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LEGITIMACY AND NEW WORLD ORDER CONFLICTS - CHANGES IN A FORCE SELECTION PARADIGM

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Jonathan H. Cofer, LTC, MP

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organizations within the Army. A change in the Army's institutional image paradigm will better prepare it to make more appropriate force selection choices in future contingencies of the New World Order.
USAWC MILITARY STUDIES PROGRAM PAPER

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CHANGES IN A FORCE SELECTION PARADIGM

AN INDEPENDENT STUDY PROJECT

by

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ABSTRACT

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Introduction

The role of the U.S. Army in operations other than war date back to its beginnings. It has protected citizens at the edge of the frontiers of an expanding America, built roads, bridges and canals, assisted nation building abroad, and served our nation in a variety of missions throughout history. Operations other than war are not new to our Army. Their pace and frequency, however have quickened at the end of the twentieth century. Today, the Army is increasingly called upon in its role as a strategic force to further the interests of the United States at home and abroad in a variety of ways other than war.

"Operations other than war," is a phrase that encompasses a myriad of missions in support of achieving U.S. national objectives. Whether peacekeeping (or peace-making), nation assistance, civil disturbance, support for insurgency and counterinsurgency, or noncombatant evacuation -- these operations require force selection and tailoring to ensure that political objectives are met with the strictest of neutrality, rules of engagement and respect for host nation sovereignty. Operations other than war will most likely be the rule rather than the exception for U.S. forces in the age of the New World Order. Despite considerable amounts of rhetoric from those who believe that a New World Order is nothing but a euphemism, recent events have shown that the end of the Cold War has unleashed levels of regional fragmentation ripe for conflict and confusion. This New World Order, first espoused by Mikhail Gorbachev in 1988 to the United Nations General Assembly, is now a stark reality that the United States must confront. The United States military will
undoubtedly continue to play a major role in the evolution of the New World Order.

The purpose of this paper will be to show that it is essential for the military to re-assess its views on the legitimacy of the use of force in New World Order contingencies. I will accomplish this by presenting a framework from which to evaluate where New World Order conflicts fit into legitimacy rationale for the United States. Then I will discuss the basis of service images and specifically how the Army's concept of itself influences its perceptions of its roles in operations other than war. I will conclude this paper by showing how changes in the Army's institutional image paradigm will best prepare it to the military challenges of the post Cold War era.

Humanitarian Intervention

In 1878 Congress with the Posse Comitatus Act, forbade further military involvement in civilian law enforcement activities. Now, at home and abroad, that prohibition is being eroded, most recently in the name of humanitarian relief . . . Now in Somalia we are assuming the role of the world's nanny. U.S. troops are being committed for purely altruistic reasons. Traditionally a simple equation provided the answers. "Since war is not an act of senseless passion but is controlled by its political object," emphasized the military theorist, Karl von Clausewitz, "the value of this object must determine the sacrifices to be made for it in magnitude and also duration." But in Somalia, passion, not a tangible political goal, is the controlling force behind our military commitment . . . Passions are a shaky foundation upon which to build a military commitment.
America is great because America is good, and America will be great only as long as she is good. Alexis de Tocqueville

Many people share the view expressed by Colonel Summers. The military community as a whole seems to think that humanitarian intervention and other "soft" military missions do not validly support the application of military force to achieve United States national interests. Others have gone as far as to predict the overthrow of our government by a renegade, but well intentioned military, corrupted from its lofty tenets of duty, honor, country by involvement in "non-military missions." But are "soft" military activities like Somalia really not within the sphere of our national interests? Current events demonstrate that they most certainly are. Many argue that involvement in these operations shows a strong and consistent relationship between United States national security interests and our national ideals. For any government to permit other nations or countries to commit acts not acceptable in both its personal or domestic affairs would be, in the minds of many, inconsistent, hypocritical and ultimately immoral. New World Order developments have expanded to include humanitarian efforts as a legitimate means to achieve national objectives. This actually is far from a new trend. Moral ends have been an integral part of the motivation of every American war in this century from 1917 in the war to end all wars to World War II and the fights against
Communist aggression in both Korea and Vietnam. United States interventions in contingencies like Somalia are an extension of our reach of morality.⁷

Arguments that the military community has voiced that it stands to lose its war-fighting edge and not be capable of executing the next Desert Storm are falling on deaf ears. The time for hand wringing is apparently over. The military must now get ready to face future Somalias. The place to start, I believe, is to acknowledge that operations short of war, like humanitarian intervention, are consistent with national interests and then to formulate a strategy that best utilizes the military's vast capabilities. A place on the conflict continuum for Somalia-like contingencies needs to be made. This will give military planners a better idea of the forces best suited to handle operations that fall short of war.

If there is a valid basis for United States involvement in operations like Somalia, the next question to answer is to what extent should the military get involved in a given situation? It is my opinion that an overemphasis has been placed on the martial or combat use of the armed forces. What significantly determines the character of a force as primarily a martial element of power in a situation is the type of force selected and its capability to achieve the desired end. This end should be something other than closing with and destroying the enemy. In operations other than war, and especially in the case of humanitarian intervention, it is debatable whether combat forces are
appropriate to the mission and United States goals. Force selection, force suitability, and capability are interrelated. They require a solid fix on the enemy center of gravity to achieve the desired result. Force selection is largely determined by an analysis of the factors already mentioned and an understanding of where a given contingency or situation falls along a spectrum of conflict or operational continuum. I will focus more on this issue later in the paper. Next I’ll briefly discuss the subject of legitimacy in operations short of war.

Operations Other Than War - Their Legitimacy

Since World War II the American experience in military conflict has shown that future wars will be much different. Conflicts that threaten United States security within its own hemisphere, wars that subordinate air and naval power to ground operations, and operations other than war will most likely dominate our military future. United States justification for the application of its military elements of power is based on what has been called the Just War Criteria. This criteria, founded on a just war theory developed in the Middle Ages by Saint Augustine, has its beginnings in a theological basis rather than military policy. The Just War Criteria embodies eight tenets that determine whether or not a war is justified. These eight tenets are:
1. There must be a just cause for the conflict.
2. The use of force must be authorized by a competent authority.
3. Proper motivations for the conflict must exist.
4. Armed conflict must be the last resort.
5. The prospects for success must be high.
6. There must be balance between the costs and the outcomes of war.
7. Military means must be proportional to the threat to be overcome.
8. Non-combatants must be protected.

The legitimate use of military force to influence situations other than war is a complex issue. Operations short of war have gained increased attention now that the end of the Cold War has diffused our focus on the threat once presented by our ideological foe, the Soviet Union. Recent world events have proven that fragmentation is occurring on multiple levels -- economic, national, racial and ethnical. The United States now finds itself in a period where the clarity of the rivalries previously experienced between the competing ideologies of democracy and communism have been lost in a multitude of unclear and more threatening regional disturbances. The United States military is now poised to intervene in situations heretofore believed to be none of its concern. The rules appear to be changing for the military. As previously mentioned, more and more operations like Somalia are being viewed as the legitimate
use of military resources. Like legitimacy the issue of the suitability of military force in operations short of war is one that requires considerable analysis. It has become increasingly more apparent that the military can't, and won't be permitted to wave off New World Order contingencies with a sigh and a mutter of "that's not my job." Changes spawned by the ending of the Cold War are going to require that the military re-look its paradigms of legitimacy and force selection in operations other than war. These paradigm changes demand that the services thoroughly understand the criteria being used to justify the application of its resources. By weighing the considerations used to rationalize the use of military power a clearer understanding of legitimacy is obtained.

While the Just War Criteria has traditionally served as the basis for legitimizing the United States use of military force several other criteria also exist. When states resort to war as an instrument of national policy the Realpolitik or might-makes-right view justifies the conflict. International law and customs regarding the use of military force is another basis for justifying armed conflict. These various types of justifications for conflict have both common and uncommon elements. The considerations that play into legitimizing them will be the next topic for discussion.

The Revised Legalist Paradigm - Considerations for Legitimacy

In his book entitled Just and Unjust Wars, Michael Walzer
presents a theory for determining the legitimacy of aggression. Walzer’s theory of aggression is based on what he calls the legalist paradigm. This paradigm is Walzer’s view of justice in war. The initial paradigm was composed of six criteria. These were later modified or revised to include justifications for aggression that are more relevant to discussions on operations other than war. The revised legalist paradigm provided legitimacy for:

- preemptive strikes
- aid to secessionist movements
- counter-interventions
- the rescue of people threatened with massacre

The revised paradigm also sets the goals and limits of Just War to be the resistance, restoration of the status quo and the reasonable prevention of future aggression. This paradigm expands the legitimacy of just conflict to encompass those types of contingencies the military can most likely expect to confront in the future.

The paradigm permits the construction of a framework from which to assess the legitimacy of a given conflict. After determining what legitimacy considerations apply one can determine which legitimacy rationale serves as the basis for justifying a conflict. Figure 1 shows how such a legitimacy framework might be constructed. It graphically portrays the three criterion for aggression and relates them to the various types of conflict.
LEGITIMACY - Conflict Rationales

H-high acceptability/M-Moderate acceptability/L-low acceptability

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<th>REALPOLITIC</th>
<th>INTERNATIONAL LAW</th>
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<td>Regional Peacekeeping</td>
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<td>Self Help</td>
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Figure 1
This matrix also shows the relationship between the rationales used to legitimize conflict by rating them on a proposed scale of acceptability.

These three criteria; Just War, realpolitik and international laws and customs then are the justifications for war. The diagram shows the complexity of conflict legitimacy. It is truly a multi-dimensional issue requiring some very subjective evaluations. This construct sets the stage for one very important point. The type of force used in a conflict can be a relevant factor in the determination of legitimacy.

It is crucial that the services reassess the appropriateness of the type of forces being selected to achieve national objectives. The military's ability to apply the right type of force at the right time in a given situation is something that can further boost the legitimacy of an action. As I said earlier in this paper, this will require a paradigm shift, one that many in the military may not be prepared to accept. The application of military force to operations short of war, especially humanitarian intervention, is consistent with United States interests. Military force capabilities must however be tailored to accomplish objectives short of war.

I believe there has been and continues to be an overemphasis on the use of combat forces to deal with operations short of war. Combat forces make up only a portion of the assets available to planners for applying military resources to various legitimate
contingency situations. Combat support and combat service support organizations in many cases are a more appropriate option for operations most likely to occur in the New World Order. Service image paradigms have contributed to the focus on combat forces to deal with contingency operations regardless of the contingency's location on the conflict continuum. This brings us now to the issue of force selection.

Operations Short of War and the Operational Continuum

Before talking about force selection, a brief discussion needs to occur regarding where along an operational or conflict continuum operations short of war like Somalia lie. In 1989, Major General Charles A. Hines, then Commandant of the Military Police School, developed a model to describe the missions, threats, and tasks that occur along an operational continuum.\textsuperscript{13} This model was intended to serve as a template for applying Military Police forces to various levels of conflict. The model can be expanded to include not just Military Policemen but all non-combat arms organizations. This force selection model is shown in Figure 2.
As the model shows missions along the continuum transit force protection to combat operations. Within each mission category are listed specific level threats associated with each type of mission. This model would most likely support the placement of humanitarian interventions somewhere in the force protection mission area. What then can be concluded from this?
The model suggests that there is a relationship between where a contingency or operation falls along the continuum and what type of force would be best suited to deal with that contingency.

The use of the martial or combat capabilities of the military is appropriate at the low and high order combat operation mission areas on the high end of the operational continuum. The model shows however that there are times when the unique capabilities of other forces are better suited to counter a situation. Force suitability for any given contingency is a function of where the incident falls along the continuum, and, of the acceptability and capabilities of the force being considered. Force acceptability is a political consideration based on a force's political appropriateness and whether its characteristics are consistent with accomplishing United States national and host nation's objectives. The unique capabilities of some non-combat arms units, with their lower domestic and international visibility, often makes them more politically acceptable and hence the preferable contingency force. Figure 3 shows the inter-relationships involved in force suitability and acceptability.
COMBAT/NON-COMBAT ARMS SUITABILITY INTERRELATIONSHIPS
BASED ON U.S. CONCERN & HOST-NATION RECEPTIVENESS TO U.S. INVOLVEMENT

US CONCERN

HANDS OFF OR NO OVERT OFFICIAL ACTIVITY (VOL/CIA/UN/NGOs)

PROTECTIVE OR PROTECTED OPS (MILITARY ROLE/UN/GOV/NGOs)

OBVIOUS NON-COMBAT-MODEL PRESENCE (MILITARY/NUM/CIV/RECON/NGOs)

HANDS OFF OR VOLUNTARY ACTIVITIES (NGOs/UN/REGIONAL ORGs/VOLs)

SIMPLE RELIEF AND HUMANITARIAN AID (UN/AID ORG/NGOs)

HOST NATION/MAJOR PLAYERS' RECEPTIVENESS TO US ROLE

FIGURE 3
This graphic shows how United States and host-nation concerns relate to the type of force used. In humanitarian intervention efforts, which require joint operations with host nations in environments of instability and strict rules of engagement, non-combat arms units have demonstrated their ability and capability to accomplish the mission. Whether it be disaster relief after Hurricane Hugo or joint nation re-building operations in the streets of Panama after Operation Just Cause, non-combat arms units can successfully conduct operations short of war.14

The force selection model graphically showed that, as contingency operations progress towards combat operations, the suitability non-combat arms forces lessens. Conversely as contingency requirements move away from combat operations to the force protection arena, other forces become more suitable to the task. There are times when the physical presence alone of combat units might incite trouble or negatively influence a situation. Just the presence of a combat force could accidentally escalate a contingency from an operation short of war to combat operations. The volatility of the political visibility of combat units also could aggravate support for an operation within the host-nation, in the United States, and in the world community. The low combat visibility of non-combat arms units often makes them preferable to combat units in politically sensitive situations. Units like the Military Police have routinely found themselves forward deployed to react to contingencies that could not at the time
politically afford or justify the commitment of combat forces. An example of this can be seen in the way Military Police units were used in the Republic of Panama in the period prior to Operation Just Cause.

Panama - A Case Study

The Hay-Bunau-Varilla Treaty, signed by President Theodore Roosevelt in 1903, created the Canal Zone under complete jurisdiction and control of the United States "in perpetuity." This Zone consisted of a number of major and minor Army, Navy, and Marine installations, to include the CINCSOUTH Headquarters. In return the treaty called for the U.S. to pay the Republic of Panama $10 million and an annual rent of $250,000. Despite liberal interpretations of the treaty during the years, anti-American, anti-imperialism and Panamanian nationalism began to gather momentum and led to the negotiation of a new treaty in 1977. This new treaty called the Panama Canal Neutrality Treaty guaranteed the canal's neutrality after the year 2000 and stipulated that the U.S. would give the Canal increasing Panamanian control until full turnover of the Canal to Panama in the year 2000.

In the mid-1970s, the U.S. still maintained federal jurisdiction, enforced by its own police force, of the Zone within the Republic of Panama. U.S. citizens residing in the Republic of Panama were subject to Panamanian law only within the Republic; Panamanian citizens were subject to U.S. law within the Zone. As the date for ratification of the treaty neared,
tensions increased between U.S. and Panamanian personnel. U.S. Military Police and members of the Panamanian National Guard (PNG) (La Guardia Nacional) at this time jointly patrolled both the Zone and portions of the city adjacent to U.S. areas. Military Police even participated in PNG guardmounts at the La Guardia Nacional headquarters in Panama City.

As their attitudes towards U.S. personnel began to sour however, incidents of PNG harassment and bullying of American citizens and military personnel increased. Major General Richardson, the Commander of the 193d Infantry Brigade and SOUTHCOM, was directed to conduct joint training operations on both sides of the isthmus to demonstrate U.S. capability and resolve. Increased activity by combat units however only appeared to aggravate the building resentment of the Panamanians. Demonstrations began occurring adjacent to U.S. installations; incursions into U.S. areas, both official and community, steadily increased. The political objective of demonstrating U.S. commitment towards protecting the canal and its citizens was not being achieved by increased combat unit activity. The signal being sent to the Panamanians was not appropriate to the situation. A force was needed that could show U.S. resolve and capability without the martial onus carried by combat units. Since the Military Police had an established, though somewhat also deteriorating relationship with the dominant force in the Panamanian community, the PNGs, it was determined that increased MP operations would be a better option. The MPs
were already trained in the restrictive rules of engagement required in the Canal Zone and had the additional advantage of being experts in civil-disturbance and security operations. Such were skills for which the Military Police would frequently find use.

The Military Police therefore became the first line of defense for the Canal and U.S. personnel. Operations plans provided for the deployment of MPs to respond to a situation first. This decision to use MPs as the initial crises action force avoided the possibility of unwanted escalation that might have occurred had combat forces been used. On numerous occasions between 1975-76, MPs were repeatedly called upon to react to highly sensitive situations. This truly political use of the MPs afforded the decisionmakers the flexibility to decide what to do next and if the situation required increased levels of military force. Should the MPs have become decisively engaged, the option existed to employ combat troops or reinforce the MPs keeping the incident at the level of a "police action."

As the situation in Panama continued to erode through the 1980s, MP units were rotated from CONUS installations to Panama in order to beef up organic MP resources. The MPs continued to play an important, and low-profile role in security of the canal, as well as the protection of U.S. personnel and interests in the region. When Operation Just Cause occurred and the martial focus of U.S. military force became dominant, the MPs provided force protection, enemy prisoners of war support, and area security.
combat support to U.S. combat units. Even today MPs are still on the ground in Panama. They have reassumed their political role in assisting in the rebuilding of Panamanian law enforcement infrastructure. In the case of Panama, MPs have aptly demonstrated their value as a political instrument throughout the conflict continuum.

As instruments of influence, non-combat arms units are sometimes more suitable for operations short of war. I believe that they also can help legitimize the use of military resources in situations where justification is questionable.

As mentioned before, force selection is a function of suitability based on acceptability and capability. As contingencies progress more and more towards the low/high combat operations areas on the continuum, threat lethality becomes a key consideration. There is an inverse relationship between threat lethality and non-combat arm unit's suitability. As the lethality of a threat increases, so does the inappropriateness of using non-combat arms forces. Contingency situations are notorious for their potential to escalate quickly. Planners and commanders need to be sensitive to this fact, and should closely monitor the progress and stages of a contingency to ensure that combat capabilities match the threat at hand.

Centers of Gravity and Force Selection

In operations short of war enemy centers of gravity can be extremely dynamic, especially at the strategic level. The
destruction of the enemy's combat or military forces will not always move effectively towards achieving strategic objectives. It is paramount therefore that the proper questions be asked to ensure that the one true enemy center of gravity is targeted in a given military situation. I have already discussed the importance of identifying the proper place on the operational continuum for operations short of war. I have also shown the close relationships between force suitability, capability and acceptability regarding the selection of the type of force to achieve the desired objective. The success of force selection for all military operations however is predicated on the ability to focus correctly on the enemy's center of gravity at all levels of conflict. This can be achieved by subjecting possible candidate centers of gravity to several questions that test their validity as the true center of gravity. The questions that should be asked are the following:

1. Will my proposed action affect the enemy's will to fight or resist?
2. Will my proposed action ensure a deteriorating effect on the enemy's cohesion and morale?
3. Will my proposed action achieve my aims?
4. Will my proposed action prevent the enemy from successfully achieving his aims?

These questions will aid in separating possible enemy centers of gravity from the one true one that should be the focus of all military effort. The predisposition to employ combat
forces in operations short of war has been a tendency to not properly focus on the true enemy center of gravity. A case in point is again the operation ongoing in Somalia. Since it is the primary mission of combat forces to close with and destroy the enemy, one would conclude that the center of gravity in Somalia is a combat military force. The threat in Somalia however is not from an organized regime supported military force, but rather a collection of rowdy tribesmen who are exploiting humanitarian efforts by stealing food and supplies. Rather than conducting amphibious combat operations, the Marines find themselves in a very different situation. Rather than storming the beaches, Marines are rounding up looters and armed bullies. Rather than performing offensive land operations, Marines are patrolling streets and protecting food convoys. Rather than guarding critical military facilities Marines are securing generators and community watering holes. The point is that the selection of Marines to conduct operations in Somalia appears to be the wrong type of force aimed at the wrong enemy center of gravity. Above and beyond the strictly emotional benefits of "sending in the Marines," the domestic and international concerns over their deployment to Somalia seems to overshadow their effectiveness.

The relationship between force selection and enemy centers of gravity is an important one. The proper analysis of enemy centers of gravity leads military planners to what the true focus of their actions should be. Centers of gravity are rooted in the strategic aims that are being pursued. Tailoring forces to focus
on enemy centers of gravity demands that attention be given to the suitability, acceptability and capability of the candidate force. In martial situations where the enemy center of gravity is an opposing combat force, combat units undoubtedly are the forces best suited. On the low end of the operational continuum, where the political ingredient is more dominant, other forces stand out as being more appropriate. Operations other than war usually focus on centers of gravity outside the destruction of an enemy’s military elements of power. Again I make the case that often combat support and combat service support units might be better suited to achieving strategic aims in operations other than war.

Institutional Image Paradigms

Each service in the military has a traditional way of defining its own institutional character or image. The way that the services view themselves defines them and dominates how they conceive war. Institutional image paradigms tend to hold the services hostage to a single vision of themselves and influences the way they view their role in conflicts. The Navy’s institutional image paradigm is based on tradition. This translates into a concept of conventional warfare where control of the sea dominates. The Air Force’s institutional image paradigm, based on technology, supports a dominant concept of war in terms of decisive air power. The Army’s institutional image paradigm is grounded in a combat arms tirade. This focus makes a
major conventional ground conflict the Army's dominant concept of war.

The Army's self image then is built on the primacy of the three combat arms. This image was a product of the many years wherein a major conflict with Warsaw Pact forces was the most planned for and likely military scenario. The end of the Cold War era now brings into question the relevance of past image paradigms. Major conventional war now is not likely. Legitimate operations other than war are the real challenges of the New World Order. They test the very foundations of existing service image paradigms.

I believe that it is the Army's institutional image paradigm that has caused it to question the legitimacy of using military resources in operations short of war. It is also this paradigm that makes the Army's focus on applying combat arms units in New World Order force selection situations.

The combat arms have historically defined the United States Army. If institutions have personalities like people do, then the Army's personality is its combat arms. Changes in military threats since the Cold War's end has placed the services in turmoil. Additional constraints placed on the services from a society that sees a major lessening in the need for the military amplifies the trauma facing each of the services. The Army most particularly is vulnerable to this trauma. I believe that the Army must change its institutional image paradigm by moving away from defining itself in combat arms terms. As I have shown, non-
combat arms capabilities may prove to be more relevant to the military challenges of the New World Order. A new focus on these non-combat arms capabilities might be a better place for the Army's institutional image paradigm to reside.

Conclusion

Operations short of war will most likely dominate the military's focus for the future. These contingencies, both at home and abroad, require a response that is appropriate to the objective desired. Despite all the debates on whether operations short of war are legitimate tasks for the military, they are the realities born of the New World Order.¹⁹

The purpose of this paper was to argue that it is essential for the services to re-assess their views on conflict legitimacy in the New World Order. I described the United States rationales for legitimacy in future conflicts. I then proposed a framework for fitting New World Order contingencies into various legitimacy rationales, and how these contingencies relate to the conflict continuum. Then I discussed force selection and service image paradigms, hopefully showing how the services' concepts of themselves influence their perceptions of war and their roles and missions. Finally, I described how a change in the Army's institutional image paradigm can better prepare it to make more appropriate future force selection choices in operations other than war.

The paradigm changes discussed in this paper will be
difficult for some to accept. In a period of conflict uncertainty, competition for roles and missions, and pressures to re-size the services change will occur. Whether or not the military will be the arbitrators of these changes remains to be seen.
ENDNOTES


7Ibid., 200.


27
15 Ibid, FM 100-5 Operations, 5-6.
16 Builder, The Masks of War, 129.
17 Ibid., 138.
18 Ibid., 201.
19 Gaddis, The U.S. and the End of the Cold War, 220.
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