Limits to Armed Intervention
Lessons from Africa, the Middle East & Afghanistan

Group of 78 Annual Policy Conference
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The Group of 78 is most grateful to the following graduate students from Carleton University who produced the summaries and contributed to the messages of the conference:

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In addition to our sponsoring organizations, above, the Group thanks the Speakers, Panelists and Moderators who contributed their knowledge, experience, and vision toward a greater understanding of the limits of armed intervention, with a particular focus on the lessons learned from Afghanistan, Africa, and the Middle-East and their implications for contemporary conflict.

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The Group of 78

The Group of 78 is an association of Canadians committed to Canadian leadership in global stewardship and a progressive Canadian foreign policy based on the pursuit of peace, justice and global survival.

The Group grew from an initiative in 1980 when several concerned and distinguished Canadians crafted a statement on how Canada could contribute to the building of a peaceful, secure world. In November 1981 that statement, Canadian Foreign Policy in the 80s, was sent to Prime Minister Trudeau. It was signed by 78 Canadians – a group of 78. The statement set out three inter-related objectives:

- removal of the threat of nuclear war
- mobilization of resources to achieve a more equitable international order
- strengthening and reform of the United Nations and other global institutions

That began a dialogue between the Group of 78 and the Canadian government. Members of the Group made their views known about new issues in international relations and their implications for these central and universal objectives. While these objectives remain valid, the world to which they apply has changed. As a result, after celebrating its twenty-fifth anniversary in 2005, the Group decided to re-examine its core statement of principles, its objectives and its operations. Two major conferences in 2007 led to the adoption of a new statement of principles of Canadian foreign policy: Global Stewardship: Awakening Canada’s Commitment to the World. A call was issued to Canadians and their government:

We call on Canadians to commit to the world with moral integrity, energy, enthusiasm and investment unparalleled in our history. We call on Canadians to demand that these principles guide our policies, at home and abroad: Justice, Peace, Survival.

Further, it identified concrete core objectives for Canadian foreign policy:

- Renew multilateralism
- Eliminate weapons of mass destruction
- Make a reality of human security
- Prevent armed conflict
- Protect the environment
- Promote and protect human rights
- Create a fair, democratically accountable international trading system
- Ensure effective development assistance
- Support and strengthen responsive and accountable governments.
Activities

The Group holds an annual foreign policy conference each September to deliberate on key issues and to formulate recommendations to government. In recent years, the themes addressed included the Middle East in the framework of international law, security and human rights in Canadian foreign policy, the struggle between democracy and globalization and lessons from the armed intervention in Afghanistan.

The Group also holds monthly luncheon presentations and special events, open to the public, on a wide range of topics. Recent speakers have addressed petroleum and geopolitical rivalries in Syria, Iraq, and Ukraine, pathways to peace in Syria and Iraq, Canadian policy on Israel and Palestine, the nature of the Russian threat, the millennium development goals beyond 2015, India and the world, international humanitarian law, the cluster munitions treaty, and warrior nation: rebranding Canada. These sessions provide background and insight for participants and reinforce the Group’s public engagement and advocacy work. Periodically the Group convenes other special events, often in cooperation with other civil society organizations.

Thematic panels, or working groups, within the organization track key themes of Canada’s role in the world community towards greater understanding of the issues, recommending positions and actions for the government and civil society, and suggesting other program initiatives for the Group.

Through its Board of Directors, the Group produces positions on topical issues and recommends policy and actions for the Government of Canada to consider in its conduct of foreign policy.

The Group invites all like-minded Canadians to join it in pursuing these objectives.

Membership

The Group of 78 is open to individuals who identify with and are committed to the principles of the Group.

Contact Details

To join the Group of 78, or to learn more about its ongoing activities and aims, please contact:

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Outline of Conference Theme

Many Canadians will contend that Western intervention in various crises, particularly in North Africa and Western Asia, have generated more harm than benefit. See, for instance, Afghanistan, Iraq and Libya, and now the semi-intervention against ISIS in Syria and Iraq. The result has been prolonged and escalated conflict, state failure and chronic agony for millions of civilians, plus fuel for a growing number of violent groups. Canada’s role in these actions has varied and continues to change, but it remains part of the western alliance that continues to struggle with policies and actions that apparently do not lead to peaceful solutions for deeply troubled populations. Should the West have left these situations alone, should it have intervened in a different way or did it engage ineffectively or insufficiently? Are there lessons to be learned from crises in which the West did not intervene, for example Rwanda, Burundi and Darfur? What triggers the West’s perceived need for intervention in the first place?

There are many avenues to intervention – military, diplomatic/political, economic, humanitarian – yet the West, and particularly the United States, has relied predominantly on the military response to crisis. Most will acknowledge that a strong, forceful intervention is sometimes required to prevent international aggression and the global community has given itself the instrumentation to do so, through the United Nations Security Council. Yet this means is rarely used and is not apt for cases of “internal aggression” by states against their own people. In such cases, the global regime for major conflict prevention and resolution has been failing, perhaps has rarely been effective.

What is the best approach in future? Under what circumstances is forceful intervention justified? What is its utility? How should it proceed? What other types of intervention should accompany it or replace it? Who decides? What are the lines around national sovereignty? Are regional actions preferable and how can they be made effective? When and how should the doctrine of the Responsibility to Protect be applied, if at all?

This theme and these questions will be explored in the Group of 78’s annual policy conference, in Ottawa, September 23 & 24. The aim of the conference is to provide a forum for dispassionate analysis on the place of armed intervention in global geopolitics and to consider policy and action options particularly for the Canadian Government to consider.
Messages from the Conference

The conference per se did not adopt conclusions and recommendations during its sessions. The Group of 78 Executive Committee, however, has considered the presentations and discussions, reviewed the summaries, and concluded that there were some important and central messages from the conference that should be identified and brought to the attention of government, civil society and others concerned with foreign policy development and execution. These messages, stated briefly here but elaborated elsewhere in this report, include:

Observations

1. Policy makers globally need to recognize that there are no “military only” solutions to conflicts in today’s environment. Armed interventions seeking military endings result only in deepening the conflict in all dimensions – political, social, economic and military. Military intervention as the prime tool of policy does not produce governability in a country or region; on the contrary, it makes the area less governable.

2. Negotiated settlements between protagonists, usually involving other regional and global parties, produce the most durable settlements of conflicts.

3. Four factors that by themselves, but more often in combination, give rise to violence are: serious economic or social grievances, challenges or threats to identity, capacity to launch conflict, particularly by the availability of arms, and absence of alternatives to conflict to address problems. Prevention of conflict hence requires addressing these factors.

4. Capital and the economic competitive process have too often been separated from the reach and capacity of the governments of nation states that must define the socially, politically and ethically limits within which that process must operate if it is to serve the public interest. This has led to serious economic and social dislocation in many countries, some with drastic and violent consequences. The democratic process and national sovereignty, whereby governments represent their citizen’s best interests, have been
compromised by governments protecting and promoting a more corporate agenda. The consequence is a disenfranchisement of the majority of populations in many countries. We need a Bretton Woods moment, when the world agrees to a new set of rules that restore sovereignty, and therefore the possibility of true democracy and sustained peace. The challenge is to find ways, including by confronting the economic hegemony now in play.

5. Military action and use of force can legitimately be authorized only by the United Nations Security Council, either for the UN itself or for other actors operating under a Security Council mandate. The UN Charter remains paramount in international law regarding the use of force. The existence of the veto by the five permanent powers in the Security Council, among other factors, has tarnished the credibility of the Council; but for all the imperfections in its record, the Security Council remains the ultimate authority for maintaining peace and security. With few exceptions, any application of force outside the Council’s mandate has resulted in a worsening of the situation.

**Approaches to Prevent Conflict**

1. Policy makers need to put far more emphasis on conflict prevention and social stability, both domestically and internationally. In this context, economic inequality, social marginalization and resource deprivation are among the factors that lead to conflict and are, therefore, the issues to be addressed early to reduce and eliminate the possibilities for conflict to arise. By far the greater number of wars in this era are internal, stemming from these causal factors.

2. Approaches for prevention of conflict or the resorts before the “last resort” include: development, peacebuilding, democracy, disarmament, and diplomacy.

3. Prevention of conflict and alternatives to military intervention require resources, including finance, institutions, and skilled people. The adequate and early provision of resources reduces the chances for hostile actions. The cost of armed conflict – to the protagonists and outside interveners – is usually far greater than that of prevention.
4. Civil society and the media have important roles to play to focus on the costs – in all dimensions – and often the futility of armed intervention and on the various actions to prevent conflict or intervene without the use of force.

Alternatives to Address Conflict

1. If military intervention has to be taken to restore or establish peace in a conflicted area, it needs to be accompanied by five conditions and initiatives: pursuit of political consensus, the presence of legitimate institutions that the interveners are seen to be supporting, the restrained and lawful use of force, assurances of regional co-operation, and support and energetic peacebuilding.

2. The primary uses or roles of Canadian armed forces should be:
   - Domestic: Patrolling frontiers, supporting civilian authorities, and assisting in disaster response operations.
   - International: International peace support operations, “respecting established deployment criteria – namely, Security Council authorization that is linked to strategic consent for the intervention, legitimate governing institutions and processes that the intervening forces are mandated to protect from spoilers, the restrained and lawful use of force, cooperation and support from other states in the region, and active peacebuilding support to the state hosting the peace support forces” (Ernie Regehr). Further: “The military roles in peace support operations are notably to support and restore civilian governance, to aid in law enforcement, and to help create a security climate in which peacebuilding and economic development can take place.”

3. The Government should re-establish a peacekeeping training centre and provide leadership toward a standing United Nations capacity for emergency response, preventive deployments, and the protection of vulnerable civilians, as well as diplomacy toward the durable resolution of violent conflict.

4. For Canada’s international engagements to be constructive and effective they will have to focus on UN-mandated peace support operations rather than on failing efforts by coalitions of the willing (including NATO) to impose
political outcomes where social, political, and economic conditions do not support such outcomes.

5. Three approaches to non-military intervention include:
   - Peacekeeping: restrain and de-escalate violence
   - Peacemaking: negotiate and find political solutions
   - Peacebuilding: work on causes of conflict and change negative attitudes

6. The idea and theory of a “just war” is a useful framework for analysis of an actual or potential conflict situation. A ‘just war’ should “be waged only as a last resort, in proportion to the threat, and in a manner which spares civilian populations from the violence. Like the UN Charter (Art. 2(4)), just war theory begins from a presumption of peace, meaning that no use of armed force should occur except under certain preconditions” (Walter Dorn). Seven criteria pertain: just cause/right intent, legitimate authority, proportionate means, last resort, military not civilian targets, and right conduct.

7. The Group of 78 reiterates the recommendation it adopted at its 2012 policy conference, which addressed the multi-country intervention in Afghanistan launched in 2002:

   Despite the proliferation of ideological extremisms around the world, indeed precisely because of this, Canada’s foreign policy must remain firmly grounded in our steadfast support of the UN Charter and of international law in general, of diplomatic peacemaking and of negotiated compromises embedded within comprehensive, ethically defensible and sustainable peace settlements.

   Canada’s political and military decision-makers must keep foremost in their minds the acute limitations of, and risks inherent in, foreign military intervention. Military intervention, outside a clearly defined peacekeeping context, must be invoked only as a last resort, when Canada’s national security is directly threatened.

   Canadian military participation in “robust” peacekeeping, variously called peace support and/or security assistance operations – that is, military operations of choice – must be guided by the following:
A. Canada should establish a clear policy guiding decisions on whether to participate with military forces in international security assistance operations (variously called peacekeeping, peace support, stabilization and security assistance operations). This policy should include:

1. an international legal framework for intervention based on a UN mandate;
2. a UN-led and broadly agreed political framework for the intervention, ideally in the form of a comprehensive peace agreement or, at a minimum, an agreed negotiating framework to this end;
3. clear Canadian objectives, benchmarks and timelines for Canadian participation; and
4. timely public and parliamentary debate and full transparency in regards to the policy and its application in a specific case, in all phases of the intervention – that is, before it is begun, during the engagement and after its termination.

B. Canadian participation must also be based to the maximum extent possible on a comprehensive understanding of the situation, including not only the geo-political and security dimensions, but also the socio-economic and cultural aspects and the root as well as proximate causes of the conflict. Deep respect for local culture, customs and codes of conduct must also guide Canadian participation, within the overarching framework of respect for international law.
Keynote Address Summary: Ernie Regehr
Canadian Defence Policy and Armed Intervention

Ernie Regehr, author of *Disarming Conflict: Why peace cannot be won on the battlefield* (2015), presented the opening keynote address of the conference, where he outlined the impact of armed intervention on civil wars. Mr. Regehr argues that it has become impossible to win a war so that winning actually means something, as contemporary wars rarely yield winners and they almost never manage to resolve the conflicts that spawned them. During his address, Mr. Regehr explores ways in which potential crises can be spotted and addressed early to prevent future wars.

Mr. Regehr analyzes data on how civil wars have ended in the post-Cold War period, which demonstrate that military force rarely succeeds when deeply-rooted political conflict turns violent. If political, social, and economic conditions are not conducive to stability, military action against particular parties to a conflict stands little chance of imposing stability. And when the dust of war settles, the same grievances and conflicts that caused the war still remain. Yet, Mr. Regehr acknowledges that military force is not without utility on the ground. For instance, through military force, ISIS is being pushed back from its goal of creating a caliphate; however (even though that won’t destroy the ideology or the social conditions that spawned ISIS in the first place), and guerilla groups with intent on rendering a state or territory within it ungovernable can do so with even modest resources.

Although there is no obvious formula for how war starts, wars, extremism and violence are born out of adverse social, political, and economic conditions. Furthermore, civil wars are not a product of conscious decision making. It’s not a matter of weighing options and then deciding, he says, but of being drawn, sometimes imperceptibly, into a cycle of growing violence that ultimately reaches the level warfare.

To prevent war, Mr. Regehr argues, governments will need to better understand the social, political and economic contexts or conditions that are more likely produce instability and violence. There are four conditions that provide a useful framework for understanding how and when political conflict turns into violent armed conflict and can be used to spot potential crises early:

1) The presence of heightened political, economic and social grievances, when the economic system is perceived as unfair, can lead to a revolution of rising
frustrations. Repression works for a short time but eventually becomes unsustainable.

2) The linking of grievances to particular regional, ethnic, or religious identities heightens the likelihood of discontent turning violent. The grievances cease to be individual and become communal. When the ethnic or religious groups respond as a group, authorities see them as more threatening. Here repression becomes more intense and more violent.

3) With the addition of readily available small arms, political violence can transform to armed violence. For instance, when disaffected communities gain access to small arms, political conflict turns more readily to armed violence, or when repressive regimes are supplied with weapons they more readily turn to direct attacks on civilians that challenge the regime. Economic marginalization, political exclusion, and readily available small arms make a deadly combination.

4) When there is an absence of credible political avenues for processing conflict and affected groups see themselves as removed from the political process, violence becomes a more credible action. In this case, the international community has an important responsibility to find an alternative solution to prevent armed conflict and to help affected groups win access to a seat at the table.

To prevent political conflict from turning into violent armed conflict, we need to 1) support development and peace building in conflicted and failing states, 2) develop political processes to address grievances and promote good governance and accountability in conflicted states, 3) prevent excessive and destabilizing accumulations of arms by states, 4) employ conflict resolution diplomacy to remedy the absence of alternatives where violence threatens.

In order to support development and peacebuilding in conflicted states, we need to address basic economic and social grievances and weaknesses, and build conditions conducive to durable peace and stability. We need to keep in mind that development will need to be resourced. Countries that understand development and peacebuilding as vital to international peace and security actually seek a better balance in their security spending envelope between military and non-military security spending (the Nordic states on average spend almost as much on development assistance as they do on their military forces).
The best defence against foreign military invasion is a strong political and social order. During both multilateral and unilateral interventions following the Cold War, almost all invaded states had conditions of advanced internal division and crisis, and their unstable internal political conditions made them vulnerable.

It is essential that we prevent the access of military arms to non-state groups and to repressive regimes to prevent armed conflict. This includes preventing access to military-style arms by non-state groups and preventing the trade in repression technology to states, to the detriment of respect for human rights and international humanitarian law.

Finally, there is an urgent need to find avenues to remedy the absence of alternatives where violence threatens. The point of diplomacy is to create the table and to welcome conflicting parties to that table in order to get around the need for decades of struggle to get a seat at a table. Conflict diplomacy sometimes calls for crisis intervention, but it also requires long-term efforts (including through Track II and citizen diplomacy) to bridge deep social and political divides.

Mr. Regehr differentiates between war fighting and peace operations. War fighting seeks to override political processes when governments turn to forceful means to defeat challengers. The military action is intended to set politics aside or over-rule it in a kind of short cut effort to impose a desired political outcome through force. On the other hand, peacekeeping or peace support operations are meant to provide security support for political processes through which negotiated and sustainable political outcomes are reached.

Military interventions designed to support inclusive political and administrative processes need to be accompanied by certain conditions and initiatives: a) the ongoing pursuit of political consensus; b) the presence of legitimate institutions that the intervenors are supporting; c) the restrained and lawful use of force; d) assurances of regional cooperation and support; and e) energetic peacebuilding.

As Andrew Bacevitch says, “the effectiveness of [the responses] will turn on whether the people making the decisions are able to distinguish what the…military can do, what it cannot do, and what it should not do.” It is important to remember that military forces cannot overcome the political contexts in which they operate as they cannot impose their will. Military forces can, however, support peaceful process, even though they cannot impose peace. The role of modern armed forces must be to prevent wars, not win them.
Mr. Regehr explores the concept of a war prevention mandate for military forces and defence policies in a country like Canada. He says military forces are essential for monitoring and policing national frontiers, should be available to aid civil authorities in maintaining order when it is threatened, should be available to help respond to emergencies and natural disasters, and they should cooperate in international peace support deployments to work in concert with diplomats and peacebuilders to promote and try to restore stability where it is threatened.

**Discussion**

Following Mr. Regehr’s presentation, it was suggested that if he write a supplementary chapter for his book, he should add a focus on prevention and resolution of conflict related to natural resources and the environment.

During this discussion, Mr. Regehr was asked about the military budget because we seem to turn to military means and feel that since war is dangerous, we need to beef up our military portfolio. Mr. Regehr explains that Canada is never going to mount a military force that is decisive on its own. Any Canadian forces deployed beyond our borders will operate in concert with other forces. Mr. Regehr argued that domestically Canadian defence policy and practice are already focused on monitoring national frontiers and aiding civil authorities. For its international engagements to be constructive and effective they will have to focus on UN-mandated peace support operations rather than on failing efforts by coalitions of the willing (including NATO) to impose political outcomes where social, political, and economic conditions do not support such outcomes.

The responsibility to protect doctrine (R2P) was raised and Mr. Regehr was asked whether Canada really knows what it is doing when it intervenes overseas to reduce conflict. Mr. Regehr affirmed the basic intent of R2P, emphasizing that, when people are vulnerable and are not protected by their own governments, the international community has a responsibility to come to their aid. This does not mean that protection comes only from military intervention, but requires a range of peaceful interventions as defined in Chapter 6 of the UN Charter. Furthermore, the responsibility to rebuild is inherent in the R2P doctrine.
Panel 1: Alternatives to Armed Intervention

Summary of Presentations

Moderator: Angela Mackay:

Panel:
- Gar Pardy: Former diplomat and Director General of Consular Affairs
- Monia Mazigh: National Coordinator of the International Civil Liberties

Gar Pardy – Military Intervention as a Last Resort

The discussion began by acknowledging that we are gathered to discuss armed intervention in the post-Cold War era, but must remember we are still dealing with post-colonial issues. There is disagreement among scholars whether the frequency and severity of war is increasing, but the overall consensus is that casualty rates are down. That said, this number is still high. The international community is watching, and modern wars must be measured against new standards.

When looking at modern wars, we must begin with Vietnam. This was the first war in the age of television, where the international community was an active viewer for the first time in history. The United States understood the colonial struggle between France and Vietnam as a threat to its own security. The war created political and social fissures that echo today, and its implications for surrounding neighbours like Laos, Cambodia and Thailand are still felt. There is a monument in Washington, etched with tens of thousands of names of military personnel who died, that stands as a reminder to future policy makers of the folly of such interventions.

The lesson of Vietnam illustrates that there is no absolute need for military intervention; many wars today create more problems than they solve. When the rationale for intervention is grounded on self-interest, there is little to no humanitarian principles guiding our involvement. Armed intervention should not be a narrow tactical decision about our willingness to join allies without considering the consequences. Without an appreciation of the end gain, military intervention can do more harm than good. Military intervention is predicated on the idea that if we do not fight them there, we will have to fight them here. However, war as a solution to the problem is an illusion; it does
not account for the complexities of the conflict or address the underlying issues. Indirect intervention, such as humanitarian intervention, also often lacks guiding principles. The distinction between peacemaking and peacekeeping can be fluid as these labels are used to promote our involvement; Rwanda serves as a lesson that peacemaking can have a high toll.

Canada must consider the potential negative impacts when deciding to intervene as part of a larger initiative. Military intervention should be our last resort. Canada should advocate for political solutions first – this can work. For example, the 1980s conflicts in Central and South America ended when political solutions to the conflict were found. When we hear a call for military intervention, Canada should remember that adding to the conflict will not end it.

Monia Mazigh – A Complete Approach to Peace

Alternatives to armed conflict exist, but the question is how they can be accepted and implemented. Civil society has a role to play; our silence or opinion can lead political leaders to choose military intervention that, from a humanitarian standpoint, is not successful. Military intervention has negative effects, including high political, social and economic costs. This means it is less obvious and automatic to ‘win’ wars with military intervention.

Canada has participated in peacekeeping, but this approach is incomplete. German peace scholar Christine Schweitzer identifies three steps to end violent conflict without military intervention that should be undertaken simultaneously:

1. Peacekeeping: restrain and deescalate violence
2. Peacemaking: negotiate and find political solutions
3. Peacebuilding: work on causes of conflict and change negative attitudes

We can look to three examples of recent Canadian military involvement. This year, Canada has announced it will deploy 500 troops to Latvia in an open-ended mission; the unclear agenda looks more like an attempt to scare or provoke Russia rather than open diplomatic channels. Last year’s mission to Ukraine also looked like Canadian provocation rather than looking for political solutions; sending troops is not respecting
law or helping with anti-corruption, nor is it acting in a way that demonstrates Canadian values. Third, Parliament’s decision in 2014 to participate in a coalition airstrike against the Islamic State was portrayed in the media as if there was no alternative to a military intervention. This intervention, known as Operation Impact, was framed in a way that suggests the decision was meant to be preventative against a threat to Canada; air strikes have since been withdrawn, but Canada maintains a presence.

With these examples in mind, how can Canada play a role in complex conflict outside of military intervention? Using Syria as an example, Dr. Mazigh identifies seven ways in which Canada can play a role:

1. Push for and enforce a no-fly zone over Syria
2. Apply diplomatic pressure on all parties involved to find a diplomatic solution
3. Assist non-violent political parties in Syria who support a political solution to the conflict
4. Increase Canada’s foreign aid to help refugees, provide humanitarian assistance, and support rebuilding in surrounding countries
5. Bring those who committed crimes and atrocities to justice
6. Help build sustainable governance
7. Tackle the Palestine/Israel conflict, which has had a destabilizing effect in the region

Canada has a role to play in non-military intervention. The first step is to stop blaming and condemning non-military solutions. If it wants to play peacekeeper, it must also be a peacemaker and peacebuilder to be effective. If it takes a consolidated approach, Canada can be a broker of peace in contemporary conflicts.

Discussion

While the speakers discussed limitations and alternatives to armed intervention, they did acknowledge that military intervention can be positive when it has a focused objective and is short in duration. Mr. Pardy suggests that one of the issues with military intervention today is that missions are often open-ended; taking action may initially
benefit the government politically, but over time the mission loses popular support. Further, intervention may be necessary to bring about security to create the space for development, but must be coupled with non-military measures such as negotiation. Dr. Mazigh found that the military intervention in Afghanistan was unavoidable but the conflict could have ended sooner if the right parties had been at the negotiating table from the beginning. Canada can play an important role in voicing the importance of negotiations with all relevant parties to a conflict. When peace processes are already in place, Canada must react quickly in lending its support.

The speakers identified a number of alternatives to armed intervention, which emphasizes that it is not new measures that are needed but acceptance and uptake of existing alternatives. If the public is more demanding of peaceful solutions, there is a stronger chance for government uptake. The discussion focused on how civil society and media can raise public awareness and acceptance of peaceful solutions. This requires that civilian efforts combine to bring focus to the key issues and solidarity in their position. The challenge is twofold: there must be more transparency to keep citizens informed, and political leadership must listen to the population.

The role of women was also discussed, both as a victim of conflict and participant in peace processes. Protection of women is often used as a justification for intervention, but in reality may not meet these objectives. For example, while female liberation was a justification to intervene in Afghanistan, schools built to educate young girls were abandoned when their daily needs were not met. Women do have a role to play, but it should not be predicated on our own ideals; if women are opposed to the conflict, this must be reported as well. There is a need for a deeper understanding of the conflict and the voices of the people we seek to help. The media also has a role in accurately and honestly reporting the situation, including those positions that may challenge our ideals.
Panel 2 Armed Intervention: If, why, when & how

Summary of Presentations

Moderator: Peggy Mason: President, Rideau Institute, former Canadian Ambassador for Disarmament

Panel: Walter Dorn: Professor of Defence Studies at the Royal Military College of Canada and the Canadian Forces College. President of the World Federalist Movement - Canada

Jane Boulden: Professor at the Royal Military College of Canada, Research Fellow at the Queen’s University Centre for International and Defence Policy

Walter Dorn

To answer if, why, when & how armed intervention should be conducted, Dr. Dorn advocated for the just war tradition, a theory which he demonstrated to be elemental in the United Nations (UN) Charter. The principles of just war emerged from Roman and early Christian thought, and sought to regulate the destructive power of war. This is to be achieved through a belief that war be waged only as a last resort, in proportion to the threat, and in a manner which spares civilian populations from the violence. Like the UN Charter (Art. 2(4)), just war theory begins from a presumption of peace, meaning that no use of armed force should occur except under certain preconditions. Dr. Dorn employs seven criteria in his framework of analysis to determine the justness of war, each answers a basic question about the application of armed force (Why, Who, What, When, Where, How?). The resort to war may be considered a just cause (UN Charter Art. 42, 51) if the reasons ‘why’ have the right intent and proportionate ends, including the restoration of peace, self-defence, law enforcement, punishment, ‘righting a wrong’, and in some instances, revenge. Determining ‘who’ should go to war requires identifying an actor or actors with legitimate authority, this may be at the international level like the UNSC (Art.24, 25,42, 53), or the national level such as a parliament or congress. In regulating the destructive power of war, just war theory advocates that a proportional response to the threat must determine by ‘what’ means
a war should be waged. A war should be waged only when all other means for peace have been exhausted, thus only ‘when’ it is the last resort (UN Charter Art. 33, 41, 42). The principle of sparing civilians from the destruction and violence of war determines ‘where’ war should be waged, ensuring that military targets are distinct from civilian targets. Building on this is ‘how’ war should be conducted, that is, with respect for universal human rights (UN Charter Art. 55).

Critics of the just war tradition allege that, from the pacifist perspective it is too permissive, and from the realist perspective that it is too constraining on the behaviour of states. Others contend that the just war tradition is too interpretive, leading it to be the victim of subjective determinations by actors who simply ‘check the boxes’; still others see it as infeasible to satisfy all the criteria. Lastly, there is a danger of oversimplification in employing the just war tradition, whereby it produces mere ‘yes or no’ assessments of whether a war is just or unjust.

Dr. Dorn responds to these critics by arguing that it is best used as a framework for analysis, which he demonstrated in an examination of specific wars since 1900 using his Just War Index (JWI). (See figures below in Appendix 1 and 2). Applying a numeric value between -3 (Strongly Unjust) and +3 (Strongly Just) for each of the seven criteria, Dr. Dorn surveyed approximately 100 PhD. students. The results, as seen in the appendices, combine subjective argumentation of historical facts with an objective quantitative measure.

Dr. Dorn concluded by describing the ongoing debates of just war tradition such as the weighting of criteria, non-traditional conflicts, and its scalability. Lastly, he emphasized the relevance and applicability of just war tradition and the JWI for the Responsibility to Protect (R2P) doctrine, which he believes to be an application of just war to humanitarian intervention.
Appendix 1 - US Conflicts by JWI Index

Appendix 2 - Canadian Conflicts by JWI Scor
Jane Boulden

Dr. Boulden deepened the discussion by focusing on the United Nations Security Council (UNSC), and its uniquely critical role in defining, recognizing, and responding to conflict. In framing her discussion, Dr. Boulden explored three central questions related to armed intervention: who decides, when do they decide, and how do they intervene?

Recognizing that there are exceptions to the rule that the UNSC decides to intervene, Dr. Boulden nevertheless emphasized its critical role in authorizing intervention by the United Nations (UN), or by other actors on its behalf. Expanding the argument that the UNSC is ‘who’ decides, Dr. Boulden provided some basic characteristics which influence the Council’s management of conflict. First, there is not automaticity to the UNSC’s involvement in conflict; simply put, those conflicts which do or do not receive the attention of the Council is as much determined by its internal politics as it is by the on-the-ground conditions exhibited by the conflict. Second, the UNSC has a dominant tendency to deal with conflict as conflict, meaning that regardless of its nature, the Council will see a conflict as a contest of arms, often ignorant of the economic, social, or political causes. Third, when the UNSC does respond to a conflict, its primary method is to endorse a ceasefire or peace agreement which has already been reached by the parties to the conflict; meaning that it does not impose its most preferred outcome onto the situation.

The UNSC operates within the broader UN organization with the mandate to “take action as necessary to maintain or restore international peace and security”, which it does through the work of its five permanent members (P-5) and ten non-permanent members (UN Charter Art. 42). This mandate includes a unique and powerful endowment, the authority to define international peace and security, and the threats thereto. As such, the question of ‘when they decide’ is complicated by this definitional latitude granted to the UNSC by the UN Charter, the result of which is a shifting and porous scope within which contingencies and threats may or may not be deemed sufficient to warrant a UNSC response. Furthermore, the P-5 are entitled to exercise a veto, significantly empowering their influence over the agenda and actions taken by the Council. This important factor also impacts the decision-making behind ‘when they decide’, which Dr. Boulden describes to be conflicts where one or more members of the P-5 have a strong interest, where permanent members have interests but to a lesser
extent than a vital national interest, or where the P-5 have little or no interest which often results in no or a limited response.

Dr. Boulden outlined ‘how they intervene’ by applying her recent research on the role of regional actors, particularly in the African context. First, regional actors are the ‘first responders’ to conflict, as a result of their proximity and salience to the issues and conflicts. Regional actors as ‘first responders’ is problematic because of their propensity to employ force as a means to establish peace before keeping it, which often results in disproportionate costs, risks, and losses incurred by them. Second, regional actors are increasingly bearing the burden of intervention and perform the heavy lifting in responding to conflict. The consequence of which may be prolonged conflict due to their limited capacity, possibly causing them to disengage with the broader world as they are forced to turn inward. Third, multipolar organizations like the African Union accumulate contradictory and competing agendas, which can undermine the prospects for peace and progress, particularly in cases where a regional hegemon has a vital interest at stake. Lastly, the nature of response (or inaction) by the UNSC and regional actors has important consequences for the conflict’s outcome, particularly in determining the influence which the UN can exercise over the situation. In conclusion, the growing dependence on regional actors and the consequent supporting role performed by the UN dramatically affects how the international community identifies and responds to conflict.

**Discussion**

The arguments and nuance raised by Dr. Dorn and Dr. Boulden inspired rich discussion on the future role of the UN Secretary General and General Assembly, on the colonial legacy and persistence in Africa, on the proportionality of conflict, and on the self-interest behind intervention. Specifically, the office of the UN Secretary General was identified as a possible vehicle for bringing awareness and information in support of the defining and deciding roles of the UNSC. The UN General Assembly was similarly noted to be a potential mechanism for overcoming the inequality and inadequacies of the UNSC which are so heavily implicated in the who, when, and how of armed intervention.

Africa’s colonial inheritances, the ongoing involvement of actors like France, and the detrimental effects of economic actors like resource, infrastructure, and arms companies, were all recognized as problematic in establishing the conditions for
sustainable peace in the region. Proportionality and just war as related to nuclear disarmament, the Syrian and Yemeni conflicts, and the International Criminal Court (ICC) were also discussed, noting the potential role of Canada in the former two, and the beneficial impact of a definitional role for the latter regarding ‘acts of aggression’. Lastly, the seemingly inescapable effect of self-interest on behalf of the intervener was discussed, spanning the impact of US hegemony, Nigerian regional influence, and the distinction between stated and actual motives in intervention.

Luncheon Address Summary: Manfred Bienefield
The Political Economy of the Looming Geopolitical Crisis

Prof. Manfred Bienefeld sought to contextualize the issues being discussed. Starting from a Keynesian perspective which emphasizes the importance of “embedded” markets, he suggested that both theory and evidence support the hypothesis that the resurgence of international capital flows since the mid-seventies, together with the associated global institutional framework tying countries ever more tightly into a “level playing field” for international capital, has led to an outcome that can be both described as “a repeat of the 1920s” – and as a realization of Keynes' worst fears, namely a world in which capital and the competitive process have become increasingly disembedded from the polities (heretofore largely nation states) that must define the socially, politically and ethically limits within which that process must operate if it is to serve the public interest.

And, as in the twenties and thirties, this is now having very negative, – and potentially catastrophic, consequences in most parts of the world, including: recurring financial crises that have imposed massive economic costs on societies and economies, in part by suppressing investment and therefore growth; deepening public sector fiscal challenges (in part occasioned by the withdrawal of $30 trillion into offshore tax havens specifically designed to allow individuals and corporations to evade taxation); deepening human and social problems associated with an endemic rise in economic and social insecurity as workers’ rights on the job, and citizens’ rights to social protection and to well managed and effective social institutions (in education, health, infrastructure), were systematically undermined (albeit at differential rates in different countries); and stagnant (and often falling) incomes for the majority of working people, alongside the explosive growth of unimaginably large concentrations of wealth and power in the hands of a very small number of people and institutions.
In time this has predictably led to the steady erosion of the material, institutional, financial and ideological foundations on which the capacity for collective action in the public interest must ultimately rest, namely a basic belief that “the system” within which people live is basically fair and capable of ensuring a secure – and hopefully prosperous – future for citizens and their children. The truth is that in order for democracy to be “even imaginable” citizens must share a sufficiently clear and strong sense of collective common interest to allow them to negotiate their remaining differences peacefully through the ballot box but this foundation is being rapidly eroded by the current version of neoliberal globalization. Unless national sovereignty is restored to levels that will allow democratic societies to shape their socio-political realities in ways that reflect their values, circumstances and preferences, democracy will eventually atrophy as national governments effectively become primarily the enforcers of global market rules, rather than the legitimate – and “effective” - representatives of their citizens.

Starting from the end of the Cold War, the global promotion – imposition? – of this “one size fits all” paradigm has accelerated and intensified, in part because there was no longer a need to “make concessions” in order to limit the influence of a potential alternative, and in part because the model that was being imposed was not viable or sustainable in this “extreme” (or neoliberal) form – as a Keynesian perspective did – and should - always have suggested.

Faced with increasingly problematic political and economic (especially financial) challenges, the capacity of the “Western alliance” (dominated and led by the United States) to keep other actors “in line” internationally, and to manage dissident voices internally, has become ever more challenging and has generally involved a more widespread use of the stick, rather than the carrot – a shift that was clearly identified and advocated in documents produced by the Project for a New American Century and then largely implemented by the George W. Bush/Cheney regime both at home and abroad. Moreover, in so doing, the US has so dramatically altered the political landscape that even a more measured and rational president like Barack Obama appears to have found himself locked into a process that is increasingly untenable and dangerous.

Although it is true that the “shaping of a new corporate global order” began, albeit rather gradually, as WW II was coming to an end, and although the destabilization and overthrow (or attempted overthrow) of inconvenient regimes threatening to stand
in the way of that process has been a well-known part of that process – think
Guatemala (Arbenz), Iran (Mossadegh), Indonesia (Sukarno), Vietnam (Ho Chi Minh),
Chile (Allende), Nicaragua (the Sandinistas), Yugoslavia (after Tito) etc. – such
interventions have now become more brazen, more desperate, more frequent, more
costly and less successful – and more recently their implications are becoming almost
unthinkable since “we” are now well on the way to “demonizing” the leaders of two of
the world’s great powers.

With Europe currently being all but overwhelmed by the flood of refugees that has
been triggered both by cynical – and hugely destructive covert and overt military and
political interventions in Yugoslavia, Afghanistan, Iraq, Libya, Syria, Ukraine, Yemen –
and by further active – and increasingly strident – attempts to deepen divisions and
ethnic tensions in and around the peripheries of both Russia and China, we must
understand that the task of “peacekeeping” cannot be talked about or understood
without starting from a recognition of this dramatic and dangerous underlying reality.

So what is needed? We need a Bretton Woods moment, when the world agrees to a
new set of rules that restore sovereignty, and therefore the possibility of true democracy
and sustained peace. And we need the “smaller nations” to confront the rogue
hegemon (or hegemonic alliance) within the UN in order to make this happen.

**Discussion**

When asked to add a positive note, Prof. Bienefeld acknowledged that this is not easy
but noted that the importance of the analytical task of identifying and understanding
the problems that we face is not diminished by the fact that solutions may not be ready
to hand. The important point is that, in thinking about solutions, we must begin by
recognizing the primary need to curb the current disastrous unilateralism of the
‘hegemon’ in order that the world can begin to restore sovereignty (and hence
congruence between economic and political spheres of reality) to the point where we
can begin to rebuild a coherent international order based on internally viable states
with sufficient sovereignty to manage their economies in accordance with their
circumstances and their citizens’ values and priorities. Otherwise the political process
will be increasingly seen as a charade that cannot actually determine the shape of
society’s future.

A question was asked about whether new technologies might be capable of shifting
the current balance of political forces in a more hopeful direction. For example, could
bitcoin’s enormous potential to disrupt the monetary system result in “more democracy” as some have claimed? Or could 3D printing’s potential to decentralise production capacities help to mitigate alienation by reversing peoples’ perceived loss of control over their surroundings?

In response, Prof. Bienefeld said that although such possibilities do exist to a degree, it is essential to remember that both the direction, and the impact, of technical change are primarily determined by the incentives and the power structures within which these technologies are developed and applied. And these have evolved in perverse, and potentially disastrous, ways. After all there was a time when it was almost universally believed that technologically driven productivity increases would release human beings from the drudgery of alienating, repetitive labour because, as workers became more materially affluent, they would choose to take more of “their share” of those gains in the form of increased leisure and improved working conditions in what would eventually become a leisure society.  But technology didn’t release most people from the drudgery of labour, indeed in most cases (and especially in North America and most of the developing world) labour has been intensified and we are now most concerned about technology stealing jobs and this is mainly because the control and ownership of technology has been transferred ever more exclusively into the hands of corporations and finance, even as the capacity of other social actors to share in these gains has been undermined by the marginalization of trade unions and the hollowing out of states. Thus, whereas there used to be a debate about national innovation systems in which states, working with national firms, promoted innovation by supporting research and development within an institutional, ideological and legal environment that would ultimately allow the resulting gains to lay the foundations for stable, prosperous and often meaningfully democratic high wage societies, we now live in a world in which governments are still encouraged to support corporate research and development, but in a context where the principle of ‘national treatment’ which lies at the heart of most of today’s so-called “free trade agreements”, requires them to provide such assistance equally to any corporation operating within their borders and restricts their capacity to capture the resulting gains for the benefits of their citizens. Instead, those gains have been instrumental in fueling the obscene concentrations of wealth that characterize today’s global corporate and financial landscape.

Considered against this “big picture” backdrop Prof. Bienefeld argued that the bitcoin phenomenon should not be seen primarily as a potential extension of “democracy,” but rather as a recipe for even greater chaos in a global financial system that has
already become utterly unmanageable in ways that were basically anticipated – and predicted – by Keynes so many years ago.

At this point, Prof. Bienefeld emphasized the need to remember that economic and financial reforms must always be viewed and understood through a political economy lens in the sense that the political consequences of such reforms can be more important than the economic or monetary ones. And that was undoubtedly the case when neoliberal economic and financial reforms allowed global corporate and financial institutions to generate unimaginably large profits by rapidly accelerating the relocation of high wage manufacturing jobs to low wage jurisdictions and, in particular, to China beginning around 1993/4. Not only did this undermine the social contract – and thereby political stability - in the United States, and in many other parts of the world, by accelerating the so-called “destruction of the middle class,” but it also fueled the rise – or rather the “re-emergence” - of China as a major new world power while seriously undermining the US’s balance of payments and deepening the global environmental crisis by increasing the total distances that products, and their components, had to travel on their journey from raw materials to use values in the hands of their final consumers. Taken together these various developments have now created an increasingly volatile and dangerous international geopolitical situation in which the United States is seeking to counter the resulting threats to its global hegemony by means of increasingly arbitrary, and often counterproductive, military interventions, economic sanctions and heavy handed diplomatic initiatives. Moreover, since this has most recently extended to the increasingly active goading and demonization of both China and Russia, the time has come for Canada, and the truly peace loving nations of the world, to take a more independent foreign policy stance by promoting and supporting the re-empowering of the United Nations as an instrument for returning to a more genuine multilateralism that is based on international law and that can be used effectively to curb the dangerous adventurism of the world’s pre-eminent superpower.

Prof. Bienefeld was asked whether he agreed with Chris Hedges’ view that recent developments in the pharmaceutical industry (especially the several instances where the prices of life saving drugs with no current alternatives were suddenly and arbitrarily raised to astronomical levels [in one case from $8 to $1,000]) should serve as a reminder that there is a need for revolution in the way society is set up in the US and that this demand fuels many of the recent political movements in that country. Prof. Bienefeld basically agreed with this assessment and noted that the situation now prevailing in the
pharmaceutical industry provides a good example of where we will end up if we allow
the process of corporate empowerment, and state and voter disempowerment, to
continue unchecked.

A further question focused on the Middle East, noting that the majority of Middle
Eastern countries were ruled by dictators who governed with violence, fear and
information control, and that while the Arab Spring removed some of these regimes,
their replacement with democracy didn’t work. Given this, it was asked whether
democracy can ever work in the Middle East, and if not, what solutions might be
available. In response, Prof. Bienefeld reminded us that institutions and democratic
political processes necessarily take time to develop and will not necessarily take the
same form as those that have developed in our societies, nor should they, since our
versions of democracy are badly in need of reform and especially of rebalancing the
power of citizens and the power of corporations. Moreover, such institutional
developments must be allowed to progress in accordance with the particular
circumstances prevailing in each country and we must curb our desire to intervene in
those processes not only because we profess to believe in “democracy,” but also
because our interventions, especially in this region, have been so consistently
unsuccessful, if not to say disastrous. Indeed, it is well to remember that many of those
authoritarian regimes that were briefly challenged by the so-called Arab spring were
long supported and armed by the West, and some of the most egregious offenders
against international law continue to be so supported, including among others Saudi
Arabia and Israel.

In general we must understand more clearly that we (in “the west”) do not “know how
societies should be organized”; and we do not have the right, or the ability, to go to
other countries to “fix” their problems, or to install puppet regimes friendly to “our” vision
of corporate globalization. Rather the United States (and many other Western
countries) need to focus much more heavily on the need to restore meaningful
democracy at home, while also rebuilding a viable and defensible social contract that
would be deemed legitimate by a well-informed citizenry. Above all, we need to
remember that there is no “correct” way of living and that countries that are
burdened with massive international debts and locked tightly and prematurely into
unstable, oligopolistic and highly politicized international markets will be unable to
become viable democracies (of any kind) because their internal political processes will
be constantly distorted and perverted by the powerful international corporate and
financial forces that will be operating inside them with relative impunity.
Ultimately this is why we cannot hope to reverse the current global slide to instability and war unless we find a way to restore the sovereign power of nation states to manage their economic affairs in the interests of their citizens, and broadly in accordance with the wishes of those citizens; and to do so within a framework of international rules and laws that strike a more reasonable balance between the rights of citizens, corporations and creditors both at home and abroad; a more reasonable balance between competing demands for efficiency, environmental protection, social stability, social justice and human welfare. This is broadly what was achieved at the Bretton Woods conference in 1944, which is why I would agree with those who have referred to the current global situation as being – or demanding – a “Bretton Woods moment.” In the absence of a better option, the secular nation state needs to be the starting point because no international order could ever be stable or sustainable unless the building blocks (states) that made it up were themselves internally viable and sustainable.
SPEAKERS & MODERATORS

Manfred Bienefeld

Manfred Bienefeld has a PhD in Economics from the London School of Economics and is now Professor Emeritus at Carleton University’s School of Public Policy and Administration where he headed their International Development program for many years after moving to Carleton from the well known Institute of Development Studies located at England’s Sussex University.

Having published widely on many aspects of international development and worked with many governments, international and civil society organizations around the world, in his retirement he is currently lecturing and writing about the increasingly problematic evolution of the Bretton Woods institutions. In recent years he has been focusing more widely on the seriously dysfunctional state of the international financial system as a whole and the enormous economic, social and political costs and risks that this is imposing on the global system.

Ernie Regehr

Ernie Regehr is Senior Fellow at The Simons Foundation of Vancouver and Research Fellow at the Centre for Peace Advancement, Conrad Grebel University College, the University of Waterloo. He is co-founder of Project Ploughshares, and his publications on peace and security issues include books, monographs, journal articles, policy papers, parliamentary briefs, and op-eds. He has traveled frequently to conflict zones, especially in East Africa, contributed to Track II diplomacy efforts related to the conflict in southern Sudan, and is on the Board of the Africa Peace Forum of Nairobi, Kenya. He is a former Commissioner of the World Council of Churches Commission on International Affairs, where he was active in developing the WCC’s position on R2P. He is an Officer of the Order of Canada.
Henry Garfield Pardy
Henry Pardy, better known as 'Gar,' is a former diplomat in Canadian Foreign Affairs who retired as Director General of Consular Affairs in 2003, having served, between 1989 and 1992, as Canadian Ambassador in Costa Rica, Honduras, Nicaragua, Panama and El Salvador.

Since his retirement Gar has maintained a strong presence in Foreign Affairs and has been instrumental in numerous publicized cases of Canadians being held illegally and in need of consular services.

He is perhaps best known for his intervention in seeking consular services for Maher Arar during his detention in Syria, and for his testimony to the subsequent Royal Commission. He also gained attention during the Omar Khadr case and for opposing Stephen Harper for the attack on the diplomat Richard Colvin who early identified torture of Afghan prisoners.

Referred to as a "prolific boat-rocker" Gar is a prolific writer, his most recent contributions being "Disastrous military interventions" in the Hill Times and a report for the Rideau Institute on the erosion of the provision of consular services by the government to its citizens in foreign countries. A collection of his writings were published last December under the title Afterwords From a Foreign Service Odyssey. It is available on Amazon.

Richard Harmston
Founding Member, Group of 78; Chair, 2008-14

Previously:
Executive Director, South Asia Partnership Canada (1983-2011)
Executive Director, Canadian Council for International Cooperation
Dr. Monia Mazigh

Dr. Monia Mazigh was born and raised in Tunisia and immigrated to Canada in 1991. She is the National Coordinator of the International Civil Liberties Monitoring Group. She speaks Arabic, French, and English fluently and holds a Ph.D. in finance from McGill University.

Dr. Mazigh has worked at the University of Ottawa and taught Finance at Thompson Rivers University in Kamloops, British Columbia. In 2004, she ran in the federal election as a candidate for the NDP, gaining the most votes for her riding in the history of the NDP.

Dr. Mazigh is the author of three books, two novels and a chronicle of the ordeal she and her husband, Maher Arar, underwent as a result of his deportation to torture in Syria in 2002. A tireless campaigner for the fair treatment of all Canadians, Dr. Mazigh is a frequent contributor to leading Canadian newspapers and other media.

Angela Mackay

Angela Mackay is the former Director of Programmes, Pearson Peacekeeping Centre, Canada; the Chief of Office of Gender Affairs, UN Mission in Kosovo; and the GENCAP Gender Adviser to the UN in Kenya on Protection from Sexual Exploitation and Abuse. Angela also developed the first UN DPKO “Gender and Peacekeeping” training manual. She now works primarily as a consultant trainer/facilitator on topics related to gender equality. She is the author of “Gender and Border Management” for DCAF’s Gender and Security Sector Reform Toolkit and teaches on gender-related topics at the OSCE Border Management Staff College in Tajikistan.

Angela is also the author of a training manual on human trafficking for the government of South Africa Department of Home Affairs and most recently she developed a toolkit on “Sensitization for Border Activities” for the African Union Border Programme. Otherwise Angela is a yoga instructor for seniors and an English literacy tutor.
Walter Dorn

Walter Dorn is a Professor of Defence Studies at the Royal Military College of Canada (RMC) and the Canadian Forces College (CFC). He is also President of the World Federalist Movement – Canada (WFMC). He previously served as Chair of Canadian Pugwash. Dr. Dorn is a scientist by training (Ph.D. in Chemistry, Univ. of Toronto).
He participated in the negotiation, ratification and implementation of the Chemical Weapons Convention (CWC) while working at Parliamentarians for Global Action.

At the CFC he teaches officers of rank Major to Brigadier-General from Canada and over 20 other countries in the areas of arms control, Canadian foreign and defence policy, the ethics of war, peace operations and international security. As an "operational professor," he has direct experience in international organizations, such as the International Criminal Court and in field missions like the ones in the UN missions in East Timor and the DRC. In 2014, he was appointed to the UN's Expert Panel on Technology and Innovation in UN Peacekeeping. He will soon take up a secondment to the United Nations as a "Technology Expert" to help implement the recommendations of the Panel's report.

He has served as the UN Representative of Science for Peace, a Canadian NGO, since 1983 and addressed the UN General Assembly at its Third UN Special Session on Disarmament in 1988. He has written several books, including Keeping Watch: Monitoring, Technology, and Innovation in UN Peace Operations, and most recently edited the volume, Air Power in UN Operations: Wings for Peace

Jane Boulden

Jane Boulden is a Professor at the Royal Military College of Canada.

From 2004-2014 she held a Canada Research Chair in International Relations and Security Studies. She is currently a Research Fellow at the Queen’s University Centre for International and Defence Policy. From 2000 until 2004 she was
a MacArthur Research Fellow at the Centre for International Studies, University of Oxford.


Peggy Mason
A former Canadian Ambassador for Disarmament to the UN and an expert on the political/diplomatic aspects of UN peacekeeping training, Peggy Mason is now the President of the Rideau Institute, an independent, non-profit think tank focusing on research and advocacy in foreign, defense and national security policy. In that capacity she brings a progressive voice to issues ranging from the imperative of nuclear disarmament to the centrality of UN conflict resolution, appearing regularly in the blogosphere, in print media and on radio and television.
PROGRAM

Friday, September 23, 2016
Army Officers Mess: 149 Somerset St W, Ottawa

6:00 p.m.  Keynote Address

Ernie Regehr: Armed Intervention in the Post-Cold War Era – The Record & Issues

Saturday, September 24, 2016
Bruyère Center: 75 Bruyère St, Ottawa

9:00 a.m.  Panel 1: Alternatives to Armed Intervention

To explore how potential crises can be spotted and addressed early & prevented; the political & diplomatic actions available and how to deploy them; economic sanctions as a non-violent pressure; lessons from the mismanagement of recent crises; the role for development programming and humanitarian assistance; “Do no harm”; disarmament & control of arm.

Panelists:  Gar Pardy
           Monia Mazigh

Moderator:  Angela Mackay
11:15 a.m.  Panel 2: Armed Intervention: If, why, when & how

To address the institutions and instruments designed for intervention and how they can be applied effectively; big power stalemates & the Security Council; the possible application of R2P; regional and non-Western approaches to crisis management; roles for the African Union, Regional Blocs, the Arab League; the role of NATO; dealing with terrorism; policing & security coordination.

Panelists:  Walter Dorn

Jane Boulden

Moderator:  Peggy Mason

1:00 p.m.  Lunch & Presentation: The Political Economy of the Looming Geopolitical Crisis

Speaker:  Manfred Bienefeld

Moderator:  Richard Harmston

3:30 p.m.  Conclusion

4:00 p.m.  Group of 78 Annual Meeting

5:00 p.m.  Adjournment
Appendix

1.1 Transcript of Keynote Address

Canadian Defence Policy and Armed Intervention
Ernie Regehr

The UN Security Council has found little to agree on when it comes to Syria,¹ but a year ago the Council did come to the unanimous conclusion that “…there can be no military solution to the Syrian conflict.”² The obvious truth of that confession also applies in the 25-plus other wars currently underway – wars in search of military solutions through attacks on political opponents. There have been some 100 such wars since the end of the Cold War, and almost all of them proved that in the end there was no military solution. Armed interventions by powerful military coalitions in search of military solutions faced the same reality – a reality that should inform a new Canadian defence policy.

It has become impossible to win wars so that “winning” actually means something – namely, a military victory that resolves the conflict that spawned the fighting. So the international community faces anew the deeply challenging question of when and how it should intervene in local and regional political conflicts that have turned or are threatening to turn violent and that are leaving vulnerable people in desperate peril.³

The predictable failure of contemporary wars to actually settle or over-ride entrenched political conflicts is still a contested narrative: a New York Times analysis⁴ claiming that

¹ Writing in 2015, Simon Adams of the Global Centre for R2P, notes that “Russia and China have on four separate occasions employed their vetoes to block action in response to mass atrocity crimes in Syria, including...a May 2014 draft resolution that would have referred the Syrian situation to the International Criminal Court.”

² “The Security Council welcomes the Secretary-General’s statement of 29 July 2015 that there can be no military solution to the Syrian conflict” and “stresses that the only sustainable solution to the current crisis in Syria is through an inclusive and Syrian-led political process that meets the legitimate aspirations of the Syrian people.” Statement by the President of the Security Council, 17 August 2015. UN Document S/PRST/2015/15.

³ That’s the central thesis of: Ernie Regehr, Disarming Conflict: Why peace cannot be won on the battlefield (Between the Lines, 2015), 217 pp.

“most civil wars end when one side loses,” so that’s what will be needed in Syria; an academic’s claim that “most civil wars end in decisive military victories, not negotiated settlements;” President Obama’s recognition that there is no military solution available in Syria while insisting, in the context of the 2014 draw down of American forces in Afghanistan, that “wars end in the 21st century, not through signing ceremonies, but through decisive blows against our adversaries.”

But no military victory is imminent in Syria, and there are zero prospects for the Taliban being dealt a “decisive blow” in Afghanistan. So, what is to be made of these conflicting claims – that civil wars rarely end in battlefield wins, or that they usually end through decisive wins? The discrepancy is linked to the time period being measured. Surveys of all wars since 1945 do indeed conclude that most wars end through victory and defeat on the battlefield, but when wars after the end of the Cold War are accounted for separately, a “dramatic change” in the pattern is revealed. Simon Fraser University’s Human Security Report Project documents the shift, based on the Armed Conflict Dataset maintained by Uppsala University. It finds that in the 1950s two-thirds of wars ended with victories by one side or the other; in the 1960s and 1970s that dropped to 50 percent; in the 1980s victories were down to 36 percent, in the 1990s it was below 20 percent, and in the early years of the 21st Century it was down to just over 10 percent.

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5 Barbara F. Walter, “The Four Things We Know About How Civil Wars End (and What This Tells Us About Syria), Political Violence @ a Glance, 18 October 2013.


7 Statement by President Obama on Afghanistan, 27 May 2014


11 Uppsala Conflict Data Program, Armed Conflict Dataset (Uppsala, Sweden/Oslo, Norway: Uppsala University Centre for the Study of Civil War/International Peace Research Institute). www.pcr.uu.se
The Project Ploughshares record of wars of the first post-Cold War quarter century (1989 to 2014), identifies 64 civil wars that ended during that period. Of those, only nine, or 14%, ended decisively on the battle field.\textsuperscript{10} Thirty-two, 50%, ended through negotiations, while 23, or 36%, dissolved or gradually wound down without a formal ceasefire or peace agreement. So, only one in six wars now ends through a clear military victory – and half of those wins go to the insurgents. And, by the way, while Cold War assumptions, supported by research, held that conflicts ended by decisive wins on the battlefield tended to produce a more durable peace than those that ended through negotiations, the post-Cold War experience has been that negotiated settlements have proven to be the more durable.

\textbf{When wars can’t be won}

The inescapable lesson (repeatedly taught but hard to learn) is that superior military force rarely prevails when entrenched political conflicts turn violent. In spite of that, the dominant political narrative still rests heavily on the story of victory in war. It is entrenched in the accounts and remembrances of the great wars of the 20\textsuperscript{th} Century. It is the story understandably drawn on when presidents and prime ministers send troops into battle or welcome them home.

Ironically, that same narrative of force as the final arbiter is perpetuated in calls for force to be used only as a last resort. The just war doctrine holds that war can be justified only when all other avenues have been exhausted – but with that formulation comes the implication that when all else has failed, when no other resolution to entrenched conflict is seemingly available, then the resort to force can be relied on to finally resolve and thus end a conflict. But the real post-Cold War story is of wars fought, not to victories that end a conflict, but to deeply hurting stalemates that cry out for other solutions.

Military force is not self-determining – it is constrained by its political context. If political, social, and economic conditions are not conducive to stability, decisive military blows stand little chance of imposing stability. That is a reality that applies as much to international military coalitions trying to impose political stability as to national governments trying to militarily suppress political dissent and to defeat violent...\textsuperscript{12} In four (6%) cases (Angola, Sri Lanka, Georgia, Iraq-Shia) governments defeated insurgencies. In five (7.5%) of cases, insurgents defeated Governments (Ethiopia-Mengistu, Rwanda, East Timor, Kosovo, Panama).
resistance. When the deadly dust of war finally settles, the same grievances and conflicts that spawned war in the first place all remain. What’s different is that at war’s end the efforts to build conditions for durable peace are all the more daunting – undertaken, as they then are, in the context of radically depleted national resources and a deeply scarred national psyche.

Of course, the absence of a military solution doesn’t mean that military operations don’t have major impacts and consequences on the ground. ISIS13 is being pushed back from territory it had gained, and thus from its grandiose ideas of a caliphate. The regime of Bashar Hafez al-Assad has been given new life by Russia’s military action – leading the Americans to now acquiesce, slowly and grudgingly, to the idea of the regime’s ongoing presence. Kurdish prospects for political autonomy, if not outright independence, have been dramatically advanced in both Iraq and Syria by military action.

So military force is not without utility. If the mission is the destruction of an adversary, shock and awe works. If the mission is to render a jurisdiction ungovernable, even poorly armed guerilla forces can be successful for extended periods. But making a jurisdiction governable is another kind of challenge, and it can’t be accomplished by force. ISIS can be militarily degraded, but, as the sociologist Amitai Etzioni notes,14 that doesn’t destroy either the ideology or the social conditions out of which ISIS emerged.

**From political to armed conflict**

Wars, even on the rare occasions when they end decisively on the battlefield, obviously leave enduring legacies of physical, political, and psychological destruction that discredit the very idea of “winning.” What wars require is prevention, and that in turn requires some understanding of how they start. For they start from something. It’s not a matter of spontaneous eruption. Extremism and violence on a societal scale clearly do not simply spring out of contexts of political and social stability. But neither are wars driven by an unseen hand of political/military determinism – as if certain conditions of poverty and marginalization inevitably produce violence and war while more positive conditions always produce peace and mutual regard.

13 Or the Islamic State, or Daesh.

There is in fact no obvious formula to anticipate how and when wars start. To be sure, deliberate interventions across borders start when politicians decide to start them, but civil wars are not the products of conscious decision-making. Governments of states embroiled in escalating violence to the point of civil war typically have not gone through careful processes for weighing options in advance of making deliberate decisions. Instead, they find themselves inexorably drawn, sometimes imperceptibly, into cycles of growing violence that ultimately reach levels of warfare.

Nevertheless, if governments and the international community collectively, are to develop effective policies and practices for war prevention, they will need some reasonably confident understandings of the social/political/economic environments that are conducive to stability and peace, and, conversely, of the conditions that are more likely to produce instability and violence. A war prevention focus is not on drivers of political conflict, those are myriad, but on the drivers of armed conflict – on the conditions under which political conflict is most likely to morph into armed combat. Why in 2011, for example, did some Arab Spring conflicts descend quickly into war, while others did not?

Researchers do identify key factors linked to conflict turning violent, and these can be distilled into four basic conditions – and those conditions, taken together, in turn offer a useful framework for looking at the transition from political to violent conflict.

**Grievance**

The foundational condition is certainly the presence of heightened political, economic, and social grievances. The point is that armed conflict has political roots – and it’s not a surprise to find that advanced political conflict is linked especially to political and economic marginalization. The UK peace researcher and conflict analyst Paul Rogers recently told CBC’s Sunday Morning\(^{15}\) that the roots of conflict and terrorism are substantially linked to both economic inequality, or marginalization, and the repression of dissent (which is really a form of extreme political marginalization). When an economic system is experienced as grossly unfair, and when the political responses to that inequity are rendered entirely ineffective or actively suppressed, it can reasonably

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\(^{15}\) 18 September 2016.
be expected to produce what Rogers called a revolution of rising frustrations. Repression works, for a time, but ultimately it becomes unsustainable. Prosperity, or the lack of it, is thus one remarkably reliable indicator of armed conflict, with countries in the bottom half of the Human Development Index much more likely to experience violent conflict than those in the top half. All of which points to addressing economic grievance and persistent poverty as key elements of any war prevention strategy.

**Identity**

When grievances are overtly linked to regional, ethnic, or religious identities, the likelihood of discontent turning to violence is dramatically heightened. If political and economic marginalization are credibly thought to be a direct consequence of discrimination against one’s race or ethnic community or religion, the grievances cease to be individual – they become communal and more clearly a case of widely shared perceptions of injustice. And when ethnic or religious groups feel threatened as a group, they are inclined to respond as a group, with authorities in turn inclined to see them as more threatening. As an escalating action/reaction cycle takes hold, repression becomes more intense, and more violent. The aggrieved, emboldened not only by a sense of injustice, but also by a sense that the community and the identity of a people are in peril, are increasingly motivated to muster the collective means to resist. Grievances that are politicized along communal and geographic lines are especially prone to prolonged violence due in part to the emotional, political, and financial resources that can be mobilized in such communities.

**Capacity**

Even then, with tensions escalating, the path to open armed conflict is still a daunting one. It’s not easy to mount a war – governments need to retain credibility for the fight, and aggrieved communities need solidarity. Neither is automatic. A conducive political culture becomes an important factor in opting for violent responses – the willingness or predilection of a government to wage violent repression, and the openness of a community to pursue violent rebellion. But that means that reshaping political culture to resist, to be wary of, violent repression and resistance should be a key element of war prevention.

On top of that, parties to a conflict obviously need reliable access to armaments if they are to transform political conflict into a sustainable armed conflict. For governments, access to the necessary arms is generally not a problem, of course. Guns, and the
means to manufacture or import them, are readily available. When repressive governments, that are thus armed and dangerous to their populations, face disaffected communities that have also gained reliable access to small arms, political conflict predictably turns more readily to violence. In regions of long-term conflict, especially, small arms and ammunition are ubiquitous and controls are scarce and ineffective. Economic marginalization, political exclusion, and readily available small arms make a deadly combination.

It is a special scandal that governmental cultures of violent repression are routinely abetted and reinforced by arms supplying states. States that claim to be champions of human rights and the peaceful resolution of conflict seem nevertheless to feel free, in the name of jobs and business, to ship arms to states with demonstrated predilections for repression and attacks on civilians. Canadian sales to Saudi Arabia\(^{16}\) have been ongoing since the late 1970s, and it should be clear that long-term support for repressive regimes incurs even longer-term costs. A case in point is the DRC where the international community’s extended and extraordinarily difficult engagement in peace support efforts is dealing with the legacy of decades of support by Western democracies for the brutal cleptocracy of Zaire’s Mobutu Sese Seko, until he was deposed in 1997. In those days the excuse wasn’t jobs, it was the pursuit of strategic advantage over the Soviet Union and China in Africa. There is no basis for thinking it will be any easier to deal with the legacy of arms supplies to Saudi Arabia. When the Saudi royals fall and that society actively enters the struggle to establish some semblance of accountable governance, recalcitrance in the context of rising turmoil and violence is the most likely scenario. Canadian armored vehicles aren’t part of the solution in Saudi Arabia today, and they won’t be then.

**Absence of Alternatives**

Another key factor in political conflict turning violent is the absence of any credible political avenues for processing conflict. When alternatives are all cut off, when groups perceive themselves as systematically excluded from the political process, or when institutions and mechanisms for political engagement are deeply mistrusted, violence becomes the more credible option. Given that the main objective of violent opposition to governments is not so much to defeat or depose those governments as it is to get a

\(^{16}\) Project Ploughshares Blog and Conventional Arms section. [http://ploughshares.ca/programs/](http://ploughshares.ca/programs/)
seat at the table, the international community has an important responsibility to find other means of winning access to that table.

**War Prevention**

Given the social, political, and economic roots of war, the termination of war and war prevention strategies cannot be built on military prowess. Prevention requires measures that effectively address the four basic conditions that increase the likelihood of political conflict morphing into armed conflict (grievance, identity, capacity for violence, and lack of alternatives). The international community’s capacity to intervene militarily is obviously relevant, but if we really do want the resort to military action to be the last resort, then we’ll have to pay a lot more attention to first, second, third, and fourth resorts.

**Development**

The first resort to managing conflict and preventing war obviously has to be a heavy emphasis on development and peacebuilding in conflicted and failing states. However, if addressing basic economic and social grievances and weaknesses, and building conditions conducive to durable peace and stability, are to be a serious security imperative, they need to be seriously resourced. Some governments have actually gone a long way in that direction. Three Nordic states – we’re accustomed to them leading on such matters – now collectively spend as much on official development assistance (ODA, a spending envelope with a broad range of security-relevant applications) as on defence. Sweden actually spends more on ODA (in other words, it sensibly spends more on prior resorts to conflict resolution and war prevention than it does on the last resort of force). In 2015 its international development assistance spending amounted to 125 percent of its military spending. For Norway and Denmark, ODA was equivalent to 70 percent of military spending (in Canada it was just over 25 percent). All three of those Nordic countries have more than met the .7 percent of GDP target for ODA, as has the Netherlands, and the United Kingdom is right at the target level. Germany has reached an ODA level of .52 percent of GDP, and that amounts to the equivalent of 50 percent of its military spending. It is clear that countries which understand development and peacebuilding as vital to international peace and

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17 ODA figures come from OECD (oecd.org/dac/stats/oda-2015-complete-data-tables.pdf), and military expenditure figures are from the World Bank (data.worldbank.org/indicator/ms.mil.xpnd.gd.zs).
security actually make an effort to better balance their security spending, bringing non-military security spending even to, or at least much closer to, military spending levels.

Some years back, in the context of UN reform discussions, the Secretary-General’s high level panel on threats and challenges suggested that states seeking permanent membership in the Security Council should meet the .7 percent of ODA goal – perhaps the same commitment should be made by countries from the global north that are campaigning for a two-year term on the Council.

**Democracy**

Another resort to be pursued before considering the “last resort” of military force ought obviously to be the development of credible political processes for addressing grievances and promoting good governance and accountability in conflicted states. It’s not as if it is not already clear that political inclusion, respect for human rights, and fostering public institutions that earn the trust and loyalty of people are key to durable political stability and the orderly and peaceful mediation of the political conflict that is endemic to all societies. The loss of confidence in public institutions is a key factor in precipitating violence. In fact, because credible and trusted governance is key to stability, it also becomes the best defence against foreign military invasion. It turns out that effective defence relies less on a powerful military than on a strong political and social order.

Consider the countries that have in one way or another been invaded since the end of the Cold War: there were multilateral interventions in Afghanistan, Bosnia, Haiti, Iraq, Libya, Serbia (re Kosovo), and Syria; there were unilateral interventions by the US in Panama and Somalia, by Russia in Georgia and Ukraine, by Ethiopia in Somalia, by Saudi Arabia in Yemen, and by Iraq in Kuwait. Common to all of the invaded states (with the exception of Kuwait), were conditions of advanced internal division and crisis.

The point obviously is not that internal crises justify invasions – this is not a matter of blaming the victims and justifying the exploits of major powers. Politically chaotic states are still sovereign, and invading any state outside of self-defence or without explicit United Nations Security Council approval, as the Chilcot report reminds us, is still a violation of international law. What made these states vulnerable to invasion were unstable internal political conditions, not a lack of military defence. Politically stable states, with national institutions that enjoy the legitimacy that comes from broad public
trust and support, are largely immune to military attacks and intervention, regardless of their size or military strength or lack of it.

It is a reality that NATO ignores in the Baltic States, where Canada is to send a battle group (to Latvia) to help deter Russia. The Baltics are all former Soviet Republics, and they grew understandably nervous after Russia’s annexation of Crimea and its ongoing interference in Ukraine. They fear Moscow could use the same tactic on them – that is, cite Russia’s concern for ethnic Russians living in Latvia, Estonia, and Lithuania to justify various levels of political and potentially military interference. So it’s not surprising that those states seek NATO’s protection; but it’s not NATO that will protect them, it is their own internal political strength. Reliable surveillance of frontiers is the responsibility of every state, and the Baltics are no exception, but it is their own inclusive political institutions and processes that best protect them from any Moscow efforts to destabilize them. The great folly in the prevailing European/Russian security discourse is the assumption that without demonstrations and threats of NATO military action the Baltics are defenseless. The opposite is true. NATO’s deployments on the borders of Russia exacerbate tensions and ignore the hard fact that the Baltic States have ready access to the most effective and proven defence against military invasion – namely, strong and respected governance, citizen engagement through trusted institutions, and a buoyant national consensus in support of the prevailing order. The security of those states, and indeed any states, depends on the nurture and maintenance of that kind of governance – the pursuit of social justice, participatory politics, and the exercise of responsible citizenship.

As already noted, deliberate interventions across borders and wars between states, unlike civil wars, are the products of conscious decision-making, and Michael Klare\(^{18}\) has recently written about a resurgent assumption among US military/security elites that major wars with Russia or China are now regarded as plausible possibilities. In turn, there are obviously those who repeat and promote such “big-war threats” in order to support their calls for, as Klare puts it, “lavish spending on the super-sophisticated weapons needed to defeat a high-end enemy.” He quotes US Defense Secretary Ash Carter: “We have to do this [spend lavishly on the military] to stay ahead of future threats in a changing world, as other nations try to catch on to the advantages that we have enjoyed for decades, in areas like precision-guided munitions, stealth, cyber and

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space.” While Carter emphasizes “staying ahead of future threats,” Zbigniew Brzezinski’s realism allows him to acknowledge that the era of American global dominance is in fact ending.\textsuperscript{19} A former presidential security advisor, he still looks to American leadership in shaping the inevitable realignment of the world order, but acknowledges that the US can exercise leadership only through significant cooperation with Russia and China. The alternative to developing a shared approach for a new geopolitical framework will be “the quest for a one-sided militarily and ideologically imposed outcome, [which] can only result in prolonged and self-destructive futility,” he says. Klare notes that assumptions about growing “big-war” possibilities – in other words, the quest for one-sided militarily imposed outcomes – are shared by Russian and Chinese security elites as well. So this resurgent militarism is less an east-vs-the-west problem than it is their “shared assumption that a full-scale war between the major powers is entirely possible and requires urgent military preparations.”

The likely consequences of full-scale war involving the extraordinarily destructive forces available to these three major powers is genuinely beyond imagining. As a group of American Generals recently told the UK’s Independent newspaper, “any future war with Russia or China would be ‘extremely lethal and fast’ [and the US would] not own the stopwatch.”\textsuperscript{20} In other words, escalation to unconscionable levels of destruction would be rapid, there would be no way to guarantee that it would not go nuclear, and there would be no guarantee of an early termination. There is truly no foreign policy of security objective that could warrant the level of destruction risked in direct military confrontation between heavily armed states. The task of repudiating such plans and preparations for total war falls to civil society and foreign policy communities, and especially to governments and their diplomats – including those of middle and smaller powers whose populations would suffer the extraordinary consequences.

**Disarmament**

A third resort before the last resort, as already noted, is serious attention to the control of access to the weapons of war and armed violence. The peaceful resolution of conflict

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\textsuperscript{20} Samuel Osborne, “Future war with Russia or China would be ‘extremely lethal and fast’, US generals warn,” The Independent, 06 October 2016. [http://www.independent.co.uk](http://www.independent.co.uk)
is incompatible with easy access to the means of violence. Conventional arms control is about preventing excessive and destabilizing accumulations of arms by states and preventing access to military-style arms by non-state groups (reserving for states the monopoly on the resort to force). Most especially, preventing the trade in repression technology to the detriment of respect for human rights and international humanitarian law is key to promoting the legitimacy of peaceful dissent. The Arms Trade Treaty is a new instrument available to the international community to control arms. It is as far from perfection as are most treaties and agreements that go through long and contentious multilateral negotiations toward compromised consensus, but it is nevertheless a critically important advance and the fact that it will finally become Canadian law is welcome and overdue – the next step will be military export policies that actually honor its intent.

**Diplomacy**

Diplomacy is of course key to averting the last resort. The chief imperative of conflict diplomacy is to remedy the absence of alternatives where violence threatens. And if, when prevention fails, peace negotiations in armed conflicts can be effective only when conflicts are “ripe” for negotiations, then finding alternative routes to ripeness is a key war termination and prevention imperative. A conflict “ripe” for negotiation is a euphemism for a conflict that has produced such extraordinary levels of human suffering that all parties have finally arrived at a desperately hurting stalemate and the conclusion that negotiated compromises at a conference table are the only way out. The challenge for diplomats is to find alternative, more humane, means to reaching the shared conclusion that comprehensive peace processes involving all stakeholders are the better option. That means creating the table that insurgents battle, sometimes for decades, to gain access to, by other means.

Conflict diplomacy can mean crisis intervention (of the kind the African Union tried in Libya at the time of the NATO intervention, or that the Geneva process still pursues for Syria), but it also involves longer term engagement in reconciliation efforts – all the way from community levels to multilateral efforts in support of the peaceful management of political conflict. In Afghanistan, Iraq, Libya, Somalia, South Sudan, and Syria, to pick a long list of some of the toughest cases, there are deep communal divides in need of long-term bridging diplomacy and reconciliation strategies.
It’s important to add that such reconciliation and negotiation processes are in serious need of gender equity. The current Inter Pares Bulletin focuses on peace initiatives undertaken by women in places like Colombia, Burma, and Mali. But as the article points out, the voices of women are especially “absent in formal settings when armed actors come together to negotiate peace.” In a study of 31 peace process over two decades, nine out of 10 negotiators and signatories were men.21

There is no panacea in the resorts before the resort to force that, it is widely agreed, should only be the last resort. Building economic and social conditions for sustainable peace, promoting good governance and building trusted and inclusive political institutions and processes, restraining arms flows, and exercising diplomacy that builds bridges, resolves conflict, and creates alternatives to violence, are all essential. But they take a long time and they also involve much failure. By the time political conflict threatens to morph into armed conflict it has become complex and intractable, and reversing that is just as complex and difficult.

The Responsible Resort to Force

But the post-Cold War record of armed conflict is a vivid reminder that when states try to forcibly suppress dissent, and when coalitions of the willing invade conflict zones ostensibly to bring order, it turns out that the last resort is also no panacea. That doesn’t mean that unstable states never need the support of external resources to protect vulnerable people, to buttress the rule of law, or to help build confidence in emerging political processes and institutions.

But when the international community is truly faced with the “last resort,” it is still essential that it to draw the very real and operationally relevant distinction between war-fighting and peace support interventions. The main point, simply put, is that in war-fighting, the objective is to over-ride political process. When governments turn to the forceful repression of dissent, or when international military coalitions are bent on regime change, or defeating challengers to favored regimes, the military action is intended to set politics and diplomacy aside or to over-rule them in a kind of short cut effort to directly impose a desired political outcome by dint of force. In peacekeeping

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or peace support operations the objective is to provide security support for the political processes through which negotiated and sustainable political outcomes are reached.

A feature of current commentary on Canada’s coming peace support mission or missions is that it is delusional to talk about peacekeeping, that missions in places like Mali and the Democratic Republic of the Congo (DRC) are dangerous and put intervening troops in harm’s way – with the implication that the Government for all practical purposes is planning to send Canadians to war. But the distinction remains real – even though peace support operations are indeed dangerous and need to be approached and prepared for with great care. Peace support operations frequently fail, but there is also a record of success. The final report of the High-Level Independent Panel on United Nations Peace Operations22 concludes that “UN peace operations have proven to be effective and cost-efficient tools when accompanied by a political commitment to peace.” Among the successes it counts operations in Nepal, Sierra Leone, Timor-Leste, Cote d’Ivoire, Guinea-Bissau, and Liberia. But the panel doesn’t avoid reference to the failures or the extraordinary challenges of some current operations, as in Mali, the DRC, Darfur, and South Sudan – most of which are on the list of possible Canadian deployments.

The clear link between success in military peace support operations and active political/diplomatic engagement to resolve underlying conflicts points to five key conditions and initiatives that should be part of every military deployment in a peace support role: 1) the pursuit of political consensus (to establish a context of strategic consent for the intervention); 2) the presence of legitimate institutions that the intervenors are seen to be supporting; 3) the restrained and lawful use of force; 4) assurances of regional co-operation and support; and 5) energetic peacebuilding. In situations of entrenched conflict, each of these will by definition be a work in progress, but the absence of discernable efforts towards those ends puts a military intervention back into the war-fighting model – back to trying to determine political outcomes by military means, and thus relying on a record of success that is not exactly promising. 

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Political settlement

The first requirement, the active pursuit of political consensus to create a context of strategic consent for the intervening forces, receives significant attention in the UK’s Chilcot Report on the disastrous intervention in Iraq in 2003 and following. The report castigates the Iraq coalition for its spectacular failure to win the support and ultimate consent of the people of Iraq. The reasons for that include the coalition’s utter failure to improve the lives of Iraqis through restored security, the provision of basic services, and the facilitation of economic recovery, but the primary problem was the coalition’s failure to recognize that what it faced after the Hussein regime had been defeated was first and foremost a political challenge rather than a military challenge. That blindness to the essential political character of the post invasion crisis was then reflected in the failure to see the urgency of developing political consensus. And as the Canadian historian and defence analyst J.L. Granatstein warns with regard to coming Canadian peace support deployments, if the conflicting parties do not accept the UN-mandated forces, “we must understand we will be fighting against one (or more) sides in the dispute.” The High-Level Panel also concluded that “when peacekeeping operations are deployed absent a viable peace process [which is increasingly the case], the Security Council, Secretariat, regional actors and all Member States should work proactively to advance a political process….”

Legitimacy

The legitimacy of any intervention force, including UN-mandated peace support operations, depends substantially on the vigor with which non-military efforts are pursued in support of evolving inclusive political institutions that can be credibly understood as representing the interest of the local population. When the Americans invaded Iraq in 2003 they had persuaded themselves that they would be welcomed as liberators – instead, they were experienced by Iraqis as invaders who showed little respect for the institutions and traditions that should have formed the foundation of post-invasion society.


Military restraint

Then, as the post-invasion security situation unraveled, more aggressive military actions were launched to try to gain support and strategic consent by dint of force – leading them to violate the third condition for peace support operations, namely the restrained use of force. It was never likely that post-shock-and-awe invasion operations would be characterized by military restraint, and the inevitable consequence was a post-invasion spike in civilian deaths. Trying to force consent is trying to win a war, and it ignores the post-Cold War reality that wars are rarely won, no matter how powerful the military forces of one side may be. And in Iraq, as civilian deaths escalated, and as public order disintegrated, the notion that the intervention forces might gain the respect and support of the people – that they might become legitimized – evaporated. In Afghanistan, for another example, nothing drained support for the International Security Assistance Force as quickly as did the perception that coalition forces attacked without restraint and without due regard for the safety of civilians.

Regional cooperation

Regional cooperation, the fourth of the five conditions essential to effective intervention, is key to war prevention, and its absence is key to the persistence of many civil wars. In the Horn of Africa, as in Iraq and Syria, regional competition frequently manifests itself in mutual destabilization tactics by neighboring states in pursuit of their own interests, and the lack of cooperation from other governments in the region inserts a host of political complications that frustrate peace efforts even when local actors might be ready to consider cessations in hostilities.

Peacebuilding

The Chilcot report also highlights the need for energetic peacebuilding to be a part of any peace-support intervention. Others make the same point, some noting that in the coming battles to drive ISIS out of Mosul in Iraq, the efforts to force ISIS out of the city may prove to not be as difficult or contested as anticipated. Instead, the most significant challenge in Mosul is likely to be to ensure post-conflict security, reconstruction and, above all, governance that is representative of and responsive to people. Measurable improvements in the day-to-day lives of people caught in

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25 David Petraeus, “The Challenge in Mosul won’t be to defeat the Islamic state. It will be what comes after.” Washington Post, 12 August 2016.
intervention zones is an obvious and key factor in demonstrating a commitment to the welfare of people as distinct from the strategic interests of the states sponsoring the intervening forces.

The post-Cold War quarter century displayed plenty of the hubris that sees in military might alone the means by which the powerful can shape the world to their liking or according to their objectives. The results actually achieved by military intervention suggest, however, that a lot more self-reflective humility would be in order. And that reflection ought to lead to a clearer understanding of the conditions under which multilateral military deployments can be effective peace support operations, and when they can’t. Calls to action and intervention will continue, but as Andrew Bacevitch says, “the effectiveness of [the responses] will turn on whether the people making the decisions are able to distinguish what the…military can do, what it cannot do, and what it should not do.”

The key lesson to be heeded is that military forces, even clearly superior military forces, cannot overcome the political contexts in which they operate – in other words, superior military forces don’t have the capacity to impose their political will. And when force is failing, that failure is a not reversed by simply adding more military capacity.

**Priorities for Canada**

The wars of the past quarter century are a warning that neither individual states nor multilateral coalitions can go into war expecting to win – the odds are overwhelmingly against them. It is genuinely hard these days to win a war so that winning means something – namely that the political conflicts that spawned it are solved. Military force is repeatedly proven to be incapable of imposing predictable political outcomes in deeply conflicted states. Military force can destroy and defeat regimes, guerilla forces can render territory ungovernable, but force is not a reliable foundation for the good governance that leads to stability and security – that requires basic economic well-being, civil rights, civic responsibility, political inclusion, control over the instruments of violence, and measures to foster reconciliation and build bridges across political, ethnic, and religious divides. In the right circumstances military forces can support

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peaceful processes that can be mobilized towards those ends, but they can’t impose peace.

It means we have to understand the limits to force. Mikhail Gorbachev, towards the end of the Cold war in the late 1980s, set out a bold platform of what he called new thinking. In the face of the reality of nuclear weapons and the extraordinary destructiveness of modern conventional weapons, he concluded that the role of modern armed forces must be to prevent wars, not win them.

That speaks to the question of what roles should be assigned to contemporary Canadian military forces. It’s clear that military forces are essential for patrolling and policing national frontiers – and in Canada that is not a matter of keeping military challengers at bay but of aiding civil authorities in law enforcement, especially by monitoring air and sea approaches to Canadian territory. Canada, by national consensus, faces no military threats, so the issues at Canadian frontiers are all about civilian border patrols, including the identification and interception of unauthorized airborne intrusions, a role that NORAD takes on in support of civilian authorities, and controlling seaborne intrusions, also with assistance from the Canadian Armed Forces. The Canadian Forces should also be available to aid civil authorities in responding to isolated threats to public order. The considerable assets and skills of the Armed Forces are also available to civilian authorities, as demonstrated in the recent “Operation Nanook,” an exercise that included a Yukon earthquake scenario designed to test and practice a whole-of-government response to a natural disaster. While the Canadian Armed Forces were heavily involved in Operation Nanook, civilian agencies took the lead. These roles of patrolling frontiers, supporting civilian authorities, and assisting in disaster response operations, are long-time roles for the Canadian Armed Forces.

More contentious is the role of Canadian Armed Forces in operations beyond Canada’s borders. The record of multilateral war-fighting operations in the post-Cold War quarter century points to international peace support operations as the most likely way of making positive contributions to international peace and security – through peace support operations that work in concert with diplomats and peacebuilders to promote and try to restore stability where it is threatened. Such operations should be guided by distinctions between war-fighting and peace-support operations.

recognizing the strikingly low success rate of the former and respecting established deployment criteria for the latter – namely, Security Council authorization that is linked to strategic consent for the intervention, legitimate governing institutions and processes that the intervening forces are mandated to protect from spoilers, the restrained and lawful use of force, cooperation and support from other states in the region, and active peacebuilding support to the state hosting the peace support forces.

Peace support, or peacekeeping, operations by definition take place in contexts of unusual political and social instability and where the rule of law is fragile – stable states in which the rule of law prevails don’t need peace support operations. Peace support missions are deployed when political accord is tentative and fragile – when it needs to be bolstered and supported. But the key to successful peacekeeping – and there have been important successes just as there have been important failures – is the presence of a clear political process to resolve the conflict. Peace support operations are themselves not the point, they are a means to the main point, that being conflict resolution which brings belligerents into sustainable political reconciliation and builds institutions of ongoing peaceful mediation of the political conflicts that all societies face.

These are points made by the editors of the Oxford Handbook of United Nations Peacekeeping Operations,28 who argue that “the failures we’ve seen in UN missions are usually quite predictable, and have tended to follow occasions when we’ve deployed missions in the absence of a clear political strategy.” Canada is rightly planning for a “whole-of-government” approach to the peacekeeping missions it is now considering. Indeed, military operations in peace support operations should be understood as a lot like Canadian domestic operations – not in levels of danger and instability faced, but in the sense that both in domestic operations and overseas peace support operations, military forces act fundamentally in support of civilian authorities. The military roles in peace support operations are notably to support and restore civilian governance, to aid in law enforcement, and to help create a security climate in which peacebuilding and economic development can take place.

Canada’s re-engagement with peacekeeping is important, in part because UN peace support operations are the international community’s preferred model for responding to complex political/military conflicts. Peace support operations in a variety of forms, from unarmed observation teams to full-fledged combat operations, have endured for 70 years and are today in more demand than ever. As of September 1, 2016 there were 16 UN operations involving 85,000 uniformed military personnel, 12,000 police, and some 18,000 civilians. The UN also supported large deployments through regional organizations like the African Union.\(^{29}\) Canada’s support, and that of other wealthy middle powers, is especially important for what it can bring to these collective global efforts – besides a capacity to contribute well-equipped and trained troops, police, and civilian field personnel to specific operations, Canada also has the means to bring training at the global level and support research into what does and doesn’t work in peace operations. If we but choose to employ them, Canada also has the resources to buttress the diplomatic, humanitarian, and peacebuilding initiatives that are essential to integrated peace operations. Part of the Canadian peacekeeping agenda should be the re-establishment of a peacekeeping training centre\(^{30}\) and the provision of leadership towards a standing UN capacity for emergency response, preventive deployments, and the protection of vulnerable civilians,\(^{31}\) as well as diplomacy toward the durable resolution of violent conflict.

As peacekeeping leaders readily admit,\(^{32}\) peace operations offer no guarantee of success, not least because they typically face the world’s worst trouble spots – indeed, as the Oxford handbook on peacekeeping puts it, the history of post-World War II peacekeeping writ large is also the history of the world’s most intractable violent

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30 Walter Dorn and Joshua Libben, Unprepared for Peace? The Decline of Canadian Peacekeeping Training (and What to Do About It),” the Rideau Institute and the Canadian Centre for Policy Alternatives, February 2016. [http://www.rideauinstitute.ca/2016/02/02/canada-must-step-up-on-peacekeeping-training/](http://www.rideauinstitute.ca/2016/02/02/canada-must-step-up-on-peacekeeping-training/)


conflicts. UN peace operations are increasingly called into remote regions where the prospects for political consensus are just as remote, and where there is virtually no infrastructure and even the most basic supply lines are fragile and vulnerable to disruption. Even so, the chroniclers of peacekeeping history find that “peacekeeping is much more successful than we all assume or talk about in current debates,” and those successes come despite chronic and drastic under funding. The current annual budget for UN peace operations is (US)$7.87 billion – compare that to the $3.5 billion that the US spent each month in Afghanistan at the height of its failed operations there.

The world’s persistent armed conflicts, and especially the extraordinary suffering of the innocents caught in the crossfire, mean that armed intervention across borders in an attempt to mitigate suffering and end conflict will also persist as a durable feature of the international community. Post-Cold War interventions by major powers with vastly superior military capabilities continue to prove one unavoidable reality, that there are no military solutions to deeply entrenched political conflicts. In the meantime, and in part as a consequence, the demand for UN peace operations is growing. But those two realities – the spectacular failures of military might and the growing demand for multidimensional peace operations – have not affected the gross imbalance of global security funding. As Paul D. Williams, a foremost authority on peacekeeping and one of the editors of the Oxford handbook, sums it up: “We spend a pittance on giving peace a chance, and huge sums on preparing for war.” It will take more than Canada’s promise to re-engage with UN peace operations to correct that imbalance, but it is an essential and overdue step in the right direction.


1.2 Transcript of Limits to Armed Intervention by Gar Pardy

Limits to Armed Intervention

Lessons from Africa, the Middle East and Afghanistan

Remarks by Gar Pardy

Thank you for your kind words of introduction.

I thought I would have a few more years before I walked through the doors of the building called Bruyere. But given our subject matter for discussion this morning, it may be appropriate we gather in an institution where many come to sort out their confusions or to spend their final days.

It’s rare that it is possible to identify one factor in today’s global violence. But the subject of today’s discussion - Armed Intervention in the Post-Cold War Era – more than covers many if not all of the violence that racks many parts of the world. I would go one step further and suggest that it is not the Post-Cold War era that is of concern but rather we are still dealing with the Post-Colonial World as we deal with the problems of Africa, the Middle East, Central Asia and other parts of our troubled world.

A cursory review of post 1945 events suggests that there have been more than 150 wars since 1945. I use an eclectic interpretation of the word “war” but the total includes wars in the classic sense when international borders have been crossed but also the pre-classic wars involving fighting within a defined state.

In a modern sense this total captures the decades long conflicts in Vietnam, the Sudan, Eritrea, Colombia, Lebanon, Afghanistan, El Salvador, South Sudan, the Philippines, those involving the porosity of Russian borders and the various phases of the conflict of the Middle East.

Then there are those measured in days such as the civil war in Costa Rica of 1948 or the Hungarian Revolution of 1956. There is even one euphemistically called the Six Day War when Israel went to war with most of its neighbours.
A war, I would emphasize, that in its modern phase started in 1948 and continues today. In historical terms it is a war that can be traced back to twenty-five hundred or more years, the time of the first Jewish diaspora.

There is ambiguity among contemporary historians, if that is not a contradiction in terms, as to whether the number or the severity of such wars are on the increase. These modern wars must be measured against a higher or at least a more visible if not acceptable standard - that standard is a greater ability and willingness to have the international spotlight of interest and concern shines in more parts of the world than was heretofore the case.

But there is one thing most can agree on – despite the number and frequency of today’s wars and the increased knowledge and understanding – the deaths so far do not come anywhere near what was experienced during the first half of the 20th century.

In the two global conflicts of less than ten years combined during that period, the counting of the dead still goes on but there is general agreement that 60 to 90 million people died.

In comparison, in the wars in the seven decades since 1945 some historians have suggested that the deaths so far are probably in the range of ten million. Of course, this is a figure that is still being rightly challenged but it is a useful one to keep in mind as we consider the wars of our age and what might be done to bring them under some measure or more effective collective international control.

A good place to start in seeking some understanding to today’s war is Vietnam. That War is a particularly important conflict to keep in mind as we consider our future options. It is often correctly labelled as the first War of the Age of Television but equally it was the ending of a colonial war that put to rest the idea that France could maintain its empire far from Paris without the consent of the peoples of southeast Asia.

As we were quick to learn the United States decided the French colonial struggle had implications for its own security. The escalating involvement of the United States and some of its allies, in turn, created enormous political and social fissures that to some extent echoes down to the present.
To an extent not seen before, the world was an active viewer if not a participant in the violence that was wrecked on Vietnam, Cambodia, Laos and to a lesser extent on Thailand. The effects of that military invasion continues to haunt the lives of millions.

And on Vietnam, history’s conclusive judgement is that it was a war that was completely unnecessary. It was without any benefit when measured against the costs, to the people of the region and above all to the outside forces, particularly those of the United States which sought to dominate that small corner of the world.

The names of some 58,307 American military personnel who died as a result of the Vietnam war between 1957 and 1975 are etched on two polished black granite walls in downtown Washington in the hope that it might be a reminder to future policy makers of the folly of such interventions. The reminder as we have come to learn was short lived and is today largely another memorial in a city that has many.

Sadly, the lessons of the Vietnam war were quickly forgotten by not only the world but by the United States.

Many of the wars of recent years can be equally labelled as unnecessary. If they are not unnecessary, then certainly they caused more harm than providing a solution to a misunderstood problem.

It is quaint today when we repeat the overarching political rationale for the wars of Southeast Asia. That rationale centered on two words “falling dominoes”. The belief being that should the communist forces in North Vietnam come to dominate the country then there was every danger other countries in the region was under a similar threat.

Today, we quote the phrase with some amazement and unfortunately there is no one around who would re-phrase what Churchill said here in Ottawa in 1941 – “Some dominoes, some fall.”

Germane to all of this I would point out a few years after Vietnam became one country, its army intervened to remove one of the world’s most horrible regime in neighbouring Cambodia. Equally within a few years it stopped the Chinese behemoth to its north which sought to intervene in Vietnam to teach the country a lesson. In its aftermath China began a modernization of its armed forces.
I use Vietnam to illustrate that in discussing armed interventions this morning we avoid any emphasis on the idea that there is any absolute need for us as a possibly intervening country to intervene. Our involvement in Vietnam came even before Lester Pearson working through the United Nations sought to get the British, French and Israelis out of their frightful mess in Egypt.

Canada was a participant for almost two decades in the Vietnamese war and it is a fair comment to remind you that in that intervention and other similar ones in which Canada has participated in the past seventy years, our rationale has had more to do with our own interest than the interests of the people whose lives were ending or put at larger risk.

Canada’s direct involvement in these post-1945 wars can best be described as episodic, erratic and without any particularly guiding principles. This would apply to Canada’s involvement in the war on the Korean Peninsula, the First Gulf War and the ongoing war in Afghanistan, and today’s civil wars in Iraq, Syria and Libya. There were few if any common geopolitical or humanitarian principles involved.

When these wars are looked at in retrospect they are more of an effort to go along with allies and other like-minded countries then any particular design or understanding of what was involved or any appropriate understanding of the likely consequences, intended or unintended.

Equally missing from the decisions by Canada to intervene in these wars was any understanding or appreciation of the possible outcome or the end game. A bitter epithet used by veterans of the Korean War lives on. It is “To die for a tie,” - a useful reminder to all of us as we contemplate our involvement in some of the various wars in which we are involved or ones in which we contemplate being involved.

Canada’s indirect involvement - and I would emphasize the word indirect - in the post-1945 wars has been similarly without any particularly guiding principles.

Our early involvement in the Indo-Pakistan conflict over Kashmir – which was the first of UN sponsored peace keeping missions - and similar involvements in such places as Vietnam, Egypt, the Congo, Cyprus, Syria, Lebanon, Rwanda, Central America and the Balkans were predicated on narrow tactical considerations and did not include any apparent effort to look at these conflicts as needing something more than a few troops showing up wearing blue helmets.
If the prevailing opinion was that we were involved in peace keeping, then history’s judgement on the utility of our involvement is just as bleak as its judgement for the wars in which we were directly involved.

When you pour over the limited information and analysis that is available on Canada’s military interventions over the past seventy years, it is not a harsh judgement to state that in all cases an important aspect of the decisions to be involved included the promotion of the brand of the governing Party.

The decision to send troops to Afghanistan or to Rwanda or to the Congo had more to do with its value domestically to the Party in power than any understanding of what was achievable.

Today that approach lives on with the idea that a few hundred Canadian troops dedicated to peace keeping represents a seminal and long in coming change in Canadian policy; rarely does it involve a comprehensive understanding of the conflicts we would seek to alter or influence.

I doubt there is any measurement of our value in ending conflicts has been made. The decision for greater involvement in various peacekeeping operations is still without significant validation of its utility or of its necessity to the conflicts we would seek to influence.

It is fair to say that in our direct or indirect involvement of the wars of others the distinction between peace making and peace keeping has been as fluid a distinction as that between the waters of North and the South Atlantic Oceans.

But these are the labels we give ourselves when we are faced with sending Canadians into harms way. The hope is that there is probably less harm in one than there is in the other. Although, if you ask Romeo Dallaire when he commanded a UN authorized peace keeping force in Rwanda in 1994, the distinction had little value as he counted the casualties in the Dutch contingent.

Our recent experiences of interventions in Afghanistan and Libya provides a telling illustration of interventions that have done more harm than good. And there can be every expectation that our interventions in the Iraqi and Syrian civil wars since 2012 will change that conclusion.
The final judgements of these military interventions have yet to be made but the tragedy of both interventions is readily apparent. Like the “falling dominoes” conception of the need for war in Vietnam, the over riding conception for our military involvement in Syria or Afghanistan is predicated on the idea that “if we do not fight them over there, we will have to fight them here.”

That idea or perhaps attempted selling point adds more to its folly when it is placed within the context of that great American policy of the Global War on Terror. Like other international efforts it is sold using the illusion that “war” is a solver of large problems. The use of the term War on Terror has already fallen into historical dust even by the United States government where the phrase was first used. It has been as useful as falling dominoes.

Sadly, it remains in use in some corners as we try to convince ourselves that this simple idea is sufficient for the sending of our military into harms way. The causes of such conflicts are not simple but our reactions reflect our simple mindedness as we are used by our political leaders looking for support.

What is missing from these considerations is any willingness to see the world or its specific trouble spots in all of their complexities and the acceptance of the fact that the military intervention of others inevitable makes bad situations even worse.

It is that equation of less or more harm or some measure of good that must be central to our future decisions on possible Canadian interventions in the wars of others. I deliberately use the words “wars of others” in framing the debate since there is rarely a significant Canadian interest supporting our participation. More often than not it is the interest of others that is at stake.

The idea that such interventions are legitimizied by “coalitions of the willing” or even a Security Council resolution or the NATO treaty gives comfort to many. Even the newest idea in this constellation, the Responsibility to Protect, does not offer any concrete direction for decisions on military interventions. Unfortunately, it is an idea that is larger than the ability of the international community to implement.

But as our recent history has shown none of these ideas have done little to stop the killing. In many situations, killing have been accentuated and societal fissures deepened.
Missing from these cries of forward into battle is any suggestion that efforts for political solutions should be the first order of international action. Today and in recent years efforts for political solutions have come after the failure of military interventions. The reality is that sequence of action almost always ensures that political efforts have steeper if not impossible hills to climb.

Some of you may be old enough to remember the conflicts in Central America of the 1980s. There was a classic civil war in El Salvador and American sponsored military intervention in Nicaragua. These dominated our news and for a decade thousands died. Slowly the other countries of the isthmus were forced to take sides and in one way or another, Honduras, Guatemala, and Costa Rica were drawn into the conflicts.

It was only when a few leaders from South America took the bold step in the mid-1980s to look for a political solution to those wars that the shape of a policy that could lead to an end to the wars emerged. This in tern lead to an agreement by the five countries directly involved to accept a political solution and to begin the work necessary for its emergence.

These efforts lead to three large decisions. One, an agreement for new elections in Nicaragua; two, a decision by the insurgent forces in El Salvador to join the domestic political process; and three, the agreement of the United States to end its support for the insurgent forces in Nicaragua and El Salvador.

In retrospect these efforts were enormously successful. Elections were held, insurgents were disarmed, large increases in development funding were made available and a small UN force was inserted to collect and destroy weapons.

But the essential element in this little appreciated or remembered international success story was the large effort that was made before the fact to seek political agreements. There was no rush to intervene militarily by outsiders but there was a rush to assist local leaders in their efforts to end the wars.

But I would not recommend a vacation to either Salvador or Honduras today. The only thing that has changed is that the violence is now criminal and not political.

Today we are faced with any number of dark and dangerous places around the world as candidates for possible Canadian military interventions. As we come to conclusions
in the coming weeks the first and foremost consideration is to emphasize that military interventions should be our last resort.

In so many ways when I hear the stentorian call for military interventions I am reminder of a song from Stephen Sondheim 1973 play “A Little Night Music”. The song “Send in the Clowns" permeates the music and lives on as a standard that is greater then the play. The song ends:

And where are the clowns

Send in the clowns

Don’t bother, they’re here.

Sondheim subsequently explained that “clowns” was a euphemism for “fools”.

And when we hear calls for military interventions in other countries to try and resolve deep political conflicts, we should remember Sondheim’s advice – we are only adding to the conflict that more often than not already involves fools.

And let there be no misunderstanding, the fools are not the soldiers that are sent into the dark places of conflict to die. Rather the fools are us and our political leaders who are unwilling to accept that adding to the conflict does not end conflict. Thank you.
1.3 Speaker notes for Armed Intervention: If, why, when & how – Jane Boulden

Question says look at -institutions and instruments – how they can be applied effectively
-will try to focus on a few of the key sub-themes – but can discuss any of them
-who decides?
-is regional action preferable? – lessons from Africa
-utility?

This all
-assumes armed intervention still has a role, and is desirable in certain circumstances
-and, the idea of effectiveness implies that there are basic principles that should be met, but the question is what are they?

**Who Decides?**

The answer to who decides about armed intervention is the Security Council – most of the time, although there have obviously been exceptions.

-Security Council authorizes armed intervention by UN or by other actors on the UN’s behalf

**The Nature of the Security Council Role**

If it’s the Security Council that decides, what do we know about their decision-making?

A few basic characteristics:

- there is no automaticity to Security Council involvement in conflict. The choice of which conflicts the Security Council responds to depends on a variety of factors, many of which have as much to do with Council politics as they do with the situation on the ground in the conflict in question.
- the Security Council approach is to deal with conflict as conflict, regardless of its nature. [note about genocide]

- when the Security Council responds to a conflict it does so on the basis of a ceasefire or peace agreement which the parties to the conflict have agreed upon. It does not respond to the conflict with its own views as to the most desirable outcome or how that outcome will be achieved.

-will talk more about each of these three factors and how they impact Security Council work and help us understand how they respond to conflict

**Parameters of Security Council role**

In many ways the Security Council is a unique actor on the world stage. The UN Charter entrusts it with the central task of the Organization – the maintenance of international peace and security – and endows it with wide latitude to determine what issues fall into the international peace and security basket as well as the nature of the UN’s response.

The ability to determine which situations merit a response is conditioned by the fact that the permanent members of the Council have the ability to exercise a veto on such decisions. Taken together with the fact that conflict is the point of entry for the Council on these issues, this gives a particular shape to the lens through which the Council views conflict.

The specifics of these provisions are found in Article 39 of the United Nations Charter, which gives the Security Council the right to “determine the existence of any threat to the peace, breach of the peace or act of aggression” and to recommend what measures are to be taken as a consequence. There is tremendous power in this arrangement. Absent any established criteria for defining international peace and security it is left entirely to the Security Council to determine when a threat, breach of the peace or act of aggression has occurred.

There is an important caveat on the UN’s range of action established by the Charter. Article 2(7) prohibits the Organization from intervening “in matters which are essentially within the domestic jurisdiction of any state.” Even this restriction is conditional. Article 2(7) goes on to note that “this principle shall not prejudice the application of enforcement measures under Chapter VII.”
This definitional latitude makes possible the expansion of the concept of international peace and security witnessed after the end of the Cold War when the Council humanitarian crises and faltering democratic transitions, for example, were cited as threats to international peace and security. It also means that there is no automaticity built into the process. Under the terms of the Charter, threats to international peace and security are what the Council says they are. Coupled with the veto power of the five permanent members this means that the definition of threats to international peace and security is not just very malleable but highly selective.

Implicit in the decision to allow permanent membership and a veto was an acceptance that conflicts in which the permanent members had a direct or vital interest would not be dealt with by the Security Council.

In fact, such an understanding carried with it the assumption that not only do permanent members have the ability to veto action: the simple existence of the veto, even if not formally exercised, gives the permanent members the ability to control the Council’s agenda.

While the Council as a whole has the right to determine what constitutes a threat to international peace and security, the veto means that it is really the P-5 that have the ability to determine what constitutes international peace and security for the purposes of Council action and what does not.

-so two factors at work here – wide definitional latitude and P5 control of agenda

**When does the Security Council respond?**

In that context, when does the Security Council respond to conflict?

-goes to the question here about P5 role and Security Council stalemates

Just as permanent members are able to keep issues or conflicts in which they have direct interests away from UN attention or response, the issues or conflicts in which they have no interest at all are also left unattended.

A spectrum of Security Council activity based on a sliding scale of P-5 interest can be established based on three general categories of activity.

1. The first category includes conflicts in which one or more of the permanent members have a strong or vital interest.
There are two possible outcomes in these situations.

The most likely is that the issue does not make it onto the agenda at all.

Alternatively, if the issue does make it onto the Council’s agenda, it is because the permanent members in question want it there, either to allow or encourage assistance in responding or to garner Security Council approval for a planned response. For example, the very fact that the Bush administration decided to persevere in the Council after the first unanimous resolution on Iraq, filtering an issue of “vital” national interest through difficult and contentious Council negotiations, is an indication of the importance of the legitimizing power on offer.

Even when a permanent member does allow an issue of vital interest to be considered at the Council, the option remains, as the Iraq case clearly indicates, for the issue to be pursued as planned even without Council approval.

Or for it to be blocked – Syria.

2. The second category includes areas where permanent members have interests, but of a less significant nature than those that are categorized as vital national interests. One or more of the permanent members feel that something should be done or are desirous of something being done but would prefer not to do it themselves, or cannot do it themselves. In this category, permanent-member interest can be prompted by a variety of sources, such as the media, NGOs, interest groups and other public pressure for action, as well as the imperatives of national interest.

Examples here include classic peacekeeping operations such as UNEF and early post-Cold War operations such as Namibia and Central America. Haiti in the mid-1990s. Indeed, many Security Council authorized responses to conflict fall into this category.

3. The third category comprises conflicts in which permanent members do not have any form of interest and therefore there is no or very limited Security Council response. Examples include Somalia pre-UNOSOM and post-withdrawal, and Afghanistan prior to 11 September 2001.

E.g. Kishore Mahbubani notes, for example, that as late as the spring of 2001, non-permanent members of the Council made an attempt to push for a comprehensive
policy on Afghanistan. While not rejecting the need for such a policy, the permanent members rebuffed this advance, citing ‘political realities’. Their attitude changed almost instantly after 11 September 2001 in line ‘with the shifting priorities of the P-5, especially the United States’

This category represents a form of permanent member disinterest, as distinct from interest in non-action.

These categorizations are necessarily imperfect. Defining interest and perceptions of interest is inevitably a difficult and judgemental enterprise. To do it more coherently would require in-depth research into the foreign policies of the key players. In addition, the categorization does not exclude alternative explanations for the phenomenon, such as regional determination in keeping conflict issues off the Council agenda. – regional gate keeping e.g.

The point of the exercise is not the categories as such but the idea that permanent-member interest in keeping an issue outside of the Security Council’s purview is accompanied by a parallel phenomenon where conflicts of non-interest to the permanent members are also kept off the agenda. Permanent members are just as able to prompt Security Council avoidance of situations in which they have no interests of their own as they are to prevent a Security Council response to situations in which they have very significant interests at stake.

II. How to intervene?

[lessons from Africa – but also the “how?” part of the question]

-similar theme (of distance on the part of the Security Council) – increased role given to regional actors

-key factors and their implications

1. Regional actors are the first responders to conflict in Africa.

-they will move to fill a vacuum – when no other international actor is responding

-they will do so even without an institutional mandate or structure that provides for them to play that role, or even without a formal organizational structure at all (Burundi, e.g.)
-in addition to suggesting that there are grounds to the assumption that regional actors have a strong political incentive to respond to conflict, the first responder role is also the product of the Security Council’s own preference not to authorize a response until some form of agreement is in place –a practice that is part and parcel of the peacekeeping tradition

-so there are two factors coming together to put regional actors in this role

-raises the question as to whether regional actors have an inherent drive to be first responders or whether they are in that role of necessity

Outcomes/Implications

By virtue of being first responders, regional actors are often using force to deal with the situation.

Indeed, that has become part of a rough division of labour between the UN and regional actors in Africa.

This is reflected in the AU’s strategic vision document, which affirmed this division of labour and stated: “the AU views peacekeeping as an opportunity to establish peace before keeping it.”

-often but not always the use of force has prior Security Council authorization – when it doesn’t this is contrary to Chapter VIII and a violation of the Charter

-often Security Council eventually authorizes force or recognizes the regional role retroactively but the elasticity with which the Council and regional actors deal with this issue reflects an erosion of Council authority

-the first responder role in conjunction with the use of force means that regional actors are incurring the highest risks, costs, and losses in these operations.

-This relates to questions of burden sharing and capacity.

2. Regional actors do the heavy lifting and bear the greater burden of the conflict response.

-they do this even though most African states face significant capacity challenges
-using ECOWAS as an example - in the 2012 Human Development Index, five of the lowest ten ranked states are from ECOWAS and all 15 ECOWAS states are in the bottom third of the 186 states in the ranking

-they do this even though they are also among the top contributors to UN blue helmet peacekeeping operations

Two consequences

1. In relying on regional actors we may be contributing to prolonging the conflict. Because regional actors are often struggling with capacity issues it may mean that they can’t impact the conflict in a meaningful way, thus lengthening the time before a ceasefire or other agreement is achieved.

The UN also has this problem. Peacekeeping operations are often under resourced and capacity challenged.

But this raises the question as to why we think regional actors are better at getting the conflict to the point of ceasefire or peace agreement, especially if the use of force is part of the process.

2. Idea that regional actors should bear the greater burden of conflict response in their own region could lead to their disengagement from the global level.

Why bother with the global level? Instead of asking what regional actors are contributing the question can be re-phrased to ask what does the global level provide to regional actors?

If regional actors are bearing most of the burden, and if UN unable or unwilling to provide what’s needed a key moments, and if UN legitimacy tarnished? Why not go it alone more?

Usual answer is legitimacy of international level but that has faded.

Can tie emergence of OAU and AU to disenchantment and unhappiness about UN role in Africa.
3. Multiple actors with multiple agendas undermine the prospects for progress.

-on the one hand, more than one actor means that can develop a division of labour and actors can hand roles back and forth as politics of the situation demand

But – it also allows for

-forum shopping, buying time, each actor relying on capacity of the other, none of them fully capable

-can affect UN ability to play the primary role or these are situations in which UN doesn’t claim the primary role.

-regional actors and the UN are not the only actors involved

-Key actors act as catalysts for action and inaction in response to conflict situations

4. The nature of the response matters.

No plan beyond “do something” or “react” is no plan at all. This is not a recipe for success. It is a recipe for prolonged engagement and low level conflict as the status quo.

A non-response on the part of the UN Security Council is a form of response. (meaning no comment or action at all)

-something UN Security Council hasn’t always recognized about its own actions

One of the consequences of a non-response is that it takes the UN farther out of the equation and reduces its ability to influence what’s happening on the ground.

The absence of any guidance from the international level leaves an opening for other actors to define and shape, or attempt to shape, the situation on the ground.

It is hard to judge regional action from this position. For example the SADC intervention in the DRC had at least a dual purpose, one of which was to shore up Kabila. Can the Security Council (global level) criticize this if the global level inaction gave SADC the opportunity or pushed SADC to fill the vacuum resulting from UN inaction?
Why does it matter?

1.-affects how international community, broadly defined, responds to conflict
-only now developing a deeper understanding of how the UN-regional dynamics affects how a conflict plays out
-know that it has an impact and the impact is not always positive
-for all the problems just discussed there have been some real success stories (within the relationship) and an affirmation that when both sets of actors stay focused and committed on the goal of conflict resolution, a great deal can be achieved
-success often associated with situations where international level (UN) is clearly in the role of backstopping regional action
- e.g. winning formula in DRC was stepped up regional engagement backstopped by high-level UN support (peacekeeping, special envoys, or both) (198)
-Somalia – support packages
-need to push forward on that level

2. -affects the UN – if balance is shifting to regional level this will have serious consequences at the UN, especially at Security Council
-Security Council’s legitimacy under challenge, the way in which UN-regional relationship has evolved contributes to an erosion of its legitimacy and its authority
-may go past the tipping point without realizing it

III. What are the goals? (in response to how do we get to the question of utility)

-this remains unanswered
-overall goal has to be peace

But...

-by viewing it through the Security Council lens – goals are international peace and security – which as I argued – is what the Council says it is
The end of the Cold War made possible a newly proactive Council that took the opportunity to expand the conception of international peace and security and to use new tools in doing so. While the Cold War is indeed a turning point in the Council’s existence, prompting a wide range of changes in how it does business, the Council has continued to hold to the parameters of peacekeeping as the framework for its responses. The need for consent, and by extension impartiality, means that the Council waits for a peace agreement or some form of ceasefire agreement that it can use as the basis for its response before it takes action. By linking its response to such agreements the Council takes no position on the nature of the conflict or the issues at hand. All that it is doing is supporting and overseeing or somehow facilitating the agreement in question, which has been arrived at by the parties involved.

(exception – Congo, Somalia, Sierra Leone (support of ECOWAS restoration of democracy)).

-goals in that sense are set by the parties to the conflict – goal of the Security Council is to support that process

-but doesn’t involve judgement about the nature of the peace agreement, for example

-other goals – humanitarianism and democracy

Humanitarianism

As mentioned above, the ability of the Security Council to determine what constitutes a threat to international peace and security gives it wide latitude for action. Beginning just after the end of the Cold War, the Security Council began to exercise that latitude in new and innovative ways. The first and most obvious indication of this shift was reflected in a new sense that humanitarian crises constituted threats to international peace and security. In 1992, in response to the conflicts in Bosnia and then Somalia, the Security Council made a direct link between the humanitarian situation and international peace and security.

In both conflicts concern about humanitarian assistance remained a persistent theme in the Security Council’s approach. Indeed, in Bosnia, humanitarian aid, rather than the specifics of the conflict itself, was the central theme of the Security Council’s response through more than 70 resolutions.
The provision of humanitarian aid usually privileges one group over another, possibly encouraging groups to stay in place rather than leave disputed territory, as was the case in Bosnia, or by bringing about a change in the relative position of the warring parties. As a result, although a focus on humanitarian assistance seems to provide the Council with a sense of distance from the politics of the situation, as with the act of legitimization that sometimes come with a UN response, in conflicts that are ethnic in nature the decision to respond on humanitarian grounds can consolidate, exacerbate or even create tensions along ethnic lines.

Democracy

As the Council has chosen to become active in more varied ways in a wider range of conflict situations, it has also drawn itself into the realm democracy and human rights. The first overt shift in this direction occurred when the Security Council authorized an operation to reinstate the democratically elected government in Haiti in 1994. While democracy concerns were not new to the Organization, the authorization of the reinstatement of a democratically elected government, with force if necessary, was definitely a new step. In its authorizing resolution the Council made reference to both humanitarian and human rights issues, citing, in particular, the systematic violation of civil liberties. This concern for democracy and its linkage to issues of peace and security seemed to be a one-time event and was portrayed that way at the time. The exceptional nature of this response, however, has since been downgraded by Security Council authorized operations in Sierra Leone and East Timor with mandates relating to restoring or ensuring democratic transitions. Beyond these specific examples some form of democratization has become a standard element of post-conflict operations under UN auspices.

The idea of supporting democracy as a general principle seems both laudable and desirable. As with humanitarianism, however, the application of these principles can have unintended effects, especially in situations of ethnic conflict. For example, situations where ethnically-based minority groups perceive themselves to be disenfranchised by a newly instituted majority-rule democratic system may sow the seeds of ongoing or future conflict.

-if we accept these as the benchmarks of utility – I’m not sure the record is particularly strong
-but the associated point is that it’s quite difficult to assess this and it is remarkable how much of the research (including my own) fails to use this as a starting point.
Honour to present this subject to military officers,
- Practitioners of the “profession of arms”, who assume unlimited liability and ready to take great personal risk
- “Deadly” importance of subject
- * pulling the trigger, dropping the bomb, firing the torpedo
- * launching an operation
- * declaring a war
- Best done right, with a lot of thought
Slide 2

To shoot or not to shoot?

When to apply lethal force?

Tactical    Operational    Strategic
Profound question: When would you shoot to kill?
Profession of arms: Organized and authorized application of armed force
Distinguishes warriors from murderers
“1-81. The profession of arms involves the disciplined use of legally sanctioned
force to defend the security of the Nation, its ideals, and its way of life. Nested in
the profession of arms and providing the Nation’s major source of landpower is
the Army, whose members are educated, trained, and organized to win. The
Army’s culture encompasses the traditions, norms of conduct, and ideals that
have evolved since its inception in 1775.”
- Chapter 1: The Army and the Profession of Arms, The Army, FM-1, June 2005
President Obama on Just War

Over time, as codes of law sought to control violence within groups, so did philosophers, clerics, and statesmen seek to regulate the destructive power of war. The concept of a "just war" emerged, suggesting that war is justified only when it meets certain preconditions: if it is waged as a last resort or in self-defense; if the force used is proportional, and if, whenever possible, civilians are spared from violence. ….

I do not bring with me today a definitive solution to the problems of war. … it will require us to think in new ways about the notions of just war and the imperatives of a just peace.

— US President Barack Obama,
Nobel Peace Prize Ceremony,
Oslo, 10 December 2009
(emphasis added)

I am responsible for the deployment of thousands of young Americans to battle in a distant land. Some will kill. Some will be killed. And so I come here with an acute sense of the cost of armed conflict - filled with difficult questions about the relationship between war and peace, and our effort to replace one with the other. These questions are not new. War, in one form or another, appeared with the first man. At the dawn of history, its morality was not questioned; it was simply a fact, like drought or disease - the manner in which tribes and then civilizations sought power and settled their differences.

Over time, as codes of law sought to control violence within groups, so did philosophers, clerics, and statesmen seek to regulate the destructive power of war. The concept of a "just war" emerged, suggesting that war is justified only when it meets certain preconditions: if it is waged as a last resort or in self-defense; if the force used is proportional, and if, whenever possible, civilians are spared from violence.
“For most of history, this concept of just war was rarely observed. The capacity of human beings to think up new ways to kill one another proved inexhaustible, as did our capacity to exempt from mercy those who look different or pray to a different God. Wars between armies gave way to wars between nations - total wars in which the distinction between combatant and civilian became blurred. In the span of thirty years, such carnage would twice engulf this continent. And while it is hard to conceive of a cause more just than the defeat of the Third Reich and the Axis powers, World War II was a conflict in which the total number of civilians who died exceeded the number of soldiers who perished.

“In the wake of such destruction, and with the advent of the nuclear age, it became clear to victor and vanquished alike that the world needed institutions to prevent another World War. And so, a quarter century after the United States Senate rejected the League of Nations - an idea for which Woodrow Wilson received this Prize - America led the world in constructing an architecture to keep the peace: a Marshall Plan and a United Nations, mechanisms to govern the waging of war, treaties to protect human rights, prevent genocide, and restrict the most dangerous weapons.”

Slide 6

Just War tradition

“Presumption of peace” →
- No war except under certain preconditions
- 4 to 8 preconditions
Slide 7

Basic questions about armed force

Why?
Who?
When?
What?
Where?
How?

Slide 8

Answering the basic questions

Why? Just cause, Right intent, & Net benefit
Who? Legitimate authority
What? Proportionate means
When? Last resort
Where? Military not civilian targets
How? Right conduct (in bello)
Slide 9

**Just War Criteria**

- Just cause
- Right intent
- Legitimate authority
- Net benefit (proportionality of ends)
- Last resort
- Right conduct
- Proportionality of means
- Non-combatant distinction
- Military necessity

*Jus ad bellum*

*Jus in bello*

Slide 10

**Strengths**

**Scope**
- Not so specific as to apply to limited number of cases
- Not so general as to render little guidance

**Room for interpretation**
- Different Just War theorists give different interpretations
- General agreement on most criteria
Other criteria?

- Reasonable hope of success
  - Included in Net Benefit
- Aim of peace
  - Included in Just Cause and Right Intent
- Public declaration of war
  - Formal declaration rare; public explanations expected from legitimate authority
- Jus post bellum (aftermath of war)
  - Included in just cause, net benefit

Other Criteria?

- Comparative justice: injustice suffered by one party significantly outweighs that of the other party
- Public declaration: no secret wars
- Military necessity [Just Cause; Right conduct]

... at least “five basic criteria of legitimacy”:
(a) Seriousness of threat. ... [Just Cause]
(b) Proper purpose. [Right intent]
(c) Last resort.
(d) Proportional means.
(e) Balance of consequences. [Net Benefit]
Critiques of JW tradition

Pacifist: too permissive
- Not principled enough (Calhoun reading)

Realpolitik (realist/militarist): too constraining
- Not realistic (too moralistic)
- National interests predominate not values/ideals

Subjective interpretation
- Too binding: difficult to satisfy all criteria, Just Cause sufficient ("just do it!")
- Too free: construct arguments easily, checklist pitfall

Real situations not binary, yielding Yes/No answers
- Just or Unjust War
- How just does an operation need to be?

Response: It is a framework for analysis

United Nations Charter
Just War Criteria in UN Charter

Presumption of peace:
Art. 2(4): refrain from use of force

Just Cause
Art. 42: the Security Council … take action as necessary to maintain or restore international peace and security
Art. 51: … inherent right of individual or collective self-defence if an armed attack occurs

Right Intent
Preamble: Peoples of the United Nations determined to save succeeding generations from the scourge of war, … armed force shall not be used, save in the common interest …

Legitimate Authority
Art. 24: … Members confer on the Security Council primary responsibility for the maintenance of international peace and security…
Art. 25: The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.
Art. 42: the Security Council … take action as necessary to maintain or restore international peace and security
Art. 53: But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council ...

Right Intent
Preamble: “Peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom, and for these ends, to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples, have resolved to combine our efforts to accomplish these aims.”
Just War Criteria in UN Charter (cont’d)

**Last Resort**
Art. 33: parties to seek a solution by *peaceful* means
Art. 41: The Security Council may decide what *measures not involving the use of armed force*
Art. 42: Should the Security Council consider that measures provided for in Article 41 would be *inadequate* or have proved to be inadequate, it may take such *action* by air, sea, or land forces as may be *necessary* to maintain or restore international peace and security….

**Right Conduct**
Art. 55: promote universal respect for *human rights*

Criteria not explicitly included: Proportionality of ends (net benefit); proportionality of means.

---

The Criteria
1. Just Cause

- Self-defence
  - Personal to collective (for “neighbours”)
  - Pre-emptive/Preventive?
- Law enforcement
- “Right a wrong”
  - Meaning change over time
- Punishment
  - “revenger to execute wrath upon him that doeth evil.”
    (Romans 13:4)
- Revenge?

Just Causes: political left & right

<table>
<thead>
<tr>
<th>Description</th>
<th>Political Left [n=64]</th>
<th>Political Right [n=25]</th>
<th>Overall [n=117]</th>
</tr>
</thead>
<tbody>
<tr>
<td>“To defend one’s country against an attack that has already begun”</td>
<td>7</td>
<td>6</td>
<td>6.8</td>
</tr>
<tr>
<td>“To stop an attack on one’s country that is certain and fast approaching”</td>
<td>6</td>
<td>5</td>
<td>5.8</td>
</tr>
<tr>
<td>“To protect the lives of civilians threatened by violence in other countries”</td>
<td>5</td>
<td>4</td>
<td>4.8</td>
</tr>
<tr>
<td>“To show solidarity with an allied country who has been attacked”</td>
<td>4</td>
<td>3</td>
<td>3.8</td>
</tr>
<tr>
<td>“To prevent an attack on one’s country that is thought to be probable”</td>
<td>3</td>
<td>2</td>
<td>2.8</td>
</tr>
<tr>
<td>“To avenge a prior attack on one’s country by another country”</td>
<td>2</td>
<td>1</td>
<td>1.6</td>
</tr>
<tr>
<td>“To acquire new territory or resources from another country”</td>
<td>1</td>
<td>0</td>
<td>0.4</td>
</tr>
</tbody>
</table>

Just War Survey, © W. Dorn
2. Right Intent

Interpretations:

- To establish peace
- Degree to which actual motive is same as declared motive

3. Legitimate Authority

Tradition: only states
- “Princes”, St. Augustine
- “Knightly class”, Kshatriya (warrior-ruler)
- No private armies/wars

Modern
- National
  - Parliament, Congress (debates)
- International
  - Security Council authorization
  - Unresolved tensions in international law (R2P)
Security Council

UN Charter
- Member states to refrain “from the threat or use of force against the territorial integrity or political independence” (Art 2, para 4)
- SC: “primary responsibility for the maintenance of international peace and security” (Art 24)
- SC “may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security” (Art 42)
- “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council” (Art 53)

Veto
- Uniting for Peace
  - Transfer authority to the GA

Slide 22

4. Proportionality of Ends

- Aka Net benefit
- To whom?
  - User of force
  - Host state
  - International community
- What length of time?
Slide 23

5. Last Resort

- Attempt non-violent means
- Harm to public with sanctions
- Attempt even if certain to fail?
- How long to wait?

Slide 24

6. Right Conduct

- Combatant/non-combatant distinction
- Military necessity
- Proportionality of means
Slide 25

"Hot oil! We need hot oil! . . . Forget the water balloons!"

Slide 26

"Look, I'd like to avoid overkill, but not at the risk of underkill."

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www.cbncom.com
Slide 27

Applying JW Criteria to Specific Wars Since 1900

Canadian armed conflicts (12)
&
American armed conflicts (18)

Slide 28

Degree of justification

Seven point spread: -3 to +3
Seven Criteria:
- Just Cause, Right Intent, Legitimate Authority, Net Benefit, Last Resort,
  Proportionality of means, Right Conduct
Just War Index: Average over all criteria
### Slide 29

**Comparing Gulf War I and II**  
*Walter Dorn’s evaluation (2008)*

<table>
<thead>
<tr>
<th></th>
<th></th>
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<tr>
<td>Just Cause</td>
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<td>Net Benefit</td>
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<td>Legitimate Authority</td>
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<tr>
<td>Proportionality of Means</td>
<td>+2</td>
<td>-2</td>
</tr>
<tr>
<td>Right Conduct</td>
<td>+1</td>
<td>+1</td>
</tr>
</tbody>
</table>

**Average** +2.0 -1.1

### Slide 30

**Comparing Gulf War I and II**  
*Results of a survey of 106 “experts” (Ph.D.s working on international affairs)*

<table>
<thead>
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<td>-1.3</td>
</tr>
<tr>
<td>Net Benefit</td>
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<td>-2</td>
</tr>
<tr>
<td>Legitimate Authority</td>
<td>+2.2</td>
<td>-0.6</td>
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<tr>
<td>Last Resort</td>
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<td>-1.5</td>
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<tr>
<td>Proportionality of Means</td>
<td>+1.1</td>
<td>-0.9</td>
</tr>
<tr>
<td>Right Conduct</td>
<td>+1.1</td>
<td>-1.0</td>
</tr>
</tbody>
</table>

**Average** +1.5 -1.2

*(Percentage, 6 point scale) (75%) (30%)*

*Source: Just War Survey by W. Dorn, D. Mandel and R. Cross, 2010-11*
Expert Survey: Questionnaire

To what extent do you agree or disagree that the U.S. had *Just cause* [or other criterion] to use armed force in the following conflicts?

*Circle* one per conflict:

<table>
<thead>
<tr>
<th>U.S. Conflicts</th>
<th>Strongly Disagree</th>
<th>Moderately Disagree</th>
<th>Slightly Disagree</th>
<th>Neutral</th>
<th>Slightly Agree</th>
<th>Moderately Agree</th>
<th>Strongly Agree</th>
<th>Unfamiliar with Conflict</th>
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</thead>
<tbody>
<tr>
<td>World War One (1914-1918)</td>
<td>-3</td>
<td>-2</td>
<td>-1</td>
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<td>1</td>
<td>2</td>
<td>3</td>
<td>?</td>
</tr>
<tr>
<td>World War Two (1941-1945)</td>
<td>-3</td>
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<td>2</td>
<td>3</td>
<td>?</td>
</tr>
<tr>
<td>Korean War (1950-1953)</td>
<td>-3</td>
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<td>-1</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>?</td>
</tr>
<tr>
<td>First Gulf War (1991)</td>
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<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>?</td>
</tr>
<tr>
<td>. . .</td>
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<td>-1</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>?</td>
</tr>
</tbody>
</table>

Just War Survey, 2010
Canadian Conflicts by JWI Score

- World War II
- Anti-Piracy Mission (Somalia)
- Gulf War I
- Bosnia Intervention
- Korean War
- OIF — Kandahar
- ISAF — Kabul
- Afghanistan (Overall)
- World War I
- Kosovo Intervention
- ISAF — Kandahar
- Russ War
**Just War: Debatable issues**

- **Weighting of criteria**
  - **Non-traditional conflicts**
    - Terrorism, civil wars
  - **Scalability:**
    - strategic/operational/tactical
      - Just Cause → purpose of an action
      - Right intent → Commander’s intent
      - Legitimate authority → commander giving lawful order
      - Last resort → military necessity
      - Proportionality of ends → Proportionality of means

**Responsibility to Protect**

- R2P = JW(HI)
  - Just War applied to Humanitarian Intervention
- “presumption of peace”
  - state “unwilling or unable” → international R2P
- Just cause: “large-scale loss of life” or “ethnic cleansing”
- Right intention: “halt or avert human suffering”
- Right authority: UN Security Council
  - P5 not to exert veto
  - General Assembly or even regional organizations
- “Reasonable prospects” of achieving goal
- Last resort: non-military options deemed inadequate
- Proportionate means
- Minimum force necessary
**OEF/ISAF (2016)**

<table>
<thead>
<tr>
<th></th>
<th>OEF</th>
<th>ISAF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Just Cause</td>
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<td>+1</td>
</tr>
<tr>
<td>Right Intent</td>
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<td>+1</td>
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<tr>
<td>Net Benefit</td>
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<td>0</td>
</tr>
<tr>
<td>Legitimate Authority</td>
<td>-2</td>
<td>+2</td>
</tr>
<tr>
<td>Last Resort</td>
<td>-2</td>
<td>+1</td>
</tr>
<tr>
<td>Proportionality of Means</td>
<td>-2</td>
<td>+1</td>
</tr>
<tr>
<td>Right Conduct</td>
<td>-1</td>
<td>0</td>
</tr>
</tbody>
</table>

*Average*: -1.7 +0.9

---

**UN Peace Operations: Use of force**

- **Overuse**
  - Somalia (1993)
- **Underuse**
  - Bosnia (1992-94)
  - Rwanda (1994)
  - DRC (Kiwanja, 2008)
  - South Sudan (2016)
- **Right use**
  - Haiti (2006/07)
  - DRC/FIB (2013)
Slide 38

Canadian Cautions

- PSO not COIN
- Overuse of force
- New training need
- Consider the criteria
  - JC, RI, RA, PM, NB, LR, RC

Slide 39

Conclusions

- Just War framework for analysis
  - Subjective / objective
  - Apply opinions and argument with evidence and facts
- Cases to explore; actions to be taken!
- Strengthen the rules of law; power of international organizations (UN)
Slide 40

Slide 41
Let the discussion begin!

Evolution of the Just War tradition

- India, China, Babylon
- Romans
- St. Augustine
- Thomas Aquinas
- Knights

Whether to use force; how to use force =
Jus Ad Bellum; Jus In Bello
Natural law & international law

- Legalists
  - De Victoria
    - Codified Just War theory
    - Last resort
    - Reasonable hope of success
  - Hugo Grotius
    - Father of international law
    - Legitimate targets (only combatants)
    - Proportionality of means

Caroline case: Defining self-defence

- US-UK dispute 1837

Slide 46

OEF/ISAF (2011)

<table>
<thead>
<tr>
<th></th>
<th>OEF</th>
<th>ISAF</th>
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</thead>
<tbody>
<tr>
<td>Just Cause</td>
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<tr>
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</tr>
<tr>
<td><strong>Average</strong></td>
<td>-0.4</td>
<td>+1.7</td>
</tr>
</tbody>
</table>

Slide 47

COIN – Afghanistan (ISAF/OEF)

- JC – defeat insurgency
- RI –
- LA – SC vs no-SC
“Necessity of self-defence, instant, overwhelming, leaving no choice of means, and no moment of deliberation.”

Britain’s Lord Ashburton accepted the proposed formula (July 1842)

“Caroline test/standard/principle”

More: http://www.thefreelibrary.com/A+question+of+determinacy:+the+legal+status+of+anticipatory...-a0195265741

“[N]ecessity of self-defence, instant, overwhelming, leaving no choice of means, and no moment of deliberation. It will be for it to show, also, that the local authorities of Canada, even supposing the necessity of the moment authorized them to enter the territories of the United States at all, did nothing unreasonable or excessive, since the act justified by the necessity of self-defence, must be limited by that necessity, and kept clearly within it.”
Overkill?

Hiroshima (1945): estimated 140,000 deaths (in 6 months) from explosion, heat, fireball and radiation; civilian distinction in total war?

Cases from LOG: Sinking of the Admiral Belgrano; 1991 Gulf War "Highway of Death"; 1999 NATO air campaign against Serbia