refuge.

What that experience tells us is that reconciliation may well be a pipe-dream and that in the end a partition of Bosnia into large separate single-ethnic areas is likely to be the only way to achieve a long peace. Of course major movements of population are not without serious difficulties and risks of resistance and violence, but if in the end warring ethnic factions can be separated, thenceforward enforcing peace at the borders should be an easier task than attempting to put minorities back into juxtaposition with those who hate them and attempting to enforce the peace city block by city block.

Those who say that a generation of NATO occupation will bring to power people in former Yugoslavia who do not share the animosities of their parents are contradicted by much evidence of ethnic history. The fedayeen, the Hezbollah, the stone-throwing teenagers of Gaza and Hebron, the generation X of former Yugoslavia all testify by their conduct that they have picked up the hatreds of their parents, that time will not erase the hatreds or the memory of killings of recent years. The hope that, when the present holders of power in these troubled places die off, there will be something approaching a clean slate on which to

write new directions for ethnic reconciliation seems wishful thinking. Even those who doubt that population transfers are the necessary path to any long-term peace in former Yugoslavia should not wish to foreclose that option at the outset. And those who believe in the pursuit of a multi-ethnic federation must wonder when we hope to achieve it and whether the patience of the NATO governments can last that long.

While I have repeatedly mentioned NATO and the Balkans, I do not wish to leave the impression that I see peace enforcement as necessarily a Euro-centric issue. In all likelihood Africa will loom larger in the future of peace enforcement and will pose more severe problems for intervention. The intractable problems of preventing or stopping tribal warfare in central Africa, the expulsion of white farmers from Zimbabwe, the seemingly perpetual civil war in Angola are just some of the situations that can present calls for intervention. In Africa, the west is likely to find itself tugged by humanitarian impulses that have a weaker strategic underpinning than is the case in the Balkans. African governments that have a strong strategic interest in resolving civil war on their borders are likely to continue to find their resources stretched by the severity of the challenge. These have already been principal reasons why peace enforcement in Africa has been too little and too late. It seems a near certainty that these reasons will persist.

The intervention in Somalia in the late Bush and early Clinton administrations affords an instructive case study in how confusion over the end game can betray a well-intentioned intervention. Its origin was the severe famine in Somalia, greatly aggravated by the clan warfare that disrupted food distribution and civil order in that country. The clans waged war through managed starvation organized as coercion on the civilian population. The mission promoted by President Bush in late 1992 sought to suppress clan warfare and restore food distribution and civil order, straightforward enough, even though the exit strategy was not clear. Things became more complex in the Clinton administration, complicated further by the rigid jurisdictional sense of UN Secretary General Boutros-Ghali and unnecessarily intricate lines of military authority. The most prominent clan general, Aideed, saw the pacification effort as a challenge to his authority, fire fights with UN troops broke out, and it was decided to press pacification by removing General Aideed. This turned the mission into open war without the necessary resources or central military authority. A pitched battle resulted in the defeat and withdrawal of US forces. Moral #1: do not permit the mission to be redefined by local pressures. Moral #2: do not attempt to solve a difficult problem by embracing an impossible one.

VI. Unpleasant Truths

The timidity of weak governments has put a malign stamp on peace enforcement in several ways. All have been alluded to already, but the point should be knit up here. Weak governments have difficulty with hard decisions, particularly in foreign policy which is usually seen by politicians, and correctly, as a theater in which there are few political rewards and a high risk of political penalties.

In addressing a crisis calling for peace enforcement, governments must first explain the challenge and the national interest to their parliaments and publics. But weak governments are loath to tell these audiences how bad the situation is and what the full extent of their nation's commitment is likely to be. The tendency is to minimize the challenge so as not to shock the public/parliament, then to revise the extent of the commitment incrementally upward over time so that no single increment will seem shocking. Some might call this a form of lying; it is at least a failure of candor. More to the point, it undermines public support when the full extent of the enlargement dawns on the media, the public, the Congress and the parliaments. The classic case is President Clinton's representation that American forces in the Bosnia Implementation Force would not serve there longer than twelve months. Though Congress was fairly slow to rage over this misrepresentation, the frustration and resentment at being deceived by the president has taken its toll on bipartisan support for humanitarian interventions. On my last visit to SHAPE in April 2000 a number of officers with knowledge of operations in Bosnia and Kosovo hazarded informal estimates of the length of time allied forces would remain in those theaters. The estimates ranged from ten to twenty-five years and these were not estimates of how long reconciliation would take, but only how long the patience of the allied governments would last. The signs are growing that the U.S. Congress will rebel long before ten years, and then probably the allied European parliaments as well.

Timidity is not only troublesome when it impedes honesty with the public; it is also troublesome when it affects operations. Peace enforcement involves deciding how to fight. The objective on the ground and the availability of personnel and weapons resources will set the limits, but within those limits the way to use those resources should be decided by the maximum benefit to the mission. Unfortunately, we are seeing another guideline assume dominant importance: avoiding casualties, not just unreasonable casualties, but *any* casualties. This appears to be the chief reason why the NATO partners would not permit close ground support aircraft to operate in Kosovo against the Serbian forces attacking the Kosovar civilians until later on when the KLA began spotting Serb targets for the NATO air forces. As has been mentioned earlier, NATO chose instead to conduct high-level bombing of Serbia proper. As we know, this gave the Serbs in Kosovo a free pass to intensify their attack on the Muslim civilians, driving them out of the country, while allied aircraft were bombing Belgrade and other targets a long distance away from where the outrages, which we had intervened to stop, were taking place.

The use of decisive force concentrated at the point where the mission requires it is such a fundamental law of war that departing from it out of fear of minor casualties telegraphs lack of confidence to the other side. Peace enforcement is difficult enough without sacrificing the mission to this extent. Historically, allied parliaments and publics have been prepared to accept reasonable casualties if the risks are explained candidly and are tied to mission success. Governments that commit to peace enforcement cannot afford to encourage the belief that the first rule of intervention is *no casualties*.

To use decisive force in interventions where resistance is foreseeable is actually the path to the lowest risk of casualties. To use minimal force and to follow the path of token air strikes and "tit-for-tat" actions as a rap on the knuckles have tempted insurgent forces to test the

determination of the peace enforcers. Thus we had cases of the Serbs in Bosnia capturing allied token forces and tying them to presumed air targets and we had the sad spectacle of a handful of Dutch troops standing by as Serb paramilitary forces took thousands of Muslims away for execution. In the presence of decisive allied force these episodes could not have occurred.

A determination to use decisive force will, of course, limit the number of peace enforcement deployments that governments can afford, since the limited pool of available personnel must be concentrated in fewer areas. But the reward will be in lower risk, not only lower risk of casualties, but lower risk of the operation unraveling.

VII. The Forces

Peace enforcement operations have stretched U.S. forces in all services, severely strained the training and operational cycles in certain specialties, and increased the difficulty of maintaining re-enlistment rates and retention of officers.

First, most ground troops are not trained for peace enforcement. They are taught combat doctrine and weapons, but what to do when faced by a stone-throwing crowd of civilians is normally not in the training manual nor the exercises. Repeated exposure to hostile civilians, some armed, some not, knowing that killing civilians can touch off a major conflagration, can test discipline and morale in ways that straight armed combat would not.

Second, the tours of duty in peace enforcement have been getting longer than enlisted personnel and officers are accustomed to. One officer at SHAPE put it this way: "You are prepared to miss your kid's next birthday, but you are not prepared to miss the one a year later, two in a row". Extended tours of duty, unaccompanied by dependents, can fracture family life and this has hurt retention in our all-volunteer forces.

Third, the booming U.S. economy (at least until 2001) has made private sector opportunities look better than ever. This attraction has caused a particular drain of aircraft pilots, but also of all enlisted skills that have a relevance to high tech businesses. Combat is now a high tech profession, using high tech weapons, communications gear developed in the private sector, computer driven reconnaissance, etc., so the attraction of the private sector counterparts of these functions is strong and the jobs are available.

In the absence of war it is most unlikely that the draft would be reintroduced for the sake of accommodating the bulge in the requirements of peace enforcement operations. This probably would be seen by Congress as a "political third rail", like weakening social security. The case is not very different among the allies in Europe, of whom only Germany retains the draft, on an increasingly scaled-back basis.

From time to time suggestions have been made that the UN acquire and maintain an independent standing force for peace enforcement, a proposal that shrinks in probability the

more the problems are examined. Proposals of this kind have been presented from time to time by various writers including the late Timothy W. Stanley, a former director of the Atlantic Council.

Would such a proposal get by the UN Security Council? Two permanent members, China and Russia, regard intervention in internal ethnic wars as unwarranted interference with a nation's internal affairs. One would guess that they would take umbrage at the idea of supporting UN forces for that very purpose. But if the UNSC concurred, where would the forces come from? The UN cannot draft forces. It would seem most unlikely that the UN could raise professional volunteer officer and enlisted personnel, since if a man or woman might want a military career would he or she take a chance on the long term continuity of benefits, retirement, medical services, promotion, etc. in an untried institutional setting, or would that person prefer to seek a career in his or her national forces? Perhaps citizens of some of the developing countries might be attracted, but then the likely product would be untrained recruits who could not soon attain the professionalism that peace enforcement missions require.

Logistics would present major challenges and expense to a UN standing force. Would the UN maintain its own barracks, training camps, procurement of equipment, air transport, intelligence and other functions required for soldiering? Where would these functions and facilities be located? Would they be convenient to likely areas of peace enforcement missions? Why would UN members opt to sustain the expense as long as these functions can be obtained from national forces volunteered by UN members?

When all the obstacles are considered, it seems pretty clear that the UN, even if it should decide upon a standing force, would have to count on units seconded to it from the national forces of the member states. This raises formidable problems for the latter. First, member states experiencing severe difficulties in retention of personnel are unlikely to draw down forces that can be commanded from their capitals by committing them to an independent authority. Second, the U.S. Congress at least, and very likely other governments, out of jurisdictional habit if nothing else, are going to be loath to lose control over their national units for any extended period. The memory of the "dual key" in Bosnia is a harsh one and the UN is not trusted by the Congress to meet the desired standard of military professionalism. Third, if national forces are seconded for a long term to the UN, it will add significantly to the UN budget which will be carried by the entire membership, presumably with the UN overhead added, unless the donor state is willing to underwrite the cost, which seems highly unlikely.

It is obviously desirable that some units of allied forces should be trained in the kind of interface with civilians that they may expect in peace enforcement and with hostile partisans such as the Kosovo Liberation Army, just as other units are trained in other specialties: signal corps, armored units, engineers, etc. This is being done to a modest extent in the U.S. Army and some allied forces, but the larger numbers are badly required in the intervention theaters. There is a gap at present between combat training and local police and law enforcement training which needs to be filled, to match the presence of militant partisans who are neither heavily armed fighters nor peaceful civilians.

VIII. The European Role

The European Union is presently evolving a new military role that will bear significantly on the peace enforcement functions of NATO and of the NATO allies that are not members of the EU including, of course, the United States. For a couple of years now, the EU has embraced a concept of a rapid reaction force of 60,000 troops to be available by 2003. A French version of this concept is to give the EU its own policy making authority for defense activities and peace enforcement and its own forces, both independent of NATO and of U.S. influence. The majority view in NATO and the view in Washington is that the EU forces would evolve into the European pillar of NATO, notwithstanding that the EU and NATO do not have exactly the same membership. Most members of the EU see its forces as separable from, but not duplicatory with, NATO, in effect an organization that can act in its own defense and in peace enforcement and peace keeping in cases where the United States has opted out.

How the EU defense plan can be carried out in an environment of reduced defense appropriations all over Europe is not clear. Nor is it clear in what cases the EU would be prepared to act without the United States, particularly given that only the United States has the present capability to provide major air lift, intelligence, communications and logistical support. The U.S. position is that Europe should be encouraged toward greater self-sufficiency but not to the point of significant cost duplication with NATO. But the potential gaps and overlaps between the EU and NATO are problems yet to be resolved. One should not forget that Europe already provides over three quarters of ground forces in NATO.

In principle, a European rapid reaction force characterized by high mobility, morale and striking power, could be a most important participant in any peace enforcement effort, whether in or out of the European theater itself. Within Europe it would seem that the time has come for Europe to be the peace enforcer of its own continent, now that the capability and the wish are fairly closely matched. With the EU GDP even with that of the United States, the big brother role of America, appropriate in the post-war years when Europe was recovering from devastation and poverty, no longer applies. NATO would remain the security guarantor of ultimate recourse, bringing Canada, the United States and the non-EU members of NATO to tasks that are too much for the EU or which evoke a strong participatory spirit in North America. In the circumstances of the 21st century this would not be an unreasonable structure. Is the EU ready to take the lead responsibility? I think not, but this is the wrong question. It will never be ready if Europe remains the junior partner of the United States in NATO. The right question is, how can Europe become equal to the lead responsibility? Probably only by being given the lead responsibility. Then it will be forced to grow into it or, if it cannot, the EU defense concept will be relegated to the "dust bin of history".

IX. Morality and National Interest

It is a false dichotomy, I submit, to regard moral instincts to restore peace and prevent or stop slaughter as antithetical to national interest. If it were, there could be little discussion of intervention for humanitarian reasons. Just as morality should influence personal conduct, so should the instinct to alleviate human suffering operate as a factor in foreign policy. Governments, like individuals, but more diffusely than individuals, wish to have reputations for decency and humanity and to have the good opinion of their own citizens and other governments thereby. National interest does not require us to be narrow or churlish about undertaking humanitarian interventions. Arnold Kanter treats this point in admirably lucid fashion in his article "U.S. Policy on 'Armed Humanitarian Intervention': Guidelines for Managing Painful Dilemmas" which appeared in the Winter 2001 *Miller Center Report*. "First, fostering an international environment that is compatible with our American values of democratic norms, human rights, and free markets is very much in the U.S. national interest. Second, from a purely pragmatic perspective, our moral authority – what America stands for in the world – is an indispensable element of American leadership and influence". But national interest must also impose limits to how far humane instincts can carry us. Doubters should consider the prospect of armed intervention in Chechnya.

The tension between national interest and humane instinct often appears to arise when the United States, or the west generally, is criticized for seemingly indifferent response to civilian slaughter in areas remote from our strategic interest (Rwanda for example) while devoting important resources to restoring peace in the Balkans. Often the slur is attached that the west does not have the same concern for Africa as for Europe out of some racial bias. But while a humanitarian commitment can be consistent with national interest, even though not necessarily mandated by it, humanitarian reasons for intervention cannot be valid if national interest counsels against them. No one need apologize for regarding national interest as the limitation on, if not the measure of, humanitarian concerns. However differently individuals may view the matter, it can hardly be said to be an irrational calculation to see a national interest in stabilizing a region on the edge of the NATO area. Nowhere is it written that if the United States moves to bring peace to an area of strategic interest – the Balkans, for example – it must do so everywhere, either as a matter of morality or of national interest.

National interest considerations supporting humanitarian intervention can be of several kinds. Does the U.S. have a strategic interest in the area? What is the risk of escalating disaster if we don't intervene and how would it affect our strategic interest? Will intervention have something to work with in the area, perhaps responsible political parties, perhaps a friendly guerrilla force, perhaps a patron state in the region? Is there a substantial national interest that militates against intervention, such as a risk of armed confrontation with another powerful state? Is there a coalition of which the United States can be part that provides political cover and greatly reduces the risk of danger to our forces? There are other considerations, too, but those invoked in the Kosovo intervention were incomplete in important respects. We were lucky that the Russians did not make more trouble than they did and they might well have if the Russian government had not been tottering at that stage.

When national interest and humanity are sorted out, often a third force will enter the picture with considerable power, i.e., the political shock effect of television coverage of, for example, children in Sierra Leone with their arms cut off by the rebel troops, or photographs of dead civilians in Kosovo or the market place in Sarajevo. These images can convey to government policy makers a sense of urgency that does not yield to a national interest calculation. If one's moral sense says "intervene", then the question is whether national interest is merely agnostic on the matter or says "don't intervene". Are other available national forces closer by? Is U.S. participation likely to contribute to or complicate a solution? Do conditions make for a cost-effective intervention? Do we ("we" can be any country) have the appropriate forces available without a dangerous draw-down somewhere else?

The fact that the UN Secretary General wishes to see more frequent and responsive "humanitarian interventions" does not mean that our national interest calculation is wrong or inhumane. The Secretary General has a broad charter to restore peace and order whenever and wherever he can. The UN member nations must (or will) look to their respective national interests first. The two sets of interests and duties are not the same. Moreover, the record of UN management of humanitarian intervention in Africa and Bosnia is not one to inspire unflinching confidence, so national interest will tend to dampen enthusiasm for responding to the Secretary General's pangs of conscience, well motivated as they may well be.

X. Conclusions

Owing to the relatively recent nature of the U.S. and international experience in peace enforcement, conclusions must proceed partly from evidence and partly from faith. Two general conclusions are possible, then we will turn to more specific conclusions. First, for the United States, Europe is a high priority. Peace enforcement will be important in completing the modernization of Europe, which cannot long be stable while containing an area of inter-ethnic barbarity, producing major flows of refugees, terrorism and arms traffic. Second, peace enforcement operations anywhere must be prompt and effective or the exercise loses its credibility for the future. It follows that peace enforcement interventions should not be launched in circumstances that strongly militate against success. Peace enforcement is very difficult in the best case and too important to fail.

More specific conclusions follow:

1. NATO, or more broadly (and grandiosely) "the international community", has been able to intervene in Balkan ethnic wars to stop the killing, though with great and costly delay. Intervention has not yet been able to remove the causes of ethnic war or even to achieve a sufficiently stable peace to allow an end to the allied military presence, even though that allied presence has lasted far longer than originally represented and even now no one can foresee the end of such presence. This fact is certain to cause a heavy attrition of political

will in allied capitals to support long continued presence, as frustration and short patience, notorious characteristics of democracies, take their toll.

2. In the Balkans, the problem stated in (1) above is aggravated by the unrealistic nature of the declared objectives of intervention: a multi-ethnic federation in Bosnia and non-independent autonomy in Kosovo. The United States and NATO should detach themselves from rigid adherence to these goals.

3. Fundamental to the long-term success of peace enforcement anywhere are several preconditions. Government leaders must come forward early with planning and money for these operations, must be candid with their parliaments and publics and must be willing to invest political capital in cultivating public support. Having tried to paper over the duration and difficulty of the missions in the Balkans, and having been proven wrong, the U.S. government has to make up a lot of credibility with the public and the U.S. Congress. Franklin Delano Roosevelt's "fireside chats" come to mind as one means of putting the message on the line. In 1990-91, President Bush made a serious appeal to the country when Iraq invaded Kuwait. No comparable effort was made by President Clinton over Bosnia: indeed he seemed to want to minimize the problem.

4. Long overseas tours of duty associated with peace enforcement have severely strained U.S. forces and have diminished retention rates of enlisted personnel and officers. The forces that are used in peace enforcement missions should be enlarged so that tours of duty overseas can be reduced and rotation intervals lengthened.

5. More political capital must be invested in tougher rules of engagement and in combat doctrine and weaponry for the use of close ground support aircraft. There is a strong body of opinion (which does not mean that it is necessarily correct) that these tools were underused in Kosovo for fear of pilot casualties from ground fire. But the decision to bomb Serbia instead of using close ground support weapons for interdiction in Kosovo appears to have cost thousands of lives of Kosovar civilians and has been immensely costly to U.S.-China and U.S.-Russia relations.

6. It is a general experience from the Balkans to Africa to East Timor that more troops and firmer crack-downs are needed to control areas where ethnic hostility is directed against peace forces. They are often too thinly deployed to suppress large scale disorder. Such disorders in Kosovo and earlier in Bosnia, and NATO's weak response, undermine the credibility of NATO and the goals of the peace enforcement operations. Deployments in decisive force are the best assurance against efforts by the local protagonists anywhere to test the seriousness of intervention.

7. Far greater resources are needed in the civilian side of peace enforcement, in police trained in paramilitary operations, in the whole panoply of justice and law enforcement: judges, magistrates, dispute resolution officers, and family counseling and support. In most cases these are dislocated societies that have broken down. Security of civilian life needs to be restored, even before jobs and economic recovery. Trying to restore peace and security will take much longer if the resources devoted to that effort are insufficient, as they now are

in the Balkans, in Africa and in Indonesia. In the Balkans, especially, allied governments (under pressure from their electorates) are going to shut the effort down from frustration if more rapid progress is not made toward stability. In the best case, pacification of the Balkans is a task for which there is limited patience in the west.

8. Congress needs to accept more willingly that the United States does not have to command everything, that multinational peace enforcement could sensibly involve U.S. forces in a relatively minor role under a foreign commander, and that an insistence to the contrary makes coalition operations more difficult. Even the Russians have accommodated themselves to serving in the Balkans under a NATO commander, whatever figleaf arrangements cloak that reality.

9. Attention must be given early in any intervention decision to the logistical and practical problems on the ground. The planning on this level must go forward simultaneously with the macro decision making in political capitals. It is obvious that bridges, tunnels, choke points, favorably motivated local leaders, etc., need to be identified in advance. There should be a single (i.e., non-committee) decision point for such critical local details as who and what get priority space on the relief aircraft among competing interests: medicine, food, key personnel, printing and communications equipment, not to mention military requirements. Who decides (he or she had better be on the spot)? The U.S. government has sought to put in place a planning framework – not a plan – in the form of Presidential Decision Directive (PDD) 56 (May 1997) to deal with “complex contingency operations”. Well and good, but the local czar must have unambiguous authority for the mission. The familiar effort at tele-control from Washington or New York or the North Atlantic Council can be the ruination of a successful intervention effort.

About the Author

David C. Acheson served as president of the Atlantic Council of the United States from January 1993 to September 1999. He continues to be a member of the board of the Council, which he joined originally in 1977. He had been a technology policy consultant for the Atlantic Council since 1991. Prior to joining the Atlantic Council staff, Mr. Acheson was the executive director of the Institute for Technology and Strategic Research at the George Washington University. From 1988 to 1989, he was a senior consultant at the Center for Strategic and International Studies where he co-authored *A More Effective Civil Space Program*. In 1986, Mr. Acheson was a member of the Presidential Commission on the Space Shuttle Challenger Accident.

Mr. Acheson received his undergraduate degree from Yale University in 1942. He served in the U.S. Naval Reserve from 1943 to 46 in the South Pacific, the Philippines and the S.W. Pacific Theatres, rising from the rank of Ensign to Lieutenant. He graduated from Harvard Law School in 1948 and worked until 1950 as an attorney from the U.S. Atomic Energy Commission.

He joined the law firm of Covington & Burling in 1950, serving as partner from 1958 until he left the firm in 1961. From 1961 to 1965, he was the United States Attorney for the District of Columbia, and from 1965 to 1967, he served as special assistant to the Secretary of the Treasury (for Enforcement). He joined the Communications Satellite Corporation in 1965 as senior vice president and general counsel. In 1974, he joined the law firm of Jones, Day Reavis & Pogue as a partner, and stayed there until 1978 when he joined Drinker, Biddle & Reath. Mr. Acheson retired from practicing law in 1988.

Mr. Acheson's published writings include: *Acheson Country*, 1993, W.W. Norton, *Effective Washington Representation* (with others), 1983, Law & Business, Inc.; *Among Friends* (co-ed.), 1980, Dodd Mead; *This Vast External Realm* (ed.), 1973, W.W. Norton; and several law review articles.

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