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**The Limitations of the use of Hard Power for Humanitarian Intervention by the UK in a
2025 timeframe**

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College of Arts

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Chapter 1- Introduction

The aim of this thesis is to establish what, if any, might be the limitations on the use of hard power by the UK for humanitarian intervention until 2025. It is intended to inform strategic thinking on the morality of intervention operations and their legitimacy and, as a direct result, the way in which the UK should consider being prepared to resource such operations. The resourcing of, and ability to conduct, these operations will certainly be affected by the upcoming Strategic Defence and Security Review in 2015. This thesis seeks to inform strategic thinking and defence spending in a context of the UK's ability to perform humanitarian intervention operations, whilst considering the values and aspirations that underpin British society, and its defence and foreign policy.

The origins of humanitarian intervention

The concept of humanitarian intervention is often considered to have materialised in the late twentieth century. Whilst it is true that there has been an attempt to formalise the concept doctrinally, as we shall see later, the concept of intervention on behalf of those who are unable to protect themselves against an aggressor is not a new or innovative one. Brendan Simms and David Trim provide an excellent review of the literature surrounding the history of humanitarian intervention. They argue that 'Most of the literature on humanitarian intervention, whether by academics, lawyers, activists, or policy makers, has been focused on recent interventions.'¹ The reason for this misconception, they argue, is that the definition of humanitarian intervention has changed over time. For example, if by the term we are to mean 'a reference to human rights and international human rights law, then it self-defines humanitarian intervention as something only carried out since the mid- to late nineteenth century, when the concept of "human rights" emerged.' Their approach is to apply the spirit of the term humanitarian in intervention to historical actions and events, in order to provide a 'truly historicised understanding of the origins of the modern concept and practice.' The later chapters of the book they have edited, written by various authors, give a detailed description of actions since the sixteenth century that today would be judged as humanitarian interventions.

However, even though the concept of humanitarian intervention has its roots in various forms of interpretation over the last four centuries, for the purposes of this thesis it is most useful

¹ Brendan Simms and David J. B. Trim, 'Towards a History of Humanitarian Intervention', in *Humanitarian Intervention: A History*, ed. by Brendan Simms and David J. B. Trim (Cambridge: Cambridge University Press, 2011), pp. 2-3.

here to examine the concept of humanitarian intervention as it is understood today, because that is the effect which the UK might find itself using hard power to achieve. This will be a persistent reference point: We are concerned here specifically with the limitations in using hard power for humanitarian intervention.

The emergence of modern humanitarian intervention

The concept of humanitarian intervention, as it is understood in a modern context, has been significantly influenced by the events of the 1990s. Interventions in the conflict in Bosnia in 1995 (albeit somewhat late), Kosovo in 1999, and Sierra Leone in 2000 are widely regarded as having been successful. There are also examples however of opportunities (or, perhaps, responsibilities) missed, in the abortive intervention in Somalia in 1992, and the failure to intervene in Rwanda in 1994. Whilst Simms, Trim et al, argue that humanitarian intervention has its roots in much earlier actions, the last two decades have been particularly formative in the crystallisation of the concept of humanitarian intervention as it is understood today by the international community.

Matthew Jamison gives an analysis of the 'political and conceptual underpinnings' that have contributed to British thinking on humanitarian intervention. He points out that after the Cold War, within the liberal Western democracies, there was certainly 'enthusiasm among statesmen, scholars, media commentators and the public, for using diplomacy and military power to protect human rights'.² This attitude however, has received mixed reactions from other international actors who did not necessarily perceive the intentions as entirely altruistic. Even after what is widely perceived in the West as an 'illegal' but 'legitimate' campaign in Kosovo in 1999, the international community remains divided on the subject of the sanctity of state sovereignty outlined in Article 2 of the UN Charter³, or the belief that taking a moral position to intervene in order to prevent atrocity, genocide or other abuses, trumps sovereignty. Britain appears to have taken a position in favour of such interventions, as Tony

² Matthew Jamison, 'Humanitarian Intervention since 1990 and 'Liberal Interventionism'', in *Humanitarian Intervention: A History*, ed. by Brendan Simms and David J. B. Trim (Cambridge: Cambridge University Press, 2011), p. 365.

³ *Charter of the United Nations: Chapter I: Purposes and Principles*, <<http://www.un.org/en/documents/charter/chapter1.shtml>> [accessed 6/18/2012]. Parts (4) and (7) in particular: 'All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations', and 'Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter, but this principle shall not prejudice the application of enforcement measures under Chapter VII.'

Blair's speech in Chicago in 1999 showed.⁴ We shall examine the consequences of this in more detail in chapter 4. The intervention in Kosovo also appears to have precipitated a formalisation of the doctrine of humanitarian intervention, in the form of a report called 'The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty', published by the International Commission on Intervention and State Sovereignty in 2001.⁵ This report on 'the responsibility to protect' (hereon referred to by its common abbreviation as R2P), whilst remaining controversial as we shall see in chapter 4, was accepted by most UN member states in the 2005 World Summit.⁶ It remains a widely used, if controversial, benchmark for humanitarian intervention.

The meaning of the term humanitarian intervention in a modern context

It is also necessary to explain what the term 'humanitarian intervention' means in a modern context. There are a number of specific definitions, which all follow a common theme; that of using hard power to act against an aggressor who is the direct cause of human suffering, within the aggressor's own state.

However, the R2P report provides a useful summary of the problem of establishing a consensus on the definition of humanitarian intervention.⁷ The report then goes on to clarify its own meaning of intervention as 'action taken against a state or its leaders, without its or

⁴ *Online NewsHour: Blair Doctrine, April 22 1999.*

<http://www.pbs.org/newshour/bb/international/jan-june99/blair_doctrine4-23.html> [accessed 12/12/2012]. 'While we meet here in Chicago this evening, unspeakable things are happening in Europe. Awful crimes that we never thought we would see again have reappeared - ethnic cleansing, systematic rape, mass murder... No one in the West who has seen what is happening in Kosovo can doubt that NATO's military action is justified.'

⁵ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, ed. by International Development Research Centre (Canada) (Ottawa: International Development Research Centre, 2001).

⁶ United Nations General Assembly, *2005 World Summit Outcome, A/60/L*, (2005), para. 138-140.

⁷ International Commission on Intervention and State Sovereignty, *R2P*, p. 8, para. 1.37: 'Part of the controversy over "intervention" derives from the potential width of activities this term can cover, up to and including military intervention. Some would regard any application of pressure to a state as being intervention, and would include in this conditional support programmes by major international financial institutions whose recipients often feel they have no choice but to accept. Some others would regard almost any non-consensual interference in the internal affairs of another state as being intervention – including the delivery of emergency relief assistance to a section of a country's population in need. Others again would regard any kind of outright coercive actions – not just military action but actual or threatened political and economic sanctions, blockades, diplomatic and military threats, and international criminal prosecutions – as all being included in the term. Yet others would confine its use to military force.'

their consent, for purposes which are claimed to be humanitarian or protective.’ Interestingly the report discards the term ‘humanitarian intervention’, despite its ‘long history, and continuing wide and popular usage’. This is to reflect some pressure from humanitarian organisations who reject the association of the word ‘humanitarian’ with military power. Instead the report refers to simply ‘intervention’ and, where appropriate, ‘military intervention’. In this thesis, the term humanitarian intervention refers to this specific, coercive, military activity used for ‘human protection purposes’.⁸

There are other definitions of humanitarian intervention available to us. Allen Buchanan offers the following:

Humanitarian intervention is the threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied.⁹

David Trim and Brendan Simms define humanitarian intervention with the following three criteria:

1. Carried out in, or intended to affect events within, a foreign state or states- it is an intervention;
2. Aimed at the government of the target states(s), or imposed on and only accepted reluctantly by it/them- it is thus coercive, albeit not necessarily involving use of force;
3. Intended, at least nominally (and to some extent actually), to avert, halt, and/or prevent recurrence of large-scale mortality, mass atrocities, egregious human rights abuses or other widespread suffering caused by the action or deliberate inaction of the *de facto* authorities in the target state(s).¹⁰

What is clear is that despite the subtleties of definitions or nomenclature, the concept of humanitarian intervention refers to a *moral* decision by a state or group of states, to use hard power against another state in order to protect a whole or part of a population from its own government. In this thesis the term humanitarian intervention will be used to describe specifically this activity. This thesis is limited only to humanitarian intervention as described

⁸ Ibid., p. 9, para. 1.39-1.41.

⁹ Allen Buchanan, 'Reforming the International Law of Humanitarian Intervention', in *Humanitarian Intervention: Ethical, Legal and Political Dilemmas*, ed. by J. L. Holzgrefe and Robert O. Keohane (Cambridge: Cambridge University Press, 2003), p. 130.

¹⁰ Simms and Trim, 'Towards a History of Humanitarian Intervention', See pp. 4-5.

above; it is not intended to analyse the methods and efficacy of efforts to provide humanitarian assistance to counter some of the direct effects of internal instability, such as support to refugees or in treating the sick and wounded. We are solely concerned here with the examination of the use of hard power by the UK for humanitarian interventions, and its implications.

Thesis structure

As a result, this thesis will examine the justifications and subsequent responsibilities of humanitarian intervention. After establishing the mechanisms by which the use of hard power might be legitimised in chapter 2, we shall examine in chapter 3 why and how the use of hard power for humanitarian intervention carries with it inherent frictions, how they might be overcome, and at what cost. The question of cost leads us to another key factor, examined in chapter 4, that of whether the UK actually possesses the ability to carry out a legitimate humanitarian intervention. This ability might be affected by political, practical or financial reasons. Finally, before drawing a conclusion on whether there are any limitations on the use of hard power to perform humanitarian interventions by the UK over the next 12 years, we shall look in chapter 5 at what the alternative strategies might be to preclude the need to do so.

Chapter 2- Establishing Legitimacy

Types of conflict and how hard power is used

The history and provenance of the Just War Tradition (JWT) has been outlined in the previous chapter: The tradition underpins much of international humanitarian law, or the international law of war, and, whilst not law itself, it is a tradition which provides a key norm for governing the way in which conflict is justified and conducted.¹ To establish a legitimate basis to go to war under JWT, a state must be able to demonstrate (along with other elements) a reasonable prospect of success and proportionate cause, and it is worth noting that to do so means that a sizeable force would be needed to create this against even a modest enemy.² Unless there is an existential threat, or direct threat for example to the UK or its Overseas Territories³, the use of this power is likely to be expeditionary⁴, in which case conventional military wisdom dictates that any force must have reach and be able to deliver hard power where it is required in a timely manner. In the case of humanitarian intervention, a conflict precursor will likely be a United Nations Security Council Resolution (UNSCR) based on a moral necessity to intervene (as opposed to self defence as mentioned above, where Article 51 of the UN Charter makes clear provision for the use of hard power), or at least a morally equivalent structure. Are there then three types of conflict in which hard power can be applied?

1. Self defence by a state: Unilateral, based on the recognition of a right to do so in the UN Charter.⁵

¹ Charles Guthrie and Michael Quinlan, *Just War: The just War Tradition: Ethics in Modern Warfare*, ed. by Michael Quinlan (London: Bloomsbury, 2007), p. 2, 'Elements of this tradition underlie much of the international law of war accepted by all the member state of the United Nations'.

² Ibid., p. 31 '...it cannot be right for the a national leader, responsible for the good of all the people, to undertake- or prolong armed conflict, with all the loss of life and other harm that entails, if there is no reasonable likelihood that this would achieve a better outcome for the people than would result from rejecting or ending combat and simply doing whatever is possible by all other means.'

³ Ministry of Defence, *Strategy for Defence*, <<http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/PolicyStrategyandPlanning/StrategyForDefence.htm>> [accessed 5/14/2012], p. 2, Military Task 3: 'MT 3: Defending the UK and its Overseas Territories'.

⁴ Ibid., p. 2, Military Tasks 6 and 7: 'MT 6: Defending our interests by projecting power strategically and through expeditionary operations.' 'MT 7: Providing security for stabilisation'.

⁵ *Charter of the United Nations: Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression*, <<http://www.un.org/en/documents/charter/chapter7.shtml>> [accessed 5/28/2012], Article 51:

2. Intervention:
 - a. Probably based on moral reasoning (for humanitarian purposes) and (though not necessarily⁶) a United Nations Security Council Resolution, and likely to be multilateral (as part of NATO).
 - b. Could also be interest based, to protect or support UK interests, and possibly even pre-emptive.⁷
3. Stabilisation operations: Separate from, but normally the follow on to intervention. Perhaps not necessarily conducted by the same multilateral group as the intervention.

The relationship between the use of hard power in intervention and stabilisation

The 'comprehensive approach' articulates the way to foster stabilisation and the use of hard power within it, and this use appears obvious.⁸ However this is likely to be applied after the initial stages of an intervention and where the process of stabilisation is in full swing. What of the use of hard power in the initial phases of an intervention? Is this separate from its subsequent use as part of the 'comprehensive approach' outlined in British doctrine?

Just War Tradition and humanitarian intervention

Is it possible to separate the use of hard power in an intervention-driven campaign consisting of an initial kinetic phase followed by a second phase of stabilisation which may or may not involve the use of hard power? If so, to what extent are the two phases linked; can you have one without the other? Arguably it is possible to conduct a stabilisation phase without the initial high tempo conflict phase. The interventions in the 1990s, pre-Kosovo, were certainly conducted in highly volatile situations, however they were not characterised by an initial highly kinetic and overwhelming application of hard power against a single actor within the target state. Stabilisation, without the initial kinetic phase to remove or diminish a particular actor, is easy to justify under JWT, as there is a clear argument for consideration of proportionality under *jus ad bellum*.

'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...'

⁶ Adam Roberts, 'NATO's 'Humanitarian War' Over Kosovo', *Survival*, 41 (1999), 102-123, in *DOI*. Overview and chronology of bombing campaign in Yugoslavia prior to UNSCR to legitimise it.

⁷ Ministry of Defence, 'Strategy for Defence', p. 2.

⁸ 'Army Doctrine Publications: Operations. AC 71632', (2010), pp. 4-18, para. 0437.

It is intervention with an inherently destabilising kinetic initial phase that we are concerned with here. Using hard power for intervention in isolation, becomes more difficult to justify without the follow-up stabilisation phase: Even if immediately effective militarily, intervention without subsequent stabilisation will simply be a sticking plaster applied to a wound which needs 'comprehensive' treatment to heal fully.⁹ That is, military action might initially stop the immediate problem that provoked the intervention, but to maintain its effects the stabilisation phase becomes critical to ensure a 'better peace' and demonstrate the right intention of the intervening power.¹⁰ This suggests that the legitimacy of any interventional action under *jus ad bellum*, specifically proportionate cause and right intention, implies a necessity to commit to a period of stabilisation post-intervention. Even when a period of stabilisation might not be assessed as operationally necessary, the capability to carry it out if the situation changes is morally necessary. In addition, the principles of *jus ad bellum* cannot be simply discarded at the start of a conflict: to ensure that the justification for an intervention remains legitimate, the 'proportionality test' must surely be applied throughout any subsequent stabilisation. In essence, even when the right to go to war has been established, when the conflict has begun and *jus in bello* is being applied, *jus ad bellum* should still be applied to ensure that even if a war is being fought in a just manner, the reason for actually doing the fighting is still legitimate.

If we profess to conduct ourselves from a just position, any humanitarian-based intervention must be done with an end state in mind that is better than what was before; returning or restoring the same mechanisms will surely result in the same failures. To that end an intervention that is conducted in a just way must take into account the plan after the initial kinetic intervention. As a result, the use of hard power must then morally commit us to a potentially prolonged phase of state building/policing, and monitoring the fallout of what is (the intervention) a potentially destabilising act (both within the state and often regionally).

Whilst the invasions of Iraq and Afghanistan were not conducted under the justification of humanitarian intervention, they are a useful example of an initial kinetic phase, where short-term military goals were achieved rapidly, followed by a lengthy period of stabilisation. Even now, Iraq is still heavily influenced by the US (even if the physical US footprint is probably

⁹ Ministry of Defence, 'A Guide to Joint Doctrine Publication 3-40, Security and Stabilisation: The Military Contribution', (2010) <www.mod.uk/dcdc>, p. v, '...a comprehensive approach is necessary that addresses the root causes- the lack of a sustainable political settlement and the separation of a government from its people. This requires a political or diplomatic lead. Stabilisation places demands on bureaucracies to work together.'

¹⁰ Guthrie and Quinlan, p. 24 '...our purpose in going to war must genuinely be to help create a better subsequent peace than there would otherwise have been.'

perceived by Iraqis as relatively light): The vast majority of the US presence is maintained through private contractors (not US soldiers) who fall under Iraqi law, and also through the sale of arms and training to the Iraqi military. Of note, is that while this might seem like a profit-making situation for the US, it is not. The provision of arms (for example some 140 M1 Abrahams tanks combined with training in their use) is hugely subsidised. In Afghanistan, ten years after the initial intervention, the country is still heavily influenced and supported by the west. This all costs vast amounts of blood and treasure as shown by Stiglitz¹¹ and Edwards¹², and will continue to do so to some extent even after withdrawal. In both these cases the need for such a prolonged period of state building after the initial conflict seems to have been underestimated by the states involved.¹³ The cost of stabilisation will be explored further in chapter 3.

What if the requirement for stabilisation is ignored?

Turning the argument around, does *not* planning for post-intervention state-building make the intervention illegitimate? The post-conflict period must be taken into account when conducting an estimate on the right to go to war. The metrics for deciding when a state has been stabilised will depend entirely on the individual circumstances of that intervention. The concept of limited objectives and clearly defined end-states is well documented and will be discussed later on. The key here is that, if there is an *absence* of post conflict stabilisation, it cannot legitimately be said that the intervention is proportional. If going to war destabilises an area, state or region to the point where the situation is worse (or not sufficiently better), then the use of hard power cannot be justified. Hard power is not subtle: In a Newtonian manner, by removing or adding an actor from or to a situation, that situation will change and the system of forces in any situation will be unbalanced. This is why stabilisation after an intervention is required. An in-depth understanding of a situation and the second-order effects of the use of hard power is highly desirable. This would inform the plan to mitigate them- the plan for stabilisation. This understanding is, however, rare, as we will see later on.

¹¹ Joseph Stiglitz and Linda Bilmes, *The Three Trillion Dollar War: The True Cost of the Iraq Conflict*, ed. by Linda Bilmes (London: Penguin, 2009), p. 31.

¹² Ryan D. Edwards, *A Review of War Costs in Iraq and Afghanistan [Electronic Resource]*, ed. by National Bureau of Economic Research (Cambridge, Mass: National Bureau of Economic Research, 2010).

¹³ House of Commons Defence Committee, *Operations in Afghanistan, Fourth Report of Session 2010-2012, Volume 1: Report, Together with Formal Minutes, Oral and Written Evidence*, HC 554 (London: The Stationery Office, 2011), p. 23, para. 38: 'The deployment [to Helmand] was originally agreed for three years with force levels capped at 3,150 troops at an estimated cost of £808 million.'

It is arguably then very difficult to gain legitimacy for an interventionist use of hard power on moral, humanitarian grounds, as the following must be addressed:

1. That a legitimate use of hard power requires justification under just war theory. A clear failure to apply the principles of *jus ad bellum* means a war is not just, and the right to go to war is not present.
2. That the application of the principles of *jus ad bellum* should be iterative and applied throughout a conflict- not discarded after the first shot has been fired.
3. Specifically that hard power used for humanitarian, moral reasons must be proportional (i.e. 'proportionate to its evils or harms'¹⁴); therefore, if there is no plan for post-conflict stabilisation, hard power used on humanitarian interventionist grounds is illegitimate.

If we accept that intervention requires stabilisation, it is worth looking at how conventional schools of thought approach both intervention and stabilisation, and to see whether any key considerations to preserve intervention's legitimacy can be established.

The 'Colin Powell' doctrine and its relationship with Just War Tradition

Much is made of what is informally termed the 'Colin Powell doctrine', indicating a need for a clear and limited objective, and an exit strategy, and implying a need for overwhelming resources.¹⁵ The need for overwhelming forces in an intervention is clear. However, a subsequent period of stabilisation needs more than just overwhelming resources- you cannot, for example, fight an ideological battle simply with bombs. It is therefore quite proper, reasonable, and widely acknowledged, that there is a political imperative to stabilisation. However, it should be examined whether the idea of limited objective and pre-planned exit strategy opens up a challenge to the legitimacy of such an action. A clear and limited objective pre-supposes an ability to predict what is likely to happen in a conflict before a shot has been fired: Any soldier will tell you this is not at all likely. With that in mind, any limited aims or objectives with an eye on a pre-planned exit strategy are likely to creep in one direction or another as the use of force changes the situation when it is applied. If so, the

¹⁴ James F. Childress, 'Just-War Theories: The Bases, Interrelations, Priorities, and Functions of their Criteria', *Theological Studies*, 39 (1978), 427–45. See pp. 438-439.

¹⁵ Colin L. Powell, 'U.S. Forces: Challenges Ahead', *Foreign Affairs*, 71 (1993), 32-45, p. 38, 'Is the political objective we seek to achieve important, clearly defined and understood? Have all other nonviolent policy means failed? Will military force achieve the objective? At what cost? Have the gains and risks been analyzed? How might the situation that we seek to alter, once it is altered by force, develop further and what might be the consequences?'

'Colin Powell doctrine' may be flawed from the outset.

Powell's paper does acknowledge that situations may change and that a force should remain flexible, however, he goes on to argue for a 'clearly defined and understood' objective.¹⁶ He seems to be saying that, whilst the means to get to the objective may differ and should not be prescriptive, the overall political objective should be fixed. This appears reasonable on the surface but experience shows us that objectives can and will change at all levels (and at the interface between policy and strategy in particular). Perhaps an end-state can be articulated, and a measurable set of particular criteria for exit from an enduring operation can be set. However, can the timescale be predicted, and what if the situation changes (as it almost certainly will)? Any input into a situation will have an effect, which changes that situation. To assume that all 'gains and risks' can be understood, and that it is possible to understand how a 'situation that we seek to alter, once it is altered by force, [might] develop further and what might be the consequences', is naïve at best. If we look back to the Second World War, there are useful examples of the ends (and often means) having a diminishing relationship to the original intentions: The UK went to war with Germany after an agreement to protect Poland, however whilst the UK emerged on the winning side in what turned out to be an existential conflict, Poland became a vassal state to the Soviets.¹⁷ In this case it is obvious that the duty to protect Poland was rendered far less important by other frictions which manifested over the course of the war, and that were not apparent at the start.

If the use of hard power by one actor changes the situation that was planned against, it is

¹⁶ Ibid., 'Second, having a fixed set of rules for how you will go to war is like saying you are always going to use the elevator in the event of fire in your apartment building. Surely enough, when the fire comes the elevator will be engulfed in flames or, worse, it will look good when you get in it only to fill with smoke and flames and crash a few minutes later. But do you stay in your apartment and burn to death because your plan calls for using the elevator to escape and the elevator is untenable? No, you run to the stairs, an outside fire escape or a window. In short, your plans to escape should be governed by the circumstances of the fire when it starts.'

¹⁷ *Documents Concerning German-Polish Relations and the Outbreak of Hostilities between Great Britain and Germany on September 3, 1939*, ed. by Foreign Office (London: H.M.S.O, 1939), No. 17, 'Statement by the Prime Minister in the House of Commons on March 31, 1939', p. 36, 'I now have to inform the House that during that period, in the event of any action which clearly threatened Polish independence, and which the Polish Government accordingly considered it vital to resist with their national forces, His Majesty's Government would feel themselves bound at once to lend the Polish Government all support in their power. They have given the Polish Government an assurance to this effect. I may add that the French Government have authorised me to make it plain that they stand in the same position in this matter as do His Majesty's Government.' This set the tone for a subsequent permanent agreement between the United Kingdom and Poland as reproduced in No. 19 'Agreement of Mutual Assistance between the United Kingdom and Poland. London, August 25, 1939', p. 37.

questionable whether the planning assumptions and desired end states are still valid. To put the point another way, is it possible to plan a well-defined and limited set of aims when the very act of trying to achieve those aims changes the nature of the situation you are in? In an intervention phase this may be quite possible where protagonists can be quickly identified and neutralised. However, once an intervention is over and stabilisation begins this is very unlikely. A stabilisation operation takes a long time, and is likely to be less kinetic and conducted not only in physical space (where boundaries and combatants may not be clear¹⁸) and time, but also in a fluid ideological and political space, and in front of a global audience, as Rupert Smith and David Kilcullen argue.¹⁹ This is extremely difficult to predict and control, and so a more reactive approach might prove necessary, rather than preset objectives.

So what is the solution? An intervening state will never commit to an open ended, reactive campaign under the auspices of humanitarian intervention. However, there must be an acknowledgement that as soon as any outside force is brought in to any situation the nature of that situation changes. Any military element involved must be flexible and forward-leaning enough to flexibly manage its own conduct, and goals, within a fluid environment where it becomes simply another actor- one which can have a large effect be it stabilising or not. Any set of objectives and limited aims cannot be too prescriptive, or they risk becoming obsolete immediately, and the well-meaning stabilising actor will simply be hamstrung by his own planning goals. That said, is it possible to simply meander reactively through a situation, changing objectives and goals every day, week or month? Of course not. The key point here is that a 'clear and limited set of objectives' planned before a conflict risks prolonging that conflict if the objectives become obsolete, as they are very quickly likely to. The level at which the objectives are set is important: Set at the tactical level, a set of military objectives can become obsolete in a matter of hours. At an operational level the same might be said over a matter of weeks. At the strategic level objectives may have longer duration, and of course the military objectives at this level are inextricably intertwined (and should be driven by) the political ones. UK doctrine acknowledges this.²⁰

Powell is compelling when he implies that resources must be overwhelming, and the idea is not new. However what does the term 'overwhelming resources' actually mean? In this

¹⁸ Rupert Smith, *The Utility of Force: The Art of War in the Modern World* (London: Penguin Books, 2006), p. 278, 'The second trend is that of course that increasingly we conduct operations amongst the people. The people in the cities, towns, streets and their houses- all the people, anywhere- can be on the battlefield.'

¹⁹ *Ibid.*, p. 17, and also see David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (London: Hurst & Co, 2009), pp. 292-301.

²⁰ Ministry of Defence, 'Guide to JDP 3-40', pp. 2-3, para 206.

context the implication is that it is not simply being able to outgun your opponent with more firepower, as there is likely to be a reaction against that approach which has the opposite effect of that which is desired. Kilcullen analyses this reaction's occurrence in Afghanistan, which he calls 'accidental guerilla syndrome'.²¹ The correct inference is that overwhelming resources must be provided across the spectrum of the 'comprehensive approach': Without this, a stabilising actor cannot be flexible enough to act in a timely and forward leaning way to implement the necessary political processes which must drive and resource military action. This might include the provision of security to the stabilisation process by attrition of an insurgent to the point where he must come to the negotiating table, or the stabilising effect of troops to buy breathing space for politicians to operate in. It is also key to understand that simply having the most resources does not win that breathing space; what does is iterative analysis and understanding, which generates fluid objectives and allows the resources to be used to best effect. It is not a fixed aim or fixed objective set before the start of an operation.

This is linked to the legitimacy of any interventional action under *jus ad bellum*, specifically proportionate cause²² and its implied necessity to commit to a potentially lengthy period of stabilisation after the initial conflict, which may include hard power in the form of attritional counterinsurgency (where counterinsurgency is an instrument of stabilisation²³). This is not a radical concept; UK counterinsurgency doctrine discusses at length the need to 'prepare for the long term'²⁴, with specific reference to the dependence of success on 'suitable long term plans to enhance the economic and social aspects of civil life and elimination, or at least suppression, of the political causes of the insurgency. It also requires the right number of forces and resources to be allocated from the outset.'²⁵ In addition, the need for a politically driven solution is also acknowledged, and the primacy of that political purpose and the need to ensure that military operations are 'clearly in pursuit of political objectives'.²⁶ Whilst stabilisation does not necessarily mean a need for counterinsurgency, the principle remains.

It is also worth noting here the work by Douglas North et al, which serves to highlight the frictions of attempting to adapt or impose alien systems of governance in a state undergoing

²¹ Kilcullen, *The Accidental Guerrilla*, pp. 34-38.

²² Guthrie and Quinlan, p. 21, 'The proper comparison is between the future situation we expect if we do not take up arms and the future situation we expect if we do not.'

²³ 'Army Field Manual Volume 1 Part 1 Jan 2010: Countering Insurgency, AC71876', (2010), p. 1-3, para. 1-6

²⁴ Ibid., p. 3-1, 'The Principles of Counterinsurgency'.

²⁵ Ibid., p. 3-13, para. 3-38.

²⁶ Ibid., p. 3-1, para. 3-3, 3-4.

stabilisation.²⁷ Imposing a system of governance onto a state for which it is not suitable may, whilst well intentioned, serve to exacerbate the instability within that state. This is another implicit reason why it is impossible to understand a situation before being immersed in it, and why fixing the objectives of a stabilisation operation before it commences is unlikely to end in success. The complexity of stabilisation warrants further analysis and will be looked at in detail in the next chapter.

Responsibility to Protect

The requirement for a period of stabilisation after an intervention on humanitarian grounds has so far been set in the JWT. There is another key piece of contemporary thinking that has grown in the last decade, since the intervention in Kosovo in 1999. In his 'Chicago speech', Tony Blair captures a shift in thinking in the post-Cold War period from clearly defined state-on-state threats to security, towards those born of conflict internal to a state, but where that conflict is both morally unacceptable to the international community and where an internal conflict might affect those states around it (in the form of refugees, for example).²⁸ The report of the International Commission on Intervention and State Sovereignty published by the UN in 2001 entitled 'The Responsibility to Protect' is a crystallisation of this thinking. Whilst this document is not law, it is a widely accepted norm to which members of the UN General Assembly formally agreed in 2005.

The document argues for three stages under the umbrella term of a 'responsibility to protect' (R2P), namely the responsibilities to prevent the circumstances leading to conflict, to react 'to situations of compelling human need with appropriate measures' and to rebuild 'particularly

²⁷ D. C. North and others, *Limited Access Orders in the Developing World: A New Approach to the Problems of Development*, WPS4359, (The World Bank Independent Evaluation Group, 2007).

²⁸ *Online NewsHour: Blair Doctrine, April 22 1999*, <http://www.pbs.org/newshour/bb/international/jan-june99/blair_doctrine4-23.html> [accessed 12/12/2012], 'The most pressing foreign policy problem we face is to identify the circumstances in which we should get actively involved in other people's conflicts. Non-interference has long been considered an important principle of international order. And it is not one we would want to jettison too readily. One state should not feel it has the right to change the political system of another or foment subversion or seize pieces of territory to which it feels it should have some claim. But the principle of non-interference must be qualified in important respects. Acts of genocide can never be a purely internal matter. When oppression produces massive flows of refugees which unsettle neighbouring countries then they can properly be described as "threats to international peace and security". When regimes are based on minority rule they lose legitimacy - look at South Africa.'

after military intervention'.²⁹ The document provides guidance on when intervention should and should not occur: Whilst recognising the right and responsibility of a sovereign power to protect its people, and the policy of non-intervention enshrined in Article 2 of the UN Charter³⁰, it also states very clearly the circumstances under which a state becomes subject to an international responsibility to protect the people of that state, in effect when an intervention is justified, as set out in Article 24.³¹ The difficulty here is how to decide when a state goes from legitimately fighting, for example against an internal insurgency, and when the international community deems that under the auspices of 'international peace and security' set out in Article 39, it can intervene on one side or another.³² Interestingly, whilst the document takes great pains to acknowledge that in prevention and in reaction (which can mean intervention) the aim is to protect a population and not effect regime change, there is an implicit acknowledgement in the concept of rebuilding that the mechanisms of the state will need to be restored.

Interestingly, UK military doctrine only deals with building stability alongside recognised indigenous state mechanisms.³³ There seems to be a lack of consideration of when there is an intervention on behalf of the 'insurgents', as has been suggested in Syria, and happened in Libya. Stabilisation implies that an outside actor will provide support to existing mechanisms that promote stability. From this point of view it would seem logical to back the strongest side, as that surely is the route to rapid stabilisation. This is likely to be the incumbent state power with all its mechanisms of governance in whatever form, functioning or not. However, if the flavour of that kind of stabilisation is not to the taste of the intervening

²⁹ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, ed. by International Development Research Centre (Canada) (Ottawa: International Development Research Centre, 2001), p. XI para. (3).

³⁰ *Charter of the United Nations: Chapter I: Purposes and Principles*, <<http://www.un.org/en/documents/charter/chapter1.shtml>> [accessed 6/18/2012], 'Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter.'

³¹ *Charter of the United Nations: Chapter V: The Security Council*, <<http://www.un.org/en/documents/charter/chapter5.shtml>> [accessed 5/14/2012], 'In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.'

³² *Charter of the United Nations: Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression*, 'The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.'

³³ Ministry of Defence, 'Joint Doctrine Publication 3-40, Security and Stabilisation: The Military Contribution', (2009), see Chapter 6, pp. 86-97.

actor, and it decides to intervene on behalf of an insurgent, it is implicit that this action will create more instability, at least in the short-term. There is a key difference between the characteristics of a state and those of an insurgency. A state, which may have internal disagreements (and the more democratic a state the more likely such disagreements are) is, crucially, a single recognised entity that presents a single face to the international community. It represents the sum of that state's aims and ideals (and we must accept that those aims and ideals may not be to western taste). By contrast, an insurgency may be comprised of a myriad of groups with different agendas. Whilst this kind of grouping may act in the short-term with a common purpose, the existence of unified aims and ideals is unlikely. It is possible that the different elements of an insurgency might traditionally be opposed. There are problems then in providing support to such organisations, as the British experience in Yugoslavia in the Second World War demonstrates. Both the Chetnik (led by Mihailovic) and Partisan (led by Tito) groups were fighting a common German enemy, however their relationship was initially strained at best.³⁴ The Chetniks were almost exclusively Serbian, whereas the Partisans attempted to include all ethnicities. Their ideologies were markedly different.³⁵ The British, in October 1941, initially aligned themselves with the Chetniks³⁶ but later switched this support to the communist Partisans in December 1943, who were perceived to be more effective, and due to Mihailovic's increasing collaboration with the Germans and Italians, principally against the Partisans, and against other ethnic groups. From November 1941 onwards, the relations between the Chetniks and the Partisans degenerated into open conflict. Whilst for a period both parties were aligned in fighting a common enemy, their different ideologies and ethnic ties led to escalating levels of violence between them. By the end of the Second World War, the human cost of conflict between the opposed internal factions was vast, as Stephen Hart points out:

The violent struggles that occurred in Yugoslavia between 1941 and 1945 resulted in over 1.7 million dead... Of these, one million were caused by Yugoslav killing Yugoslav, whether it was Croat Ustase against Jews, Muslims, Serbs, Chetniks and

³⁴ Misha Glenny, *The Balkans, 1804-1999: Nationalism, War and the Great Powers* (London: Granta, 1999), see pp. 486-494.

³⁵ Ibid., p. 489, 'Broadly... the Chetniks fought on behalf of the old royal regime, which put them at odds with the Partisans, whose aim was to replace a discredited bourgeois system with a socialist order based on the Soviet model.'

³⁶ Ibid., p. 493, '[On 26 October 1941] the British government was prepared to extend recognition to the Chetnik leader as the only legitimate resistance force in Yugoslavia... On the other hand, the role of the Partisans, who had done most of the fighting against the Germans, was barely recognized... Hudson's [the first SOE operative in Yugoslavia] news of Allied recognition for Mihailovic soured still further the relations between Chetniks and Partisans.'

Partisans; or Partisans against Chetniks and Ustase; or Chetniks against Ustase, Muslims, and Partisans.³⁷

Whilst this was not an intervention on humanitarian grounds but a complex balance of relationships between a number of state and non-state actors as part of a wider global conflict, it does serve to demonstrate the difficulty in providing support to an insurgency made up of different groups. The most obvious implication is that supporting one group over another may result in different groups simply turning on each other in a struggle for power when the original intervention against the state has concluded. As a result, if an actor attempts to intervene on behalf of an insurgent grouping, it must accept that in doing so there is likely to be an increase in the internal instability of that state after the intervention. This is being played out in Syria at the time of writing and will be analysed in chapter 4. Supporting an insurgency implicitly means attacking the representatives and mechanisms of the state in which the insurgency is operating. Therefore, if an intervention is made on behalf of an insurgency, the even greater need for post-intervention stabilisation is of critical importance if a 'better peace' is going to be achieved.

Some argue that R2P can actually promote instability (Crawford and Kuperman called it the 'Moral Hazard'³⁸). They argue that the expectation of international support encourages rebellion, and even allows potential rebels to lower the projected cost of their rebellion by the assumption that having caused a sufficiently robust reaction from a state trying to re-establish order, the international community will come in and finish the job for them. This is also acknowledged in the 2001 R2P document³⁹, which also rightly asserts that in exceptional circumstances military intervention based on a moral, humanitarian imperative is justified.⁴⁰

³⁷ Stephen Hart A., *BBC History, World Wars: Partisans: War in the Balkans 1941-1945*, <http://www.bbc.co.uk/history/worldwars/wwtwo/partisan_fighters_01.shtml> [accessed 9/15/2013]. See section on 'Aftermath'.

³⁸ *Gambling on Humanitarian Intervention: Moral Hazard, Rebellion and Civil War*, ed. by Alan J. Kuperman and Timothy W. Crawford (London: Routledge, 2006).

³⁹ International Commission on Intervention and State Sovereignty, *R2P*, p. 31, para. 4.12, 'Intervention in the domestic affairs of states is often harmful. It can destabilize the order of states, while fanning ethnic or civil strife. When internal forces seeking to oppose a state believe that they can generate outside support by mounting campaigns of violence, the internal order of all states is potentially compromised.'

⁴⁰ *Ibid.*, p. 31, para. 4.13, 'Yet there are exceptional circumstances in which the very interest that all states have in maintaining a stable international order requires them to react when all order within a state has broken down or when civil conflict and repression are so violent that civilians are threatened with massacre, genocide or ethnic cleansing on a large scale. The Commission found in its consultations that even in states where there was the strongest opposition to infringements on sovereignty, there was general acceptance that there must be

Responsibility to Protect and the need for stabilisation

The R2P document very clearly supports the idea that any intervention requires a willingness to commit to a period of post-conflict stabilisation:

If military intervention is to be contemplated, the need for a post-intervention strategy is also of paramount importance. Military intervention is one instrument in a broader spectrum of tools designed to prevent conflicts and humanitarian emergencies from arising, intensifying, spreading, persisting or recurring. The objective of such a strategy must be to help ensure that the conditions that prompted the military intervention do not repeat themselves or simply resurface.⁴¹

As is clearly stated above, any intervention is merely a sticking plaster; the only way to prevent the situation from deteriorating to what it was before is to invest in a period of stabilisation. Tony Blair also captured this sentiment in his precursor speech in 1999.⁴²

Is Libya an example of an illegitimate intervention?

The intervention in Libya was justified by the British and French governments as a 'values based' humanitarian intervention, given the perception of an imminent grave loss of life in Benghazi. Speaking in March 2011, 12 days after the passing of UNSCR 1973, David Cameron stated in his speech at the London Conference on Libya that 'we made the right choice: to draw a line in the desert sand, and to halt [Gadhafi's] murderous advance by force. Be in no doubt. Our action saved the city of Benghazi. It averted a massacre'. At this early stage, he also acknowledged the requirement to rebuild the country, saying 'When the fighting is over, we will need to put right the damage that Qadhafi has inflicted', going on to state who bears the responsibility to do so. 'It is surely the UN, working with regional

limited exceptions to the non-intervention rule for certain kinds of emergencies. Generally expressed, the view was that these exceptional circumstances must be cases of violence which so genuinely "shock the conscience of mankind", or which present such a clear and present danger to international security, that they require coercive military intervention.'

⁴¹ Ibid., p. 55, para. 5.3.

⁴² *Online NewsHour: Blair Doctrine, April 22 1999*, 'Fourth, are we prepared for the long term? In the past we talked too much of exit strategies. But having made a commitment we cannot simply walk away once the fight is over, better to stay with moderate numbers than return for repeat performances with large numbers.'

organisations and the rest of the international community, who should lead this work.⁴³ Whilst these early statements by David Cameron talk nobly (and there is no reason to believe falsely) of rebuilding and acting to ‘support the building blocks of a democratic society’, the message changed subtly as the campaign drew on. By September 2011 it became implicit in statements by both David Cameron and William Hague that the military support from NATO would finish when Gadhafi was arrested or killed.⁴⁴ Most significantly, David Cameron made it clear in a parliamentary address in September 2011 that while ‘there is a role for foreign advice’, the reconstruction of Libya was the direct practical and financial responsibility of Libyans.⁴⁵

This raises the question of regime change. As mentioned previously the R2P document states that it is specifically not about regime change. The UNSCR 1973 allowed for ‘all reasonable measures... to protect civilians and civilian populated areas under threat of attack.’⁴⁶ It has been argued by some, including Jonathan Eyal at the Royal United Services Institute, that the mandate has been taken as a licence to pursue the campaign to the point of regime change.⁴⁷ Intuition tells us that throwing the conventional might of NATO behind

⁴³ *Full Transcript of David Cameron Speech to London Conference on Libya 29 March 2011*, <<http://www.newstatesman.com/2011/03/libya-help-humanitarian>> (2011), [accessed 1/31/2013].

⁴⁴ *David Cameron Parliamentary Statement in Full*, <<http://www.politics.co.uk/comment-analysis/2011/09/05/david-cameron-libya-statement-in-full>> (2011), [accessed 1/31/2013], ‘For as long as Qadhafi remains at large, the safety and security of the Libyan people remains under threat. So let me be clear. We will not let up until the job is done. First, Britain and its NATO allies will continue to implement UN Security Council Resolutions 1970 and 1973 for as long as we are needed to protect civilian life. Those thinking NATO will somehow pull out or pull back must think again. We are ready to extend the NATO mandate for as long as is necessary. Second, we will support the Libyan people in bringing Qadhafi to justice.’

⁴⁵ *Ibid.*, ‘Libya is fully capable of paying for its own reconstruction. Of course there is a role for foreign advice, help and support but we don’t want to see an army of foreign consultants driving around in four by fours giving the impression this is something being done to the Libyans, rather than done by them.’

⁴⁶ UNSCR 1973, (2011), pp. 3 para. 4.

⁴⁷ Jonathon Eyal, ‘The Responsibility to Protect: A Chance Missed’, *Short War, Long Shadow: The Political and Military Legacies of the 2011 Libya Campaign*, Whitehall Report 1-12 (2012), 59. ‘Still, the authority given by Resolution 1973 was ‘to protect civilians and civilian populated areas under threat of attack’. Can this be interpreted to mean that Western forces should have continued the operations long after the immediate threat to Benghazi’s residents was lifted and when the pro- Qadhafi forces were in full retreat? What was the purpose, for instance, of continuing the air attacks when Qadhafi and his troops were boxed in, in places such as Sirte, where they were no longer in a position to hurt many civilians? The standard response of those who defend the continuation of operations, long after the Benghazi siege was lifted, is to resort to legal sophistries. They argue that the UN Resolution spoke of protecting various Libyan population centres ‘including Benghazi’, and that the word ‘including’ can only be interpreted as signifying that the real aim of the drafters of the Resolution was to protect the country’s entire population, rather than merely that of one city. Perhaps, but if this was the real intention, then it should have been clear from the start that

the 'rebels' must surely commit NATO to a path of regime change; after all, how could any NATO country then deal with Gadhafi at the end of a conflict that didn't result in his downfall? It has already been shown that a *later* objective of the campaign was the removal of Gadhafi from power.

As argued before, using hard power as a temporary measure to separate warring parties does not help to solve the causes of the problem, and as soon as the coercive threat of hard power is removed there is little to prevent recourse to violence (especially in a country where violence is seen as a tool to balance power⁴⁸). There are examples of this kind of separation, such as the UN mission in Cyprus (UNFICYP⁴⁹) since 1964, and the separation of North Korea and South Korea. Separation clearly can create stability, but that separation has to be permanent (which uses up resources) to be effective. It does not address the root causes of the instability, and is not a desirable end-state for an intervention. The UK and France were highly unlikely to partition Libya and permanently monitor the separation between the rebels and the pro-Gadhafi forces; this approach was tried in Bosnia through UNSCR 836, in June 1993, and yet it did not prevent the massacre of 7,000 Muslim men and boys two years later in Srebrenica by Bosnian Serb forces.⁵⁰ In any intervention there are also second-order effects that must be considered as part of the estimate process (i.e. post-conflict reconstruction and development, regional destabilising effects, in this case such as the flow of arms in to Mali and its subsequent destabilisation, etc.). It is an interesting test of R2P if one acknowledges Gadhafi as the legitimate power, and then asks when the legitimacy of a sovereign power should be removed by the UN despite its apparent regard for the sanctity of

'regime change', namely the overthrow of Qadhafi, was the only means by which the people of Libya could ever be made to feel safe from the tender mercies of the dictator.'

⁴⁸ D. C. North and others, p. 3, 'In limited access orders the political system manipulates the economy to create rents as a means of solving violence.' Inversely, where groups are attempting to create rents, the implication is that violence is a primary method of securing them. This is why using hard power in humanitarian intervention to create breathing space between warring parties is not necessarily effective: Equilibrium is more likely to be found by allowing the violence to run its course (as with, say, European history) until the balance is restored. Clearly this is contrary to the humanitarian imperative. This is a compelling argument for removal of one of the warring actors, with all the implicit post conflict stabilisation- appropriate to that limited access order.

⁴⁹ *United Nations Peacekeeping Force in Cyprus (UNFICYP)*, <<http://www.un.org/en/peacekeeping/missions/unficyp/>> [accessed 3/5/2013], 'In the absence of a political settlement to the Cyprus problem, UNFICYP has remained on the island to supervise ceasefire lines, maintain a buffer zone, undertake humanitarian activities and support the good offices mission of the Secretary-General.'

⁵⁰ Matthew Jamison, 'Humanitarian Intervention since 1990 and 'Liberal Interventionism'', in *Humanitarian Intervention: A History*, ed. by Brendan Simms and David J. B. Trim (Cambridge: Cambridge University Press, 2011), 365, p. 368.

sovereignty (that is, R2P vs Article 2), and whether R2P, in real terms, will always commit an intervening force to regime change.

At this stage the intervention starts to look suspiciously illegitimate. It is evident that the removal of the Gadhafi regime has not yet, as of January 2013, resulted in a 'better peace'. There is certainly no recognisable post-conflict stabilisation of the form taken in Iraq or Afghanistan, and that there has been no attempt to stabilise the country since the intervention hints at a motivation for the intervention that was certainly not based solely on a moral imperative.

We then turn to the issue of proportionality. Alan Kuperman has questioned the humanitarian success of the short intervention in Libya, and his argument echoes that given above. He has researched casualty numbers and demographics, and provides some useful analysis of actual events and a counter-factual projection.⁵¹ In outline he argues that Gadhafi's forces had behaved in a very targeted way, not indiscriminately attacking civilians as widely reported. He draws on a Human Rights Watch news release which asserted that, of individuals wounded in the fighting in Misrata only 3% were women and children- not, he says, what you would expect from indiscriminate use of force.⁵² He uses this, and the number of deaths from the re-taking of Misrata, Tripoli and Zawiyah (approximately 200, 200, and 170 respectively⁵³) to argue that the Libyan forces showed a measure of restraint and proportionate use of force (under *jus in bello*). He then reasonably argues that there was no evidence to suggest that the re-taking of Benghazi would have been conducted any differently:

	Reality	Counter-factual
Duration	36 weeks	5 weeks
Deaths	8000-30000 depending on source	1000 based on projecting similar targeting behaviour by Libyan government in Benghazi

⁵¹ Alan Kuperman, *University of Oxford Podcasts, Ethics Law and Armed Conflict. Title: Intervention in Libya: A Humanitarian Success?* <<http://podcasts.ox.ac.uk/people/alan-kuperman>> (2012), [accessed 1/21/2013].

⁵² Human Rights Watch, *Libya: Government Attacks in Misrata Kill Civilians*, <http://www.hrw.org/news/2011/04/10/libya-government-attacks-misrata-kill-civilians> (2011), [accessed 1/21/2013]. 'According to Dr. Muhammad el-Fortia, who works at Misrata Hospital, medical facilities have recorded 257 people killed and 949 wounded and hospitalized since February 19, 2011. The wounded include 22 women and eight children, he said.'

⁵³ Kuperman's source is unclear.

Table 2.1: Number of deaths during the Libyan conflict: Reality and counter-factual.

Despite all of the emotive rhetoric surrounding the campaign from many quarters, if this information is even close to accurate it is clear that the humanitarian benefit of the intervention in Libya is questionable.⁵⁴ The prolonged conflict caused far more deaths, and so undermines the argument for a proportionate intervention; this alone damages the legitimacy of an intervention based on a moral, humanitarian justification. The legacy of the intervention in Libya is becoming clearer. Internal reprisals by rebel forces are ongoing in areas like Tawerga, and a regional destabilisation is occurring in northern Mali due to a flow of arms and Tuareg mercenaries out of Libya.⁵⁵ It is evident that intervening, then failing to stabilise afterwards, has not created a 'better peace' and has not led to the fulfillment of the post-intervention duties outlined in R2P. As a values-based humanitarian intervention, NATO's actions in Libya do not measure up to the requirements for legitimacy. Worryingly, the intervention in Libya is widely perceived in the UK and beyond as a success, and implicitly the concept of 'cut and run' intervention where the international community intervenes to the point of regime change and then leaves, could be increasingly accepted as best practice.

It might be asked whether R2P has been used in this case as an excuse to intervene in the interests of those carrying out the intervention. It could be argued that intervention in Libya was not a values-based intervention at all. It is certainly possible to argue that the UK and France used a perception of humanitarian necessity to generate the UNSCR necessary to legalise the intervention, whilst waiting for the opportune moment to assist the 'rebel' forces (when they were on the brink of defeat by the, strictly speaking, legitimate government forces). Waiting for this opportune moment probably put the NATO countries in a very strong negotiating position from which to secure post-conflict assurances in the UK's and France's interest, from the 'rebel' organisation and the subsequent National Transitional Council. David Cameron stated in a Radio 4 interview on 2 September 2011, in terms which should

⁵⁴ The true casualty figures are unlikely to ever be reported accurately. It is always in the interest of either side to exaggerate or play down true figures based on their agenda at the time. In this case, the tone of the HRW reporting is anti Gaddafi, however Kuperman still manages to use the figures to support his argument for a limited and proportional use of force. In the face of emotive rhetoric from both sides, it is perhaps only possible to extract general trends in casualty numbers and demographic breakdown; as stated in the text above even if these figures are taken as only partially accurate, that only 3% of the casualties were women and children is a strong trend towards proportional use of force against combatants only even if the true figures were twice as much.

⁵⁵ Human rights investigations, *Ethnic Cleansing, Genocide and the Tawerga*, <<http://humanrightsinvestigations.org/2011/09/26/libya-ethnic-cleansing-tawargha-genocide/>> (2011), [accessed 1/21/2013].

be heard in context of criticism of his government's Strategic Defence and Security Review: 'A lot of armchair generals who said you couldn't do it without an aircraft carrier, they were wrong. A lot of people who said Tripoli is completely different to Benghazi, the two don't get on, they were wrong. People who said this is all going to be an enormous swamp of Islamists and extremists, they were wrong. People who said we were going to run out of munitions, they were wrong.'⁵⁶

Whatever the real motivations may or may not have been, by justifying an intervention from a position of moral responsibility, and then failing to provide the stabilisation required to generate a 'better peace', the legitimacy of the intervention was removed. It is worth noting in this case that there was talk of UN-led rebuilding at the outset of the campaign (so providing a legitimising effect) but that later the responsibility to stabilise and rebuild was thrust firmly upon the Libyans themselves, and the UK's and France's focus moved elsewhere. The initial UN mandate allowed for the protection of civilians, and there is a valid debate about regime change being a consequence of intervention. There are however, some hints of other motivations for intervention, such as installing a democracy and proving a UK defence capability: Key here is that, whilst installing democracy and proving the UK's military capability might be in the UK's interest, they are not the legal and moral basis on which the use of hard power was justified.⁵⁷ If Kuperman's figures are an accurate reflection of reality and if his counter-factual is correct, then the legitimacy of the intervention can be attacked from another angle; that the intervention was not at all proportional under *jus ad bellum*. Coupled with the lack of stabilisation, and implicit failure to ensure a better peace, there are two compelling arguments to show why the intervention in Libya was not legitimate.

***Realpolitik* and humanitarian intervention**

So, despite a clear moral requirement to stabilise after an intervention, why might an intervening state be unwilling to commit itself to doing so? There are internal pressures to consider within the intervening states: Rupert Smith argues that modern stabilisation operations are 'in practice dealt with as one amongst many activities of our states and can be

⁵⁶ *Libya Intervention: Cameron's Triumphant Speech a One-Sided Vision of the Libyan Conflict?*- *IBTimes UK*, <<http://www.ibtimes.co.uk/articles/207579/20110902/libya-david-cameron-speech-a-one-sided-vision-of-the-libyan-conflict-libya-news-muammar-gaddafi.htm>> (2011), [accessed 1/31/2013].

⁵⁷ Set in a context of the raging debate of the employment of aircraft carriers, and the UK's ability to project hard power (think of the UK's ability to defend the Falklands), demonstrating that the UK can perform a bombing without a US lead and in partnership with another European state.

sustained nearly endlessly'.⁵⁸ This does not stand up to scrutiny. Whilst modern stabilisation operations may not be as costly as war on an industrial scale, a stabilisation operation still competes for a finite level of funding within the budgetary mechanisms of a state. The state or states conducting the stabilisation are not facing an existential threat; therefore it is likely that the initial bright moral purpose in the motivation for intervention will have faded from public view in the melting pot of day-to-day domestic politics (compared to industrial war where a whole society is mobilised to support it). As a result, lessening public will to commit to stabilisation in the face of escalating cost (compared to spending money on health or schools, for example), and where the public may not be willing to stomach the realities of prolonged low level conflict (the constant trickle of casualties), might result in a government seeking to remove itself quickly from such a situation, without fulfilling its moral commitment to stabilisation. The stark realpolitik choice appears to be between fulfilling a moral requirement and potentially losing power, or, losing the legitimacy of an intervention (and the risk of a fleeting loss of international prestige), but remaining in power.

Summary

This chapter has detailed the inseparable link between the use of hard power for intervention, and the subsequent requirement for stabilisation, when that intervention is justified on humanitarian grounds. This link is not legally defined, however, but is based on the just use of hard power. This is a concept that is intrinsic to Western, and especially British, norms. This norm is clearly present in R2P doctrine. There are however a number of challenges to the relationship between humanitarian intervention and stabilisation. The concept of limited aims and objectives is one which appears reasonable, but as we have seen can rather serve to prolong a complex, and fluid stabilisation operation. The will to 'do the right thing', combined with the temptation of 'limited aims and objectives', appears to offer humanitarian intervention with all the benefits and few of the drawbacks. This is, as is visible in the consequences of intervention without stabilisation in Libya, a combination that is not morally tenable. The stabilisation of a state, post-intervention, is a lengthy and costly process, politically and financially, which would make the reluctance of any intervening actor(s) understandable. This, however, does not detract from the responsibilities faced by a state, or group of states, which would use hard power to intervene in another state for humanitarian reasons. The overall aim of humanitarian intervention must be to create a 'better peace', and this is extremely unlikely to be achieved by using hard power for intervention alone, but rather by subsequently staying the course of stabilisation.

⁵⁸ Rupert Smith, *The Utility of Force*, p. 292.

Chapter 3- The Real Cost of Intervention

The previous chapter established the relationship between intervention and stabilisation in terms of legitimacy. If we accept the argument that a legitimate moral-based intervention requires at the very least the willingness and the ability to perform a post-intervention stabilisation operation, then it is necessary to understand the nature of stabilisation. It is a lengthy and costly process; we shall first look at why.

Then, we shall examine the true costs of a humanitarian intervention, by analysis of the costs of both historic and modern intervention and stabilisation operations. Because a humanitarian intervention requires the moral legitimacy afforded by stabilisation, the true financial cost of intervention is potentially vast. In addition the cost in blood, an unavoidable reality, is a critical factor affecting both political will and public support, especially if we note that humanitarian interventions are not likely to be wars of existential threat. This raises an important question; if we make an assumption that sustaining the will to conduct a stabilisation operation *is* possible based on a moral and ideological commitment, can the UK really sustain the cost in blood and treasure?

Why is stabilisation so complex?

Chapter 2 argued the need for being at least prepared to conduct a period of stabilisation after the initial phase of a humanitarian intervention in order to provide it with moral legitimacy. If we accept this argument, it is necessary to look at what stabilisation actually means, and why it has traditionally been such a costly, resource intensive and prolonged activity. It has already been stated in the previous chapter that a stabilisation operation will likely 'be less kinetic and conducted not only in physical space (where boundaries and combatants may not be clear) and time, but in a fluid ideological and political space, and in front of a global audience.' At its most complex, a stabilisation may, (as with Iraq and Afghanistan), be conducted by many multilateral actors with differing resources and agendas, both state and non-state. The stabilisation may be conducted within a state where the population supports stabilisation, such as the UN mission to Sierra Leone from 1999 to 2006, or where it is ambivalent or actively opposed. It may be more complex, with some elements of a state seeking outside intervention and some opposing elements (insurgents, or otherwise) rejecting it for a number of reasons.¹

¹ The reasons may be cultural (David Kilcullen's 'Accidental Guerilla Syndrome' is discussed later in this chapter), ideological, more pragmatic economic factors or from a desire for power. See the section on Motivation and Behavioural Frictions.

Next, a democratic state that wishes to conduct or be part of a stabilisation operation must have the balance of support of its own population in order to be able to last for the duration of true stabilisation. This may prove extremely difficult, as competing internal political forces vie for position and exert influence on the political inclinations of the voting public. This is particularly relevant in western democracies where the governing party has the potential to change every four or five years. This friction is evident if we look back to what is an early humanitarian intervention, the British attempts to eradicate slavery. It is interesting to note that while there was a clear moral imperative, a very significant reason for the sustained effort by the British was very close competition between the two main political parties. This meant that the anti-slavery elements within parliament were able to provide a majority for one or other of the main parties by forming a coalition government, in return for guarantees of continuing support for the efforts to eradicate slavery.² The lengthy nature of stabilisation means that, whilst a state may well be able to *initiate* an intervention and subsequent stabilisation, without domestic consent to maintain a lengthy stabilisation it is unlikely to be satisfactorily concluded.

Globalisation has led to increasingly fast and influential media reporting, which means any operation to stabilise another state will be conducted in the full view of the global audience. The open access nature of the Internet means any party with any agenda has the platform by which easily and quickly to put out material to try and influence the opinions of others, on a global scale.

Last, encompassing all of the above, is using the correct methodology to effect stabilisation. This is perhaps the most important element, as using the wrong methodology will prolong or even render stabilisation impossible. It is also the most difficult, as it requires the iterative analysis outlined in chapter 2, an understanding of the frictions caused by multi-lateral actors, of motivation and behaviour, and of the politics and ideologies that shape the nature of the stabilisation.

² C. Kaufmann and R. Pope, 'Explaining Costly International Moral Action: Britain's Sixty-Year Campaign Against the Atlantic Slave Trade', *International Organization*, 53 (1999), 631-668. The political frictions are explained on pp. 645, 'although the Saints [abolitionists] were never a majority in British politics, favorable coalition dynamics at several points enabled them to enact their program. In 1807 the aristocratic Tory ruling elite saw that satisfying the Saint's demand for the abolition of Britain's slave trade would enhance their somewhat tarnished political legitimacy. In 1832 Dissenters and Saints provided the decisive margin for Whig victory and parliamentary reform, allowing them to demand emancipation of Britain's remaining colonial slaves.'

Multilateral frictions

It has already been established that to conduct a stabilisation operation takes time, and an iterative and dynamic approach. This is because the task of bringing stability to a state that has been further destabilised by an intervention requires much more than a simple and clear military objective such as you might find in an intervention phase. Whilst attempting to stabilise, it may be necessary to conduct less kinetic but resource-intensive military operations, against a part of the society of that state which does not want to be stabilised. However, it is also likely that there will be a myriad of other non-military activities being conducted. There will likely be efforts to re-establish or improve areas like governance, economic development, and reform of the indigenous security forces, all of which may be conducted by a number of different states and non-state actors.³ There are inherent frictions in this, especially if a stabilisation is to be conducted multilaterally by a number of states and other organisations, all of whom will have different agendas, and different markers for success.⁴ The 'joining up' of these different actors into a coherent strategy is often termed the 'comprehensive approach', and is now a well-established norm.⁵ In practice this approach is extremely complex and difficult to implement. This difficulty is well documented, and some argue that even at the highest levels frictions between individuals and organisations can have damaging strategic effects. For example, the relationship between Donald Rumsfeld (then head of the US Department of Defense), Dick Cheney (Vice-President) and Colin Powell (Secretary of State) prior to the invasion of Iraq was such that

³ Any UK national contribution to a stabilisation operation would include not just military support, but also contributions from other government agencies like the Foreign and Commonwealth Office, the Department for International Development, and other security agencies. Whilst acting with an ostensibly common purpose, each agency will have its own organisational culture and rivalries (both budgetary and for prestige) with other agencies.

⁴ For example, many non-governmental organisations (NGOs) are extremely wary of any military involvement or association, which they see as potentially detrimental to their ability to function with impartiality. There are also frictions generated by the states who provide troops to a multi-lateral force, such as the differing Rules of Engagement within which troops from different states may operate, and the existence 'national caveats' which are applied by individual state that limit the type of operations their own troops may take part in.

⁵ Ministry of Defence, 'A Guide to Joint Doctrine Publication 3-40, Security and Stabilisation: The Military Contribution', (2010) <www.mod.uk/dcdc>, p. 2-1, 'Chapter 2- An approach to stabilisation'. This chapter outlines the UK approach to stabilisation, ranging from preventative measures, to those required to restore stability. Para. 208 states that the '...comprehensive approach is broader than cross-government, it is also multi-agency and usually a multinational response. Mutually-supporting cross-departmental and multi-agency effort should enable comprehensive tactical activity to deliver overwhelming campaign effect.' the paragraph also outlines the contribution of the military and other agencies. The chapter goes on to detail the military contribution and the 'Shape, Secure, Hold, Develop' framework, whilst acknowledging the inherent fragility of this approach, in particular the vulnerability of civil actors.

Powell was effectively sidelined by Rumsfeld and Cheney. As a result the information provided to enable George Bush to make decisions was unbalanced, and arguably inaccurate. One consequence was that the mission statements given to senior US generals lacked the correct focus on post-invasion security, which hampered later efforts to stabilise the country.⁶ In Afghanistan, many argue that the political focus of the campaign was overshadowed from 2006 onwards by that of the military, and only recently regained, and that an opportunity to reform and strengthen the Afghan security forces was not taken early enough. However, these observations are easy to make with hindsight. It is reasonable to assume that at the time any decisions were made, they were made in what was perceived to be the best balance of interests. It is useful therefore to try and understand what motivates decision-making processes that often seem highly flawed when re-examined after the event.

Motivation and behavioural frictions

To provide a way to understand the human complexity of stabilisation, it is possible to draw a thematic comparison with the work by Alan Maslow on human motivation. To create a useful comparison, it is necessary to start from the most basic building blocks, the human body. Maslow asserts that there is no such thing as the need of a bodily organ alone, such as the stomach or mouth, only the need of the individual. That is, that the individual is hungry, not the stomach. The fact that the individual is hungry means that this is a primary motivation (amongst a number of others), and this primary motivation affects the individual's behaviour significantly as the individual attempts to satisfy that hunger.⁷ When hunger is satisfied, it is superseded by another need or desire, although hunger does not disappear as a motivation. There will always be a new primary need that was lower on the list of priorities, and human beings are always in a state of want. New wants come from the satisfaction of old wants. We can draw a thematic comparison here to stabilisation. A stabilisation requires the balancing of a myriad of factors and forces by a large number of different actors. Some issues will assume great importance while others fade into the background, but without disappearing.

⁶ Interview with senior British diplomat 9 Apr 13.

⁷ Abraham H. Maslow, *Motivation and Personality*, ed. by Robert Frager (New York: Harper and Row, 1987), pp. 3-4, 'Dealing with hunger as a function merely of the gastro-intestinal tract has made experimenters neglect the fact that when individuals are hungry they change not only in their gastro intestinal functions, but in many, perhaps even in most other functions of which they are capable. Perceptions change (food is perceived more readily than at other times). Memories change (a good meal is more likely to be remembered at this time than at other times). Emotions change (there is more tension and nervousness than at other times). The content of thinking changes (a person is more apt to think of getting food than of solving an algebraic problem). And this list can be extended to almost every other faculty, capacity or function, both physiological and physical. In other words, when people are hungry, they are hungry all over, they are different as individuals from what they are at other times.'

The issues in the foreground will naturally take up more resources and receive more attention to the detriment of other issues, which may be less obvious but still important. The challenge for stabilisation, especially where media can have such an immediate influence on collective thinking, is not to become dominated by any particular issue but to maintain balance. In practice, this is extremely difficult to execute as it requires the passage of information across number of military to civil and state to non-state interfaces, and across a number of differing agendas.

There is another aspect where the theory of human motivation is useful. If we consider the individuals and groups within a target audience for stabilisation, it is useful to consider the relationship of particular wants to others, and their relative strength. Maslow asserts that:

...we should never have the desire to compose music...or be well dressed if our stomachs were empty all the time....or were continually threatened by an always impending catastrophe.... There are two important facts here; first, that the human being is never satisfied except in a relative or one-step-along-the-way fashion, and second, that wants seem to arrange themselves in some sort of hierarchy of prepotency.⁸

If we are able to identify the prepotency of the wants in a destabilised state, this might provide a useful handrail for the stabilisation process. A key deduction here is that, while there are a number of similar accepted methodologies for conducting stabilisation (such as the UK doctrine already discussed, and the stabilisation doctrine of the US State Department), they presuppose the wants of the stabilisation process without actually *knowing* what they are, and do little to understand their relationships and 'prepotency' in any detail (i.e. more than 'Shape, Secure, Hold, Develop'.) In addition, wants are linked. It would be naïve to assume that any want is motivated by a single factor alone. Maslow states that to focus in on just one means 'that we arbitrarily throw out the possibility of a total understanding of the behavior and of the motivational state of the individual. Let us emphasise that it is unusual, not usual, for an act or conscious wish to have one motivation.' Put another way, 'a single psychopathological symptom may represent at one and the same time several different, even opposing desires.' This is the key point if attempting to apply this idea to stabilisation: To focus in on one single factor or issue is likely to mean missing the other contributing motivations/causes of a situation. To be able to apply any kind of external force to a situation requires a good understanding of how a situation has occurred, and how

⁸ Ibid., p.7

its root causes are linked or networked together and what effect your action will have, especially the second-order effects.

An example of this is the ill-fated poppy eradication programme in Afghanistan, a principal aim of which is to deny the insurgency an income stream. To understand why poppy eradication does not work in the poorest areas of Helmand Province in Afghanistan, one must first understand why farmers grow poppy, and who the stakeholders are. Farmers who live outside readily irrigable land (of the green zone), and who are forced by tribal frictions (principally lack of access to land ownership) to live in the semi-desert Bowri areas, *must* grow poppy for a number of reasons. They must do this to generate enough cash to buy the diesel that is required to irrigate the land in the first place, and to allow the cultivation of food crops. Whilst they might understand that it is illegal, and against the version of Islam they receive from local Mullahs, they take a pragmatic approach. They sell raw opium, which is harvested mainly by a migrant 'gypsy' population who rely on this seasonal work for income, to traders linked to the insurgency and to criminal groups from the town of Musa Qala in Northern Helmand. These traders travel to villages all over the province to buy the opium (the criminal and insurgent elements are not the same, but work together. The Taliban fought against the criminal elements during their early days, but are now aligned with them, an example of Afghan pragmatism and fluid alliances). The insurgency encourages the trade (despite their hardline Islamic policy) because they generate an income from it. Some elements of the Afghan National and Local Police will also tax local farmers on their poppy production, despite its status as an illegal crop (you can receive a longer prison sentence for possessing raw opium than killing an Afghan soldier).

As a result, there is a crop that provides income to locals allowing them to buy diesel to irrigate the land which feeds their families, and an insurgency who encourage its cultivation, as do elements of the ANP because they both derive an income from it. The collusion of the ANP gives very mixed messages about governance to locals. This goes some way to explain the existence of poppy cultivation in a country that produces a significant proportion of the world's heroin precursors.

However, depending on local political dynamics, some elements of the police forces will pursue the government policy of eradication, generating more confusion. Local Mullahs preach against the growing of poppy (at least within earshot of ISAF soldiers) to an audience who nod and agree before returning to the fields to work their crop. How then, could poppy eradication work when it offers no benefits to the local people, and would have a number of counter-productive effects? It would remove a major income stream from local farmers

preventing the purchase of diesel, and therefore they would have no way of irrigating the land to grow food. The wider local economy would suffer because the main injection of cash is from selling opium. Reprisals on Afghan locals who will not/can not grow poppy from both the insurgents and the ANP, either due to cultivation *or* non-cultivation, would likely generate more insurgents (in lieu of payment to the insurgency, or due to dissatisfaction with the government in line with Kilcullen's idea of an 'accidental guerrilla syndrome'⁹).

In the end, eradicating poppy does deny the insurgency a cash crop in the short term, but in the long term the effect on civilian perceptions of governance are negative, and play into the hands of the insurgency.¹⁰ This has been researched in detail by David Mansfield, whose conclusions are in line with the author's own experiences. Along with the analysis of crop types and trends, he has recorded the negative impact of the poppy ban on the attitudes of Helmandis towards the Afghan government.¹¹ He describes the reasons for differing attitudes between the police commanders in different locations¹², as well as giving a detailed analysis of the taxation system in rural Afghanistan (by both the Taliban and state representatives) based on fieldwork as recent as 2013.¹³

This is an example of why applying a solution without understanding how human behaviours and motivations are networked will probably result in failure. In the early stages of the campaign in Afghanistan the poppy eradication programme was a priority (and with the UK in the lead). Tellingly, ISAF troops in Helmand province are now instructed to distance themselves as far as possible from any Afghan government-led eradication programme.

We can extrapolate Maslow's requirement for 'total understanding of the behavior and of the motivational state of the individual' further, to explain how different behaviours and their relationships generate problems for stabilisation if they are not understood. We shall use the

⁹ David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (London: Hurst & Co, 2009), p. 35. See Figure 1.1, The accidental guerilla syndrome, and pp. 35-38.

¹⁰ Based on discussions with Village Elders in Helmand Province, Afghanistan, in 2011.

¹¹ David Mansfield, Alcis Ltd and OSDR, *Managing Concurrent and Repeated Risks: Explaining the Reductions in Opium Production in Central Helmand between 2008 and 2011*, 1122E (Afghanistan Research and Evaluation Unit, 2011), <http://www.alcis.org/media/27307/110914_managing_concurrent_and_repeated_risks_2011.pdf>. See pp. 1-5, for executive summary.

¹² David Mansfield, *Briefing Paper 6: Central Helmand in the 2012/13 Planting Season*, (ALCIS, 2013), <http://www.alcis.org/media/70044/helmand_briefingpaper_6_2012-13_dm_final_highres4.pdf>. See pp. 8-12 for reporting of the impact of local governance (policing) on poppy cultivation.

¹³ David Mansfield, *Briefing Paper 7: Taxation in Central Helmand and Kandahar*, (ALCIS, 2013), pp. 11-12.

term 'behavioural system' to mean a collection of different but linked factors, comprising a multitude of motivations and other influences, which apply to an individual or group and govern behaviour. These may be physical security, food security, relationships between individuals and families, sub-tribes and tribes, economic ties, cultural and religious influences with shifting alignments. The list of influences is vast, and the behavioural systems that they make up are complex. In the case of groups there will be multiple behavioural systems with their own inter-system relationships, and even systems within systems.

For an example of networked influences and motivations that make up a behavioural system, we can use the individual British soldier. He comes to the Army with the sum total of his life experience shaping his personality, and many influences that affect his behaviour. These will include networks of school friends, membership of sports teams, his family, ties to the village or city he grew up in, and the football team he supports. On joining the Army he goes through training with a small group of others, with whom he will develop a strong bond based on shared experiences, before joining his regiment. Bonds developed during training with individuals who may end up in other regiments will remain. Military influences and bonds are augmented over time, and networks of influences within his behavioural system build up, based on membership of and performance within a particular troop, squadron, and regiment. He will develop bonds based on his membership of these formal structures, and also across them. He will form close bonds with some individuals and groups within these structures based on shared hardship and professionalism on operations, and less strong bonds with others.¹⁴ He will likely have a keen sense of pride in the history and provenance of the organisation he is a part of, which will influence his voluntary behaviours, as will coercion from the hierarchy he is a part of. He will identify with others in the military, be that in the Army or beyond, and will have an affinity with them across a spectrum of shared experiences, reflecting institutional loyalty and competition. These factors and influences are not exhaustive, but do serve to illuminate the complexity of the system. If we consider the individual's system of influences as a fluid thing, with shifting interactions with the systems of others, we can begin to understand why different outside influences provoke different

¹⁴ Anthony King, *The Combat Soldier: Infantry Tactics and Cohesion in the Twentieth and Twenty-First Centuries* (Oxford: Oxford University Press, 2013). In this book King examines previous work on motivations and cohesion within troop sized groups of soldiers. He makes a clear distinction between the relationships which generate motivations behind the behaviours of soldiers, and the group cohesion (where cohesion is effectiveness) they exhibit under pressure due to professionalism (see pp. 24-39). In the context of this thesis, it is useful to note the distinction, however here we are dealing with the motivations that affect soldiers' behaviour. Experience of cohesion in the sense that King means-or not- will most certainly affect a soldier's behavioural system. In its contribution to the behavioural system of the soldier however, it does not matter whether the experience is positive or negative.

reactions. A group of soldiers in a particular troop, when challenged by those in another troop within the same squadron, will most likely react in line with membership of their own troop. Despite the individuals having bonds with individuals in the other troop, the network of bonds within the troop is stronger, and so that is where the alignment of the group of individuals falls. However, if the challenge came from outside the squadron then members of both troops, who in the previous example would have been against each other will align on the basis of their shared membership of the squadron. Members of a particular regiment will always align together against a challenge from another; members of a particular type of regiment will always align (despite being from different regiments) against a challenge from members of a different type.¹⁵ Whilst this can be a useful tool in building motivated and cohesive groups (in the sense that King uses the word 'cohesion'), it can also be very damaging when taken to the extreme, such as the behaviour of the Canadian Airborne Regiment in Somalia in 1993, which led to its disbandment in 1995.¹⁶ In a less extreme but still unhelpful way, this is evident in the way that the three UK service chiefs behave during Strategic Defence Reviews. Each service chief seeks to protect his own service, and indeed is expected to do so by those he commands. This protectionism is not necessarily in the interest of the military as a whole.

Institutional rivalry and tribalism, governed by the behavioural systems of groups, can be even more damaging. As mentioned earlier it appears that the relationship of Rumsfeld and Cheney with Powell in the lead up to the invasion of Iraq meant that the US President was not given access to a truly balanced view of the situation. This has had a huge strategic effect. The prevailing attitude of both Cheney and Rumsfeld was seen as not being open to any ideas about the invasion of Iraq that were in contrast to their own, largely due to their neo-conservative attitude. In particular Secretary of State Colin Powell appears to have been sidelined, which adversely affected the balance of information presented to George Bush, which in turn affected the President's decision-making process.¹⁷ The systems of motivations which influenced the behaviour of these individuals is known only to them. However, it is

¹⁵ Author's own experience as a serving Army Officer 2004-2013.

¹⁶ Donna Winslow and Christ Klep, 'The Public Inquiry into the Canadian Peace Mission in Somalia', in *The 'Double Democratic Deficit': Parliamentary Accountability and the use of Force Under International Auspices*, ed. by Heiner Hänggi and Hans Born (Aldershot: Ashgate, 2004), 6, p. 91. The CAR was disbanded in 1995 after a number of illegal abuses of Somalis during its deployment there in 1993, and after public outcry against both this and wider exposure of the CAR's internal culture. This chapter (6) gives a description of the actions and reaction to those actions by the Canadian authorities that led to the disbandment of the CAR in 1995.

¹⁷ Private interview with former senior British diplomat 9 Apr 13.

clear that the interactions between them and the US President set the US on the path to the invasion of Iraq.

Having examined what makes up behavioural systems, and briefly demonstrated how they might react together, we can now turn back to the problem of stabilisation. Stabilisation will involve the coming together of many behavioural systems. That means that to efficiently achieve the stabilising effects required, any actor attempting to stabilise must understand the nature of all the other systems he will be confronted with. However, it is extremely difficult to understand the networks of other systems of behaviour from the outside (e.g. before starting a stabilisation operation) and therefore it is extremely difficult to predict the effect on a behavioural system when one element within it is disrupted or manipulated. This is complicated and intimidating for an outside actor to understand, and as a result the tendency will always be towards over-simplification and 'silver-bullet' solutions aimed at discrete elements of a system. However, because a system is made up of networked parts, when an action is effected on one, the others will respond accordingly- and not always with the same reaction. Any action on any single motivation or influence that is part of a system will affect the whole system. To understand the effect of an outside force on a behavioural system requires knowledge of the networking of the individual components within the system. The US planning for post-invasion Iraq in 2003 is a good example of not understanding the network of indigenous behavioural systems, and that lack of understanding was then coupled with frictions between behavioural systems within the US. It is clear now that there was little understanding of how post-invasion Iraq should be dealt with. Nora Bensahel asserts that it was a high-level civilian view that, after the fall of Saddam Hussein, there would be little need for military operations and that security provided by local forces 'particularly the police and the army' would allow troop levels to reduce to 'two divisions-between 30,000 and 40,000 troops- by the fall of 2003'.¹⁸ She quotes Deputy Secretary for Defense Paul Wolfowitz, who testified to the House Budget Committee in the US Congress that 'it's hard to conceive that it would take more forces to provide stability in post-Saddam Iraq than it would take to conduct the war itself and to secure the surrender of Saddam's security forces and his army. Hard to imagine.'¹⁹ Whilst she acknowledges that the military took a very different view²⁰, it is clear that the civilian leadership had based the plan for post-invasion Iraq on incorrect

¹⁸ Nora Bensahel, *After Saddam: Prewar Planning and the Occupation of Iraq* (Santa Monica, CA: Rand Arroyo Center, 2008), p. 235.

¹⁹ Wolfowitz, (February 27, 2003) US Congress House Budget Committee testimony on Iraq

²⁰ Bensahel, *After Saddam*, p. 235, 'General Franks believed that the number of troops would have to be increased to 250,000 before being reduced, and General Shinseki, Task force IV and the Army staff estimated that the reconstruction phase would involve multiple hundreds of thousands of troops.'

assumptions.²¹ She offers an explanation for this. Once the decision to invade had been taken, ‘reservations about the scale of effort needed for stabilization and reconstruction may have been interpreted as a form of bureaucratic obstruction’. She also cites the existence of frictions and competition between the Department for Defense, under Rumsfeld, and the State Department, under Powell. The lack of joined-up thinking and ‘failure to effectively coordinate and integrate these various planning efforts’ across government departments, and the erroneous assumptions used in planning all contributed to the failure to provide security in post-invasion Iraq.²²

Others point to a US awareness of their own history, in that there has been a cultural unwillingness to dictate to another state how to go about its own affairs, and an ideological desire to purge all members of the Baath party from the fabric of Iraqi institutions.²³ However, given that the US had only recently invaded Afghanistan and installed a new leader of its own choice, this seems to hold less weight. There was probably a focus on finding the Weapons of Mass Destruction that were part of the initial justification for going to war. The preoccupation with some elements of the campaign meant others were not understood or resourced, so echoing of Maslow’s ideas on the way that particular wants affect behaviours. The lack of resources allocated to the restoration of security, and the differing missions given to those in charge of reconstruction support this idea.²⁴ Clearly as the need for security became more prominent, it was allocated more resources. However, the need for post-

²¹ Ibid., p. 236, ‘Actual postwar events proved most of these assumptions to be faulty. Phase III combat operations did not end neatly, and the United States was not greeted as a liberator. An insurgency started developing almost immediately, suggesting that General Shinseki’s estimate that postwar operations would require “something on the order of several hundred thousand soldiers” may have been closer to the mark than the administration’s optimistic assumption had been. Humanitarian relief requirements were minimal, which meant that the one contingency for which detailed plans had been developed never arose. Although the military campaign left most of Iraq’s infrastructure intact, extensive looting in the aftermath of the conflict severely damaged infrastructure throughout the country. Moreover, U.S. analysts had underestimated the level of debilitation to Iraq’s infrastructure after more than a decade of sanctions. Government ministries turned out to be hollow, without the capabilities and resources necessary to run the country once the Ba’athists were removed from power. Wolfowitz later acknowledged that defense officials had erred by making assumptions that “turned out to underestimate the problem” in postwar Iraq.’

²² Ibid., pp. 237-241.

²³ Private interview with former senior British diplomat 9 Apr 13.

²⁴ Gen J Garner was in charge of the office for coordinating reconstruction in Iraq the day after the war ended at the start of April 2003, and was tasked to provide humanitarian assistance and then hand over to the Iraqi authorities. He had just 272 individuals working for him, and insufficient access to other resources. He lasted 3 weeks until the end of April 2003. His replacement was Bremer, who came with a different mission, to secure Iraq and prepare for elections and the adopting of a new constitution before handing over. The change in mission indicates a change in US thinking after the invasion had concluded.

invasion security was lost in the noise created by other factors, as in Maslow's prepotency of wants.

We can see that the complexity of the interaction between the different behavioural systems of the various actors within the US affected the ability to correctly plan and execute the stabilisation in Iraq. The additional complexity of different indigenous actors with their own behavioural systems within Iraq (and belligerent outsiders like Iran) meant the network was even more complicated, and the US clearly failed to understand it. We can see how a complex network of different systems on one side (in this case the US) coupled with a lack of understanding of the other (in this case the various indigenous actors in Iraq) can lead to difficult and prolonged stabilisation.

An understanding of the behavioural systems of those you are trying to influence is therefore critical to effective stabilisation. The reaction provoked by an attempt by an actor or group of actors from outside a state to influence another within is very much to do with the perception by the internal group of its capacity to be influenced by that external influence, and its perception of the external actor(s). The interaction and relationship of that external influence with the internal group's system of influences is just as important as the motivations of the external actor(s) trying to have an effect on that internal group. If we consider that there will probably be more than one internal group being influenced, the picture becomes even more complex. However, if we can understand the way the systems of the different groupings we are trying to influence are networked, then perhaps we can design the influence to have the effect we seek. That said, identifying those we are trying to have an effect on and their different motivations is very difficult indeed, and, as Mackay and Tatham explain, there is a particular temptation to group under one heading those elements within a state that resist outside stabilisation:

As Chinese guerilla leader, later the first Chairman of the Chinese Communist Party, Mao Zedong famously noted, the insurgent swims amongst the people as the fish swims in the sea. 'We' often ascribe collective names to these groups. In Northern Ireland they were the 'Provos', in Bosnia they were Serbs and Croats and in Sierra Leone they were the 'rebels'. In Iraq they were the insurgents and in Afghanistan they are the Taliban. But look beneath the surface and 'we' quickly see that such homogeneous groups are largely fictional. In Afghanistan the Taliban are not one unified, homogenous group of ideologically driven fighters but disparate groups of individuals motivated to fight by a host of different reasons- ideology, poverty, anger at the presence of foreign troops, etc. In Iraq insurgents were former Ba'athists,

former Iraqi army members, criminals, Al-Qaeda and warring tribes. They were Sunni and Shia. In Sierra Leone the rebels were the [Revolutionary United Front], the West Side Boys, Kamajors and civilian defence forces; and in Northern Ireland they were the Red Hand Defenders, the Loyalist Volunteer Force, the [Irish National Liberation Army], the [Irish Republican Army], et al. In Afghanistan 'we' now group Afghans with Pakistanis and call the problem 'AfPak'. 'We' unite them into groups of 'our' making at 'our' considerable peril.²⁵

The fluid and complex nature of the network of systems is very hard to predict, and, perhaps as a result, we can see from the examples above that the tendency has been to label groups in a manner that does not acknowledge their underlying complexity and networks. The same complexity applies to those who might, on some levels, welcome stabilisation from outside their own borders. This is why stabilisation performed by an outside actor (with his own influences and motivations, like the effect of US ideology on the stabilisation plan in post-invasion Iraq, mentioned above), who is far removed from the behavioural systems of those he is trying to influence, is so difficult. Kilcullen's 'accidental guerrilla' model outlines this difficult reality in Afghanistan.²⁶ With the multilateral nature of stabilisation, where a number of outside actors with their own internal behavioural systems act together, we uncover a vast and complex network of systems related by different levels of common or differing influences, all trying to influence each other in different ways, with shifting alignments of purpose in competition with other purposes of varying levels of duration, and different inputs having unexpected outputs in parts of the network that could not be easily predicted.

²⁵ Andrew Mackay and Steve Tatham, *Behavioural Conflict: Why Understanding People and their Motivations Will Prove Decisive in Future Conflict* (Saffron Walden: Military Studies Press, 2011), p. 9.

²⁶ Kilcullen, *The Accidental Guerilla*, pp. 37-38, 'I have noted that during the initial stage of development of an extremist presence, there is usually a local opposition to the terrorist group (albeit often cowed, impotent, intimidated). But during the intervention phase [of the 'accidental guerilla syndrome', pp. 35] the entire local dynamic shifts. The presence of the intervening outsiders causes local groups to coalesce in a fusion response, closing ranks against the external threat. This reaction is lessened if the intervention is slower, less violent, more locally based, or lower in profile. But a high-profile, violent, or foreign-based intervention tends to increase support for the takfiri [foreign extremist] terrorists, who can paint themselves as defenders of the local people against external influences. Such an intervention also creates grievances, alienation, and a desire for revenge when local people are killed or dishonored by the intervening outsider's presence. Due to the balance of "balanced opposition" (discussed in detail later), local people in tribal societies will always tend to side with closer against more distant relatives, with local against external actors, and with co-religionists against people of other faiths. In this sense, although the terrorists may have been seen as outsiders until this point, their identity as such has not been fixed but "contingent": as soon as foreigners or infidels appear in the area, by comparison the terrorists are able to paint themselves as relative locals and opportunistically draw on local loyalties for support.'

It seems reasonable, then, that in reality it is not possible to understand every influence and motivation that make up the behavioural system of every actor involved. As a result stabilisation normally follows a set doctrine or methodology, with an accepted lower level of efficiency. Clearly this has the effect of prolonging a stabilisation (with an associated increase in cost), but may be a pragmatic compromise. However, there are dangers in using a doctrinal approach that is inappropriate to the state that is to be stabilised.

Using the wrong framework for stabilisation

There often appears to be a disconnect during stabilisation operations between what 'the people' want, and what they get, what a stabilising actor thinks they should get and what will actually work. The idea that democracy is always the correct way to govern is compelling to those of us who live in stable democracies. Obviously, democracy is not the only way to achieve stability, but as it is the way that western societies are organised, it is unsurprising that they see it as the best way. Physical security, food security and economic stability for example, might be achieved in ways other than democracy. Putting this in the context of post-intervention stabilisation, it is logical that a method of state governance that may have led to the instability that provoked the intervention is not the solution.²⁷ The need to stabilise by solving the underlying problem is obvious. However, that is not to say that the intervening actor(s) can take a method of governance that has evolved and become effective in their own state(s) and use it as the framework for re-establishing order and stability in another. To try and impose an alien method of governance on a society that does not want or understand it is likely to be counter productive and prolong the stabilisation process even further. To impose a method that has evolved, bloodily, over a long period of time in Europe, onto a society in Asia that has different values and motivations and has taken a different evolutionary path, has little prospect of success. It would be like trying to change their language overnight without warning- they might show willing and attempt to learn a few words, but in the end to really communicate they will do so in the language that is aligned with the way they think and feel, and that has evolved in parallel with their society. So then, to understand how to solve the underlying destabilising problem, we must understand how the society and different systems in and around it function. It is clearly not sufficient to simply employ alien frameworks of governance, in order to stabilise a country that has little or no experience, understanding, or indeed willingness to accept such a framework.

²⁷ See chapter 2 for more information.

Douglas North et al provide a useful model for understanding this complexity, in the context of development. They use the term 'Limited Access Order' (LAO) to describe a spectrum ('fragile', 'basic', and 'mature' LAOs) of societies and the relationships within them between individuals or groups who have power.²⁸ Of most relevance here are the fragile LAOs, because they are the most likely states to find themselves on the receiving end of a humanitarian intervention. But why are they so susceptible? In essence, LAOs maintain stability through coalitions of dominant elite groups, who use their 'violence potential' to extract rents. In a fragile LAO, whilst the elites are capable of resorting to violence to gain dominance over other elites, where rent production is in balance with military power order is maintained. Citha Maass gives a useful example of this fragile balance in the form of Afghanistan's drug production industry, which she terms a 'criminalized peace'.²⁹ However, as North et al show, the most fragile LAOs are very vulnerable to imbalance, and where the 'allocation of rent-flows is out of balance with military power, factions demand or fight for more.'³⁰ So, fragile LAOs, 'like Haiti, Iraq, Afghanistan, Somalia, and several other places in sub-Saharan Africa', are vulnerable to any factor which generates friction between dominant elites who have the potential to use violence when they feel it necessary. The source of this friction might simply be change- different personalities within elites ascending to power for example. Using the idea of behavioural systems described earlier, a fragile LAO is a state based on a network of rent-generating behavioural systems, which is underpinned by the potential for violence due to any shift in the way one system interacts with another. It is this underpinning violence potential which makes a fragile LAO susceptible to humanitarian intervention, as we shall see.

North et al's framework then provides a useful way to understand why humanitarian interventions are conducted, and by whom. They use the term 'Open Access Order' (OAO) to describe societies which exhibit three key characteristics: '1) entry into economic, political, religious and educational activities is open to all citizens without restraint; 2) support for organizational forms in each of those activities that are open to all citizens; and 3) rule of law enforced impartially for all citizens.' They argue that there are very few societies that are true OAOs, and that there is a progression through the spectrum of LAOs to achieve OAO status.

²⁸ D. C. North and others, *Limited Access Orders in the Developing World: A New Approach to the Problems of Development*, WPS4359 (The World Bank Independent Evaluation Group, 2007). See pp. 10-16 for a full description of the characteristics of LAOs, and the differences between fragile, basic and mature LAOs.

²⁹ Citha Maass, 'Afghanistan's Drug Career: Evolution from a War Economy to a Drug Economy', *Afghan Analysts Network*, 02/2011 (2011), 14/09/2013 <http://www.afghanistan-analysts.org/wp-content/uploads/downloads/2012/10/20110401CithaM-Afghanistans_Drug_Career-FINAL.pdf>. See pp. 18-22.

³⁰ North and others, p. 11.

Whether this is true or not, the OAO framework illuminates the reason why some countries tend to take the lead in humanitarian interventions, and why others do not (for example, the differing opinions on humanitarian intervention across the permanent five members of the UNSC, where the US, France and the UK might be considered OAOs and China and Russia as mature LAOs). It is the defining characteristics of an OAO shown above that produce the moral thinking that drives humanitarian intervention, and it is the violence potential of the fragile LAO that makes it so susceptible to intervention by an OAO. This concept is perfectly reasonable and intuitive. However, the effect on a post-conflict stabilisation operation can be profound. This is where North et al's model is most useful. An intervention in a fragile LAO has the effect of restructuring the positions of the elite groups within it. It unbalances the relationships within those elites, and so has a de-stabilising effect. It would appear that the natural way for that balance between elites to be restored is through exercising their violence potential (that is, to fight it out until some equilibrium point is reached). However, this is likely to be exactly what caused the humanitarian intervention in the first place. Consequently, the attempts to stabilise by the intervening actor(s) will probably involve an attempt to use OAO systems of governance and ideas on a fragile LAO to whom they are completely alien. As a result, a stabilisation operation in a fragile LAO that seeks to minimise violence (the normal method of re-balancing power and so rent generation), must either find a way to peacefully re-balance the relationships between the indigenous elites (the network of indigenous systems of behaviour), or risk committing to balancing artificially those relationships indefinitely with a continued presence that attempts to keep violence to a minimum. As the latter option is not either politically or financially attractive, the need to understand the complexities of the network of behavioural systems of those within the state that is to be stabilised is shown again.

When does it end?

This provides us with a link to another important question on stabilisation operations, namely, when do they end? It is very difficult to identify discrete markers, such as a specific level of economic growth, a particular political process or acceptable level of violence within a society. They are particular to the individual operation. However, the overriding marker for success should be, with reference to JWT, that the end result of the stabilisation is that a better situation has been created than what would have occurred had there been no intervention and no stabilisation.

The cost of intervention and stabilisation

The complexity of a stabilisation operation is clear, and as a result it is resource intensive, not only in terms of financial cost, but also in its human cost. There are rarely wars with no casualties, and those casualties include not just combatants but civilians who are killed as an intended or un-intended consequence. In this section an attempt will be made to show just how expensive a stabilisation operation might be in terms of both its human and financial elements, commonly referred to as 'blood and treasure'. This is relevant because, as established in chapter 2, any short-term intervention conducted on moral grounds requires a period of stabilisation to legitimise the intervention. Whilst there are other examples of stabilisation operations, it is convenient to use both Iraq and Afghanistan as recent examples because they are both operations in which the UK has participated, and because there are up-to-date statistics available for both. Whilst humanitarian intervention was not the catalyst for either, the financial costs of the campaigns in Iraq and Afghanistan shown here take into account the initial kinetic phases and the subsequent stabilisation as they are relevant whatever the catalyst. The 2011 campaign in Libya will also be used to demonstrate the cost of an intervention without any subsequent stabilising activity. There are also historic examples of costly intervention, and in this section reference will first be made to the British war on slavery in the 19th century, which has been mentioned previously as an early example of an intervention of humanitarian grounds.

The cost of historical humanitarian intervention and its relevance to today

The British efforts to eradicate slavery in the 19th century provide an historical example of a very costly global intervention that took place over a long period. Kaufman and Pope estimate 'the overall economic cost to British metropolitan society of the anti-slave trade effort at roughly 1.8 percent of national income over sixty years from 1808 to 1867', and state that 'the slave trade suppression cost about 5,000 British lives'.³¹ If the UK launched an operation of equivalent cost now, that would equate to a total of £1.7tn over the next 60 years at current prices.³²

The anti-slavery campaign was obviously very different from current operations to stabilise Iraq and Afghanistan. However, its utility here is not as a direct comparison with a modern

³¹ Kaufmann and Pope, 'Explaining Costly International Moral Action', see p. 635 for the cost in lives, and p. 636 for a description of economic losses. They also note that the equivalent losses for a country the size of the US (in 1999) would be around 55,000 lives.

³² Based on current UK GDP of £1.6tn.

stabilisation operation, which in the cases of both Iraq and Afghanistan were *not* initiated on humanitarian grounds. The purpose is to show why a campaign conducted on moral grounds can become very protracted because of the moral element, in the same way that a humanitarian intervention might lead to a protracted stabilisation operation post-intervention, because of the same moral element.

The anti-slavery campaign was initiated due to an internal, moralising force within British society. As Kaufman and Pope point out, the motivation derived from an internal religious focus on British moral decay.³³ This differs from the modern R2P model for humanitarian intervention that places great emphasis on the rights of the individual. Kaufman and Pope show that 'slavery was condemned [by abolitionists] because it kept Africans, who as God's children also possess reason and therefore potential for grace, from achieving salvation'. However, their motivation had little to do with protecting vulnerable African populations, as the treatment of liberated slaves shows:

...[The abolitionists] sought to impose on the world a particular vision whose authority derived from a parochial belief in their own superior understanding of God's will. Dissenter abolitionists had little knowledge of, or respect for, African cultures; instead they sought to elevate ignorant savages to meet their own model of pious Christians and responsible citizens, as well as docile, productive workers.³⁴

There are obvious differences from modern motivations for humanitarian intervention. However, the anti-slavery campaign is still an example of a campaign conducted to the point of establishing a better situation than would have existed had there been no intervention by the British. The cost of the campaign was extremely high, and Britain bore the cost on its own. There was no net economic benefit, and the campaign cost many British lives. This is where the comparison is useful. The anti-slavery campaign was considered a war of moral necessity, as can be said for a modern humanitarian intervention, particularly under R2P. The aim was to establish a better world by physical action, whatever the introspective religious motivations were, which certainly relates to the JWT ideas of 'just cause' and 'right intention' discussed in chapter 2. This is where the similarity with modern interventions and stabilisations lies. It would have been quite easy to simply legally abolish slavery and then do nothing about it. Instead, the British established an entire naval squadron dedicated to the eradication of slavery, and took on significant economic hardship to ensure that slavery was

³³ Kaufmann and Pope, see pp. 645-649 for a detailed description of the sources of British anti-slavery.

³⁴ *Ibid.*, p. 646.

eradicated. This is the same principle as being prepared to conduct a modern stabilisation operation after an intervention on humanitarian grounds. As can be seen in the cost and duration of campaigning against slavery, wars fought on moral grounds are normally long and costly. Obviously a long war will cost more than a short war, but an enduring characteristic of wars fought on moral grounds is that they are not wars to seize resources which may make the conduct of a war a profitable business. In the case of the campaign against slavery, competing nations in the sugar trade made huge profits as a result of the British refusal to use slaves for labour.³⁵ It is precisely because of the moral element that such wars are protracted (because you cannot stop until the new situation you have created satisfies the moral imperative), and because once committed it seems that perhaps the only way you can stop is by providing the 'just' and 'right' outcome that satisfies the moral perspective that caused the war in the first place. There is no half-way compromise.

The human cost of recent operations

Western societies are extremely sensitive to casualties amongst their own armed forces, particularly on operations abroad where there is no popular *perceived* direct threat to home security. In reporting on the human cost of the stabilisation operations in Iraq and Afghanistan, the focus appears to be on the casualties sustained by the group that an individual or group relates to the most. For example, the British media will always report the death of a British soldier on operations, but will rarely report the death of a US soldier, let alone of an Iraqi or Afghan civilian. This might serve to soften the perception of the true human cost of the operation held by the public who, as argued earlier in this chapter, must buy in to the longevity and cost of such an operation if it is to be successful. For that reason it is worth clarifying here just how high that cost can be. We shall start with the casualties most likely to be reported in mainstream media, before examining the less widely reported casualties of UK allies and indigenous security forces and civilians. According to figures published by the UK government, the number of UK military and civilian casualties sustained on stabilisation operations in both Iraq and Afghanistan is:

³⁵ Ibid., p. 636, 'British West Indian sugar production fell by nearly 25 percent, whereas production in competing slave economies rose by more than 210 percent.'

	Iraq³⁶ (1 Jan 2003 to 31 Jul 2009)	Afghanistan³⁷ (7 Oct 2001 to 30 Apr 2013)
Fatalities	179	444
Casualties	3709	6724
- of which VSI ³⁸	73	300
- of which SI ³⁹	149	304
- of which WIA ⁴⁰	315	2130
Aeromed ⁴¹	1971	6722

Table 3.1: UK military and civilian deaths in Iraq and Afghanistan.

These figures cover injuries and diseases that were not necessarily sustained directly in combat. However, they would not have been sustained had the individual not been deployed on operations and so have been included. This is the direct human cost to the UK in terms of its own citizens. However, there are other actors involved and therefore other human costs that should be considered. Catharine Lutz provides an analysis of casualties sustained by the US and other allies, including those civilians contracted to the US, plus the casualties sustained by indigenous security forces:

The Afghan, Iraqi, and other allied military deaths and injuries have been extensive. By conservative estimate, more than 22,000 of these troops have died, and over 75,000 have been wounded. Together with the US numbers for troops and contractors of more than 9,000 dead and 105,000 to 135,000 wounded, the total grinds up to 31,000 dead and between 180,000 and 210,000 wounded or otherwise casualties, officially or by conservative estimate. The true numbers are significantly higher. Considering that many TBI [traumatic brain injury], mental injuries, and toxic exposures in all the troops and contractors involved are not symptomatic or

³⁶ Ministry of Defence, *Operations in Iraq - Detailed Guidance*, <https://www.gov.uk/operations-in-iraq#british-casualties> edn, 2013 vols (), [accessed 5/21/2013].

³⁷ Defence Analytical Services and Advice, *Number of Afghanistan UK Military and Civilian Casualties, 7 October 2001 to 30 April 2013*, (DASA, 2013), <http://www.dasa.mod.uk/publications/people/health/casualties/___20130401_1_april_2013/1_april_2013.pdf?PublishTime=08:30:00>.

³⁸ Very Seriously Injured: The illness or injury is of such seriousness that life or reason is imminently damaged.

³⁹ Seriously Injured: The patient's condition is of such severity that there is cause for immediate concern, but there is no imminent danger to life or reason.

⁴⁰ Wounded In Action.

⁴¹ Evacuated back to the UK for further treatment, by air.

diagnosed until months after they return home, the actual wounded figure is likely many times these official numbers.⁴²

As Lutz mentions in the passage above, the true figures are likely to be significantly higher, as the US Veterans Agency has already 'approved 675,000 disability claims from veterans the two wars'⁴³, including many for PTSD, for which the UK does not currently provide data.

Of great significance is the little reported human cost of the indigenous civilian casualties that have occurred during the stabilisation of both Iraq and Afghanistan. Estimates put the number of civilian casualties as over 16,725 in Afghanistan⁴⁴, and as many as 134,000 in Iraq (plus up to 2.8 million persons still displaced).⁴⁵ Whilst the stabilisation operations in Iraq and Afghanistan were not precipitated by humanitarian interventions, they are indicative of the likely component of the human cost of a stabilisation, through civilian casualties. These are not casualties sustained by the agents of stabilisation, who make up the professional ranks (military and civilian) of those who are paid to do so. These civilian casualties are those sustained by the indigenous population that is, in the case of a legitimate humanitarian intervention, to be protected and stabilised. It is very clear that despite the 'just' and 'right' moral standpoint from which humanitarian intervention is conducted, the human cost is likely to be very high indeed. How does this human cost affect the estimate of whether an intervention and subsequent stabilisation can adhere to the JWT principle of 'proportionate cause'?⁴⁶

Calculating the financial cost of recent operations

The second cost of conducting stabilisation operations we shall examine is financial. Joseph Stiglitz and Linda Bilmes have constructed a complex methodology by which to calculate the

⁴² Catherine Lutz, *US and Coalition Casualties in Iraq and Afghanistan*, (Watson Institute for Strategic Studies, Brown University, 2013), <<http://costsofwar.org/sites/default/files/articles/8/attachments/US%20and%20Coalition%20Casualties%20in%20Iraq%20and%20Afghanistan%20%28Lutz,%20US%20AND%20ALLIED%20KILLED%20AND%20WOUNDED%20page%29%20.pdf>>, p. 9.

⁴³ *Ibid.*, p. 5.

⁴⁴ *Costs of War: Afghan Civilians*, <http://costsofwar.org/article/afghan-civilians>, [accessed 5/28/2013].

⁴⁵ *Ibid.*

⁴⁶ Charles Guthrie and Michael Quinlan, *Just War: The just War Tradition: Ethics in Modern Warfare*, ed. by Michael Quinlan (London: Bloomsbury, 2007), p. 12, 'We must have a reasonable expectation that the outcome will entail enough good (over and above what might have been achieved in any other way) to outweigh the inevitable pain and destruction of war.'

true cost of Operation Iraqi Freedom to the US. Their model is exhaustive, and uses the framework below:⁴⁷

1. Total relevant appropriations/expenditures to date for military operations.
2. Add 'operational expenditures' and savings hidden elsewhere in the defence budget.
3. Correct for inflation and 'time value' of money.
- 4 Add future operational expenditures (both direct expenditures and those hidden elsewhere in the budget).
5. Add future (and current) costs of disability and health care for returning veterans.
6. Add future costs of returning the military to its pre-war strength, replenishing spent armaments, repairing equipment whose maintenance has been deferred.
7. Add budgetary costs to other parts of the government.
8. Add interest.
9. Estimate the cost to the economy.
10. Estimate the macroeconomic impact.

The framework is comprehensive, and will be used here as a handrail to attempt to calculate the cost to the UK of conducting stabilisation operations in Iraq and Afghanistan over the last decade. Steps 9 and 10 above do require more speculation than simply adding up published figures, and therefore the macroeconomic impact is, as stated above, simply an estimate. In other areas, Stiglitz and Bilmes have, in 2008, made sensible forecasts on the budgetary (upfront) costs, including a forecast of the budgetary cost to the UK by 2010 as approximately £20bn.⁴⁸ Their forecasts have proven accurate to date, which validates their methodology. For this reason, their framework will be used as a handrail here.

In attempting to put a figure on the cost of stabilisation operations in Iraq and Afghanistan, it is necessary to make a number of sensible assumptions. Indeed, whilst it is relatively straightforward to calculate the 'additional costs'⁴⁹ of materiel, logistics and treating the wounded, there are other costs shown in the list above which are harder to quantify, but that

⁴⁷ Joseph Stiglitz and Linda Bilmes, *The Three Trillion Dollar War: The True Cost of the Iraq Conflict*, ed. by Linda Bilmes (London: Penguin, 2009), pp. 24-31.

⁴⁸ *Ibid.*, p.156.

⁴⁹ Gavin Berman, *The Cost of International Military Operations*, SN/SG/3139 (London: House of Commons Library, 2012), <<http://www.parliament.uk/briefing-papers/SN03139>>. pp. 2, 'The MoD identifies the additional costs of operations in terms of the net additional costs it has incurred. That is those costs which the MoD would have incurred had the operation not been undertaken, for example expenditure on wages and salaries or on conducting training exercises, are deducted from the total costs of the operation'.

contribute significantly to the cost of both operations. As such the figures that have been calculated have been done so with a number of assumptions shown below.

Assumptions for calculating the financial cost of operations in Iraq and Afghanistan

1. The additional costs of operations in Iraq and Afghanistan. The additional cost of military operations per year in Iraq and Afghanistan is shown below.⁵⁰

	Iraq	Afghanistan
2001/02		£221,000,000
2002/03	£847,000,000	£311,000,000
2003/04	£1,311,000,000	£46,000,000
2004/05	£909,930,000	£67,034,000
2005/06	£957,598,000	£199,348,000
2006/07	£956,162,000	£737,745,000
2007/08	£1,457,483,000	£1,504,103,000
2008/09	£1,381,000,000	£2,623,000,000
2009/10	£342,000,000	£3,821,000,000
2010/11	£95,000,000	£3,774,000,000
2011/12		£4,026,000,000
2012/13		£3,601,000,000
Totals:	£8,257,173,000	£20,931,230,000

Table 3.2: Additional costs of operations in Iraq and Afghanistan, by year.

2. The cost of continuing medical care. There are extra through-life costs for an injured serviceman in terms of prescription medicines and in some cases prosthetics. It is impossible to calculate the extra cost of prescription medicines as each individual is very different, however it should be noted that where a serviceman has been injured in service any long term costs for prescription medicines are borne by the state.⁵¹ A recent report by Dr Andrew Murrison MP put the additional cost of maintaining the rehabilitation and prosthetics

⁵⁰ Ibid., p. 3. Note that the 2011-12 and 2012-13 figures for Afghanistan are taken from the 'main estimate' column and not the 'net outturn costs' column as the figures are not yet available.

⁵¹ It should be noted that some costs of ongoing care might be covered by the compensation payments to injured soldiers. Frank Ledwidge has been vocal in both the press (<<http://www.thetimes.co.uk/tto/opinion/columnists/article3795482.ece>>) and in his recent book ('Investment in Blood: The true cost of Britain's Afghan War') arguing that there is little financial provision for ongoing care of injured soldiers, and wrongly stating that the most any injured serviceman can receive in financial compensation is £570,000. Despite citing the Armed Forces Compensation Scheme legislation on p. 129 of his book, he has failed to realise that the award for the most serious injuries are accompanied by a Guaranteed Income Payment, which could be worth a number of millions of pounds over an injured serviceman's lifetime.

of limbless ex-servicemen to the NHS (after discharge from the Army) as £106m until only 2026. The additional cost per servicemen to the NHS (above the current NHS budget) is £151,000 per ex-serviceman over that period.⁵² In addition, the extra cost to the economy of family members who might give up work in order to care for injured servicemen, and therefore make no taxable income (and will likely claim government benefits as carers) is very hard to quantify as each individual case is unique. Rather than attempt to guess by extrapolating a figure from the number of VSIs, this factor is not included.

3. Post Traumatic Stress Disorder. The future financial impact of PTSD is not yet known, however it is likely that much of the burden of supporting those with PTSD will be carried by service charities. The cost of charitable activity is described below.

4. Disablement costs. Stiglitz and Bilmes made a number of assumptions in 2008, for which government released figures now allow greater clarity.⁵³ Any serviceman injured whilst on duty in the UK military is entitled to claim compensation for that injury under the Armed Forces Compensation Scheme.⁵⁴ In summary, the injured serviceman, or their dependents in the event of death, are entitled to a range of lump sum and Guaranteed Income Payments (GIP), or bereavement grant with Survivor’s Guaranteed Income Payment (SGIP) and Child Payment (CP). When calculating the cost of providing guaranteed income to injured ex-servicemen and the dependents of servicemen killed on operations, a number of assumptions have been made as shown in detail in Appendix 1. The total costs for those injured in Iraq and Afghanistan are:

Type of payment	Value
GIP	£988,804,198
SGIP and CP	£289,758,037
Bereavement Grant	£9,562,500
Lump Sum	£137,776,626
Total under AFCS	£1,425,901,361

Table 3.3: AFCS payments to injured soldiers and bereaved dependents.

⁵² Andrew Murrison, *A Better Deal for Military Amputees*.

<http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_130824_edn>, 16806 (Department of Health, 2011), [accessed 12/12/2012]. Note that this includes all limbless ex-servicemen, not just those injured in Iraq or Afghanistan. Those injured in those theatres however, do make up the majority.

⁵³ Stiglitz and Bilmes, *The Three Trillion Dollar War*, p. 150.

⁵⁴ Ministry of Defence, *Armed Forces Compensation Scheme, Statement of Policy*, JSP 765 vols (2012),

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/28038/974_A_FCS_Statementofpolicy4.pdf>. p. 11-14 and pp. 26-27.

5. Costs to other government departments. There are other direct additional costs involved in any conflict that are not solely attributable to the military. For the UK these include spending by DfID and the FCO. According to a witness statement by Sir Nicholas Macpherson to the Iraq inquiry in 2010, the additional costs of these departments have been funded through ‘baseline spending settlements...supplemented by the joint conflict pool’. He went on to state:

Departmental settlements were the main source of funding for FCO activity in Iraq including our diplomatic presence in Bagdad and Basra; and for DfID’s contribution to the reconstruction and humanitarian effort. Prior to the invasion the Treasury worked with departments to ensure that where appropriate sufficient funding had been set aside within their budgets.⁵⁵

This shows us that the additional costs of the stabilisation operation in Iraq were accounted for within the budgets of both the FCO and DfID, which means that published figures for total spending in Iraq by these departments can be regarded as additional costs. As mentioned above, this is different from the military additional costs, where the ‘MOD spending review settlement pays for the MOD to “ready for military operations”⁵⁶, and additional military costs have been funded ‘through the Treasury Reserve, supplemented by the Special Reserve which was created specifically for this purpose in 2002’.⁵⁷ The additional costs for the FCO plus supplementary conflict pool expenditure (for Iraq only- figures for Afghanistan are not available) are shown below:⁵⁸

	FCO	Conflict pools
2002/03	£400,000	
2003/04	£34,000,000	£5,000,000
2004/05	£55,500,000	£29,000,000
2005/06	£54,700,000	£29,000,000
2006/07	£88,600,000	£37,000,000
2007/08	£49,700,000	£29,000,000
2008/09	£38,750,000	£18,000,000
2009/10		
Totals:	£321,650,000	£147,000,000

Table 3.4: Additional costs to the FCO and conflict pools due to the Iraq war, by year.

⁵⁵ N. Macpherson, *HM Treasury Involvement in Iraq: Witness Statement to Iraq Inquiry by Sir Nicholas Macpherson, Permanent Secretary, HM Treasury*. (London: 2010), <<http://www.iraqinquiry.org.uk/media/43228/nmacpherson-witnessstatement.pdf>>. p. 2.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*, p. 1.

⁵⁸ *Ibid.*, p. 5, Table 1.

6. **Debt relief and aid.** Macpherson also outlines how some 80% of Iraq’s external debts were cancelled by agreement through the Paris Club in November 2004. The UK contribution to this was £673.2m in 2004 to 2006⁵⁹, and £280m in 2008.⁶⁰ Spending on aid by DfID will also be included later as an additional cost for the reason explained in the previous paragraph, and because it is reasonable to assume that aid is an integral part of the comprehensive approach to stabilisation in all cases. It will include figures for the DfID Bilateral Programme plus imputed multilateral aid for each country, but not other forms of UK aid which have been considered as costs that would have been incurred under the normal overseas aid programme, whether or not a stabilisation operation was being carried out.⁶¹ The additional costs for DfID Bilateral aid and UK imputed multilateral aid in Iraq and Afghanistan are shown below.^{62,63}

	Iraq	Afghanistan
2001/02		£49,996,000
2002/03	£18,900,000	£74,546,000
2003/04	£220,300,000	£79,683,000
2004/05	£60,100,000	£79,589,000
2005/06	£93,110,000	£129,596,000
2006/07	£63,591,000	£142,728,000
2007/08	£48,707,000	£143,386,000
2008/09	£46,824,000	£172,636,000
2009/10	£20,238,000	£133,367,000
2010/11		£178,000,000
2011/12		£178,000,000
2012/13		£178,000,000
Totals:	£571,770,000	£1,539,527,000

Table 3.5: The additional costs of DfID bilateral aid and UK imputed multi-lateral aid in Iraq and Afghanistan, by year.

7. **Opportunity costs and benefits.** Stiglitz and Bilmes also offer an explanation of the opportunity cost to the US of the stabilisation operation in Iraq. This is a measure of what

⁵⁹ DfID, *Statistics on International Development 2001/02 - 2005/06*, (National Statistics, 2006), <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/67816/sid06-full.pdf>. p. 139.

⁶⁰ DfID, *Statistics on International Development 2005/6 - 2009/10*, (National Statistics, 2010), <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/67662/SID-2010.pdf>. pp. 23.

⁶¹ *Ibid.*, p. 3-7. This section explains what bilateral and imputed UK multilateral aid are. In essence, bilateral aid is that given to the partner state by the UK, and imputed multilateral aid is an estimate of the proportion of aid given to multi-national entities that is used in the state in question.

⁶² *Ibid.*, pp. 55-56.

⁶³ DfID, *Statistics on International Development 2001/02 - 2005/06*, pp. 88, 90.

might have been achieved with the money spent in Iraq, had it been spent elsewhere. For example, the 'United States gives some \$5 billion a year to Africa, the poorest continent in the world: that amounts to less than ten days fighting [in Iraq]'.⁶⁴ This is not as extreme in the case of the UK. However, it is worth noting that the additional costs alone of Iraq and Afghanistan are comparable to the cost of running all the publicly funded schools in Kent, the largest administrative education authority (with over 600 schools), for *over 36 years*.⁶⁵ Other opportunity costs might include diminished prestige and influence in some parts of the world. However, they must always be balanced against the opportunity benefits (not mentioned by Stiglitz and Bilmes), which might include maintaining a good relationship with the US, and the stimulation of the UK defence industry. For this reason, and because it is almost impossible to quantify, the opportunity costs and benefits are not included later.

8. Other donations to reconstruction efforts in Iraq. After the Madrid Donors Conference in October 2003, the UK pledged £744m over the period 2003-2012, of which at least £544m has been met and spent in full.⁶⁶ This pledged amount will be included in the total cost:

	Pledged for reconstruction of Iraq
2003/04	£544,000,000
2004/05	
2005/06	
2006/07	£200,000,000
2007/08	
2008/09	
2009/10	
2010/11	
2011/12	
Total:	£744,000,000

Table 3.6: Monies pledged by the UK for reconstruction efforts in Iraq, by year.

⁶⁴ Stiglitz and Bilmes, *The Three Trillion Dollar War*, pp. xvi.

⁶⁵ Kent County Council, *Section 251 Budget 2012-13*, <http://www.kent.gov.uk/education_and_learning/plans_and_consultations/statutory_publications/section_251_budget_2012_-_13.aspx> [accessed 9/15/2013]. The total budget for 2012-13 was £797,635,813.64. If we divide the total additional cost for Iraq and Afghanistan by this allocation, we get a figure of 36 years and 8 months.

⁶⁶ N. Macpherson, *Witness Statement to Iraq Inquiry*, p. 4, "the Madrid Conference of 23-24 October 2003 was probably the key milestone in financing the reconstruction effort. This galvanized international support for reconstruction, with pledges of \$33 billion secured from close to 40 donors, including significant pledges from the IMF and World Bank. The UK pledge was for £544 million over the years 2003-4, 2004-5 and 2005-6, making the UK the third largest bilateral donor. The pledge was met and spent in full. The Treasury worked with Departments to ensure a significant pledge was possible. The Government has made subsequent pledges for reconstruction in Iraq totaling a further £200 million to be provided up to 2012.'

9. **Macroeconomic cost.** The macroeconomic cost to the UK due to the impact on oil prices will be included later. Stiglitz and Bilmes calculate that because the UK became a net importer of oil after 2005, the cost to the UK economy over the period from 2003 to 2015 is over \$100bn, or around £64bn.⁶⁷ This cost is however specific to the macroeconomic circumstances of the decade in which the stabilisations in Afghanistan and Iraq have been conducted.

Service charities

In considering the costs to include, some thought was given to whether it would be appropriate to include money raised and spent by service charities, like Help 4 Heroes (H4H), on injured servicemen and their families. In the calculation, such figures have been left out: Money given to charities is normally donated by private individuals. The government has already taxed this money when it was earned by the donor. In addition, the money spent by service charities, such as that given to DMRC by H4H to build a new rehabilitation centre, is ultimately received by a construction company who uses it to buy materiel from other companies, and to pay the salaries of its employees. This money is not lost to the economy, but in fact serves to stimulate it. In addition, if the money was not donated by private individuals to the charity, it would have been spent elsewhere, and have been put back into the economy via tax on goods or services in exactly the same way as it was through spending by a service charity.

Total cost

Iraq and Afghanistan additional military costs	£29,188,403,000
Iraq and Afghanistan additional other department costs	£2,561,947,018
Debt relief to Iraq	£953,200,000
Pledged for reconstruction in Iraq	£744,000,000
Armed Forces Compensation Scheme (2012 prices)	£1,425,901,361
Macroeconomic cost due to impact on oil price	£64,000,000,000
Total cost to UK of Operations in Iraq and Afghanistan	£98,873,451,379

Table 3.7: Total cost to the UK of operations in Iraq and Afghanistan.

Extracting a useful indication of the cost of conducting a stabilisation operation

As has been explained above, the costs presented attempt to account for the hard-to-predict macroeconomic and opportunity costs which are very much dependent on the context and

⁶⁷ Stiglitz and Bilmes, *The Three Trillion Dollar War*, p. 154.

circumstances of any future conflict. Whilst those extra costs should not be ignored, it is perhaps more useful to strip away some of the costs that are very specific to both Iraq and Afghanistan to give an indication of the *minimum* level of *direct* financial commitment that a contemporary stabilisation operation is likely to require to have any measure of success. For example, debt relief to Iraq was a cost specific to that situation, and it is not possible to assume that a comparable level of debt relief would be given in every stabilisation. The macroeconomic cost to the UK due to the impact on oil prices has been removed, as it is specific to the macroeconomic circumstances of the decade in which the stabilisations in Afghanistan and Iraq have been conducted. It is not a direct cost of each operation. The table below shows the costs with the elements removed that are not directly related to operational costs:

Iraq and Afghanistan additional military costs	£29,188,403,000
Iraq and Afghanistan additional other department costs	£2,579,947,000
Armed Forces Compensation Scheme (2012 prices)	£1,425,901,361
Total direct costs:	£33,194,251,361

Table 3.8: Total direct cost to the UK of operations in Iraq and Afghanistan.

It appears all too common to underestimate (or at least underestimate in public) the cost of conducting an intervention and stabilisation.⁶⁸ This may be for a number of reasons that have already been discussed. The effect of this is that either costs are borne which are far greater than expected, or, more dangerously, that an operation becomes under-resourced. For example, prior to deployment to Helmand province in 2006, force levels were capped at 3150, and the budget forecast at £808m over 3 years.⁶⁹ The real cost has been far higher as we have seen. This has had a direct effect on the successful conduct of operations.

Arguably, by allocating resources that were based on political and economic decision-making in Whitehall, rather than on an analysis of the requirement in theatre, the instability in Helmand was exacerbated after the arrival of British troops in 2006. By providing a focal point for the insurgency that it was not capable of decisively defeating, the UK military was effectively fixed in Helmand province. The actual cost of deployment to this part of Afghanistan has far exceeded the original budget and force levels are well over double those

⁶⁸ Gavin Berman, *The Cost of International Military Operations*, p. 9. This page shows the difference in the Chancellor's original estimate for operations in Libya, and then later estimates showing an increase from tens of millions to hundreds of millions.

⁶⁹ House of Commons Defence Committee, *Operations in Afghanistan, Fourth Report of Session 2010-2012, Volume 1: Report, Together with Formal Minutes, Oral and Written Evidence*, HC 554 (London: The Stationery Office, 2011), p. 23, para. 38: 'The deployment [to Helmand] was originally agreed for three years with force levels capped at 3,150 troops at an estimated cost of £808 million.'

originally allocated. There is a lesson to be drawn out here: Accepting that a stabilisation is a lengthy and complex business, it is reasonable to expect the cost to the UK of participating in a stabilisation operation (in the same manner as Iraq and Afghanistan have been conducted-multilaterally) to be in the order of tens of billions of pounds. To assume it is likely to be less is naïve and irresponsible. Under resourcing up-front risks prolonging a stabilisation operation and costing more in the long term.

Comparing the costs of intervention and stabilisation

Whilst intervention and stabilisation are normally linked, the campaign in Libya offers an opportunity to make a comparison in scale between intervention and stabilisation. Libya is a different country from Iraq and Afghanistan, and has its own unique frictions and influences on the tactical conduct of operations. However, as an example of kinetic intervention it is informative to compare the cost of the relatively short operation in Libya with the lengthy operations in Iraq and Afghanistan. The intervention in Libya was relatively cheap in terms of blood and treasure, principally because the UK failed in its obligation to conduct any form of post-intervention stabilisation. There were no UK fatalities. Research by Gavin Berman has calculated the additional financial cost to be between £212m and £320m, which is notably but unsurprisingly far greater than initial estimates.⁷⁰ That aside, assuming that the cost of the intervention in Libya is at the higher end, the table below shows that far from the cost of an operation falling as stabilisation begins after a high tempo intervention phase, the cost density of sustaining stabilisation appears to rise considerably:⁷¹

	Libya (March-Oct 2011)	Iraq (2003-2011)	Afghanistan (2001-2013)
Cost of Operation	£320m	£8,257m	£20,931m
Cost density (average cost per 6 months)	£320m	£459m	£872m

Table 3.9: Cost density comparison of operations in Libya with operations in Iraq and Afghanistan.

⁷⁰ Gavin Berman, *The Cost of International Military Operations*, p. 9.

⁷¹ The cost density refers to the additional cost of an operation over a fixed period. In this case the cost of the 6 month intervention in Libya is compared to the average cost of a 6 month period in both Iraq and Afghanistan.

So can the UK afford to intervene?

If the UK wishes to conduct an intervention operation on moral, humanitarian grounds, it is obliged to at least be prepared to conduct a stabilisation operation after the initial inherently destabilising intervention. Analysis of the complexity and associated cost of conducting stabilisation operations, shows that the UK should be prepared to commit *up-front* financially of the order of tens of billions of pounds, if it is to fulfill its obligation to secure a 'better peace'. The costs of ending a stabilisation, including handing over equipment and bases to the host nation, and continuing support to and training of indigenous forces have yet to be published for Iraq, and have yet to be realised in Afghanistan. It is probable that they will remain high for a long period until spending is reduced to a baseline, pre-conflict level.

The UK wishes to maintain a position as a major player on the world stage, and to be seen as a global advocate of human rights and the rule of law. Much of the UK's international prestige is generated by this position. It is fair to assess that the will to conduct intervention operations from a moral standpoint remains constant. However, the question appears to be not whether the UK has the will to use hard power for humanitarian intervention, but whether the UK can afford the cost of doing so effectively and legitimately.

If the UK can indeed afford the high financial and human costs of the legitimate use of hard power for humanitarian intervention, the next chapter will examine its place in the changing world in which it might be applied.

Chapter 4- Humanitarian Intervention in a Changing World

The previous chapter explained why the stabilisation phase required for legitimate humanitarian intervention is so complex, and why as a result it is so costly, not only in financial terms, but also in human and political terms. We shall now look at how, even with the willingness both to intervene and to stay the course of a legitimising stabilisation, with all of the associated costs, the reality of the current global geopolitical picture might preclude a moral humanitarian intervention by a state or group of states.

A number of questions warrant discussion: Even if the UK can afford to do so, does the UK have the physical capability to project power in this manner? How critical to the UK's international standing is the ability to conduct legitimate humanitarian operations? There is an ongoing debate about the usefulness of R2P and its uncomfortable relationship with the sanctity of state sovereignty outlined in Article 2 of the UN Charter. The lack of response to the Syrian conflict is a manifestation of this debate. Key to this is the performance of the UN Security Council, of which the UK is one of five permanent members, where other permanent members seem to fall on either side of the R2P vs state sovereignty argument. How will the behaviour of mature LAO states like Russia and China affect the ability of the West to use hard power legally for humanitarian intervention? Will it affect the survival of the R2P concept? What is the effect of the US pivot towards the Pacific on the UK's ability to physically project hard power? Is there a need to strengthen ties with other European NATO states in order to develop a capability separate from the US? This list is not exhaustive, but these questions should be explored if we are to understand the place of humanitarian intervention in the current global context.

The origin of the conflict within the UNSC over humanitarian intervention

Robert Kagan provides an analysis of the relationship between liberal democracies and autocracies. He explains that the end of the cold war has seen a continuation of a struggle between democracy and autocracy which began in the Enlightenment period, and has seen formed a deep suspicion of democracy by autocracies.¹ As Kagan points out, there were western sanctions against China after the Tiananmen Square incident, and a number of western interventions and NGO-led electoral reforms toppled a number of autocratic regimes in the 1990s. He also states that 'from 2003 to 2005, western democratic countries and NGOs provided pro-western and pro-democratic parties and politicians with the financing and

¹ Robert Kagan, *The Return of History and the End of Dreams* (London: Atlantic Books, 2008), p. 58.

organizational help that allowed them to topple other autocrats in Georgia, Kyrgyzstan, Ukraine and Lebanon.’ What is important here is the perception of these actions; ‘Europeans and Americans celebrated these revolutions and saw in them the natural unfolding of humanity’s destined political evolution toward liberal democracy. But leaders in Beijing and Moscow saw these events as CIA-inspired coups that furthered the hegemony of America and its European allies.’²

This suspicion has been exacerbated in the post-Cold War era as ‘triumphant liberalism has sought to expand its triumph by establishing as an international principle the right of the ‘international community’ to intervene against sovereign states that abuse the rights of their people’, where western ‘international legal experts talk about modifying international law to include such novel concepts as “the responsibility to protect”’. Whatever the high moral imperative of this position, Kagan dryly notes that: ‘In theory, these innovations apply to everyone. In practice, they chiefly provide democratic nations the right to intervene in the affairs of nondemocratic nations.’³

This legislative influence at an international level appears to be the source of the principal division between democracies and autocracies in the post-Cold war period, unlike any previous period since the Enlightenment:

For three centuries, international law, with its strictures against interference in the internal affairs of nations, has tended to protect autocracies. Now the democratic world is in the process of removing that protection, while the autocrats rush to defend the principle of sovereign inviolability.⁴

To non-liberals, he says, ‘the international order is not progress. It is oppression’.⁵ When it comes to the R2P-versus-sovereignty debate, Kagan accurately comments that ‘autocracies are not in the business of overthrowing other autocrats at the democratic world’s insistence. The Chinese, who used deadly force to crack down on student demonstrations not so long ago, will hardly help the West remove a government in Burma for doing the same thing’.⁶ An autocracy is unlikely to buy in to a set of principles that might undermine its own sovereignty.

² Ibid., pp. 62-63

³ Ibid., p. 64.

⁴ Ibid., p. 65.

⁵ Ibid., p. 67.

⁶ Ibid., p. 70.

The insistence by the West on upholding human rights over sovereignty has other implications. When it comes to aid for example, China will not 'impose conditions on aid to African nations to demand political reforms they have no intention of carrying out in China'.⁷ The West, by contrast, even 'in [its] own international institutions and alliances... demand[s] strict fidelity to democratic principles', and will insist upon such reform when providing aid to states that do not necessarily demonstrate the same fidelity. We can see from the arguments in chapter 3 that this insistence could have a counterproductive, de-stabilising and alienating effect, which might push states who have Western style aspirations back towards the autocratic systems of governance of the Russians and Chinese. However, Kagan offers more than a hint of pragmatism on the relationships between states, which despite their lofty moral ideologies, will always act in self-interest:

Democratic India in its geopolitical competition with autocratic China supports the Burmese dictatorship in order to deny Beijing a strategic advantage. India's diplomats enjoy playing the other great powers off against each other, sometimes warming to Russia, sometimes to China. Democratic Greece and Cyprus pursue close relations with Russia partly out of cultural solidarity with Eastern Orthodox cousins but more out of economic interest. The United States has long allied itself to Arabic dictatorships for strategic and economic reasons, as well as to successive military rulers in Pakistan. Just as in the Cold War, strategic and economic considerations, as well as cultural affinities, may often cut against ideology.⁸

As a result of global divisions between democracies and autocracies, the post-Cold War idea of an 'international community' of liberal democracies seems rather out of date. Kagan argues that 'the term implies agreement on international norms of behaviour, an international morality, even an international conscience. Today the world's powers lack such a common understanding', and that, 'on the larger strategic questions, such as whether to intervene or attempt to isolate nations diplomatically, there is no longer an international community to be summoned or led.'⁹ He argues that in the late 20th century the assumption by western democracies was that the natural progression for all states was towards liberal democracy with free trade between all, and that this would provide the international community with stability. Now, in the early 21st century, that post-cold war assumption of worldwide democracy has yet to materialise, and in fact there is a movement towards the kind of nationalist politics found in the 19th century.

⁷ Ibid., p. 70.

⁸ Ibid., p. 73.

⁹ Ibid., p. 76.

Proponents of R2P, such as Albright and Williamson, argue that R2P is complementary to and reinforces the idea of state sovereignty.¹⁰ John Allen Gay attacks their argument, saying that the R2P doctrine does not allow sovereignty to be an organic part of statehood. Rather, and to its detriment, sovereignty implicitly 'becomes not merely an empirical fact about states that is prudently respected, but a right entrusted from on high; given that the right passes to the international community when abused, it would seem this sovereignty sees the world as a federation.' He argues that organic sovereignty is usually a stabilising force in the international community, though he does concede that perhaps 'R2P's disregard for sovereignty might empower the international community to, from time to time, actually stop a genocide by intervention.' Crucially however, he also points out, like Kagan, that 'all too often, no "international community" exists', and that as a result intervention operations simply become 'proxy conflicts [which] can readily yield atrocities of their own.'¹¹ It is implicit in these arguments that the implementation of R2P, arbitrated by the UN, is facing an existential threat from the increasing nationalism described by Kagan. We can look at the conflict in Syria to find empirical evidence of this, by examining the paralysis within the UNSC.

The UNSC paralysis in Syria

The conflict for primacy in international consensus between R2P and state sovereignty has manifested itself in the UNSC's response to the civil war in Syria. The division on humanitarian intervention between the democratic and autocratic members of the UNSC has contributed to the lack of a coherent international approach to the conflict in Syria. North et al's model, which we saw in the previous chapter, can also be used to explain this. As with Kagan's argument, it is understandable that an autocratic mature LAO would not (by supporting the idea of sovereign responsibility in R2P), want to open itself to the kind of scrutiny that might result in its own sovereignty coming under question. In this context, it becomes clear

¹⁰ Madeleine K. Albright and Richard S. Williamson, *The United States and R2P, from Words to Action*, (United States Institute of Peace, 2013), <<http://www.ushmm.org/genocide/pdf/The-United-States-and-R2P.pdf>>, p. 10, 'The concept is designed to reinforce, not undermine, national sovereignty. It places primary emphasis on the duty of states to protect their own people and its complementary focus on helping governments improve their capacities to fulfill their commitments. Only when a government fails or refuses to live up to the responsibility of sovereignty does it run the risk of outside intervention. Even then, R2P's implementation is to be done in accordance with the UN Charter, which means that the central decision-making authority is the UN Security Council...'

¹¹ John Allen Gay, *The National Interest Blog, the Buzz Blog, 23 July 2013: The Deceptive Appeal of the Responsibility to Protect*, <<http://nationalinterest.org/blog/the-buzz/the-deceptive-appeal-the-responsibility-protect-8764?page=1>> [accessed 8/8/2013], p. 1.

why the UNSC, where three members are OAO liberal democracies and two are mature LAO autocracies, has become paralysed by the R2P-vs-sovereignty debate. John Allen Gay points out how the rejection of R2P by autocracies, and its promotion by liberal democracies, has probably escalated the violence in Syria: 'As in most autocracies, the [Syrian] government could not become less repressive without endangering its continued hold on power. Assad was thus likely to regard the [R2P] efforts that would have been necessary to stabilize prewar Syria as a threat, and to refuse them.'¹²

There are a number of other factors. Russia is overtly supporting the Syrian government that is led by President Assad, against rebel elements within that country. Whilst these rebel elements may have a moderate majority, according to news reporting from all sides the rebel element has evolved to include a number of radical foreign jihadist groups with links to Al Qaeda. Hezbollah have recently started supporting the Syrian government's troops against rebels on the north border of Lebanon. Israel is conducting strikes into Syria in order to prevent the movement of arms to Hamas. The UK and the US have openly condemned the Syrian government, and have supplied support to the rebel elements, though to date have stopped short of supporting the rebels with arms. However, the UK and France recently convinced the EU not to continue the arms embargo to rebel elements within Syria, which has opened the door for the supply of weapons. UK Foreign Secretary William Hague has even said that the UK might consider supplying weapons to 'moderate' elements of the rebellion. Russia has responded by supplying the Syrian government with up-to-date anti-air capabilities that would prevent the west from imposing a no fly zone.

That there is conflicting support for either the Syrian government or rebel elements within the UNSC is clear. Russia supports Assad and his government as the legitimate sovereign leadership of Syria, whereas the UK, US and France have openly condemned the Syrian government, citing its failure to fulfill the responsibilities of sovereignty as the reason that Assad and his government must be removed. This is a clear example of the conflict in the UNSC between the R2P concept and the sanctity of state sovereignty supported elsewhere in the UN charter. In addition, the Russian attitude towards the primacy of state sovereignty is clearly articulated in the 'Concept of Foreign Policy' published in February 2013:

Another risk to world peace and stability is presented by attempts to manage crises through unilateral sanctions and other coercive measures, including armed aggression, outside the framework of the UN Security Council. There are instances of

¹² Ibid., p. 2.

blatant neglect of fundamental principles of international law, such as the non-use of force, and of the prerogatives of the UN Security Council when arbitrary interpretation of its resolutions is allowed. Some concepts that are being implemented are aimed at overthrowing legitimate authorities in sovereign states under the pretext of protecting civilian population. The use of coercive measures and military force bypassing the UN Charter and the UN Security Council is unable to eliminate profound socioeconomic, ethnic and other antagonisms that cause conflicts. Such measures only lead to the expansion of the conflict area, provoke tensions and arms race, aggravates interstate controversies and incite ethnic and religious strife.¹³

There may also be other reasons for Russia's backing of the Syrian government, perhaps better framed more personally as President Putin's support for Assad. There may be an element of wishing to be widely seen as a steadfast ally, and a sense of supporting an ally with whom Russia feels some shared cultural identity. Putin may also be concerned that the fall of the Syrian government would pave the way for further destabilisation of Iran and Russia, which he may see as a Western agenda. In addition, the removal of the Syrian government might pave the way for increased Saudi-sponsored extremism in the North Caucasus, which would threaten Russian domestic stability. As a result, it would appear in Putin's interest (both personally, as a fellow autocrat, and also as the head of the Russian state), to seek a solution to the conflict in which Assad remains in power. This might explain Putin's efforts to seek dialogue with the West and censure of the Syrian government through condemning the use of chemical weapons, rather than seeking a humanitarian intervention with the likelihood of regime change: The 1993 Chemical Weapons Convention, enforced by the Organisation for the Prohibition of Chemical Weapons (OPCW) imposes a ban on the use of chemical weapons.¹⁴ Article XII empowers the OPCW to, 'in cases of particular gravity, bring the issue, including relevant information and conclusions, to the attention of the United Nations General Assembly and the United Nations Security Council.'¹⁵ This would allow the UNSC to apply punitive measures to any party who contravenes the Convention. Importantly, it would provide for a punitive use of hard power without the moral

¹³ Russian Federation, *Concept of the Foreign Policy of the Russian Federation (Approved by President of the Russian Federation V. Putin on 12 February 2013)*, <<http://www.mid.ru/bdcomp/ns-osndoc.nsf/e2f289bea62097f9c325787a0034c255/0f474e63a426b7c344257b2e003c945f!OpenDocument>> [accessed 12/23/2013], para.15.

¹⁴ Organisation for the Prohibition of Chemical Weapons, *Chemical Weapons Convention, 1993*, <<http://www.opcw.org/chemical-weapons-convention/>> [accessed 12/12/2013], Article I.

¹⁵ *Ibid.*, Article XII, para. 4.

responsibilities that come with justifying a use of hard power for humanitarian reasons, and without an implicit threat to state sovereignty, and of regime change.

What is less clear, however, is why for example the UK and US might consider arming the rebel elements. Salafist, jihadist militants are certainly a part of the conflict, which has now escalated into an emerging regional struggle between Shia and Sunni Muslims, where the Shia are backed by Iran and Russia, and the Sunnis by Saudi Arabia. Even in the regional context, backing the side aligned with radical Sunni jihadists is surely not in the UK and US's interest, and arming rebels would prolong a war which already has taken a significant humanitarian toll. A move to back the rebels does not ring true with an attempt to curtail human suffering and uphold human rights.

It is obvious, if we take yet another perspective, that Syrian support for Hezbollah and Hamas might prove detrimental to US backed Israel, and clearly there are responsibilities to be discharged by the West (overt or not) to allied states in the region. If we try to understand the superficially naïve comments by the UK on arming 'moderate' rebels, we might conclude that the UK's and US's position on supporting rebels in Syria is more to do with our close relationship with Saudi Sunnis than it is concerned with the humanitarian need of the Syrian people. Whatever the UK's true motivations, we must also not lose sight of the fact that in Syria there is a major ongoing humanitarian crisis. In June 2013 Amnesty International put the total number killed in the conflict at approaching 100,000 people, and the number of displaced persons at around 6 million, of which around 4.25 million are internally displaced.¹⁶ However, the humanitarian crisis now seems to be very much in the political background. Indeed, were an intervention to take place, it is difficult now to see on which side it should occur.

So, if we look at the conflict through the geopolitical lens that Kagan provides, we start to see an alternative and complex picture. The actions of the West are *not* necessarily calculated to support the human rights of those people in Syria who are not being properly governed by the Assad government, but probably to prevent or decrease Russian and Iranian (who are majority Shia) influence in the region and maintain the UK's and US's strategic, energy-based, relationship with Saudi Arabia. A triumphant Assad would quite reasonably be expected to reject any Western influence, and would most certainly provide Russia with a foothold in the region, including access to the Mediterranean sea, and would deny the Saudis

¹⁶ Amnesty International, *Syria's Internally Displaced: 'The World has Forgotten Us'*, <<http://www.amnesty.org/en/news/syria-s-internally-displaced-world-has-forgotten-us-2013-06-19>> [accessed 6/23/2013].

the opportunity to destabilise Russia and Iran through supporting extremist terrorism in the North Caucasus. The UK and US might prefer that Syria fall to fundamentalist Islamists (and that our relationship with the Saudis is maintained) rather than to Russian and Iranian influence. As a result, the levels of involvement by all international parties in Syria is almost certainly not just based on conflicting views of the primacy of human rights and legitimacy of sovereignty, but also on positioning national and multi-national agendas around a strategic sectarian conflict over influence, energy, and access within the region.

What are the practical implications of humanitarian intervention by the West in Syria?

The paralysis of the UNSC discussed above casts some significant doubt on whether a military humanitarian intervention might occur anywhere, let alone Syria, particularly if there is a conflicting set of strategic influences. It is still important to note however that, if there was an agreement by the five permanent members of the UNSC, and a UNSCR was obtained as result, the task of any humanitarian intervention against the Syrian government is still vast. The complexity and cost of the operations in Iraq and Afghanistan have already been shown, and these examples did not require the defeat of a credible conventional force before the stabilisation of the countries was able to begin. In a country like Syria any humanitarian intervention is made more difficult by the requirement to defeat a credible, Russian-backed conventional force before the stabilisation phase could begin. The scale of such a task is significant, particularly as the West is still embroiled in stabilising Afghanistan, and to a lesser extent, Iraq. Robert Fox asserted in June 2013, that any intervention against Assad by the West would require at least a year of preparation, principally to bring the rebel forces up to an effective standard, and then at least two years hard fighting against Assad's forces who are equipped by Russia, *before* any of the legitimising stabilisation of the country would even start.¹⁷ Whilst Iraqi forces simply melted away during the invasion of Iraq in 2003, the Syrian forces would probably present a rather different prospect. They have years of hard fighting experience in their own territory, and possess an up-to-date anti-air capability supplied by Russia, which makes the Syrian forces a markedly different challenge.

The cost in resources, human life, and political capital might be prohibitively vast, and with no guarantee of a successful outcome for Syria (measured by the Western standards discussed in chapters two and three, 'a better peace'). Fox sums up a key problem of an effective,

¹⁷ Robert Fox, 'Syria: Why is Cameron so Gung-Ho when Military Says Stay Out?', *The Week*, 18 June 2013 (2013) <<http://www.theweek.co.uk/world-news/syria-uprising/53659/syria-why-cameron-so-gung-ho-when-military-say-stay-out>> [accessed 6/19/2013].

legitimate intervention by the liberal Western democracies, whether under the auspices of R2P or purely out of interest: 'You can only have a credible foreign policy, particularly in a contested and conflicted area like Syria and the Levant, if you have credible force, and forces, to back it.' It is questionable whether the West does.

Until now we have discussed the opposing factions in Syria in terms of 'rebels' and 'the Syrian government'. It is easy and convenient to speak in these terms, or even to speak of 'Wahhabis' and 'Shabbiha', terms that have neatly lent themselves to the easy classification of those on the government side or that of the opposition. Clearly, the reality is far more complex. However, any discussion in mainstream media or in political announcements is usually in these terms. This phenomenon was discussed in chapter 3. Aron Lund provides an excellent example of the real depth of complexity behind such terms in his analysis of the pro-Assad militias, and shows how the universal tendency to group different groups under one term has occurred in Syria.¹⁸ He explains how the term 'Shabbiha' has evolved from being simply a local term for 'Alawite coastal smuggling gangs' into a term used widely in western media and embraced by the US Treasury.¹⁹ The idea of a single homogenous group that is intertwined with the Assad government forces, is, in reality, far from the truth. In fact, he argues, the pro-Assad militias are increasingly independent from the Assad government:

...some pro-Assad gangs have begun to self-finance through smuggling, looting, protection rackets and so on. That makes them able to keep fighting for Assad – but it also makes them less dependent on him. Neighborhood leaders, tribal figures, and militia bosses are all developing power bases of their own, no longer limited to the titular positions granted them by Bashar al-Assad.'

It is hopeful that western understanding of both the pro-Assad and rebel elements extends further than the nomenclature that is commonly applied to them, especially given recent lessons in Iraq and Afghanistan on the need to have a detailed level of societal understanding. Perhaps, the fact that there has been no direct western military intervention

¹⁸ Aron Lund, 'Gangs of Latakia: The Militiafication of the Assad Regime', *Syria Comment*, (2013) <<http://www.joshualandis.com/blog>>. This article outlines the evolution of the nomenclature of the groups fighting in Syria, within a context of arguing that the pro-Assad militias are increasingly lacking in cohesion.

¹⁹ *Treasury Sanctions Al-Nusra Front Leaders, Militia Groups in Syria*, <<http://iipdigital.usembassy.gov/st/english/article/2012/12/20121211139861.html#axzz2NMJBZEfl>> [accessed 7/30/2013]. 'Since the beginning of the unrest in Syria, the Shabiha have operated as a direct action arm of the Government of Syria and its security services and Shabiha units have provided support to units from designated security services such as the Syrian Air Force Intelligence and Syrian Military Intelligence.'

to date hints that the West, for all its sabre rattling at the start of the conflict, now understands the scale of the task set out by Robert Fox, and is not willing to take it on. After all, the intervention in Kosovo did not have the legality afforded by a UNSCR, yet the Western intervention still happened anyway because the moral imperative apparently outweighed other considerations.²⁰ Robert Kaplan points out, however, in an excellent article on the realities of moral foreign policy, that ‘those who make that argument neglect to mention that the two successful interventions [in the 1990s] were eased by the fact that America operated in the Balkans with the balance-of-power strongly in its favor. Russia in the 1990s was weak and chaotic under Boris Yeltsin’s incompetent rule, and thus temporarily less able to challenge the United States.’²¹ However, that the precedent of Kosovo exists and that the west has not simply stated an overriding moral precedent to intervene suggests that there is a low probability of any humanitarian intervention. Kaplan offers an explanation on the lack of intervention in Syria, pointing out that in any decision to intervene there ‘lies a question of power that cannot be explained wholly in terms of morality’, a question that is far more complex than a straightforward moral choice to protect the Syrian people:

...to raise morality as a sole arbiter is ultimately not to be serious about foreign policy. R2P must play as large a role as realistically possible in the affairs of state. But it cannot ultimately dominate. Syria is the current and best example of this. U.S. power is capable of many things, yet putting a complex and war-torn Islamic society’s house in order is not one of them. In this respect, our tragic experience in Iraq is indeed relevant. Quick fixes like a no-fly zone and arming the rebels may topple Syrian dictator Bashar al-Assad, but that might only make President Barack Obama culpable in midwifing to power a Sunni-Jihadist regime, even as ethnic cleansing of al-Assad’s Alawites commences. At least at this late juncture, without significant numbers of Western boots on the ground for a significant period- something for which there is little public support- the likelihood of a better, more stable regime emerging in Damascus is highly questionable.²²

²⁰ *Online NewsHour: Blair Doctrine, April 22 1999*, <http://www.pbs.org/newshour/bb/international/jan-june99/blair_doctrine4-23.html> [accessed 12/12/2012]. ‘No one in the West who has seen what is happening in Kosovo can doubt that NATO’s military action is justified... This is a just war, based not on any territorial ambitions but on values.’

²¹ Robert D. Kaplan, *The National Interest, Commentary, 1 August 13: The Tragedy of U.S. Foreign Policy*, <<http://nationalinterest.org/commentary/the-tragedy-us-foreign-policy-8810>> [accessed 8/7/2013]. p. 2.

²² *Ibid.*, p. 3.

What happens if the West does not intervene in Syria?

If there is not to be an intervention and a subsequent stabilisation operation, we can expect the stabilisation of Syria to continue to take on the form of violent rebalancing ('exercising violence potential') described in chapter 3.²³ The de-centralisation of power described above by Lund does not bode well for any kind of peacefully attained post-conflict stability. Lund states that, even if Assad defeats his opponents, he might be able to 'bring his many militias back in line without major problems'. However, in all probability he will be forced to 'share resources and power with militia commanders on the fringes of the state'. If Assad were to lose the conflict, whilst the shape of the settlement is very hard to predict, what is certain is that the presence of a multitude of competing powerbrokers scattered around the towns, villages and even neighbourhoods is not a recipe for stability. As we have already seen in post-conflict Libya, this kind of power distribution is unlikely to be conducive to any kind of peacefully attained post-conflict stability in Syria:

'Wait long enough, and at least some of these newly-empowered regime subcontractors will realize that they have become dictators of their own little republics - stretching sovereign from Abu Ali's corner shop to the street by the gas station. When the day comes that Assad can neither protect them nor finance them, their loyalty to him will be tested. Many are going to stick together in the ex-regime camp out of fear or ideology or sectarian solidarity, but others will transfer their allegiance to someone who can pay their way- whether it's a bigger militia leader, a wealthy businessman, a foreign government like Iran, someone else inside the regime, or even an opposition group.'²⁴

If there is not to be an intervention, then it could reasonably be argued, as we saw in chapter 2, that what is best for Syria would be the swift reassertion of control by the Syrian government. Experience tells us that a lack of coherent security apparatus in a post-conflict state is not conducive to stability. At this stage of the conflict, however, this would probably not be an acceptable solution to the West. As a result, the conflict would probably end up being prolonged by low-level, interest-based, involvement of outside actors in support of the various factions within Syria. The human cost of the conflict would continue to rise inexorably. Rather bleakly however, it has already been observed the contrasting prospect of

²³ See p. 40, 'the natural way for that balance between elites to be restored is through exercising their violence potential (that is, to fight it out until some equilibrium point is reached)'.

²⁴ Aron Lund, 'Gangs of Latakia'.

Western intervention does not hold a 'silver bullet' to solve the humanitarian problem. Whatever happens in Syria, at this stage in the conflict the human cost will continue to rise whatever the outcome.

It is not yet clear what direction the conflict in Syria will take, and what its outcomes will be. It appears however that, as Kaplan and Kagan imply, the difficulty and potential cost (both financially and politically), and national and multi-national interests, have outweighed any moral consideration for Western intervention in Syria on humanitarian grounds. R2P certainly does not have primacy in foreign policy decisions.

Partnered capability in Europe

Let us assume however that there might be another situation where the balance of morality and power comes down in favour of an intervention on humanitarian grounds. It is clear that, even with the resources of the US military in support, and even having obtained an elusive legal basis through a UNSCR, any humanitarian intervention will prove complex, enduring and costly. Libya showed us an example of what happens when the US is not willing to lead such an operation; particularly the impact of a lack of US resourced stabilisation, post-intervention, on regional stability. Much has still been made however of the concept of the UK sharing military capabilities with other European states, particularly France. The operations in Libya in 2011 ostensibly demonstrated that partnered European forces could be effectively used in the intervention phase. It is important to note however that, whilst the US did not *lead* the intervention, it contributed significant resources.²⁵ To paint the intervention as a purely European venture is misleading.

In addition, as Osterud and Toje argue, there was by no means a coherent European consensus on intervention in Libya within NATO. In fact 'Turkey was vocally opposed to the mission, and Germany took no stand, neither did Poland.'²⁶ However, they do go on to portray the French involvement (perhaps due to a French perception of decreasing US interest in Europe, and focus on the Pacific) as an attempt to increase 'the scope for 'G-6'

²⁵ Roger Cohen, 'Leading from Behind, *New York Times*', *New York Times*, 31 October 2011 (2011) <http://www.nytimes.com/2011/11/01/opinion/01iht-edcohen01.html?_r=0> [accessed 8/19/2013]. 'The United States took out Libya's air defense system. It provided more than 70 percent of the surveillance, intelligence and reconnaissance capabilities. It flew 70 percent of refueling missions. What it did not do was wade into Libya with the army it had in the vanguard of a motley coalition of the willing.'

²⁶ O. Osterud and A. Toje, 'Strategy, Risk and Threat Perceptions in NATO', in *NATO's European Allies: Military Capability and Political Will*, ed. by Janne Matlary and Magnus Petersson (Palgrave Macmillan, 2013), p. 71. See p. 84.

military co-operation within the EU- between Britain, France, Germany, Italy, Poland and Spain; attempts at an independent military planning capability within the EU; and preserving a common EU arms market.²⁷ That said, whether a purely European effort is a practicable solution for the legitimate conduct of humanitarian intervention, principally in the enduring stabilisation phase, has yet to be tested. As we have seen, there is very little post-conflict stabilisation being conducted in Libya by European states.

In his speech to the Air Power Conference at RUSI in 2012, Philip Hammond made no explicit mention at all of using hard power for humanitarian intervention. However, he made mention of using partnering with other nations as a way to create sufficient operational capability²⁸. He acknowledged the US switch of focus to the Pacific, saying that as a result 'the nations of Europe must find the political will to take on more responsibility for our own back yard, and fund the capabilities to allow that.' Consequently, he asserts, European nations might be required to partner together, and, in line with R2P and projecting mutual strategic interest, take more regional responsibility:

Certainly that means shouldering the major burden in the Balkans and the Mediterranean. But also being prepared, if necessary, to take a bigger role in relation to North Africa and the Middle East. The bottom line is that Europe, as a whole, needs to do more when the reality is that, across the continent, aggregate defence expenditure is certain to fall in the short term and, at best, recover slowly in the medium term.

However, the last sentence above betrayed the fact that there are scant resources available for such operations, and it is a natural deduction that the priority will fall rather more on the side of 'ensuring our country is defended, our national security interests protected at home and abroad', than 'our values projected'. However, he still emphasised the idea of partnership, and cited a number of successful multi-national training initiatives, whilst at the same time acknowledging that the conflict in Libya also highlighted a critical disconnect between those who were willing to contribute to the intervention but lacked the means, and problems of military interoperability between different states. The UK might be willing to sign up to the French idea of a 'G-6' military partnership, but there is some way to go in its practical development.

²⁷ Ibid., p. 86.

²⁸ *RUSI Keynote - Philip Hammond*, <<http://www.rusi.org/events/ref:E4FD1FBD632AE1/info:public/infoID:E50928BCE62C1D/#.UMjyN7Zif0M>> [accessed 12/12/2012].

However, when it comes to partnering the UK may have little choice in the short term, certainly in terms of a carrier-based strike capability (critical for projection of hard power from the sea). As the Defence Secretary acknowledges, whilst the UK is developing an aircraft carrier capability that will allow delivery of air power in the form of new Lightning II aircraft, the capability will not be ready until 2018. Experience of government procurement processes tells us that the timetable might be rather longer in duration. As a result, assuming that any intervention will not be within range of land bases, partnering with those European nations that have the capabilities that the UK lacks, and who are willing to use them together with the UK, is the only way that the effective projection of hard power for humanitarian intervention by the UK might occur without US support. There is a significant difference, however, between European home defence and humanitarian intervention operations abroad. When set in the context of austerity in Europe and given the huge political will required, both between states and domestically, to sustain the prolonged stabilisation operations that would legitimise any joint effort at intervention (noting that in the case of Libya there was no effort to provide such legitimacy), legitimate humanitarian interventions conducted by European coalitions seem unlikely. When we add in Kagan's thoughts on nationalist behaviours, discussed earlier, then the likelihood diminishes further.

The place of the use of hard power for humanitarian intervention in a changing world

The 'Future Character of Conflict' (FCOC) paper, published in 2010 by the MOD predicted that in the future war will be undertaken for a mixture of reasons, but probably for reasons that are based on our interests, rather than for the moral reasoning behind pure humanitarian intervention, which the paper refers to as 'honour':

In the future, the UK may actually be more likely to use the military instrument for reasons of fear and interest and this may limit our discretion. For example, the UK may have to take action where it fears an aggressive state or non-state actor armed with WMD, or where our national interest is challenged by threats to resources. In any case, as the above analysis suggests, the hard distinction between fear, honour²⁹ and interest may no longer be applicable to the conflicts in which we engage. The purpose of Armed Forces is to do what no other elements in the broader national security framework can do, that is to fight to protect those things that, as a nation, we consider to be essential to our way of life. Faced with a broader proliferation of threats, and a growing list of challenges to the UK, we may not choose to intervene in

²⁹ A 'force for good', as Blair described in his speech in Chicago in 1999.

all cases.³⁰

The unfolding situation in Syria, three years on from the writing of that paper, makes clear that pure humanitarian motives, are taking second place to the realities of global geopolitics.

So is a purely moral based humanitarian intervention a valid concept in a changing world? If we believe Kagan, the expectation of global stability brought about by an international community of liberal democracies appears to have evaporated, and even the UK Defence Secretary has implied that we are now to conduct interest-based interventions over moral. There are other factors at play. UK military capability, for example, is currently diminished as we have seen above, The spectre of a long-term intervention and subsequent stabilisation is not likely to be a comfortable one for the UK to contemplate, either politically or economically, especially if it is without US support and requires long-term partnership with another European state. Domestic appetite in the UK for moral interventions in foreign lands that are not directly and demonstrably in the UK's national interest may be on the wane. In an opinion poll conducted around the debate over intervention in Syria, only 24% of those polled were in favour of intervention, and 60% were against.³¹

If so, does the lack of willingness to carry out what are arguably non-discretionary interventions under R2P, such as the humanitarian disaster in Syria, render the R2P doctrine (at worst) redundant, or (at best) lacking any enforceable credibility? Some argue strongly in favour of R2P, and support its steady evolution towards a practised international norm, not just accepted by most of the UN as a good idea in principle. Simon Adams argued at a recent All Party Parliamentary Group on the UN that a probable way forward for R2P is to strengthen the International Criminal Court (ICC), in order to demonstrate that acts breaching the responsibilities of sovereignty cannot be conducted with impunity- effectively envisaging the ICC as the legal arm of R2P.³² This is compelling, though as John Allen Gay points out with reference to Syria, 'Assad is hardly more likely to seek peace and step down if he thinks that might see him brought before the International Criminal Court and thrown in prison for

³⁰ Development Concepts and Doctrine Centre MoD Strategic Trends Programme, 'Future Character of Conflict', pp. 7-8.

³¹ Toby Helm, *Observer/Opinion Opinion Polls: Poll Finds 60% of British Public Oppose UK Military Action Against Syria*, (Guardian News and Media Limited, 2013), <<http://www.theguardian.com/politics/series/observer-opinium-politics-polls>>.

³² IPPG on the UN 15 April 2013, House of Commons. The IPPG was chaired by Lord Hannay and the speakers were: Adama Deng, UN Special Advisor for Genocide Prevention, Professor Ed Luck, Former UN Special Advisor for the Responsibility to Protect, Dr Simon Adams, Executive Director of the Global Centre for the Responsibility to Protect, and Kyle Matthews, Senior Deputy Director of the Will to Intervene Project, Montreal Institute for Genocide and Human Rights Studies.

decades. Such a risk is all the more reason to hang on desperately- and to keep inflicting horrors on his people.³³ There is much fierce ongoing debate on the future form and implementation of R2P. What is clear at present is that whilst R2P appears to provide Western liberal democracies with a genuine rallying point to deal with those who offend the Western ideal of the sanctity of human rights, R2P most certainly does *not* hold primacy in foreign policy decisions, and is definitely not the sole consideration on whether to intervene on humanitarian grounds.

Summary

It is very clear that there is a significant difference in attitude towards humanitarian intervention within the UNSC. This, in Syria, has resulted in a lack of intervention that has also undermined the UN concept of R2P. It is increasingly clear that geo-political and domestic political factors as well as moral motives shape the decisions around humanitarian intervention, and that in the case of Syria the balance of thinking has not favoured intervention to alleviate human suffering.

³³ John Allen Gay, *The Deceptive Appeal of the Responsibility to Protect*, p. 2.

Chapter 5- Upstream Prevention of Instability

In the last chapter it became apparent that the concept of a morally based, altruistic intervention on humanitarian grounds is decreasing in likelihood. This is not because the West does not attempt to adhere to the moral principles set out in R2P, but that the real cost, in all senses, of carrying out such an intervention puts it beyond the capabilities of most Western states. There is increasing talk of the idea of 'upstream prevention' as a way of preventing instability before it occurs, perhaps because there is an international realisation that the concept of humanitarian intervention based on hard power is not politically or economically desirable, but nor is the deadlock we saw in the last chapter that conflicting ideologies create in the UNSC when faced with an escalating humanitarian and sectarian problem (as in Syria).¹ Prevention is also a part of the R2P doctrine endorsed at the 2005 World Summit:

We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.²

However, the UK's approach to upstream prevention is still far from a coherent doctrine. There is much work yet to be done on producing a coherent and comprehensive approach to what might prove a useful tool in promoting stability, in the interests of the UK. This chapter will attempt to outline the current thinking behind the UK's approach to upstream prevention, as an alternative to allowing a situation to deteriorate to the point where an intervention with hard power on humanitarian grounds appears to be morally required. The benefits of such upstream activity could be great: Far from being on a reactive back foot when it comes to hard power-based humanitarian interventions driven by moral imperatives, upstream activity might allow the UK to be more proactive in choosing where and when to apply influence, in a manner that is beneficial to both the UK and the area in question. It might allow for activity that is both financially beneficial, and serve to increase UK influence and prestige.

¹ *Building Stability Overseas Strategy*, <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/67475/Building-stability-overseas-strategy.pdf> (Department for International Development, Foreign and Commonwealth Office, Ministry of Defence, 2011) [accessed 9/23/2013]. See pp. 24-29 for an outline of how the UK is 'already investing more in upstream prevention'.

² United Nations General Assembly, *2005 World Summit Outcome, A/60/L.1* (2005), para. 139.

The reasons why some states are at risk of instability and conflict, and the theory of upstream prevention

We have already seen why the violence potential of some LAO states can lead to the kind of internal rebalancing of power which attracts intervention from OAO states which are not willing to accept that kind and level of violence. Paul Collier provides further analysis as to why the poorest countries in the world are prone to failure. In 'The Bottom Billion', he analyses why the poorest countries in the world are most at risk of instability. He argues that we should think of the world in terms of 'five billion people [in 2008] who are already prosperous, or at least already on track to be so, and the one billion who are stuck at the bottom'.³ The distinction between the 'bottom billion' and the remainder of the world's population is stark: Even in comparison with more prosperous but still developing countries, he states, infant mortality is over three times higher, life expectancy is 50 years compared to 67 years, and the proportion of children with long term malnutrition 36 per cent compared to 20 per cent.⁴ Collier also paints a bleak picture of future development in the poorest countries of the world. In terms of per capita income the poorest countries have declined over the last thirty years of the last century. Even with a short period of growth at the start of this century, 'the growth of the bottom billion remains much slower at its peak than even the slowest period of growth in the rest of the developing world and brings them about back to where they were in 1970.'⁵ The poorest countries are diverging from the rest of the world. He sums up the problem: 'By 2050 the development gulf will no longer be between a rich billion in the most developed countries and five billion in the developing countries; rather, it will be between the trapped billion and the rest of humankind.'

In breaking down the problem of this divergence, Collier provides analysis of a number of 'traps', which he identifies as 'the conflict trap, the natural resources trap, the trap of being landlocked with bad neighbours, and the trap of bad governance in a small country.' A consistent, if not exclusive, theme is that of encouraging economic growth to prevent instability, such as through investment in areas like infrastructure.⁶ A current example is Algeria, which was in the grip of civil war in the 1990s. It has followed the trend of high post-conflict military spending that Collier describes.⁷ Algeria is now very wealthy from oil and gas

³ Paul Collier, *The Bottom Billion : Why the Poorest Countries are Failing and what can be done about It* (Oxford: Oxford University Press, 2008), .p. 3.

⁴ *Ibid.*, pp. 7-8.

⁵ *Ibid.*, pp. 8-10.

⁶ *Ibid.*, p. 190, 'Growth is not a cure all, but a lack of growth is a real kill-all. Over the past thirty years the bottom billion has missed out on global growth of unprecedented proportions.'

⁷ *Ibid.*, p. 131, 'Typically [post-conflict governments] keep their military spending high-almost as high as the during the war itself. They forego the chance of a peace dividend,

revenues.⁸ The opportunity for the development of infrastructure has been recognised and now the potential exists to prevent recurring de-stabilisation through investment. Algeria has a population of some 40 million, around 70% of whom are under 30 years old; the state is looking to invest in infrastructure⁹, and is looking out to countries such as the UK to help achieve this in order to prevent youth disenfranchisement and radicalism.¹⁰ Whether this works remains to be seen. However, it is evident in countries like Nigeria that underinvesting (or disproportionately investing) by the state can lead to disenfranchised groups, which are prone to being radicalised.¹¹

Collier also discusses, for example, the use of aid as a preventative measure against deteriorating security, by encouraging economic growth. He acknowledges the limitations of aid, be they through creating dependence or even encouraging military coups (as the aid would then be paid to the new state leaders). These are well-documented limitations of aid that will not be discussed further here. However, he also makes a compelling point when presenting his analysis of its allocation by international actors: ‘... the actual allocation of aid was very far from poverty-efficient. The biggest deviation was that far too much aid was going to middle-income countries rather than the bottom billion.’¹² We can make a useful deduction, which Collier also articulates, that ‘The middle-income countries get aid because they are of much more commercial and political interest [to those that provide aid] than the tiny markets and powerlessness of the bottom billion.’¹³ In this light, economic aid appears more interest based than altruistic, especially when conditional, or ‘tied’ aid.¹⁴ Interestingly,

thinking it too risky. This is a natural reaction, and you can see it on the ground- high levels of domestic military spending are typical in post-conflict situations.’

⁸ Oxford Business Group, *The Report: Algeria 2011* (Oxford Business Group, 2011), see pp. 31-35 for an economic overview.

⁹ *Ibid.*, p. 39, ‘Between 2010 and 2014 the government will inject some €222bn into transport, housing and utilities.’

¹⁰ Informal discussion with Lady Olga Maitland, Algerian British Business Council, 7 December 2012.

¹¹ Knox Chitiyo, ‘RUSI - Nigeria 2010: All Change’, *RUSI Newsbrief*, 17/03/2010 (2010) <<http://www.rusi.org/publications/newsbrief/newsbrief//ref:A4BA0C87A64C7C#.UOFCmbZif0M>> [accessed 12/31/2012]. ‘Islamic extremism is also a growing problem. Anti-Westernism and extreme variants of Wahabism have found fertile ground in some northern areas, where radical preachers ply their trade... This does not mean that Nigeria is a haven for global jihadism, but it does mean that it, like many other nations, faces a growing problem of indigenous extremism. In many ways, however, the issue is not one of religion, but is a problem of corruption and poverty. For many of Africa’s urban and rural poor, particularly the almajiris (street beggars) of the Muslim north, radicalism and jihadism fill a spiritual vacuum left by what they see as a corrupt or absent state.’

¹² Paul Collier, *The Bottom Billion*, p. 104.

¹³ *Ibid.*, p. 104.

¹⁴ Organisation for Economic Co-operation and Development, *OECD Glossary of Statistical Terms - Tied Aid Credits Definition*, <<http://stats.oecd.org/glossary/detail.asp?ID=3089>> [accessed 9/3/2013]. OECD defines tied aid as: ‘Tied aid credits are official or officially

Collier argues that aid from many donating states might be less about stimulating growth than generating international prestige. If this is the case, it is ironic that in ignoring the needs of the bottom billion (which are most likely to be basic LAOs with a high violence potential), the probability of instability in these countries attracting a costly intervention is increased.

We have already seen the multitude of frictions that are involved in a morally based humanitarian intervention and subsequent stabilisation. There has, perhaps as a result, been increasing traction gained by the idea of 'upstream prevention', as a method of ensuring that every possible effort is made to stop the slide into conflict, or 'breaking the conflict trap' as Collier puts it.¹⁵ However, whilst there is a clear acknowledgement of the place of upstream prevention in promoting both stability and the UK's interest which is reflected in the UK government's thinking, there is a lack of coherent discussion on *specifically how* it should be applied.¹⁶ General Sir David Richards, then Chief of Defence Staff, acknowledged in his address at the RUSI in 2012 (below) that more work is to be done on the implementation of 'adaptive brigades', for whom upstream prevention is a key activity; this is only a part, the military component. Within just this component, Military Task 5¹⁷ and Strategic priority 2¹⁸ in 'Strategy for Defence', published in 2010, outline the need for preventative activity. When that paper was published, there did not appear to be a detailed plan for the application of multi-faceted, or 'comprehensive' preventative activity. Across the UK government, individual departments appear to conduct such activity with relative autonomy. Organisations such as

supported Loans, credits or Associated Financing packages where procurement of the goods or services involved is limited to the donor country or to a group of countries which does not include substantially all developing countries (or Central and Eastern European Countries (CEECs), or New Independent States (NIS) in transition).¹

¹⁵ 'Breaking the conflict trap' means first breaking the other traps mentioned above; the natural resources trap, the trap of being landlocked with bad neighbours, and the trap of bad governance in a small country. We might easily apply the same notion of the 'comprehensive approach' to stabilisation we saw in chapter 3.

¹⁶ David Cameron and Nick Clegg, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, (Norwich: The Stationary Office, 2010), p. 9, para. 0.6 'We will use all the instruments of national power to prevent conflict and avert threats beyond our shores: our Embassies and High Commissions worldwide, our international development programme, our intelligence services, our defence diplomacy and our cultural assets.' There is a strong interest based theme, see also p.10, para. 0.11, 'Where we can, we will tackle the causes of instability overseas in order to prevent risks from manifesting themselves in the UK, while being prepared to deal with them if they occur.'

¹⁷ Ministry of Defence, *Strategy for Defence*, <<http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/PolicyStrategyandPlanning/StrategyForDefence.htm>> [accessed 5/14/2012], p 2, 'Providing a Defence contribution to UK influence'.

¹⁸ *Ibid.*, p 6, 'Promoting regional stability and reducing the risk of conflict and terrorism by providing upstream support to conflict prevention, containment and deterrence and stabilisation activities', and 'Making a Defence contribution to UK influence by directing non-committed capacity overseas in priority countries for Defence engagement, security sector reform and capability building activities'.

UKTI¹⁹, DfID²⁰, and the FCO²¹, all traditionally operate with relative independence and limited interaction. The 'International Defence Engagement Strategy' paper, published in February 2013 attempts to address these issues of inter-departmental interactions, as we will see later, although its effectiveness is as yet hard to measure.²² Collier also identified this need in 2008.²³

There is another significant question that remains unanswered: How would a joined-up upstream-prevention strategy compare in cost-vs-benefit analysis against simply allowing a state to fail, and then engaging in post-failure (and likely post-conflict) stabilisation and rebuilding? The graphical representation below clarifies the question, by using the level of violence in a society as a measure of efficacy:

¹⁹ *About UKTI: Exporting from Or Investing in the UK*, <<http://www.ukti.gov.uk/uktihome/aboutukti/aimsobjectives.html>> [accessed 1/1/2013].

²⁰ *DFID- Key Issues*, <<http://www.dfid.gov.uk/What-we-do/Key-Issues/>> [accessed 1/1/2013].

²¹ *About- Foreign & Commonwealth Office- Inside Government- GOV.UK*, <<https://www.gov.uk/government/organisations/foreign-commonwealth-office/about>> [accessed 1/1/2013].

²² Ministry of Defence, *International Defence Engagement Strategy*, <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/73171/defence_engagement_strategy.pdf> (2013), [accessed 8/26/2013], pp. 1-4.

²³ Paul Collier, *The Bottom Billion*, pp. 12-13: 'The main challenge is that these policy tools span various government agencies, which are not always inclined to cooperate... To make development policy coherent this will require what is termed a "whole-of-government" approach. To get this degree of coordination requires heads of governments to focus on the problem. And because success depends on more than just what the United States or any other nation does on its own, it will require joint action across major governments.'

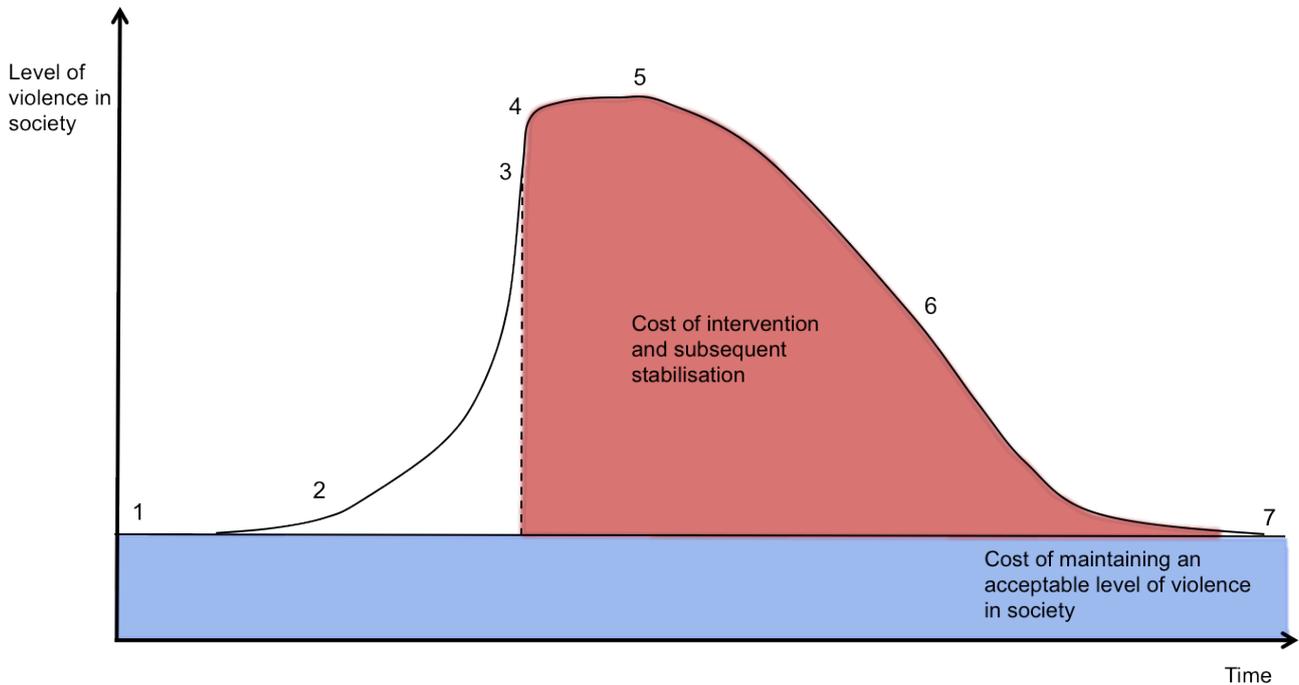


Figure 5.1: Comparing societal violence and cost of upstream prevention and humanitarian intervention.

1. Society functions with an 'acceptable' level of violence, perhaps due to criminal activity etc.
2. Societal violence increases as 'violence potential' is exercised.
3. The level of violence becomes 'unacceptable' to the international community and humanitarian intervention occurs.
4. Violence still increases during the initial intervention phase.
5. As stabilisation occurs post-intervention, violence stops increasing, and starts to decrease.
6. The level of societal violence decreases gradually over time as successful stabilisation is on-going.
7. After successful stabilisation, the societal violence level returns to an 'acceptable' level.

The additional cost of intervention and stabilisation is shown by the area shaded in red, and the cost of maintaining an acceptable level of violence in society (possibly but not necessarily due to upstream preventative measures) is shown by the area in blue. This representation might look like intervention and stabilisation might be more expensive than the cost, perhaps by upstream preventative measures, of maintaining an acceptable level of violence in society. It does not take into account the relative times of such activities, which might be more accurately reflected below:

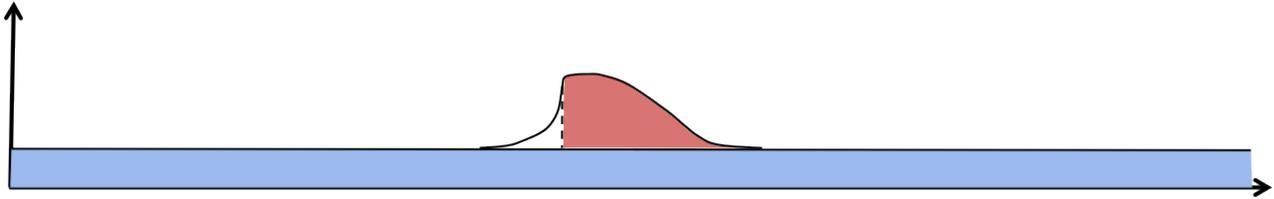


Figure 5.2: An interpretation of the scale of long-term preventative activity compared to intervention and stabilisation.

However, it is almost impossible at this stage to say quite what the cost of any preventative measures might be in any discrete case, compared to allowing instability to occur and intervening to re-stabilise. The red and blue areas might be markedly different in size.

This highlights another issue; there is a vast body of literature dealing with post-conflict stabilisation and state-building by states (such as UK stabilisation doctrine²⁴) and by private enterprise (much analysis is done by the World Bank²⁵). This kind of work deals with states either *after* they have failed or are on the brink of failure: There is relatively little available on what can be done *before* a state fails, and on the place of a coherent multi-agency method of upstream prevention. Collier provides some recommendations, where he outlines the need to prevent the occurrence (or recurrence) of conflict by effectively breaking the traps mentioned above. He recommends better management of primary resources, and transport corridors to allow landlocked countries access to the sea. He includes preventative military action. He explains how aid should be better distributed, and allocated, the need for reform of governance and policy, and, crucially, access to global economic markets.²⁶ Collier asserts that the ideal stage to start the process of integrated and multinational activity to prevent the divergence of the bottom billion is the G8. In light of the arguments seen in chapter 4, however, it will be interesting to see whether the 'international community' is capable of acting in this way. Is 'upstream' activity simply a new label for the geopolitics of exerting influence over others in whom you have an interest? We shall look at the motivations for upstream prevention later. That said, is there a way to develop and explore when and where upstream prevention can be judiciously applied as a cost-effective (in both economic and human terms) way of promoting stability, which might prevent the need for costly and prolonged stabilisation after an inherently destabilising intervention? More research into any

²⁴ Ministry of Defence, 'A Guide to Joint Doctrine Publication 3-40, Security and Stabilisation: The Military Contribution', (2010) <www.mod.uk/dcdc>.

²⁵ Rob Mills and Qimiao Fan, *The Investment Climate in Post-Conflict Situations*, WPS4055 (The World Region: The World Bank, 2006), <<http://go.worldbank.org/K0N26XHIN0>>

²⁶ Paul Collier, *The Bottom Billion*, pp. 175-192.

empirical evidence for the effectiveness of upstream prevention, and its cost relative to intervention, is required.²⁷

Defence engagement, an example of upstream activity

There is certainly recognition in UK military thinking that there is a need to regain the initiative in understanding the UK and the West's enemies and potential enemies. The 'Future Character of Conflict' (FCOC) publication by the MOD Strategic Trends Programme acknowledges this.²⁸ The reactive nature of humanitarian intervention means that the intervening state will probably be forced into a strategy where military, and therefore political, understanding of the complexity of a situation lags behind the tempo of any conflict. The reasons for this level of complexity were explained in chapter 3. Defence engagement as an upstream activity might provide a way to further the UK's understanding of the complexity of the influences and motivations (the systems of behaviour) of those potential areas of instability. Even if there were a later need for an intervention operation (either for moral or interest based reasons), then that depth of knowledge could be reasonably expected to provide a level of understanding which might limit the immediate destabilising effect of an intervention, and help to promote faster post-intervention stability. The second-order effects on cost and political capital are likely to be beneficial.

The attempt to embrace upstream preventative activities was reinforced in December 2012 by General Sir David Richards, then Chief of Defence Staff (CDS), in his address at the Royal United Services Institute, in which he outlined his vision for conflict prevention. He explained why investment in defence engagement can be effective:

Conflict prevention, to which I will return in a moment, is not just sensible strategy; it is a military operation requiring appropriately configured and equipped forces.

The Army 2020 reforms are a fundamental re-set for the Army, making the best of a regular force a fifth smaller than when I commanded it only three years ago.

²⁷ The possibility of a de-stabilising effect due of unequal investment or assistance in a society where rent-extractors all possess coercive measures needs careful examination. This might have the unwanted effect of creating groups that feel disenfranchised or disproportionately empowered, and therefore increasing the violence potential within a basic or fragile LAO. Chapter three explores why introducing any outside influence into a 'system' changes its nature, and because of the layers of complexity involved (and probably not fully understood by the outside actor), does not necessarily produce the outcome that was desired and possibly even the opposite.

²⁸ Development Concepts and Doctrine Centre, MoD Strategic Trends Programme, 'Future Character of Conflict', (2010), p. 13, para. 17: 'The West is now reacting to our adversaries' attacks, rather than setting the agenda.'

While we will retain three high-readiness manoeuvre brigades, we will also have 'adaptable brigades' to sustain enduring operations and routinely develop partnerships and knowledge around the world.

Though more conceptual work is needed, given the importance of the region and clear Prime Ministerial intent, I envisage two or more adaptable brigades forming close tactical level relationships with particular countries in the Gulf and Jordan, for example, allowing for better cooperation with their forces. Should the need arise for another Libya-style operation, we will be prepared. This would greatly enhance our ability to support allies as they contain and deter threats and, with our naval presence in Bahrain, air elements in the UAE and Qatar, and traditional but potentially enhanced roles in Oman, Kuwait and Saudi Arabia, would make us a regional ally across the spectrum.

In Africa, brigades would be tasked to support key allies in the east, west and south whilst another might be given an Indian Ocean and SE Asian focus, allowing for much greater involvement in the FPDA, for example.

If we are to influence, we must know what drives our friends and how to motivate them. This is not something that can be done on the eve of an operation. As these adaptable brigades develop links with countries around their region, this will create opportunities for soldiers and officers to progress their careers through linguistic and cultural specialism.

The Defence Engagement Strategy, prepared with the Foreign Office, will provide what I have often referred to as a 'strategic handrail' for engagement.

This will require tough decisions. If we are to invest properly in some relationships, others will naturally get less attention.

But if we get this right - and we will - we will have deeper links to specific regional partners giving them the confidence to deal with their own problems and, when appropriate, to act in partnership with us.

What I have described puts military flesh on the bones of welcome, NSC endorsed, national strategy.²⁹

CDS acknowledged in his address that more work is to be done on the implementation of 'adaptive brigades'; at present the vanguard of this activity is 4 Mechanised Brigade, commanded by Brigadier Charlie Herbert, who bears responsibility for upstream engagement within North Africa.

The International Defence Engagement Strategy (IDES) outlines, in just 5 pages, how various activities will be conducted and in what context. Importantly it acknowledges and outlines the need for inter-departmental co-operation, and concludes that 'The implementation of this Strategy will ensure closer working between the MOD and FCO, and across government, and ensure that the allocation of non-operational Defence assets and activities takes proper account of wider Government objectives.'³⁰ This is yet to be proven in practice. However, encouragingly, the structure of the governing Defence Engagement Board, which is to prioritise defence engagement activity, will be 'jointly chaired by senior MOD and FCO officials, and include representatives from DFID, BIS and Cabinet Office, and other Departments as required.'³¹

How is preventative effect measured?

A key problem in analysing preventative activity is that it is very difficult to tell when preventative activity is working, after all, who can tell quite what would have happened were such activity not taking place. This is compounded by the competitive budgetary demands of any national budget. How can a state justify spending on something that does not produce readily measurable results? So, how do we attempt to quantify preventative activity? What are the metrics that can be used to provide any kind of measure of preventative activity? Do we opt for levels of poverty, corruption, Millennium Development Goals, violence in society, infant mortality, GDP per capita? The UK's IDES acknowledges that 'While inputs to International Defence Engagement can largely be quantified, the outcomes and impact from work intended to achieve influence are much more difficult to measure.'³² It does not go on to specify any methods for evaluating effectiveness however, stating simply that, 'we will set measures'.

²⁹ David Richards, *RUSI- Annual Chief of the Defence Staff Lecture 17 Dec 2012*, <<http://www.rusi.org/events/ref:E5097A2CAA2229/#.UOCLvLZif0M>> [accessed 12/30/2012].

³⁰ Ministry of Defence, *International Defence Engagement Strategy*, p. 5.

³¹ Ibid.

³² Ibid

It is also worth pointing out the longevity of some elements of upstream activity. For example, in the case of a foreign cadet trained at the Royal Military Academy Sandhurst, it may take decades before he is in a position where any residual relationship (perhaps maintained through regimental affiliations, exchanges etc.) may bear fruit. At some unspecified point in the future that cadet might be in charge of the military in his country and one of his fellow cadets might be the UK CDS. That relationship might lead to the aversion of a military coup or otherwise, but the duration required to generate such a relationship purely for a 'what if' situation is a rather expensive insurance policy. It may be that aligning 'adaptive brigades' will prove faster at generating influence at higher levels, but it is not going to be done in months.

If we remember that the political party in government (and therefore priorities of policy) in the UK has the potential to change every five years, what guarantee is there that this kind of policy will be supported (or even relevant) in, say, ten years time? When competing with other policies for resources, it is worth considering again how a joined-up upstream prevention strategy would compare in cost-vs-benefit analysis against a policy of interventionism. This analysis may not even be possible, or valid; if we assume intervention takes the form of morally based humanitarian intervention, and prevention is rather more interest based, the associated benefits are not necessarily readily comparable. Because a key difference between prevention and interventionism lies in prevention's probable interest-based, more proactive footing, it is useful to attempt an analysis of the motivations behind upstream prevention, which will shape the way it is conducted.

What are the motivations for upstream prevention?

There is a significant distinction to be made between humanitarian intervention on moral grounds, and upstream prevention. The former is reactive, the latter proactive. One is (initially at least) concerned with using hard power, the other more likely to be somewhat softer. Humanitarian intervention that is based on moral justifications has been discussed in some detail already. Upstream prevention, instinctively, appears more tied to the interests and agendas of the states that practise it. It is perhaps, in some respects, very closely aligned to Kagan's ideas of a return to 19th century-style geopolitics, and perhaps a new facet to the next evolutionary stage of global geopolitics after the failed attempt at the proliferation of liberal democracy over the last twenty years.

There is another reason that the UK might be interested in focusing on upstream prevention. More than a decade of conflict in both Iraq and Afghanistan, and economic downturn, has led to a running-down of military capability and procurement. Current efforts to procure and

revitalise the equipment capabilities of the UK's military will probably not, as we have already seen, mature for some years. It is quite possible that the running down of military capability is a significant contributor to the decision to re-structure the UK military for contingency and upstream prevention, in an attempt to provide a tool for the UK to have some influence in global geo-politics while the various procurement programs catch up.

To have an agile, fast 'Reaction Force' that is able to 'undertake short notice contingency tasks', and provide the 'basis for any future enduring operation' seems quite reasonable.³³ The creation of an 'Adaptive Force' that can provide 'follow-on forces for enduring operations', which, combined with the Reaction Force will provide an Army which is 'capable of generating the required force structure to support an enduring stabilisation operation, at the same time maintaining a very high readiness force to deal with contingent operations'³⁴, appears to make sense. It is a pragmatic product of balancing cuts in manning and spending on military capability, set out by the Strategic Defence and Security Review (SDSR).

When it comes to short-term, interest-based and limited scope interventions this force structure appears quite reasonable, and, whilst it is impossible to predict what the future might hold, a force that is designed to be flexible and fast to react stands a reasonable prospect of success. However, when it comes to the kind of humanitarian intervention operations, perhaps under the banner of 'Responsibility to Protect' or other moral justification, we encounter a significant problem. The nature of these operations means that they will probably require a fast reaction and decisive employment of the military to effect an intervention which addresses whatever the pressing humanitarian need might be. However, humanitarian intervention, as we have seen, carries moral responsibilities that require a potentially prolonged period of stabilisation. This is a costly undertaking in both blood and treasure, and one for which the UK's lack of military mass might prove too much. As such a focus on upstream prevention is likely to be a priority for a military with significantly reduced capability.

There is a substantial literature on the 'securitisation of development', where the development of poor countries is directly linked to the security of developed countries. As Pénélope Larzillière notes, 'There is a tendency to make a causal link between poverty and violence in many official development documents', as a result, she goes on to point out, 'so defined, the link between security and development becomes a utilitarian one in which

³³ Ministry of Defence, *Transforming the British Army, July 2012: Modernising to Face an Unpredictable Future*, (2012), p. 4.

³⁴ *Ibid.*, p. 6.

development is a way to ensure security [for the developed world]. Development is no longer an end in itself, but a means.³⁵ In this light, upstream prevention in the form of development certainly appears highly interest-based.

It is certainly fair to deduce from Collier's comments on the allocation of aid, and the very presence of his recommendations, that the current picture is not completely altruistic. Whether that is due to ruthless self-interest or inefficient use of resources across a complex problem is not yet clear. It could be a combination of both.

It could be argued that promoting stability is in the interest of all. However, this might be a little naïve. It is evident everywhere that states act in their own interest, as Kagan observes, and that it is in fact in the interest of some states to ensure a certain level of instability in others. After all, there would be no arms trade without conflict, for example, and why would a global hegemon want to encourage every other state to be on a level playing field with it?

We must understand whether upstream activity of any kind is carried out for interest-based reasons, where there may be a real return, or whether it is part of a humanitarian imperative, where money spent is purely for the benefit of those it is spent on, and not necessarily in the direct interest of the state doing the spending. As with the cost-benefit analysis of prevention vs. intervention, more work remains to be done to clarify the reality.

What other forms might upstream prevention take?

We have already outlined some of the activities that might be associated with defence engagement. However, defence engagement is not the only preventative measure, and according to IDES will be used concurrently by the UK with efforts from other government departments, in support of a number of thematic strategies:

These strategies include the Building Stability Overseas Strategy (BSOS), Counter Terrorism (Overseas CONTEST), Counter Proliferation, Cyber Security, Organised Crime, Overseas Territories, Countries at Risk of Instability, Prosperity, Consular and Emerging Powers. All International Defence Engagement and other activities will

³⁵ Pénélope Larzillière, *Production of Norms and Securitization in Development Policies: From Human Security to Security Sector Reform*, <http://www.aub.edu.lb/ifi/international_affairs/unaw/Documents/working_paper_series/2013_0110ifi_wps_unaw_Lazilliere.pdf> (Issam Fares Institute for Public Policy and International Affairs, American University of Beirut, 2012), p. 23 [accessed 9/23/2013], pp. 8-9.

come together in the FCO-led Country Business Plans in line with the direction of the SDSR.³⁶

As an example, the BSOS list defence engagement as just one element of its upstream prevention activity. The others are ‘investing in partnerships beyond governments’, increased aid and conflict pool spending, ‘supporting the role of women’, ‘supporting a responsible private sector’, ‘tackling corruption’, and ‘taking a regional approach where necessary’.³⁷

Is upstream prevention only carried out by states?

There may be scope for private companies to contribute to upstream prevention by creating investment opportunities in parallel with any other international, multi-lateral or state-driven activity. A mutually beneficial business venture may transcend the demographic middle ground of any prevailing ideology, perhaps due to its effect on the prepotency of wants proposed by Maslow. Those who choose ideology over the benefits of investment can perhaps be coerced or worn down to come to the negotiating table, although as we saw in chapter 3, this is very difficult. A mutually beneficial and sound business venture will probably possess more permanence, and thereby generate more stability, by being linked to private investment rather than to a government-linked investment stream (such as from DfID) that may have a rather shorter shelf life due to competing government policies. This has obvious effects on long-term stability, and this effect (or the potential for it) might serve to strengthen the position of those managing any reform of governance or otherwise, breaking Collier’s traps. Clearly there are frictions involved, including any destabilising effect of rapid investment in one area but not another, and the reaction of any part of a population which might think itself disenfranchised. Bearing in mind, however, that any attempt to foster stabilisation requires ‘Unity of Effort’³⁸, to what extent could private investment as an upstream activity be either relied upon or controlled? This too, is not yet clear.

Private finance is inherently *not* directly state linked, so how might the private sector be influenced to assist in a wider goal of inducing stability through economic development? Should states make the idea of foreign investment in such locations where it wishes to have an upstream effect as attractive as possible? How, or whether, this can be achieved is questionable and requires more research.

³⁶ Ministry of Defence, *International Defence Engagement Strategy*, p. 5.

³⁷ *Building Stability Overseas Strategy*, pp. 24-29.

³⁸ Ministry of Defence, ‘Guide to JDP 3-40’, p. vii, ‘Military force is but one element required for the delivery of security and stabilisation. The collective contribution of all actors is required to ensure unity of effort in every facet of the mission.’

Further work on upstream prevention

As we have seen, the UK's upstream prevention doctrine is far from developed, and a number of areas that will need to be clarified have been identified. The first area is to decide whether upstream activity is to be conducted in the interest of the UK, or whether it is altogether more altruistic and takes on the form outlined in R2P. This is key, because if upstream prevention is based on the UK's interest, or vice versa, it will impact directly on the upstream activities carried out.

It would, for example, have a fundamental impact on aid allocation (who gets it and what kind). It should be explored whether conditional aid to middle-income developing countries is more beneficial, or whether, as Collier recommends, we should be targeting the poorest countries. Aid allocation is intrinsically linked to whether the UK still upholds itself as a 'force for good', or whether the return to 19th century-style geopolitics outlined by Kagan in the last chapter is the reality. A focus on conditional aid to middle-income developing countries might give shorter-term economic and prestige benefits to the UK. However, depending on the UK's willingness to carry out true humanitarian intervention, a lack of focus on the poorest states could be storing up a complex and costly problem for the future. Interestingly, by focusing on poorer countries from a moral standpoint, second-order effects that are very much in the UK's interest might occur, such as a gain in prestige, and perhaps not being forced to expend resources on a costly moral intervention and stabilisation later on. Instinct tells us that it will most likely be a combination of both, but that critical in the application of upstream measures is an analysis of its relative cost.

How is the effectiveness of upstream prevention measured, and how does upstream prevention compare with simply allowing a state to fail and following up with a legitimate intervention and stabilisation? Is there a way to encourage the private sector to take on greater involvement in upstream activity?

At a more regional level, how exactly will defence engagement activities work? What approach will be taken by 4 Mechanised Brigade to engage itself with North Africa? The aspiration to achieve some level of integration in North Africa appears sound, but has anyone told the North Africans?

These questions are not exhaustive, but outline the requirement for further development of the policy of upstream prevention.

Chapter 6- Conclusion

In order to reach a conclusion on the limitations of the use of hard power for humanitarian intervention, we will first recap the principal arguments contained in this thesis.

The modern concept of morally based humanitarian intervention has developed significantly over the last two decades. After (a somewhat belated) direct military intervention in Bosnia in 1995 after the Srebrenica massacre, missed opportunities to prevent human suffering in Somalia in 1992 and Rwanda in 1994, and an 'illegal' but 'legitimate' campaign in Kosovo, the concept of intervention on humanitarian grounds grew into R2P, published by the 'International Commission on Intervention and State Sovereignty', in 2001.¹

If we examine the idea of military intervention for humanitarian purposes through the lens of JWT, then, as we saw in chapter 2, there are a number of key outcomes. First, a failure to apply the principles of *jus ad bellum* means a war is not just. This does not necessarily mean it is illegal. However, international humanitarian law (the law that governs armed conflict), has its roots firmly in JWT. Any calculation of whether a use of hard power is legitimate under *jus ad bellum* should be iterative, and not discarded after the first shot is fired. Next, any use of hard power used during a humanitarian intervention must be proportional (i.e. 'proportionate to its evils or harms'²). A critical deduction, and a cornerstone of the arguments in this thesis, is that any use of hard power is inherently destabilising; it *increases* the level of violence in a situation in order to strike at whatever evil has precipitated the intervention. This kind of intervention, if conducted in accordance with international humanitarian law, is quite acceptable. However, because the purpose of any humanitarian intervention must be to create a 'better peace', the only way to maintain the legitimacy of the intervention is to be at the very least prepared to conduct a lengthy period of post-intervention stabilisation. The notion that a true humanitarian intervention can be achieved without any post-intervention stabilisation has been severely damaged by the increasing instability in Libya after the intervention in 2011.

Because of the inherent requirement for stabilisation to legitimise any intervention that is justified on moral grounds, it follows that the real cost of any high tempo and short-term

¹ Matthew Jamison, 'Humanitarian Intervention since 1990 and 'Liberal Interventionism'', in *Humanitarian Intervention: A History*, ed. by Brendan Simms and David J. B. Trim (Cambridge: Cambridge University Press, 2011), 16, 365. See pp. 366-371 for an overview of the development of what Jamison calls 'liberal interventionism' in the 1990s.

² James F. Childress, 'Just-War Theories: The Bases, Interrelations, Priorities, and Functions of their Criteria', *Theological Studies*, 39 (1978), 427–45. See pp. 438-439.

intervention must also include a potentially prolonged and complex period of stabilisation. The two are inextricably linked. Chapter 3 discussed the complexity of stabilisation operations and attempts to explain their difficulty and longevity. A direct result of this complexity is the high cost, in human, economic and political terms. It is a reasonable deduction, therefore, that a true humanitarian intervention cannot be done cheaply or indeed quickly.

With reference to the arguments in chapters 2 and 3, it does not appear possible to intervene successfully with short-term limited objectives, as expounded by the 'Colin Powell doctrine' and often mentioned with reference to Syria, and expect to create a better peace. If the moral high ground is taken when providing a justification for intervention, then the same moral high ground demands that a better peace must be created. This is through stabilisation. To use a medical analogy, a very ill patient who has a heart bypass, an 'intervention' by the surgeon, is not simply sewn up and put out onto the street outside the hospital. No, the patient will next be in intensive care, akin to beginning stabilisation, and then will most likely begin a long road of rehabilitation and aftercare for the operation to be worth the effort. Whether or not a state wishes to save resources, or political capital, an intervention with limited goals is illegitimate if justified on moral or humanitarian grounds because it will almost certainly fail to generate a better peace, as we have seen in Libya, and then Mali. Intervention increases the level of violence and instability within the recipient state, and therefore increases human suffering. An outside intervention which increases human suffering in the short term and sets the conditions for the same suffering to continue, due to a failure to enact a period of stabilisation to alleviate it, cannot possibly be morally legitimate if a principal justification for that intervention is to prevent or reduce human suffering. We should be clear here however that there is a difference between moral legitimacy and legality. Just as the campaign in Kosovo was regarded as 'illegal' but 'legitimate', it is quite possible for a campaign, like Libya, to be perfectly legal (with the legalising consensus of the permanent five members of the UNSC), but morally illegitimate. This has consequences we shall see later.

Chapter 3 calculated the additional financial cost of stabilisation in Iraq and Afghanistan at around £33.2bn, with a total cost including macroeconomic factors at £98.8bn. There is a question over whether the UK would be prepared to commit this level of resources to such an operation in the future, whatever the humanitarian obligation. The cost might prove prohibitive, certainly economically, but also in terms of maintaining domestic political consent. It could be argued that humanitarian interventions are not wars of choice, but rather wars that there is a humanitarian obligation to prosecute as a responsible member of the international community. However, as we saw in chapter 4 there is some doubt over whether,

in reality, such an obligation is taken seriously. In all foreign policy decisions there is an element of geopolitics. However, in the case of humanitarian interventions, even the US nomenclature of 'coalitions of the willing' implies that there is some choice over the obligation to intervene. Kagan's ideas, shown in chapter 4, on increasingly nationalistic behaviours are compelling. When we look at the arguments put forward in the recent debate in the House of Commons on 29 August 2013 which ruled out military intervention in Syria, the notion that the UK is obliged to commit itself to the kind of interventions to which R2P provides a framework, seems to be a source of deep controversy even within the British domestic political sphere.³ The foundations of R2P appear to be crumbling.

Indeed, it is possible that the R2P doctrine is no longer of interest to the West: During a press conference on intervention in Syria, in September 2013, after the discovery of the use of chemical weapons, President Obama stated that; 'what I'm talking about is an action that is limited in time and in scope, targeted at the specific task of degrading [Assad's] capabilities and deterring the use of those [chemical] weapons again'.⁴ This is clearly not a humanitarian intervention, but rather a punitive use of hard power against Assad's regime. It is not an act to protect civilians, but rather ensure that the manner of their death is not by chemical weapons. It seems rather odd that it is implicitly acceptable for over 100,000 people to die through conventional means, whereas the death of some 1400 people through the use of chemical weapons might provoke a punitive strike that would result in further loss of life and potentially destabilise the situation further. However, as shown in chapter 4, a punitive use of hard power under the 1993 Chemical Weapons Convention would have been an effective way of using force without the accompanying responsibility for stabilisation that a humanitarian justification would entail. Had such a strike occurred it would, arguably, have maintained US and Western prestige, without committing to costly and lengthy campaign that was domestically unpopular.

There is some doubt over whether, even if the UK wished to intervene overseas for humanitarian reasons, the UK has the military capability to project power in this way. The British Army is shrinking. However, land forces are the principal component in any stabilisation operation. It would certainly appear that over the next five to ten years, the UK is

³ Hansard, *House of Commons Hansard Debates for 29 Aug 2013*, <<http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm130829/debtext/130829-0001.htm#1308298000001>> [accessed 9/5/2013]. See link for a full transcript of the debate.

⁴ The White House, 'President Obama and Prime Minister Reinfeldt Hold a Press Conference', *White House.Gov Video Feed*, (2013) <<http://www.whitehouse.gov/photos-and-video/video/2013/09/04/president-obama-and-prime-minister-reinfeldt-hold-press-conference#transcript>>.

unlikely to have the capability to unilaterally project hard power from the sea. The acknowledgement by the UK Defence Secretary, that Europe's states will be required to take responsibility for 'its own back yard', as the US focuses elsewhere, means that there is likely to be a need to partner with other states to augment our military capability.⁵ The practicalities of interoperability, let alone managing different state agendas, domestic and international political will, and the cost, render this somewhat difficult even with the best intentions.

If there is a move towards increasing 'upstream activity' in order to tackle instability *before* it gets to the stage that an intervention using hard power is required, as there appears to be, then it may be possible to avoid the vast commitment in time and resources that such an intervention requires. However, at this stage, whilst the UK has taken some steps towards formulating a coherent strategy, the strategy is not yet mature. It is currently unclear whether upstream activity in any of its guises is effective, or cost effective.

So what are the conclusions we can draw? As we saw above, the motivations for intervention rarely are purely humanitarian. Humanitarianism is therefore a treacherous justification to use for this purpose. If, say, a state was more honest about its motivations (however impolitic and unlikely that is), and did not seek to justify a hard power-based intervention under the humanitarian banner when it is in actually based on the state's interests, then at least the post-intervention responsibilities could be worn more lightly, and probably cost less. However, an intervening actor might then run into trouble with other parts of the UN Charter, and with other states and groups of states. Future interventions might be over a number of issues, and not necessarily humanitarian. They might be provoked in the UK's interest by piracy on the East African coast, or by competition due to food insecurity, over energy or water access (factors David Kilcullen attributes to the global megatrend of increasing littoral urbanisation⁶), as much as to counter the human suffering that will arise as a result of such competition.

The messiness of thinking in this area appears to be due to an ideological point, that of human rights. Put very simply, a stumbling block for Western liberal democracies in

⁵ *RUSI Keynote - Philip Hammond*,

<<http://www.rusi.org/events/ref:E4FD1FBD632AE1/info:public/infoID:E50928BCE62C1D/#.UMjyN7Zif0M>> [accessed 12/12/2012]. 'With the United States reflecting, in its strategic posture, the growing importance of the developing strategic challenge in the Pacific, the nations of Europe must find the political will to take on more responsibility for our own back yard, and fund the capabilities to allow that. Certainly that means, shouldering the major burden in the Balkans and the Mediterranean. But also being prepared, if necessary, to take a bigger role in relation to North Africa and the Middle East.'

⁶ David Kilcullen, *Out of the Mountains: The Coming Age of the Urban Guerrilla* (London: Hurst & Company, 2013), pp. 35-42.

particular, is that the ideal of maintaining human rights clashes with overtly interest-based activity, because in such an activity someone will win and someone will lose. The notion of upholding every single individual's human rights means that in effect, everyone has to win. This does not sit well in an international system where states are in competition with each other.

This has consequences. States that have nailed their colours to the human rights mast still need to be able to act, at times, in their own interest. This will probably be to the detriment of others. Pragmatically, for the states that openly hold human rights as a higher authority than sovereignty, humanitarian intervention could be seen as an attractive framework within which to pursue interest-based policy. However, there is a built-in risk, in that the framework which apparently allows those states to intervene in the affairs of others with relative impunity, sanctioned by the UN, can commit the intervening state(s) down a treacherous path which they did not foresee when they started the intervention. To clarify, an intervention done out of interest but under the humanitarian banner will almost certainly lack the resources required to carry out post-intervention stabilisation, and there is a risk of becoming embroiled in an escalating fight that was not prepared for by the intervening actor. This, seen in the lack of preparedness to stabilise Iraq, had an effect of undermining domestic consent, the lifeblood of liberal democracies. On the other hand, a cut-and-run intervention might gain domestic approval but, as in Libya, demonstrably fails the moral test, and undermines the concept of genuine humanitarian intervention. The consequence of this is that the framework for genuine humanitarian intervention might collapse or become unworkable. The beginning of this effect has been revealed in the behaviour of the UNSC over Syria, in the arguments put forward for intervention not for humanitarian reasons, but for chemical weapons use.

That is not to say that the concept of genuine humanitarian intervention is not relevant. A useful, if obvious, recommendation is that humanitarian intervention should not be seen as an excuse to intervene for other reasons. Rather than re-work the concept- it is after all a perfectly defensible and admirable act if carried out properly- states perhaps need to be rather more honest about what humanitarian intervention actually means. It carries responsibilities, and those responsibilities will bite an actor that has not prepared for them or has sought to use the humanitarian intervention framework as justification for an interest-based act. Abuse of the humanitarian intervention framework for interest-based acts will kill it off, to the detriment of those in genuine need.

When it comes to sharing the cost and military capabilities required of genuine humanitarian intervention, there is little evidence that multi-lateral approaches are a practicable longer-term solution. There could be a place for small 'coalitions of the willing' to carry out

humanitarian intervention. However, the complexity of aligning national agendas (which hints at an interest-based, not morally-based motivation) and direct military interoperability, are huge hurdles to be overcome. Perhaps a modular NATO-based system where states can 'plug and play' with each other's capabilities could work, but when we acknowledge the different priorities for defence spending and the flux of domestic politics this is not a convincing prospect. Perhaps the only way to maintain the moral purpose of true humanitarian intervention is through unilateral action? In which case, there are currently almost no states in the world that could see it through.

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Appendix 1- Figures Supporting the Calculation of AFCS Payments

The calculation for AFCS payments was calculated using AFCS legislation.¹

Guaranteed Income Payments are paid at four tariff bands, A, B, C and D. Tariff A represents a GIP of 100% of final salary multiplied by an age factor. Tariff B is 75% of final salary multiplied by an age factor, tariff C is 50% multiplied by an age factor, and tariff D 30% multiplied by an age factor. All payments are tax-free. Survivor's Guaranteed Income Payments are calculated by taking the deceased serviceman's final salary, multiplying by an age factor, then 60% of that figure is payable.

A pension scheme also exists which pays an immediate pension following discharge or death. However, the maximum receivable by any individual cannot exceed the GIP or SGIP awarded so pensions have not been factored in to the calculation.

Figures on the numbers of GIPs and SGIPs are available from Defence Analytical Services and Advice (DASA)². The figures in Tables A1.1 and A1.2 are taken from this source:

¹ MOD, *Armed Forces Compensation Scheme, Statement of Policy*, JSP 765 (2012).

² Defence Analytical Services and Advice, *The MOD'S Official Source of UK Armed Forces Statistics*, <<http://www.dasa.mod.uk/applications/newWeb/www/index.php?page=47>> [accessed 6/26/2012].

As at 30 Sep 12								
Age group	All GIP and SGIP	All GIP	GIP tariff Band				SGIP	
			A	B	C	D	Spouses	Children
All	1220	660	30	65	120	450	255	305
Under 20	295	0	0	0	0	0	0	295
20-24	120	85	5	5	20	55	25	10
25-29	265	210	5	20	40	145	55	0
30-34	240	180	10	15	25	130	65	0
35-39	120	70	0	15	10	45	50	0
40-44	110	75	0	5	20	50	30	0
45-49	45	25	0	5	5	15	25	0
50-54	20	10	0	0	5	5	10	0
55-59	5	5	0	0	0	5	0	0
Over 60	0	0	0	0	0	0	0	0

Table A1.1: The number of GIPs and SGIPs in payment as at 30 September 2012 by tariff band and age.

These figures do not include pending GIPs and SGIPs, which are not yet in payment. These figures are shown below:

	In payment as at:
Payment Type	30-Sep-12
All	1970
GIP	1410
in Payment	660
Deferred	750
Survivors GIP	560
Spouses	255
Children	305

Table A1.2: The number of GIPs and SGIPs in payment as at 30 September 2012 by tariff band and age.

Because the figures are shown by age and not rank, it is necessary to estimate the probable salary at each age bracket in order to estimate the value of the GIP and SGIP. The table below shows these estimates, based on the authors own experience of promotion rates, and on salaries from the Armed Forces Pay Review Board 2012. The calculation of the amount that will be paid out by the UK government to all injured servicemen and their dependents was calculated using the following figures and assumptions:

Age	Likely Salary	Source	GIP age factor	Minimum years left of GIP based on average life expectancy
Under 20	£20,750.08	L3 OR1/2/3 (Pte)	1.196	60.085
20-24	£27,592.44	L8 OR1/2/3 (LCpl)	1.17	56.085
25-29	£32,756.16	L1 OR5/6 (Sgt)	1.107	51.085
30-34	£36,953.64	L1 OR7/8 (SSgt)	1.041	46.085
35-39	£41,445.84	L6 OR7/8 (WO2)	0.972	41.085
40-44	£42,907.92	L2 OR9 (WO1)	0.897	36.085
45-49	£68,800.56	L3 OF4 (Lt Col)	0.816	31.085
50-54	£75,609.12	L7 OF4 (Lt Col)	0.724	26.085
55-59	£77,617.20	L9 OF4 (Lt Col)	0.705	21.085
Over 60	£77,618.20	L9 OF4 (Lt Col)	0.705	20.085

Table A1.3: Table showing likely salary of an individual in a specific age range, based on an estimate of rank achieved by that age.

With these estimates we can now make a calculation of the value of GIPs and SGIPs currently in payment:

Age group	GIP Actual cost				SGIP Actual cost	
	Band				Spouse	Child
All	A	B	C	D		
Under 20	£0.00	£0.00	£0.00	£0.00	£0.00	£21,963,129.68
20-24	£9,053,003.68	£6,789,752.76	£18,106,007.37	£29,874,912.16	£27,159,011.05	£968,494.64
25-29	£9,261,983.58	£27,785,950.74	£37,047,934.32	£80,579,257.15	£61,129,091.63	£0.00
30-34	£17,728,318.48	£19,944,358.29	£22,160,398.10	£69,140,442.07	£69,140,442.07	£0.00
35-39	£0.00	£18,620,143.55	£8,275,619.35	£22,344,172.26	£49,653,716.13	£0.00
40-44	£0.00	£5,208,202.75	£13,888,540.67	£20,832,811.01	£24,999,373.21	£0.00
45-49	£0.00	£6,544,316.15	£4,362,877.43	£7,853,179.38	£26,177,264.59	£0.00
50-54	£0.00	£0.00	£3,569,797.65	£2,141,878.59	£8,567,514.36	£0.00
55-59	£0.00	£0.00	£0.00	£1,730,660.79	£0.00	£0.00
Over 60	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00

Table A1.4: The lifetime cost (without allowance for increases in line with the CPI) of GIP and SGIP payments being paid as at 30 Sep 12.

The total lifetime cost of GIPs and SGIPs in payment at 30 Sep 12 is £752,602,555.62. However, this doesn't account for the 750 deferred GIP payments that are not currently being paid. If we assume that they follow a similar distribution across bands A-D as the 660 GIPs already in payment, the total cost of current and deferred GIP and SGIP payments at current prices is **£1,278,562,235.47**.

A Freedom of Information Act request was submitted to the Service Personnel and Veterans Agency, requesting details of lump sum payments to injured servicemen. It provided the following figures:³

Deployed before claim on Operations in	Number of awards	Number of awards with lump sum available	Total paid in lump sums
Iraq and/or Afghanistan	6,960	5,370	£137,776,626
Iraq only	1,865	1,260	£14,503,798
Afghanistan only	4,150	3,315	£102,899,315
Iraq and Afghanistan	945	795	£20,373,512

³ Correspondence with Service Personnel and Veterans Agency, dated 18 July 2012. Reference: SPVA/Sec/6/2/63 20-06-20120115055

Table A1.5: The cost of lump sum payments to servicemen injured in Iraq and Afghanistan.

In summary, the total figures for payments to injured soldiers and their dependents are:

Total GIP	£988,804,198.11
Total GIP and SGIP	£1,278,562,235.47
Bereavement Grant	£9,562,500.00
Total Lump sum payments (from FOI request)	£137,776,626
Total under AFCS	£1,425,901,361.47

List of Assumptions

1. Average life expectancy is a combined male/female average of 80.065 years
2. Salaries for calculation of GIP are capped at Lt Col level.
3. Salaries and lifetime of payment figures used in calculations have been calculated by making an assumption, based on the author's experience, of the probable salary of an individual based on average speed of promotion through the ranks. This is necessary as the figures provided by DASA are age related, not rank related.
4. Prices don't reflect increases in line with CPI, which GIP is linked to.
5. Any bereaved spouse is in same age bracket as the deceased serviceman.
6. All bereaved spouses get a £37,500 bereavement grant.
7. Child payment is based on 2 children, and assuming that the payment will last 10 years.