

Interests, Ethics and Rules: Renewing UK Intervention Policy

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Cityforum is pleased to publish this document, which has particular significance in the light of the defence review work that is currently taking place.

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EXECUTIVE SUMMARY

This paper has four substantive sections.

Section 1: The Intervention Debate: Origins, Rise, Fall and Resurgence describes the post- World War II origins of the modern intervention debate. These origins were markedly ambivalent; intervention could be morally right, if only in principle, as far as ‘the dignity and worth of the human person’ were concerned yet could also be practically wrong when it came to maintaining an ordered international system. For a variety of reasons, and on various levels of intensity, intervention operations were a prominent feature of international politics from the late 1940s to 1980s. Following the Cold War, this ‘interventionist mood’ reached its peak in the 1990s and early 2000s. The Kosovo intervention in 1999 was of particular importance, giving rise to another ambivalence, the seminal idea that an intervention could be *illegal* (under international law) yet also *legitimate* on humanitarian grounds. Intervention as an idea – and particularly as an idea that could be the basis of a coherent and effective politico-military strategy – then lost credibility and momentum as a consequence of controversial operations in Afghanistan, Iraq, Libya and Syria. Nevertheless, in spite of this very mixed experience and in spite of the fact that intervention remains a deeply contested concept on political, diplomatic, moral, legal and strategic grounds, the debate is regaining its place in the national strategic debate in the UK and elsewhere. Sophisticated and urgent questions are once again being asked of governments, international organisations, political and military strategists and civil society; questions which deserve a considered response.

Section 2: Humanitarian Intervention makes six main points. First, the costs and hazards of war are only worth bearing to stop injustice that is grave. Grave injustice is indiscriminate in nature, massive in scale, and either state-perpetrated or state-permitted. Second, as one of the Permanent Five members of the UN Security Council, the UK has a special responsibility to be both able and willing to commit hard power to maintain liberal international law and order, and to help rescue innocents around the world from grave injustice. Third, national interest is vital to engage democratic support for military intervention overseas. But national interests in the security of more than 60 million Britons, in an international order that reflects our liberal values, and in our own self-respect as a people that shoulders responsibility for the good of the whole world are all *morally obligatory* national interests. Fourth, even great powers struggle to maintain major military intervention over a long period of time, and at its imperial height the UK usually acted in alliance with others. Now that the UK is a middle-ranking global power, she will seldom intervene alone. But the fact that she is not omnipotent, does not mean that she should not play her part and achieve what she can, aiming at sufficient success. Fifth, the lesson to be drawn from the military interventions of the past two decades is to adopt realistic ambitions and calibrate risks to stakes. It should not be to assume a general posture of maximal risk-aversion. Finally, inaction brings costs and risks, too, and in the long-term these can be higher than those incurred by prompt intervention.

Section 3: Systemic Intervention concerns intervention on behalf of the rules-based international system (RBIS). The UK is active within, politically committed to and highly dependent upon the RBIS. This system is both strong and authoritative, in that it is widely supported and respected, but at the same time weak and vulnerable, in that it is open to challenge on several levels. Intervention *on behalf* of the international order is a large step from the post-1945 presumption that international order is, with important exceptions, largely maintained by *non*-intervention (in the affairs of sovereign states). Nevertheless, if the UK is dependent upon the RBIS, and has openly declared its commitment to the maintenance and protection of the RBIS, then it is reasonable to assert that the UK should be willing to undertake systemic intervention on behalf of the RBIS. How should the UK undertake systemic intervention? Rather than advocate a ‘call to arms’ of some sort, we argue that the UK should adopt an interventionist posture and mindset in order to show that the UK is among those states that will not tolerate the fracturing and disablement of the RBIS. The UK should position itself in three ways. First, the UK should maintain its firm rhetorical position in order to exclude any doubt as to the UK’s likely stance in any given situation, and in order to provide a form of ‘passive’ or ‘latent’ intervention on behalf of the RBIS. Second, given that a declared position that is perceived to lack substance will quickly lose credibility, the UK should make clear that it has the national means, in the form of both soft and hard power, with which to maintain, protect and promote the RBIS as and when the need arises. Finally, the UK should maintain a ‘smart power’ process for cross-governmental crisis evaluation and decision-making and for selecting the most appropriate combination of hard and soft power means with which to respond. With the recent development of the Fusion Doctrine the UK already meets these three requirements and is therefore in a position, rhetorically, practically and organisationally, to undertake systemic intervention on behalf of the RBIS, should it choose to do so.

Section 4 examines the United Kingdom’s **Policy, Strategic and Operational Decision- Making Process** within which the prospects for intervention – both humanitarian and systemic - would be analysed, decisions made, resources co-ordinated, and plans implemented. While the policy framework has been largely established, it remains, nevertheless, a *framework* and as such allows for interpretation and development as circumstances require. The UK has acknowledged past weaknesses in intervention planning and implementation, with remedies being put in place in an *ad hoc* fashion. But while this corrective work is welcomed, there is also a need for a more carefully planned constructive (and costed) component to the policy framework, making it possible for intervention to be understood conceptually and then considered for practical purposes when diplomatically and strategically appropriate, ethically sound, practically feasible and affordable. This focus on the concept-practice interface could be taken up by the MoD. Section 4 maps out the formulation of policy, and its relationship to strategy. The UK’s strategic decision-making process for intervention is actually very highly developed and the UK possesses options for a combination of ‘soft’ and ‘hard’ power to fulfil its objectives. In broad terms, the UK has a national interest, on humanitarian and systemic grounds, in intervention and historically it has retained an expeditionary capability – a hard power option, in other words. It has, however, also had recourse to four ‘strategic instruments’ which might be categorised as forms of soft power: the use of diplomacy and negotiation to avoid armed conflict; the development of alliances to share strategic burdens; the use of defence spending as a form of deterrence signalling; and the periodic publication of defence reviews which set out a response to current and emerging threats and challenges and can signal a willingness to intervene. We also contend that a further use of the strategic instruments needs to be introduced, and that is in situations that are, at least at the outset, distinctly humanitarian/non-conflictual in their nature, yet may still require, or benefit from the option of, the use of armed force to achieve certain aims.

INTRODUCTION

In her speech to the Republican Party conference on 26 January 2017 Prime Minister Theresa May argued ‘The days of Britain and America intervening in sovereign countries in an attempt to remake the world in our own image are over.’¹ A little over two years later Matthew Parris, a political commentator, expressed a similar world-weariness when he asked ‘Has anyone seen liberal interventionism recently?’ For Parris, liberal interventionism was a persistent ‘political enthusiasm’; ‘Like old soldiers’, he wrote, these ‘never die, they simply fade away.’ Wary of the broad principles of liberal interventionism and deeply unimpressed by a calamitous record of performance in ‘almost 20 years of this adventuring’, Parris was especially critical of the UK’s tendency to intervene – ‘Britain’s woeful list of recent foreign interventions ought to be the final proof that we are no longer a great world power’ – and reached the ‘melancholy conclusion’ that liberal interventionism has become an ‘embedded virus’ in the British strategic outlook: ‘I have never been able to drag British protagonists for liberal intervention off the ground of general principle and on to the question of what is in British interests and lies within British capabilities. [...] To such a mind the belief that something should be done leads automatically to the belief that Britain should be doing it.’² Parris returned to the theme more recently, arguing ‘Foreign intervention tends to succeed when in support of an identifiable leader or existing administration; and tends to fail when in support of an abstract ideal.’³

Parris’s commentaries reflect the deep pool of scepticism (at best) which has engulfed the intervention debate in the UK over the past several decades, in policy circles as much as in the general public discourse. Yet Parris’s critique, and the wider scepticism it reflects, is far from being a conclusive judgement on the subject of intervention, making any further discussion superfluous, and neither is it beyond challenge. Other commentators, such as Con Coughlin, take precisely the opposite view, calling for ‘a more assertive approach if Britain is to reclaim its rightful place at the heart of world affairs.’⁴ If Coughlin’s approach comes too close to *machtspolitik*, there are others who argue for something similar, but from a moral perspective. Raffaello Pantucci, for example, claims that ‘moral leadership is almost non-existent and the world’s downtrodden are losing both spokesmen and protectors, a sad state of affairs that we seem only able to exacerbate.’⁵ Noah Rothman combines Coughlin’s power politics with Pantucci’s moral disquiet, making the critical point that while intervention might have adverse consequences, so too might *non*-intervention: ‘American interventionists are often asked by their opponents to reckon with the bloodshed and geopolitical instability their policies encourage. If only non-interventionists would do the same.’⁶ Also in the US context, Richard Fontaine has argued that ‘No grand strategy can be built on the presumption that military intervention is mostly an erroneous activity of yesteryear.’ ‘The United States’, he writes, ‘need not look abroad for monsters to destroy. But it must not lull itself into believing that such monsters have disappeared.’⁷

The case against intervention, as voiced by Parris and others, deserves to be challenged and debated seriously, both because of what might be at stake and because it has been granted such wide authority, often seemingly rather uncritically. Several rejoinders come immediately to mind. In the first place, the anti-intervention critique often conflates (and equates) several

1 Prime Minister’s Speech: <https://www.gov.uk/government/speeches/prime-ministers-speech-to-the-republican-party-conference-2017>

2 Matthew Parris, ‘Let’s call time on this post-imperial dreaming’, *The Times*, 5 January 2019.

3 Matthew Parris, ‘We can’t impose freedom on the world’, *The Times*, 20 April 2019.

4 Con Coughlin, ‘Britain cannot shirk the fight against rogue states’, *Daily Telegraph*, 31 July 2019.

5 Raffaello Pantucci, ‘We no longer mead and all the world knows it’, *Sunday Times*, 18 August 2019.

6 Noah Rothman, ‘The Last Days of Syria and the non-Interventionist Catastrophe’, *Commentary Magazine*, 7 September 2018: <https://www.commentarymagazine.com/foreign-policy/middle-east/syria/syria-non-interventionist-catastrophe/>

7 Richard Fontaine, ‘The Nonintervention Delusion: What War is Good For’, *Foreign Affairs* (Vol.98, No. 6, November/December 2019): <https://www.foreignaffairs.com/articles/2019-10-15/nonintervention-delusion>

different rationales for what Parris describes as ‘liberal’ or ‘foreign’ intervention. These rationales have included so-called ‘regime change’, the political dogma known as ‘neo-conservatism’, the championing of democracy as a system of government, action taken on humanitarian grounds, insistence on respect for universal human rights, concerns over international and regional stability, and the pursuit of domestic (e.g. UK) security. Yet each of these rationales is born of a different perceived imperative, or set of imperatives, and as such each requires critical analysis in its own right. Something similar could be said of the various methods of intervention, which might in certain circumstances see the deployment of armed force, but which could also involve diplomatic, economic and even normative or ‘soft power’ means. With such a wide range of motives and means, Parris’s depiction of intervention as little more than a ‘political enthusiasm’ is probably best explained as an example of simplification for rhetorical effect; it would otherwise be difficult to understand how one of the most significant (albeit deeply contested) and complex developments in late twentieth century international politics could be dismissed so easily.

Parris is also open to challenge for his assertion that ‘the ground of general principle’ is not somewhere the ‘protagonists for liberal intervention’ should be standing. But since general principles and ‘abstract ideals’ have *always* animated and motivated politicians, for better or for worse, it is hard to imagine how they could now be held apart from political and strategic debates, internationally and nationally. It is also clear that the practical aspects of foreign, security and defence policy can only go so far before some appeal must be made to general principle. Charles Moore, for example, another intervention-minded commentator, calls for a stronger Royal Navy with which to secure maritime trade routes.⁸ Moore’s position is supported by a navalist lobby, including no fewer than seven former First Sea Lords (i.e. former professional heads of the Royal Navy), drawing attention to the fact that whereas in the late 1980s the UK had 55 destroyers and frigates, in 2019 it has just 19.⁹ The lobbyists’ reasoning seems plain: if the UK is to sustain a policy of global engagement, and if there is (or might be) a military aspect to that engagement, then the case for maintaining adequate maritime and naval capabilities is a strong one. But any call for increased military capability lacks conviction if it cannot be underpinned by an argument from principle. Capability does not create its own rationale; general principle provides the rationale which capability serves.

The UK is a medium-sized, internationally-oriented, economically significant ‘world power’ – if not a ‘great world power’ (however ‘great’ is defined). This extensive international engagement combines with a long-standing political and cultural history as an active and respected liberal democracy. It is thus unlikely – if not simply unworkable – that the UK could somehow exclude considerations of general principle when assessing aspects of its considerable international engagement. Most significantly, Parris falls victim to a fallacy which is often found in the intervention debate, one that says that to be receptive to some general principle or another ‘automatically’ leads to the impulse to enforce that principle wherever and whenever possible, and that since the principle might not be appropriate in all circumstances, and the outcomes not always good, then the general principle cannot itself be valid. This is not a very strong argument: it is possible to take a principled decision to act in some cases but not in others, just as it is possible for ostensibly good decisions to have adverse outcomes, and all without invalidating the motivating general principle.

It is just as important to say, conversely, that ‘general principle’ must be more than the grand yet unsubstantiated rhetoric of the sort voiced by one candidate in the recent competition to lead the

⁸ Charles Moore, ‘Without a strong Navy, the waves will rule Britannia’, *Daily Telegraph*, 5 August 2019.

⁹ Vice Admiral John McAnally, ‘Britain needs more ships ready to meet threats from Iran in the Gulf’, (Letters), *Daily Telegraph*, 13 July 2019; Admiral Sir Jock Slater and others, ‘For want of frigates’, (Letters), *Daily Telegraph*, 4 August 2019.

UK Conservative Party: ‘our role has always been to defend democratic values, a global mission that I want us to continue as we embark on the post-Brexit chapter of our history. [...] Britain’s history and destiny is to walk tall in the world ... Standing shoulder to shoulder with America, we wrote the current world order. It’s never been more important for us to lean into that historic leadership role.’¹⁰ If the UK is indeed to regain its ‘historic leadership role’ then it will have to accept that there has been quite a lot of history since the apogee of Britain’s imperial power and that leadership cannot simply be assumed. There must be a point where confidence and capability meet and are found to be broadly in balance. What we should also hope to find at the meeting of confidence and capability is another important quality – a sense of humility and realism about the UK’s place in global affairs. While both of the UK’s main political parties are fond of employing the rhetoric of ‘Global Britain’, ‘life as a medium-sized country in a world of continent-sized rivals’, notes *The Economist*, ‘is hard.’ The newspaper quotes an unnamed former Foreign Secretary’s view that while Scandinavian countries might use large aid budgets to achieve a disproportionate level of significance around the world, “Nordics are trusted by people in the international community in a way Brits are not.”¹¹

Finally, it is not entirely clear whether, in Parris’s view, intervention is (gratifyingly) extinct and consigned to history, is enduring a lingering (but welcome) demise or is undergoing a vigorous (and regrettable) resurgence. Perhaps the strongest clue to Parris’s unease about intervention lies in his choice of ‘embedded virus’ as a metaphor. If the idea of intervention can be understood as a virus (for which, presumably, some sort of treatment is needed), then it is an idea that is still alive and it is that, it would seem, that most worries its critics. Parris is correct in his suspicion; the idea of intervention, for one reason or another, is indeed still alive and has not been excluded altogether from the UK strategic debate. This possibility is one which is broadly welcomed by the authors of this paper. But having earlier suggested that the sceptics and critics of ‘intervention’ tend to use the term too loosely, readers of this report might reasonably expect that its authors should begin with an explanation of what they understand by this contested term. The definition of ‘intervention’ is highly context-dependent with each decision to intervene determined by a unique arrangement of conditions (political, moral, economic and geostrategic) and policy criteria. Nevertheless, it is possible to identify several general types of intervention and to identify certain norms to which intervention operations will be expected to conform, as follows:

1. Intervention could be either inter-state (e.g. commitment to a United Nations peace-keeping operation) or intra-state (e.g. the delivery of official development aid);
2. Intervention could occur with the consent of the relevant states or state, or without it;
3. Intervention could be either military or non-military;
4. Military intervention could be either armed (whether for self-protection or protection of aid convoys, for example, or to undertake combat operations against an armed adversary) or unarmed (e.g. the deployment of military logisticians to assist in the delivery of aid, or military engineers to assist in the repair of transport infrastructure);
5. The rationale for intervention could be either ‘subjective’ (e.g. in order to pursue the national security and defence interests of the intervening state) or ‘objective’ (e.g. for broadly humanitarian reasons or in order to ensure the functioning of the rules-based international system) or, more probably, both;

¹⁰ Jeremy Hunt, ‘Brexit Britain’s destiny is to walk tall in the world’, *Sunday Telegraph*, 2 June 2019.

¹¹ ‘The Corbyn doctrine’, *The Economist*, 8 June 2019.

6. Intervention must acknowledge and respect national and international law.

The argument of this report is that in the 21st century, as in the past, the UK's national interest will be pursued internationally and that this exercise will be defined, animated and constrained by principles, both moral and practical. It follows, in the view of the report's authors, that UK foreign policy and national strategy must therefore be open to the possibility of intervention for some reason, of some sort, on some level. Our concern in this report is with military intervention (both armed and unarmed) by the UK, for humanitarian and what we describe as 'systemic' reasons, either between states or within a state, and either with or without the relevant state's consent. For the purposes of this report, we present these two categories of intervention – 'humanitarian' and 'systemic' – as distinct. They are not, however, analytically separable – after all, the order and stability of a political system is widely considered to be a pre-requisite for human rights, security and fulfilment.

The purpose of this report is thus to provide a context or framework for further thought, analysis and judgement about intervention, particularly where the maintenance, preparation and use of military force for intervention operations is concerned. What are the national interests, 'abstract ideals' and 'grounds of general principle' which could validate a UK decision to intervene? Both humanitarian and systemic intervention offer a range of possibilities. In some cases, the decision to intervene might be relatively uncontroversial, with operations being undertaken swiftly and at manageable risk. But other intervention decisions might pose more stringent challenges, politically, strategically and morally. Recent experience of intervention, and the debate it has provoked, suggests that in each category, the hardest and most controversial case to consider would be that in which the UK's obligations and interests require the deployment of military force on combat operations. And the hardest case of all to consider would be a humanitarian intervention in which armed forces were required to undertake combat operations against an armed adversary. It is precisely this contingency, with its political, strategic and moral dilemmas, as well as its mixed outcomes to date, that has so excited controversy and, in the process, has so polarised the intervention debate. For that reason, the hardest conceivable case of a 'war-fighting humanitarian intervention' is the focus of Section 2, as explained below.

The report is presented in four sections:

- Section 1: The Intervention Debate: Origins, Rise, Fall and Resurgence
- Section 2: Humanitarian Intervention
- Section 3: Systemic Intervention
- Section 4: The Policy, Strategic and Operational Decision-Making Process

Section 1 – *The Intervention Debate: Origins, Rise, Fall and Resurgence* – charts the mixed history of modern international intervention since its 'rise' at the time of the foundation of the United Nations in 1945. The UN Charter was ambivalent on the subject of intervention, if not self-contradictory. This tension culminated in an excess of ambition over experience, strategic overreach and the 'fall' of interventionism in the 1990s and 2000s. Section 1 then outlines the 'resurgence' that is currently taking place. There are currently two sets of principles in which UK national interests are directly represented and on the basis of which intervention, in one form or another, might properly be contemplated. The first set of principles are moral and might concern the response to death, injury, hardship and disease caused by natural disasters, or the prevention/mitigation of 'artificial' disasters such as violent atrocities against unarmed people, the forced relocation of populations or the abuse of internationally accepted human rights standards. Using a well-known

term, we describe action taken in response to, or in anticipation of such events and behaviours as *Humanitarian Intervention*. We argue that the UK has unquestionably a principle-based, national interest in the human condition around the globe, even though the nature and level of its response might differ from case to case. *Humanitarian Intervention* is discussed in Section 2 of the report.

Just as it makes no sense, in our analysis, to claim that the UK has no *moral* national interest in the human condition around the world, so we argue that the UK has a *concrete* national interest in the operation of the international system. The second set of principles are therefore more practical in character and concern the stability, security, functionality and predictability of what has become known as the ‘rules-based international system’ (RBIS)); a system in which the UK not only exists, but upon which it is fundamentally dependent. That system appears increasingly vulnerable, however. For a wide range of diplomatic, financial, economic, cultural and security reasons, therefore, we argue that UK national interest cannot be anything other than directly engaged in furthering these practical principles, even to the point of intervening in their name. We describe such action as *Systemic Intervention*, borrowing a term from clinical medicine in which ‘systemic’ is defined as ‘pertaining to something that affects the whole body rather than one part of it.’¹² *Systemic Intervention* is discussed in Section 3.

Section 4 of the report examines the *Policy, Strategic and Operational Decision-Making Process*; the context, in other words, in which policy will be articulated and in which any decision to intervene will be made. Who deliberates, from what perspective and at what point; who decides, and on what basis; who deploys, and for what reason? Section 4 includes a set of outline scenarios – two each for humanitarian and systemic intervention – illustrating some of the types and levels of intervention that might be considered, and the different intensity of commitment (including the use of armed force in combat) that might be necessary. These scenarios are accompanied by a series of flow charts showing how, in general terms, the UK’s strategic decision-making process might proceed and how, in more detail, both humanitarian and systemic interventions might be assessed, on what basis decisions might be made and by whom.

¹² Robert M. Youngson, *Collins Dictionary of Medicine* (Glasgow: HarperCollins, 1992).

SECTION 1: THE INTERVENTION DEBATE: ORIGINS, RISE, FALL AND RESURGENCE

This section of the report summarises the evolution of the modern intervention debate from the foundation of the United Nations at the end of World War II. The Cold War then saw a good deal of intervention, albeit largely for geostrategic reasons (e.g. Malaya from 1948, Vietnam from 1954/55, Hungary in 1956, Czechoslovakia in 1968) rather than for any more high-minded rationale. The Cold War also saw the development of international intervention in the form of peacekeeping missions (of which there have been 72 since 1948), although Cold War divisions in the UN Security Council often limited the potential of such missions. Following the end of the Cold War, the interventionist mood reached its peak in the 1990s and early 2000s, before losing credibility and momentum in relation to Afghanistan, Iraq, Libya and Syria. Most recently, however, it has become apparent that intervention might not after all have been consigned to history and that there might still be compelling reasons – humanitarian and systemic – to intervene. In the UK the frequent recourse to the language of ‘Global Britain’ requires, at the very least, a coherent position to be taken on this eventuality.

Origins

Modern (i.e. post-1945) international politics have always been ambivalent about the idea of intervention, with the idea understood in several different, and not always compatible ways. The United Nations Charter of 1945, meant as the foundation stone of a new international order, was written at a time when genocide, crimes against humanity and war crimes were a very recent and vivid memory. Hence the Charter has a very pronounced humanitarian and emancipatory tone to it. The first three words of the Charter are ‘We the peoples...’ (rather than ‘We the signatories...’) and the preamble goes on to express determination ‘to save succeeding generations from the scourge of war’ which has ‘brought untold sorrow to mankind.’ The Charter reaffirms ‘faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women’, advocates ‘social progress and better standards of life in larger freedom’ and pledges to ‘employ international machinery for the promotion of the economic and social advancement of all peoples.’

The language of justice found in the preamble to the Charter is offset, however, by the language of order found elsewhere in the preamble and particularly in the substantive chapters and articles. This should come as no surprise – the Charter was, after all, a treaty signed by governments. The argument might have run as follows: if justice is to be more than declaratory and aspirational then it will need an environment conducive to the realisation of those aspirations, with the necessary procedures and institutions. Thus, the preamble calls for the establishment of ‘conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained’ and for the use of ‘international machinery for the promotion of the economic and social advancement of all people.’ Elsewhere, the Charter insists on the equality of all UN members (i.e. states) and argues, essentially, that if sovereignty can be understood as a *right* to be enjoyed by all states in the international system, then that right imposes a counterpart *obligation* on other states to guarantee that right and not to interfere in another state’s sovereign authority or territory. This position is expressed most clearly in Article 2.1 of the Charter which speaks of ‘the sovereign equality of all members’ and Article 2.4 which insists that all members of the United Nations shall refrain ‘from the threat or use of force against the territorial integrity or political independence of any state’. It is clear that the framers of the UN Charter cannot have had the travesties of World War II far from their minds. Some years later the 1970 Declaration

on the Principles of International Law made the exchange of rights and obligations clearer still when it included the *principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State*, set out in the following terms: ‘No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State.’¹³

For the purposes of this report the ambivalence is striking: intervention could be morally *right*, if only in principle, as far as ‘the dignity and worth of the human person’ was concerned yet might also be practically (and decisively) *wrong* when it came to maintaining an ordered international system. It was this preference for ‘order’ over ‘justice’ that predominated during the decades of the Cold War. Ironically, this was both a reflection of political realism (‘power politics’) and a rejection of it. As the late Frances Harbour wrote, ‘The founders of twentieth-century realism rejected what they considered moral illusion and hypocrisy...’¹⁴; order was what mattered. But the emphasis placed on sovereignty and the rejection of all intervention (direct or indirect, economic, political, social, cultural or of any other type) in the internal or external affairs of another state also served as a device *against* realism, as a means to protect small and recently decolonised states from the power politics and hegemonic tendencies of the Cold War protagonists.

Rise

The Cold War ground to a halt in the late 1980s and was followed by almost thirty years of international interventions in Europe, Africa and Asia, often driven directly by, or closely associated with humanitarian, liberal or moral goals. A net assessment would describe the outcome of all this activity as ‘mixed’.¹⁵ Some interventions, such as Iraq (1991), Bosnia- Herzegovina (from 1995), Kosovo (1999), East Timor (1999-2000) and Sierra Leone (2000) were arguably more successful than others and in general the post-Cold War enthusiasm for intervention waxed and waned. Yet one operation was especially significant for the development of thinking about intervention. The Kosovo operation in 1999 offered a departure from tradition and exemplified a new rationale for the use of armed force, one in which values mattered more, and in a different way, than tired old ideas such as territory and strategic and material interests. The NATO-led military campaign against Serbia forces in Kosovo, involving aircraft and missile attacks against Serb targets, lasted from 24 March to 11 June 1999. Amidst preparations for a large-scale NATO ground offensive against Serb forces in Kosovo, on 3 June Slobodan Milošević, President of the Federal Republic of Yugoslavia, agreed to a mediated withdrawal of Yugoslav troops from Kosovo and to the deployment of a UN-sanctioned NATO force. On 10 June NATO suspended its air operations and two days later a NATO-led peacekeeping known as Kosovo Force (KFOR) began its deployment.

The Kosovo intervention showed that moral principle could properly motivate and validate the use of armed force in intervention operations. The operation proceeded without the express authorisation of the United Nations, fuelling the objection that the intervention was in breach of international law. But in their report, published in 2000, the Independent International Commission

¹³ Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations (General Assembly Resolution 2625 (XXV), 1970), in M.D. Evans (ed.), *Blackstone’s International Law Documents* (London: Blackstone, 1996 [3rd edition]), p.209.

¹⁴ Frances Harbour, *Thinking about International Ethics: Moral Theory and Cases from American Foreign Policy* (Oxford: Westview Press, 1999), p.16.

¹⁵ For an assessment of British intervention operations see Malcolm Chalmers, ‘The Strategic Scorecard: Six out of ten’ in Adrian L. Johnson (ed.), *Wars in Peace: British Military Operations Since 1991* (London: RUSI, 2014), p.90.

on Kosovo concluded importantly that ‘the NATO military intervention was *illegal but legitimate* [emphasis added]. It was illegal because it did not receive prior approval from the United Nations Security Council. However ... the intervention was justified because all diplomatic avenues had been exhausted and because the intervention had the effect of liberating the majority population of Kosovo from a long period of oppression under Serbian rule.’¹⁶

The evolving ‘Kosovo model’ was taken up elsewhere. In the early weeks of the air campaign US President Clinton argued ‘the stand we have taken, first in Bosnia, now in Kosovo, against organised ethnic hatred is a moral imperative. But it is also a strategic imperative.’¹⁷ Similarly, British Prime Minister Blair’s speech in Chicago in April 1999 called for a ‘Doctrine of the International Community’ which could offer ‘a more subtle blend of mutual self-interest and moral purpose in defending the values we cherish.’¹⁸ The following year British Foreign Secretary Robin Cook described a ‘global community’ in need of ‘universal values’. Arguing that Britain’s ‘national interest will more and more coincide with the global interest’, Cook called for ‘a foreign policy of enlightened self-interest’. The protection and promotion of ‘universal values’ such as democracy and human rights was not mere idealism, it represented a sound and rewarding policy choice for Britain. The new, internationalist foreign policy would be based on ‘new rules of the road’ for intervention: ‘when faced with an overwhelming humanitarian catastrophe and a government that has demonstrated itself unwilling or unable to halt or prevent it, the international community should act.’¹⁹ The clearest account of this still evolving (and still contested) position was to come in the form of the *Responsibility to Protect* report, published in 2001: ‘Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.’²⁰ A version of *Responsibility to Protect* (or R2P as it became known) was subsequently adopted unanimously by the UN World Summit in September 2005. The World Summit document argued that R2P should be for individual states to protect their own populations from ‘mass atrocity crimes’ (genocide, ethnic cleansing, war crimes and crimes against humanity). Defined in this way, the *national* R2P was distinct from the United Nations’ *international* responsibility to authorise collective humanitarian intervention involving the use of military force as a last resort.²¹

Fall

If the Kosovo model, Blair’s Chicago speech and the development of R2P all represented a new mood of ‘moral interventionism’, which could nevertheless be broadly consistent with legal prohibitions against, and political aversion to interference in the internal affairs of states, then that new mood (and the compromise which enabled it) was relatively short-lived. Even as R2P was becoming embedded in political discourse, a series of intervention operations in and around Côte d’Ivoire from 2002 demonstrated the difficulty of reaching durable outcomes on the ground. A decade or so later, the intervention in Libya (2011) showed that although an operation could be militarily

16 Independent International Commission on Kosovo, *Kosovo Report* (Oxford University Press, 2000), pp. 4, 289. It should be noted that the International Commission on Kosovo was an independent body and that the substance of its 2000 report remains contested, particularly as regards the degree of *legal* authority that should or should not be attached to, or indeed supplanted by, more fluid notions of moral *legitimacy*.

17 W. Clinton, text of speech, San Francisco, 15 April 1999 (US Information Service, Official Text, 16 April 1999).

18 Quoted in N. Butler, ‘NATO at 50: Papering over the cracks’, *Disarmament Diplomacy* (38, June 1999), p.3. For the full text of the speech see <https://www.globalpolicy.org/component/content/article/154/26026.html>

19 R. Cook, ‘Foreign policy and national interest’ (unpublished transcript of speech to Royal Institute of International Affairs, 28 January 2000).

20 International Commission on Intervention and State Sovereignty (ICISS) *The Responsibility to Protect*, (Ottawa: IDRC, December 2001), p.xi.

21 UN General Assembly, *2005 World Summit Outcome Document* (A/RES/60/1, 24 October 2005), paras 138-139.

successful in the short term, its humanitarian consequences could be disastrous in the longer term. And there were other cases – Myanmar (2008 and again from 2017) and Syria (2011) – where it was arguably the decision *not* to intervene that had catastrophic humanitarian consequences.

The mounting critique of moral interventionism – on the grounds that it lacked durability, consistency or credibility, or all of these flaws – often reduced to the claim that these interventions were driven less by high-minded moral considerations and more by power politics and/or simple, unedifying national self-interest. In other words, states would intervene only if they had the capability and when it suited them to do so for whatever reason (e.g. when their interests were threatened or when they saw an opportunity that could be exploited). Even then the intervening state would not sustain the intervention any longer than thought necessary and useful and would lose interest very rapidly if the risks and costs of intervening were perceived to be excessive or damaging in the context of the intervening state's domestic politics.²² For its critics, the language of 'humanitarian intervention' had come to mean little more than 'regime change' – modifying or replacing governments in strategically significant countries and regions, much as both sides had sought to do during the dark days of the Cold War.

It was the very long-running military interventions in Afghanistan and Iraq, both of which were at least accompanied by declared humanitarian objectives, that, in the public eye, most conclusively undermined the case for intervention operations. The US-led invasion of Afghanistan in October 2001 was in direct response to the atrocities perpetrated by al-Qaeda on 9/11. At first, the goals of the invasion were unambiguously strategic: destroy al-Qaeda and overthrow the Taliban regime that had provided al-Qaeda with a safe haven. These goals soon broadened. On 5 December 2001 the Bonn Agreement advocated an approach to state-building in Afghanistan in which the 'independence, national sovereignty and territorial integrity' of Afghanistan were 'reaffirmed' and in which governance and humanitarian considerations also featured prominently: independence of the judiciary; democratic and electoral freedoms; the protection of the rights of women and religious and ethnic minorities; human rights monitoring and the development of domestic human rights institutions; and the establishment over time of a 'broad-based, gender-sensitive, multi-ethnic and fully representative government.'²³ The Bonn Agreement also gave rise to the NATO-led International Security Assistance Force (ISAF) established unanimously by UN Security Council Resolution 1386 on 20 December.

The US-led Operation Iraqi Freedom took a similarly 'dual-track' approach to intervention. At one level the strategic objective was straightforward enough. In the words of President George W. Bush in March 2003, 'We will tear down the apparatus of terror...the tyrant will soon be gone... It is too late for Saddam Hussein to remain in power.' As well as terrorism and tyranny, Bush was concerned with regional stability and arms control. But he also appealed to other, more explicitly humanitarian imperatives: 'We will deliver the food and medicine you [the Iraqi people] need. The day of your liberation is clear [...] we believe the Iraqi people are deserving and capable of human liberty. And when the dictator has departed, they can set an example to all the Middle East of a vital

22 For a balanced discussion of contending motives in humanitarian intervention operations see Martin Binder, *Why Does UN Humanitarian Intervention Remain Selective?*, Oxford Research Group, 7 March 2017: <https://www.oxfordresearchgroup.org.uk/blog/why-does-un-humanitarian-intervention-remain-selective>

23 Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions (Bonn Agreement), United Nations Security Council S/2001/1154, 5 December 2001: https://peacemaker.un.org/sites/peacemaker.un.org/files/AF_011205_AgreementProvisionalArrangementsinAfghanistan%28en%29.pdf

and peaceful and self-governing nation.’²⁴

The consequences of the interventions in Afghanistan and Iraq have been widely debated. According to the Costs of War project at Brown University, the economic cost to the United States of its involvement in Afghanistan, Iraq and other ‘post-9/11 wars’ could amount to as much as US\$5.9 trillion. The overall death toll (civilian and military) could be as many as 147,000 in Afghanistan (including 456 British military deaths) and 295,000 in Iraq (including 179 British military deaths). And perhaps as many as 21 million people became refugees or displaced persons.²⁵ The human and economic costs of these protracted interventions can only be described as extreme, while the benefits are not easily identifiable; neither intervention can be said to have ended well or decisively. It is perhaps this imbalance between cost and benefit that is the cause of deeply entrenched and bitter criticism of these interventions. That criticism comes from all quarters – political, strategic, military, humanitarian and general public – but often most eloquently and forcefully from those who had direct experience ‘on the ground’ such as one former US Army officer who served in both Afghanistan and Iraq:

This is the unintended output of regime change, of toppling a tyrant and attempting to socially engineer a foreign society. Once the war begins, and society is destabilized, the chips fall where they may. The U.S. Army can bring down a dictator, but no amount of power and might can realistically control and construct the proceeding governments. [...] Let us remember this lesson and pre- emptively *oppose* the next regime change operation (potentially in Iran?). After spending \$2.2 trillion in Iraq, and losing thousands of Americans and hundreds of thousands of Iraqi lives, we are not safer than we were before. [...] the U.S. has gained *nothing* of strategic value from its decades-long experiment in imposed regime change.²⁶

Resurgence

In spite of adverse experience, the resurgence of an interventionist mindset is nevertheless taking place, however cautiously. Twenty years or so after the Kosovo operation, and with the controversy over Afghanistan and Iraq a much more recent memory, the notion that the moral can sit alongside the strategic is once again receiving close attention and might be displacing some of the antipathy to intervention born of earlier episodes. In a similar way, an argument can be made that the practical mechanisms of the international order might not be as robust, self-sustaining and unanimously supported as we might imagine (or prefer) and that intervention might be necessary for reasons of national security and international stability. If this does represent a change of mood concerning intervention, then it is important to say that in this new, or evolving climate of opinion intervention is less of a preference than a necessity.

In the UK, *The Good Operation*, described as a ‘handbook for those involved in operational policy and its implementation’, was published by the MoD in January 2018 with the intention of correcting some of the errors observed by the Iraq Inquiry (Chilcot) Report. The document stresses the importance of defining ‘what problem it is that you think an operation will fix’. One such ‘problem’ could be ‘supporting humanitarian assistance, disaster response or a rescue mission.’²⁷ Most

24 President George W. Bush, Address to the Nation, The White House, 17 March 2003: <https://georgewbush-whitehouse.archives.gov/news/releases/2003/03/20030317-7.html>

25 *Costs of War*, Watson Institute, Brown University: <https://watson.brown.edu/costsofwar/>

26 Danny Sjursen, ‘What was the point of regime change in Iraq?’, *The National Interest*, 5 June 2018: <https://nationalinterest.org/feature/what-was-the-point-regime-change-iraq-26135>

27 Ministry of Defence, *The Good Operation: A handbook for those involved in operational policy and its implementation* (London: HMSO, January 2018), p.18.

recently, in a report published in September 2018 the House of Commons Foreign Affairs Select Committee was unequivocally interventionist, arguing that the government of the UK should be able ‘to rely on humanitarian intervention as a measure of last resort [and] should also take further preventative measures to pre-empt and avert extreme humanitarian distress.’ In stark terms, the report insisted that the UK ‘must bear its share of the responsibility’ for the series of mass atrocity crimes perpetrated in Syria and warned of the dangers of inaction: ‘It is clear from the catastrophe in Syria that when a state manifestly fails to protect its own citizens, non-intervention by the international community often results in appalling human suffering and widespread loss of human life.’ The Committee concluded by recommending the government ‘act urgently to produce a comprehensive atrocity prevention strategy and implementation plan to ensure it moves beyond words and towards concrete actions.’ The Committee called upon the UK government to produce a draft strategy for consultation by April 2019.²⁸ A comprehensive analysis as to where, when and how the UK should (or should not) intervene on humanitarian grounds is provided in Section 2.

The resurgence of interest in intervention also has another dimension, one that has more to do with the practical functioning of the international system as a whole than with the standards of behaviour and humanity shown by some of its participants. In the introduction to this report we used a medical analogy in referring to this form of intervention as ‘systemic’, meaning that which is concerned with ‘the whole body rather than one part of it.’ Clearly, the ‘body’ and its ‘parts’ are not analytically separable, neither in medicine nor in international politics, but the device is nonetheless a useful one for the purposes of this report. Section 3 of this report looks more closely at the nature and significance of challenges to the RBIS and what UK might do about it.

Summary

Following interventions in Afghanistan, Iraq and elsewhere, the received wisdom – deeply, widely and no doubt sincerely held – is that 21st century intervention operations have proved to be so confused in purpose, so contradictory in design and so catastrophic in outcome that they should in future to be avoided at (almost) any cost. Yet the interventions of the early 21st century have evidently failed to bring the intervention debate to a durable conclusion. Sophisticated and urgent questions are once again being asked of governments, international organisations, political and military strategists and civil society. These questions require a more considered response than one which sees in recent experience a sufficiently authoritative answer to future complexities.

²⁸ House of Commons Foreign Affairs Committee (HCFAC), *Global Britain: The Responsibility to Protect and Humanitarian Intervention* (Twelfth Report of Session 2017-19, HC 1005, 10 September 2018), pp.3, 18.

SECTION 2: HUMANITARIAN INTERVENTION

Military intervention for humanitarian purposes can be unarmed or armed. Armed intervention can be light or heavy. Unarmed or lightly armed intervention is not especially controversial; in some circumstances an intervening force might be armed for purposes of 'force protection' and in such cases would deploy with very restrictive rules of engagement. What is controversial is when humanitarian intervention expects to involve operations against an armed adversary. Such heavily armed – or 'war-fighting' – intervention is the focus of this section, which addresses the question, What should we consider in deciding upon heavily armed military intervention for humanitarian purposes? The following considerations are proposed: criteria drawn from 'Just War' thinking (the just cause of grave and massive injustice, the intention to remedy that injustice, last resort, the proportionality of military means to the strategic end, and the prospect of success); a conception of ethically legitimate national interests; Britain's tradition of global responsibility, embodied in her continuing status as one of the Permanent Five members of the UN Security Council, and the duties that entails; an appreciation of the limits of Britain's power, which does not displace a resolve to use that power to best effect; the need to calibrate risks to stakes, rather than adopt a general posture of maximal risk-aversion; an awareness that inaction brings costs and risks, too; and respect for international law.

What is Humanitarian Intervention?

As discussed in the Introduction above, 'intervention' embodies a range of possibilities and constraints:

1. Intervention could be either inter-state (e.g. commitment to a United Nations peace-keeping operation) or intra-state (e.g. the delivery of official development aid);
2. Intervention could occur with the consent of the relevant states or state, or without it;
3. Intervention could be either military or non-military;
4. Military intervention could be either unarmed (e.g. the deployment of military logisticians to assist in the delivery of aid, or military engineers to assist in the repair of transport infrastructure) or armed (whether for self-protection or protection of aid convoys, for example, or to undertake operations against an armed adversary);
5. The rationale for intervention could be either 'subjective' (e.g. in order to pursue the national security and defence interests of the intervening state) or 'objective' (e.g. for broadly humanitarian reasons or in order to ensure the functioning of the rules-based international system) or, more probably, both;
6. Intervention must acknowledge and respect national and international law.

For the purposes of this section we are concerned with heavily armed or 'war-fighting' military intervention by the UK, primarily for humanitarian reasons, either between states or within a state, and either with or without the relevant state's consent.

The Just War Tradition: Last Resort and Grave Injustice

War, by its very nature, is destructive, costly, and hazardous. It follows that, if there is a *realistic* prospect of achieving one's goal by non-belligerent means, those should be preferred. Military intervention should only ever be a last resort. The goal of morally justified military intervention is always the defence of the innocent against injustice. But in order to warrant the destruction, costs, and hazards of intervention, that injustice has to be grave. The proportionate response to injustice that is less than grave will be a non-military one.

So, what distinguishes injustice that is grave? The paradigm of grave injustice is the intentionally indiscriminate slaughter of citizens on a massive scale, which is either perpetrated by their own state or presided over by it. Military intervention only comes into consideration when the relevant state proves itself either unwilling or unable to stop the slaughter of its own innocents. Grave injustice, then, is indiscriminate in nature, massive in scale, and either state- perpetrated or state-permitted. The 2001 doctrine of the 'Responsibility to Protect' puts it thus:

Military intervention for human protection purposes is an exceptional and extraordinary measure. To be warranted, there must be serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind:

- A. large scale loss of life, actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or
- B. large scale 'ethnic cleansing', actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.²⁹

National Interests and International Responsibility

Since no national government is omnipotent, it must analyse its responsibilities into an order of priority. A national government is primarily responsible for its own people. Therefore, the UK Government's primary responsibility is to save its own innocents from grave injustice. Nevertheless, it does have a secondary responsibility toward foreign innocents. In part, this is because the fate of the British people is sometimes bound up with that of a foreign people, so that the one cannot be defended apart from the other. Thus in 1914 and 1939 the fate of the British was bound up with that of the French and Belgians and justified the sending of expeditionary forces across the Channel.

But even where British national security is not directly at stake, most Britons, long-shaped by a Christianised and therefore humanist culture, recognise a responsibility to aid oppressed foreigners, where possible, and expect their government to exercise that responsibility in their name. The British people often care about more than being safe and fat. They often care that their country should do the morally right thing. In this respect, Winston Churchill remains a salutary icon of Britishness. In May 1940, with the British Army smashed in northern France, Churchill could have yielded to the advice of Lord Halifax to take the most immediately safe course and pursue peace with Hitler via Mussolini. Had he done so, he could well have spared the British over a half a million military deaths, national bankruptcy, the precipitous dissolution of the Empire, and decades of humiliating dependence upon the United States. But Churchill did not yield, because he understood that the future of humane civilisation in Europe (and far beyond) was more important than British

²⁹ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001), p. xii.

economic prosperity and even the bare lives of Britons. He understood that only a Britain that cares about the wider world is one worth identifying with.

So, the British today continue to have a national interest in moral self-respect and the exercise of global responsibility. For that reason, they can be persuaded to tolerate the costs and hazards of military intervention that might succeed in saving foreign innocents from grave injustice.

Global Britain

Because of its imperial past, Britain retains a tradition of global responsibility and the capability of projecting military power overseas. This is important, because the United Nations is no substitute for states. The UN is very important as a standing forum for international communication and as an international bar at which states are required to give an account of their actions and to suffer criticism. At its best, it is a forum for the forging of international consensus as the basis of concerted action. But it is not a global government and its power to enforce international law is limited to the resources that national states loan it.

The UN is not now a global government, and until trust among states worldwide has risen to a degree that seems utopian, it will not become one. If the eminent scholar of international relations, Adam Roberts, is to be believed, the vision of a comprehensive security system based on the UN is an impossible ideal³⁰ and the aspiration to create it is hopelessly optimistic.³¹ “The Security Council”, he writes, “is not an impartial judicial body, but a deeply political organisation”,³² whose members have “very different perspectives on the world and the threats it faces”.³³ The Security Council’s paralysis over Syria from 2011 has written that big and bold.

Therefore, if Britain were to retire from global policing, it could not hand over responsibility to the UN; it could only hand it over to other states. But if some states have to carry it, then why should not Britain? Are we sure that Germany or India or China would do it better? If not, what excuse would give us moral permission to walk away? Until that moral permission is forthcoming, Britain should remain both willing and able to put its armed forces to the service of an international law and order, which the British themselves helped to create and which reflects British values. What is more, as long as she remains one of the five Permanent Members of the UN Security Council, she carries a special responsibility to do so.

The Prospect of Success

The national interest in moral self-respect, the continuing sense of global responsibility, and membership of the Permanent Five will all help to justify British military intervention in remote places, and thereby muster and maintain popular, democratic support. However, grave injustice and an intention to rectify it are not sufficient justification. There may be some injustices that,

³⁰ Adam Roberts and Dominik Zaum, *Selective Security: War and the United Nations Security Council since 1945*, Adelphi Paper 395 (London: International Institute for Strategic Studies, 2008), p. 76.

³¹ Ibid., p. 18.

³² Ibid., p. 20.

³³ Ibid., p. 28. Edward Luck concurs: “As an innately political body composed of member states with individual interests ..., the [Security] Council’s determinations about ... whether a government’s ... suppression of some of its population ... threaten[s] its neighbors or more distant states ... may often be controversial” (*U.N. Security Council: Practice and Promise*, Global Institutions Series [London: Routledge, 2006], pp. 82-3).

with the best will in the world, Britain could not rectify, whether by herself or with others. Grave need alone does not constitute moral duty: no state can be obliged to do what is beyond its power. Therefore, in addition to other considerations, a case would need to be made that military intervention could be successful. Success here needs to be understood, not just in military terms of stopping the perpetration of grave injustice, but also in political terms of preventing its recurrence. Such prevention is bound to require reform of the state that perpetrated the injustice or permitted it. So, what needs to be shown is that military intervention is a necessary part of a larger strategy of political reform that has some prospect of success.

Recent experience has rightly chastened us: regime-toppling is the relatively easy bit; regime-reconstruction is a lot more complicated and difficult – and it requires a lot more time. In Britain’s recent interventions in Afghanistan, Iraq, and Libya there was, arguably, a mismatch between ambition and commitment, and one lesson that should be learned for the future is to marry the two better, either by lowering our ambitions or raising our commitments. But the lesson that should *not* be learned is that military intervention is generally hopeless and that in future, Britain should give it a wide berth. In support, three witnesses with front-line experience can be called.

The late Lord (Paddy) Ashdown, the international High Representative for Bosnia and Herzegovina from 2002-6, argued that high profile failures like Iraq should not blind us to the fact that, overall, the success stories outnumber the failures by a wide margin.³⁴ Notwithstanding the fact that we got it considerably wrong in Iraq and Afghanistan, he remained convinced that there is a way of getting it right.³⁵

Rory Stewart was the Coalition Provisional Authority’s deputy governor of two provinces of southern Iraq from 2003-4. He approached the task of building a more stable, prosperous Iraq with optimism, but experience brought him disillusion.³⁶ He now thinks that foreigners’ short-term commitment, ignorance of local conditions, and consequent inability to build on local strengths, hamstring many of their well-intentioned efforts.³⁷ Nevertheless, he remains convinced that “there is still a possibility of avoiding the horrors not only of Iraq but also of Rwanda; and that there is a way of approaching intervention than can be good for us and good for the country concerned”.³⁸

A third expert witness agrees. Emma Sky was Governate Coordinator of Kirkuk from 2003-4, and Political Advisor to the general commanding U.S. and multinational forces in Iraq from 2007-10. Writing in 2016, she urged: “We need to put the Iraq war in perspective. It’s not about doing nothing. It’s about doing the right things. Previous interventions saved thousands of lives in Iraqi Kurdistan in 1991, in Kosovo in 1999, and in Sierra Leone in 2000”.³⁹

34 Paddy Ashdown, *Swords and Ploughshares: Bringing Peace to the 21st Century* (London: Weidenfeld & Nicolson, 2007), p. 14.

35 Ashdown, *Swords and Ploughshares*, p. 213.

36 Rory Stewart and Gerald Knaus, *Can Intervention Work?* Amnesty International Global Ethics Series (New York: W. W. Norton, 2011), p. xv. For the full account of Stewart’s experience in Iraq, see his *Occupational Hazards: My Time Governing in Iraq* (London: Picador, 2006).

37 Stewart and Knaus, *Can Intervention Work?*, pp. xix, xxi. Stewart’s first-hand witness goes a long way toward corroborating Michael Walzer’s position: “The common brutalities of authoritarian politics, the daily oppressiveness of traditional social practices – these are not the occasion for intervention; they have to be dealt with locally, by the people who know the politics, who enact or resist the practices.... Foreign politicians and soldiers are too likely to misread the situation, or to underestimate the force required to change it, or to stimulate a ‘patriotic’ reaction in defense of the brutal politics and the oppressive practices. Social change is best achieved from within” (Michael Walzer, “The Argument about Humanitarian Intervention” [2002], in *Thinking Politically: Essays in Political Theory*, ed. and intro. David Miller [New Haven: Yale University Press, 2007], p. 238).

38 Ibid., pp. xii, xiv, xvi, xxvi.

39 Emma Sky, “I governed in Iraq, and saw the lack of planning first-hand”, *Guardian*, 6 July 2016. Sky argues that the so called ‘Surge’ of 2007-9 succeeded in restoring the political stability that disintegrated in the early years of the occupation. It was the Obama administration’s support of Nouri al-Maliki in becoming Prime Minister in 2010, the latter’s sectarian policies, and the administration’s subsequent neglect that squandered all the Surge’s hard-won gains. See also *The Unravelling: High Hopes and Missed Opportunities in Iraq* (London: Atlantic, 2015), Chapters 19 and 20. Con Coughlin agrees (“Blame Obama, not Blair, for today’s Iraq”, *Daily Telegraph*, 7 July 2016).

Ashdown, Stewart, and Sky know whereof they speak: all of them had first-hand experience of trying to make intervention work and, despite being chastened, still believe that intervention *can* be done well. With the right strategy creating the right conditions, sufficient success is possible.

The Inevitability of Compromise and Risk

To be justified, a case would need to be made that sufficient success could be achieved by military intervention. ‘*Sufficient* success’: history seldom grants human endeavour a perfect outcome, and we should not expect it. So, for example, on the one hand regime-change in Berlin in 1945 was a very good thing, delivering the world from the nightmare of a murderously racist tyranny. On the other hand, this achievement cost the lives of between 60 and 80 million human beings, and involved surrendering half of Europe to the tender mercies of Stalin. Achievable success often involves irrecoverable loss and disquieting compromise.

‘*Could be* achieved’: since clarity about the future is almost never crystal, certainty is seldom on offer. However conscientious our planning and forecasting, the conditions of success almost never lie entirely in our hands. Usually they depend on other agents, who cannot always be relied upon to do exactly as we want. And sometimes victory hangs upon a change in the wind. It follows that almost any venture will necessarily involve the taking of risks. And while it is foolish to take high risks for a trivial gain, it can be prudent to take high risks for a substantial one. In May 1940 Churchill persuaded the British people to fight on with little clarity about how regime-change in Berlin could be achieved, and less certainty that it would be, but in the conviction that it *had* to be, and in the hope that it *could* be. High stakes can justify high risks.

And while it might seem that inaction is always the safer course, the immediate appearance often deceives. In September 2018 the House of Commons Foreign Affairs Committee published a report on humanitarian intervention. This itemised the price of British inaction in Syria over the preceding seven years: 400,000 deaths; half the Syrian population (11 million people) displaced; confirmation of the extremist narrative that the West does not care about Muslims; and another political vacuum for Russia to fill and exploit. “The consequences of inaction”, the report concludes, “can be every bit as serious as intervening”.⁴⁰

Summary

In sum, the criteria to be applied to a case of possible military intervention on humanitarian grounds are these:⁴¹

1. Grave, massive injustice. To be eligible for intervention, the injustice must be grave and on a large scale, and the presiding state (or states) must be either unable or unwilling to stop it.
2. Last resort. If measures short of armed military intervention could be effective in stopping grave, massive injustice, they should be preferred. For example, in case the presiding state

⁴⁰ House of Commons Foreign Affairs Select Committee, *Global Britain: The Responsibility to Protect and Humanitarian Intervention*, Twelfth Report of Session 2017-10, HC 1005 (Westminster: House of Commons, 2018), p. 16, para. 41.

⁴¹ This set of criteria incorporates, but also develops and supplements, the five “major considerations” raised by the possibility of humanitarian intervention, which former Prime Minister Tony Blair articulated in his speech to the Chicago Economic Club on 22 April 1999: 1. Is armed force necessary? 2. Have all diplomatic options been exhausted? 3. Are there military operations that we could prudently undertake? 4. Are we prepared for long-term commitment; and 5. Are national interests engaged?

is willing, but unable, aid would be more appropriate than intervention. In case the state is unwilling, diplomatic or economic pressure might suffice to change its mind.

3. Duties, indirect and direct. As a member of the P5 of the UN Security Council, Britain has a global duty to address grave, massive injustice that the presiding state either cannot or will not address, anywhere in the world. However, Britain's responsibility may not be direct. Were there to be another genocide in a Francophone country such as Rwanda, for example, the direct duty of intervention would fall on African neighbours or, if they lacked the means, on militarily able countries that have historic ties to the region, such as France. Britain's duty would be an indirect one of persuading and aiding the direct duty-bearers to intervene.
4. Intervention, solitary or combined. It is possible that the duty of direct intervention would fall to Britain alone. For example, if the government of a state with which Britain has historic ties of responsibility – e.g., Sierra Leone – were to request military help to fend off grave and massive injustice, and if Britain had the means to intervene effectively, then she would have a duty to do so, all other things being equal. However, in most cases Britain will not have the duty to intervene alone, and may not have the means to do so, anyway. Its usual duty, therefore, will be to use diplomatic means to help create a temporary alliance or coalition for combined intervention, and then to make an appropriate military contribution.
5. Proportionality. Even where armed intervention is a necessary part of the solution, it will not be the whole. Military means must serve a political end and be ordered – or 'proportioned' – to it. They need to be integrated into a political strategy.
6. Prospect of success. To embark on military intervention that has no prospect of success at all would be insane. However, to embark on intervention whose success is uncertain or even doubtful could be justified on the principle that high stakes justify high risks. Success can seldom be assured, and when it does come, it is seldom perfect. But a concept for what success would look like, both ideal and adequate, will be a necessary part of an overall strategy.
7. National interests. As a humane, liberal people, the British have a general national interest in stopping, or helping to stop, grave injustice on a massive scale. However, since the demand for relief from grave injustice tends to outstrip supply, and since British resources are not infinite, reasons must be found for intervening in one place rather than another. Some of these reasons will comprise other national interests, including various forms of security – e.g., the security of food-supply and trade by maintaining the freedom of the seas; security against mass migration by stabilising fragile states; and security against indiscriminate and massive killing at home by denying safe havens to global terrorists in failed states abroad. These interests in national security are not immoral: they represent the legitimate interests of over sixty million human beings.
8. Legality. Britain has a long tradition of upholding the rule of law, and a global reputation of doing so. Without the rule of law, life is unpredictable and unsafe, fear reigns, public confidence wanes and mistrust waxes, conflict breaks out, business dries up, and prosperity declines. What applies within a national society applies between states, too. We all have an interest in maintaining the rule of law, which bolsters international trust, contains international conflict, and promotes prosperity worldwide.

According to international law, military intervention at the request of a state is legal. Intervention in

a sovereign state without that state's consent, but which is authorised by the UN Security Council, is also legal. Otherwise, controversy arises *about what the law is and says*. Some argue that, where a state is presiding over grave and massive injustice, is unwilling or unable to stop it, and Security Council authorisation is not forthcoming (say, because a Permanent Member threatens to use its veto), military intervention would be illegal.⁴² Others, however, argue that unauthorised intervention could nevertheless be legal or, at least, moral. For example, NATO's 1999 intervention in Kosovo is widely regarded as having been illegal, but nevertheless moral.⁴³ The fact that it involved a wide range of nineteen states, some of whom had a recent history of rivalry – France and the United States, Greece and Turkey – bolsters its claim to be an act for the common, international good, not for private national advantage. Britain should always seek to act according to international law, while being aware that, with regard to unauthorised humanitarian intervention, the law itself is contested.

42 While it is true that the doctrine of the Responsibility to Protect – which views the paradigm of justified military intervention as the rescue of the innocent – has entered the bloodstream of international law through adoption by the UN General Assembly in 2005, the question of what should happen when the Security Council is unable to act in response to a state's massive and atrocious oppression of a people within its own borders remains unanswered (Nigel Biggar, *In Defence of War* [Oxford: Oxford University Press, 2013], pp. 237-40).

43 According to Martti Koskenniemi, the eminent Finnish international lawyer, "most lawyers – including myself – have taken the ambivalent position that [NATO's intervention] was both formally illegal and morally necessary" ("The Lady Doth Protest Too Much': Kosovo and the Turn to Ethics in International Law", *The Modern Law Review*, 65/2 [March 2002], p. 162). See also Note 16 above.

SECTION 3: SYSTEMIC INTERVENTION

*The UK has a clear national interest in the stability, security, functionality and predictability of what has become known as the 'rules-based international system'. The UK not only exists within this system, it is fundamentally dependent upon it. The system appears increasingly vulnerable to challenge, however, politically, economically, legally and geo-strategically. It follows that the UK national interest cannot be considered to be anything other than directly engaged in furthering these practical principles, even to the point, perhaps, of intervening in their name. Section 3 describes such action as Systemic Intervention, borrowing a term from clinical medicine in which 'systemic' is understood as 'pertaining to something that affects the whole body rather than one part of it.'*⁴⁴

Defining the Rules-Based International System

The rules-based international system (RBIS) loosely comprises a set of rules, laws, customs, conventions and institutions which collectively govern the interaction of states, corporations and individuals within the international system. The RBIS – sometimes described as the rules-based international order – is also known as the liberal economic order and, as such, is usually understood to encompass very large, general ideas, both political-philosophical and economic, such as liberal democracy, human rights, diplomacy, open markets, membership of multilateral institutions such as the World Trade Organisation⁴⁵ and observance of international law. We might also include in this list specific ideas and activities such as respect for international borders and international peacekeeping, and the operation of international arms control and non-proliferation regimes.

Beyond listing its many and varied components, however, the RBIS is notoriously resistant to common definition. The RBIS can be described in practical, dispassionate language as follows:

arrangements put into place to allow for cooperative efforts in addressing geopolitical, economic and other global challenges, and to arbitrate disputes. It is embodied in a variety of multilateral institutions, starting with the United Nations and running through various functional architectures such as the Bretton Woods system, the corpus of international law and other regimes and treaties, down to various regional instances where sovereignty is pooled or where powers have been delegated consensually by states on a particular issue.⁴⁶

For some the RBIS is defined by its origins in the aftermath of World War II and by the imperative of global stability and peace. Speaking at a state banquet in honour of US President Donald Trump in June 2019, Queen Elizabeth gave a sense of the motivation behind both the foundation of RBIS and the resurgence of interest in it in the UK:

After the shared sacrifices of the Second World War, Britain and the United States worked with other allies to build an assembly of international institutions, to ensure that the horrors of conflict would never be repeated. While the world has changed, we are forever mindful of the original purpose of these structures: nations working together to safeguard a hard-won peace.⁴⁷

Others might prefer a yet more expansive and normative definition, in which order is seen as

44 Robert M. Youngson, *Collins Dictionary of Medicine* (Glasgow: HarperCollins, 1992).

45 As well as GATT/WTO, the list of international organisations generally acknowledged to be components of the RBIS is extensive, including the UN Organisation itself together with the IMF, the Financial Stability Forum/Board, the OECD, G7, IAEA, NPT and OPCW, and regional organisations such as the OAS, OSCE and EU.

46 Adam Ward, 'Adapt or Die: the Need for Orders to Evolve', *Expert Comment* (London: Chatham House, 12 June 2019): https://www.chathamhouse.org/expert/comment/adapt-or-die-need-orders-evolve?gclid=CjwKCAjwLrBRAIEiwAPVcZBkJ69MhW6teGyne-1PMX20cLgI20uMOWsoJkLeggBvknfRI-Xn00RoCzRkQAvD_BwE

47 The Royal Household, The Queen's Speech at the US State Banquet, 3 June 2019: <https://www.royal.uk/queens-speech-us-state-banquet>

the pre-requisite for the achievement of liberal ideas and values, perhaps to the point of being emancipatory. As the international relations theorist Hedley Bull once observed, ‘Order in social life is desirable because it is the condition of the realisation of other values.’⁴⁸ There are others still who favour a composite definition. Malcolm Chalmers, for example, proposes no fewer than ‘three distinct RBISs’ functioning in parallel – a Universal Security System, a Universal Economic System and a ‘more exclusive Western System.’⁴⁹

All of these descriptions and definitions of the RBIS are valid in their own way. For the purposes of this report, therefore, the RBIS might best be understood as a loose amalgam of organisations, processes and principles. In each respect, the RBIS is closely contested: who do these organisations represent and whose interests are they intended to serve? Who devised and who manages the processes, and according to what criteria and rules? And if the RBIS is driven by principles, then it must be asked which principles are dominant, and whose political, cultural and moral preferences they embody?

In a curious way, the RBIS is both very strong insofar as it is underpinned by a broad consensus of support and compliance, and now reaches into most if not all levels of politics and economics around the globe. Yet at the same time the RBIS is very weak. This weakness (or vulnerability) is explained in at least three ways. First, as suggested above, the RBIS is to a large extent made up of intangible norms and habits which can, too easily, either not be learned or, even where they are acknowledged and learned, simply ignored and forgotten. Second, while accepting fully the strength of customary international law, in a world of almost 200 *sovereign states* much of the authority of the RBIS and its institutions is derived from the consent of its participants rather than being held in some absolute, centralised manner. If participating states choose not to conduct themselves in ways which support and reinforce the RBIS then international order is revealed to be more fragile than might be supposed or preferred. Third, the consensus of support for the RBIS might be less robust and less universal than might be supposed – it might simply indicate that a clear rival to the RBIS has yet to emerge, in spite of the US Secretary of State’s insistence that ‘we are rallying the noble nations of the world to build a new liberal order that prevents war and achieves greater prosperity for all.’⁵⁰ While we wait for ‘RBIS 2.0’ to emerge, what should happen when the system is challenged, its weaknesses exposed and its authority questioned? What should be done when the system in which we have so much invested is, as one commentator has put it, ‘falling into ruin’?⁵¹

Challenges to the Rules-Based International System

The RBIS is being challenged on many levels – intellectual, political, economic and strategic – and for various reasons; whether to debunk it as a political idea born some decades ago, disable its authority for narrow reasons of national interest or in specific circumstances, or discredit it altogether as a normative account of international politics. Helen Thompson, Professor of Political Economy at the University of Cambridge, makes a trenchant argument that the RBIS never really existed in the first place. Thompson’s answer to ‘troubled liberals’ fearing the end of the RBIS is that

⁴⁸ Hedley Bull, *The Anarchical Society* (London: Macmillan, 1977), pp.96-97.

⁴⁹ Malcolm Chalmers, *Which Rules? Why there is no Single ‘Rules-Based International System* (London: RUSI, April 2019)

⁵⁰ Michael Pompeo, ‘Restoring the Role of the Nation-State in the Liberal International Order’ (Speech, Brussels, 4 December 2018: <https://www.state.gov/restoring-the-role-of-the-nation-state-in-the-liberal-international-order-2/>)

⁵¹ John Chipman, ‘A new geopolitical challenge to the rules-based order’ (London: IISS Analysis, 16 November 2018): <https://www.iiss.org/blogs/analysis/2018/11/challenge-rules-based-order>

‘there never was a liberal, rules-based order free from rampant hegemonic power. To grieve the loss of one is to mourn a phantom.’ While the US has always declared its faith in and its observance of the RBIS, the reality is that ‘coercive power in international politics has always been inescapable.’ Under President Trump the inescapable reality has become inescapably clear: ‘Trump ... feels no need to disguise the fact that US dominance rests on coercive power.’ Thompson’s assessment, damaging though it is to the RBIS, leads her nevertheless to a more constructive, even optimistic conclusion: ‘The question is not how to recreate an illusory international order. It is how to proceed now that the long pretence of equal partnership with the US is finally over. Trump’s willingness to expose political reality has created the conditions under which Europe can return to geopolitical responsibility.’⁵²

Certainly, Trump’s language and actions have done much to call into question the US commitment to the RBIS, if not the viability of the system as a whole. In his speech to the United Nations General Assembly in September 2019 Trump reiterated in plain terms the ‘America First’ policy: ‘The future does not belong to globalists. The future belongs to patriots. The future belongs to sovereign and independent nations who protect their citizens, respect their neighbors, and honor the differences that make each country special and unique.’⁵³ Trump’s decisions to impose trade tariffs on China, to remove US troops from Afghanistan and Syria, to abandon the Joint Comprehensive Plan of Action with Iran, to explore relations with North Korea unilaterally and to withdraw from the Paris Agreement on Climate Change, together with his willingness to confront US allies such as those in NATO, perceived to be free-riding on US support, are all consistent with the ‘America First’ approach, and have all fuelled the liberal anxiety to which Thompson refers. Michael Fullilove of the Lowy Institute in Sydney has observed pithily that ‘The leader of the free world doesn’t believe in the free world.’⁵⁴ Other governments have taken the opportunity to overlook established international laws and customs for specific economic, geopolitical and strategic reasons. And if it is reasonable to describe the EU as ‘perhaps the most rules-based and rules-observant of all branches of the current international order’⁵⁵, then to some extent the UK’s decision to leave the EU could be seen in a similar light.

The most explicit challenges to the RBIS come from Russia and China, albeit in both cases the challenges are curiously ambivalent – both arguing against rules while bemoaning their absence. Speaking shortly before the G20 summit in Osaka President Putin insisted that ‘the liberal idea’ had ‘outlived its purpose’. Putin, under whose leadership Russia has violated the borders of Estonia, Georgia, Crimea, Ukraine, intervened in Syria, been complicit in breaking the taboo against chemical weapon use and been implicated in election interference in the West, argued that ‘The liberal idea has become obsolete. It has come into conflict with the interest of the overwhelming majority of the population.’ Liberals, he claimed, ‘cannot simply dictate anything to anyone just like they have been attempting to do over the recent decades’. Having mounted his vocal attack against the RBIS and its ideational underpinnings Putin then, seemingly without irony, used the language of ‘rules’ to embellish his complaint: ‘The problem [Putin said] stemmed from American unilateralism and the lack of rules underpinning world order.’ Putin continued: ‘The cold war was a bad thing ... but

52 Helen Thompson, ‘Mourning a phantom: the cherished “rules-based order” never existed’, *Prospect*, 5 May 2019: <https://www.prospectmagazine.co.uk/magazine/mourning-a-phantom-the-cherished-rules-based-order-never-existed-trump-brexit>

53 The White House, ‘Remarks by President Trump to the 74th Session of the United Nations General Assembly’, 24 September 2019: <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-74th-session-united-nations-general-assembly/>

54 ‘Donald Trump is undermining the rules-based international order’, *The Economist*, 7 June 2018: <https://www.economist.com/briefing/2018/06/07/donald-trump-is-undermining-the-rules-based-international-order>

55 See ‘Challenges to the Rules-Based International Order’ (Chatham House: London Conference Papers, 2015), <https://www.chathamhouse.org/sites/default/files/London%20Conference%202015%20-%20Background%20Papers.pdf>

there were at least some rules that all participants in international communication more or less adhered to or tried to follow. Now, it seems that there are no rules at all.⁵⁶

It was as though Putin had not only mounted an assault on the edifice of the RBIS but believed he had been able to seize the philosophical, moral and diplomatic high ground in order to do so, using the language of the RBIS as ammunition against its keenest advocates. The interview with Putin was published by the *Financial Times*, who were quick to publish a rebuttal: '[Putin's] victory cry is hollow. Liberal, market-based democracy remains the organising principle in most non-petrostate countries with the highest living standards – and vital to the dynamism that generated their prosperity. Mr Putin's statement is a signal, nonetheless, that western politicians must step up efforts to defend liberal values against the challenge from populist nationalists. That challenge is real. The post-cold war global dominance of America and the EU, and the system they represent, is over.'⁵⁷ But just as it was responding to Putin, so the *Financial Times* was reporting something very similar from President Xi. At the same G20 summit in Osaka, Xi joined Putin on the high ground from which to mount his assault on the RBIS. Xi 'accused developed countries of engaging in protectionist behaviour that was [...] "destroying the global trade order."' Xi warned that 'This also impacts on common interests of our countries, overshadows the peace and stability worldwide.'⁵⁸

The architects of the UN Charter might have assumed that order in the international system would spring, in sufficient quantity and with sufficient force, generally from the willingness of states to behave 'according to the agreed rules' and specifically from observance of the norm of non-intervention in the internal affairs of states. These assumptions appear to be wearing thin. The notion that there might be a global system upon which all depend to some extent, yet which is nevertheless vulnerable to challenge (perhaps even *fundamental* challenge), is an idea which might require something more than diplomatic language and passive optimism if it is to endure. The possibility that the RBIS might have been undervalued and even taken for granted is beginning to animate a growing number of international institutions and national governments, including that of the UK.

Valuing the Rules-Based International System

Concern is mounting that the RBIS is no longer the unquestioned, mutually beneficial global mechanism it has for decades been assumed to be. At the G20 summit in Osaka Prime Minister Abe acknowledged that globalisation had caused 'discontent' that could, if left unchecked, lead to a 'sharp confrontation between states'. Abe's position was that in any trade dispute (such as that between China and the United States) 'it was important that any measure be consistent with World Trade Organisation rules' and he warned that 'Now is the time we communicate a strong message for the maintenance and strengthening of a free, fair and non-discriminatory trading system.'⁵⁹ But anxiety for the future of the RBIS is more profound than technical concerns about the functioning and fairness of international trade mechanisms. What is arguably being brought into question is nothing less than the framework for global political progress and economic flourishing. By one account, 'The rules-based international order ushered in after the second world war ... provided

⁵⁶ 'Vladimir Putin says liberalism has 'become obsolete', *Financial Times*, 28 June 2019: <https://www.ft.com/content/670039ec-98f3-11e9-9573-ee5cbb98ed36>

⁵⁷ 'No, Mr Putin, western liberalism is not obsolete', *Financial Times*, 29-30 June 2019.

⁵⁸ 'Xi accuses rich nations of protectionism', *Financial Times*, 29-30 June, 2019.

⁵⁹ Ibid.

both the greatest-ever increase in human wealth and global trade and a whole human lifetime without worldwide armed conflict.⁶⁰ For states such as the United Kingdom, with a global position and political culture not dissimilar from Japan, the fate of the RBIS therefore matters very deeply, for three reasons: ideological, practical and rhetorical.

- Ideological

Globalisation is assailed from both the political left and the political right, and on more than technical grounds. President Putin has, plainly, joined the ranks of critics but it is important to note that his argument is not focused narrowly on the liberal international economic order and trading system; Putin is also opposed to *the liberal idea* itself. This is problematic, because what lies beneath the surface of the RBIS is something much more substantial than the claim that trade can bring economic benefits for all involved and even a stable peace borne of economic interdependency. What drives the RBIS is the progressive combination of individual freedom and political accountability known as liberal democracy. Prime Minister Abe's language (as reported above) had an almost desperate tone to it, as if he had recently become conscious of what might be at stake economically. But Abe's words are less revealing than the response of Donald Tusk, president of the European Council: 'Whoever claims liberal democracy is obsolete also claims that freedoms are obsolete, that rule of law is obsolete and that human rights are obsolete.' (Putin's reply to Tusk might well have been expressed in one word: 'Precisely'). In any case, Tusk went on to observe 'For us in Europe, these are and will remain essential and vibrant rights. What I find really obsolete is authoritarianism, personality cults and the rule of oligarchs.'⁶¹

At least among its advocates in the West, the RBIS has always been a vehicle for a set of large and ambitious ideas including no less than human rights, the peaceful settlement of disputes, the rule of law, democracy, universal suffrage, equality before the law, accountability and tolerance. It is no coincidence that these norms featured prominently in the Charter of the United Nations, the document which marked the birth of the RBIS. As might have been expected for an agreement published just weeks after the end of the Second World War, the preamble to the Charter records the signatories' determination to 'save succeeding generations from the scourge of war.' But the UN Charter was much more than a global peace treaty. The preamble refers to '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.' Signatories were also determined to 'promote social progress and better standards of life in larger freedom', to 'practice tolerance and live together in peace with one another as good neighbours' and to promote 'the economic and social advancement of all peoples.'⁶² These ideas and principles not only animate the RBIS but are also of fundamental importance to liberal democracies such as the UK, for whom challenges to *the liberal idea*, whether from left or right, are so fundamental that they cannot be left unanswered.

- Practical

The United Kingdom's interest in, and dependence upon the RBIS can be explained historically, geographically, economically and strategically. The UK is an island country with has a long maritime

60 'Donald Trump is undermining the rules-based international order', *The Economist*, 7 June 2018: <https://www.economist.com/briefing/2018/06/07/donald-trump-is-undermining-the-rules-based-international-order>

61 'Xi accuses rich nations of protectionism', *Financial Times*, 29-30 June, 2019.

62 Charter of the United Nations, pp.1-2.

history; a history that has left the UK not only with no fewer than 14 Overseas Territories and Economic Zones dotted around the world. The UK has a very strong economic interest in maritime trade. According to recent figures the UK maritime sector (embracing shipping, ports, leisure marine, marine engineering and marine-related scientific and business activities) contributed some £17 billion to the UK economy in 2017 and was directly responsible for over 220,000 jobs for UK employees.⁶³ Some 95% of all UK imports and exports are transported by sea.⁶⁴ For certain commodities this traffic is of both economic and strategic significance: approximately 53% of the food consumed in the UK is produced by UK suppliers, with the balance imported by sea and air cargo, while the value of UK food and drink exports amounts to £22 billion.⁶⁵ The UK also imports and exports petroleum and natural gas products by sea cargo and pipeline with 46 million metric tons of crude oil and natural gas imported in 2018 and 43 million metric tons exported.⁶⁶ Where strategic commodities are concerned the UK's level of commitment to international trade raises questions about national resilience, while also exposing the UK to geostrategic risk in some of the world's most troubled areas; for example roughly one fifth of the world's oil passes through the Strait of Hormuz as well as around one third of the UK's imports of liquefied natural gas.⁶⁷

For the UK, a rules-governed international trading system, respecting the law of the sea and guaranteeing freedom of navigation along the world's sea lines of communication, is much more than an 'optional extra'. In the words of the UK Secretary of State for Defence 'Upholding international maritime law and freedom of passage is in all our interests. We are seeing, across our seas and oceans, too many incidents that seek to challenge such freedoms.'⁶⁸ And as for other innovation-oriented, commercially vigorous economies, UK science and innovation depend on other benefits of the RBIS such as the (relatively) free flow of ideas, intellectual property, scientists, capital, and entrepreneurs, rather than on tariffs and other protective measures imposed for national economic and security reasons.

- Rhetorical

Reflecting these ideological and practical concerns, the UK has chosen to use noticeably firm language in its advocacy of the RBIS. The UK National Security Strategy published in 2015 not only observes that the UK sits 'at the heart of the rules-based international order', it also asserts that the RBIO/RBIS should be *strengthened, championed and upheld* in the face of challenges including the *erosion* of the RBIO/RBIS. The strategy document even goes so far as to insist that the standards and laws upon which the RBIO/RBIS depends should be *enforced* and that those who 'transgress international law and agreed standards of behaviour' should be 'held to account'.⁶⁹ Similar language can be found in the UK government's 'Global Britain' initiative launched in June 2016 following the outcome of the 'Brexit' referendum. A Global Britain National Security Strategy Implementation

63 Maritime UK, *State of the Maritime Nation 2019* (London: Maritime UK and Centre for Economics and Business Research, 2019), pp. 21-22.

64 Department for Transport, *UK Port Freight Statistics: 2018* (London: Department for Transport, Statistical Release, 21 August 2019), p.2: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/826446/port-freight-statistics-2018.pdf

65 Department for Environment, Food & Rural Affairs, *Food Statistics in Your Pocket: Summary* (London: DEFRA, 26 June 2019), Tables 9, 10: <https://www.gov.uk/government/publications/food-statistics-pocketbook/food-statistics-in-your-pocket-summary>

66 Statista, 'Origin countries of imported crude oil and natural gas liquids to the United Kingdom in 2018': <https://www.statista.com/statistics/381963/crude-oil-and-natural-gas-import-origin-countries-to-united-kingdom-uk/>

67 BBC, 'Iran tanker seizure: What is the Strait of Hormuz?', 29 July 2019: <https://www.bbc.co.uk/news/world-middle-east-49070882>

68 Quoted in 'UK joins US to protect Gulf shipping', *Daily Telegraph*, 6 August 2019.

69 HM Government, *National Security Strategy and Strategic Defence and Security Review 2015: A Secure and Prosperous United Kingdom* (London: Cabinet Office, Cm 9161, November 2015), pp.10-15, 20, 24. [Emphasis added].

Group (NSSIG)⁷⁰ was established as part of a new ‘Fusion Doctrine’ launched by the 2018 National Security Capability Review.⁷¹ Under the Fusion umbrella, the Global Britain initiative not only advocates free trade and the RBIS, it also promises to use the UK’s soft power to uphold, modernise and strengthen the RBIS, to maximise UK influence and to project the UK and its interests:

the UK will ... continue to be open, inclusive and outward facing; free trading; assertive in standing up for British interests and values; and resolute in boosting our international standing and influence. [“Global Britain”] is a Britain with global presence, active in every region; global interests, working with our allies and partners to deliver the global security and prosperity that ensures our own; and global perspectives, engaging with the world in every area, influencing and being influenced.⁷²

Dominic Raab, the UK Foreign Secretary, has spoken in similar terms of ‘a truly Global Britain ... leading by example as a force for good in the world’, promising to ‘reinforce Britain’s role in the world as a good global citizen’ and to be ‘a doughty defender of the rules-based international system – the world’s best bet when it comes to tackling the challenges we all share.’⁷³ As well as achieving influence through the exercise of soft power, one former UK Defence Secretary saw in Global Britain a distinct role for UK hard power, arguing that UK Defence ‘will be pivotal in reinforcing Britain’s role as an outward looking nation’ and promised to make use of ‘our global capabilities to strengthen our global presence’.⁷⁴

These statements are much more than a passive account of the value the UK sees in the RBIS. At the very least, this language amounts to a rhetorical framework which allows for the idea that the RBIS is something to be maintained, protected and promoted. At most, the UK’s position will be considered, by its allies and adversaries alike, to be a declared and active commitment to intervene on behalf of the RBIS. Having made this commitment, the UK will be considered to be bound by it. The UK’s position therefore attracts a degree of risk; unless backed by a recognised willingness and a convincing capability to act, rhetoric can very quickly lose credibility and authority.

Maintaining, Protecting and Promoting the Rules-Based International System

The RBIS, as described above, is a complex of ideas, organisations and procedures which, taken together, are valued very highly by the UK for a range of reasons. The RBIS is being challenged and threatened on several levels and at a time when the UK has committed itself, openly, to maintaining, protecting, promoting and even enforcing the system it values so highly. Predictable questions then arise. How can the UK show that its position is not merely rhetorical, but that it has practical substance; that there is no credibility gap between RBIS as general preference and RBIS as the basis for policy and action? We suggest three requirements that must be met if the UK is to ensure the continued smooth functioning of the RBIS. The first requirement, a matter of strategic communication, is for the UK to convey its intent by presenting itself as unequivocally in support of the RBIS. This requirement has effectively been met in the language of the UK National Security Strategy and in the Global Britain initiative.

70 HM Government, NSS & SDR 2015: *Third Annual Report* (London: Cabinet Office, July 2019), p.25: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819613/NSS_and_SDR_2015_Third_Annual_Report_-_FINAL_2_.pdf

71 HM Government, *National Security Capability Review* (London: Cabinet Office, March 2018), pp. 10-11.

72 House of Commons, Foreign Affairs Select Committee, ‘Memorandum from the Foreign and Commonwealth Office’, March 2018: https://publications.parliament.uk/pa/cm201719/cmselect/cmfa/780/78008.htm#_idTextAnchor035

73 Dominic Raab, ‘Britain is leading the world as a force for good’, *The Sunday Telegraph*, 22 September 2019.

74 Gavin Williamson, ‘Defence in Global Britain’, RUSI, 11 February 2019: <http://www.ukpol.co.uk/gavin-williamson-2019-speech-on-defence-in-global-britain/>

If the UK wills the end of a stable RBIS, then it follows that the UK should also will the means to that end. The second requirement, extending the point that rhetoric without capability is essentially a bluff waiting to be called, is for the UK to prepare itself strategically (i.e. to be prepared to use national resources in pursuit of national goals). Here, too, the task is familiar enough; largely one of articulating, without exaggeration or understatement, what is already known about the UK's capacity to act in international politics. The UK could by no means be described as a global superpower, yet it is certainly a global power, with global interests and global reach. The UK's global reach is enabled by both 'hard power' and 'soft power'. Richard Armitage and Joseph Nye have defined hard power as that which 'enables countries to wield carrots and sticks to get what they want.'⁷⁵ What is distinctive about hard power is that it is coercive. Hard power most obviously includes military capability, but it also embraces other forms of *coercive* power that follow an 'inside-out' trajectory: intelligence; police; security forces; and economics (e.g. sanctions). It follows that hard power is as much a mind-set as a set of capabilities.

Disquiet with the notion that hard, coercive power could serve as a sufficient and credible explanation of a state's power led to the development of alternative understandings of state power, most notably that known as 'soft power' – a term which at first sight verges on self-contradiction. For Armitage and Nye, 'Soft power is the ability to attract people to our side without coercion. Legitimacy is central to soft power.'⁷⁶ In other words, soft power is not simply everything that hard power is not, i.e. 'soft powerlessness.' Soft power is a form of power, but one which is *co-optive* and *persuasive* rather than coercive. Soft power relies upon influence, attraction and emulation to shape the preference of allies, adversaries and all those in-between. Rather than seeking a change of behaviour through coercion, soft power alters the calculus of interest in more subtle ways, convincing an adversary to make a reassessment which they will then 'own'. Nye elaborated upon the meaning of soft power in the following way:

In international politics, the resources that produce soft power arise in a large part from the values an organization or country expresses in its culture, the example it sets in its internal practices and policies, and in the way it handles its relations with others.⁷⁷

The UK has both hard power and soft power – strategic resources with which, within limits, it can maintain, protect and promote the RBIS and to substantiate its rhetorical position. If, as far as RBIS is concerned, the UK's ends are clear, and if hard and soft power means are available, the third and final requirement is then for an assessment and decision-making process with which to determine when to act on behalf of the RBIS and with what means, or combination of means.

'Smart power' has on occasion been misunderstood as a third form of power; an alternative to both 'hard' and 'soft'. Smart power is better understood, however, as a *process*; a finely calibrated (and iterative) assessment of how much each element of national power, coercive and persuasive, can be expected to achieve in given circumstances, and the judgement and ability to choose whichever instrument, or combination of instruments will produce the desired effect. Written in the US context, Armitage and Nye's definition of smart power is nevertheless more broadly relevant:

Smart power is neither hard nor soft – it is the skillful combination of both. Smart power means developing an integrated strategy, resource base, and tool kit to achieve American objectives, drawing on both hard and soft power. It is an approach that underscores the necessity of a strong military, but also invests heavily in

⁷⁵ Richard L. Armitage and Joseph S. Nye, co-chairmen, *CSIS Commission on Smart Power: A Smarter, More Secure America* (Washington, D.C.: CSIS, 2007), p.6.

⁷⁶ Armitage & Nye, *CSIS Commission on Smart Power*, p.6.

⁷⁷ Joseph Nye, 'Public Diplomacy and Soft Power', *The Annals of the American Academy of Political and Social Science* (2008/616), p.95.

alliances, partnerships, and institutions at all levels to expand American influence and establish the legitimacy of American action.⁷⁸

‘Skilful combination’ indicates that the purpose of smart power is not to allow for hard and soft power to compete with each other. The two forms of power are not mutually exclusive; they are both components of national power. The purpose of smart power is to combine these coercive and persuasive means to best effect in changing circumstances. This insight would appear to have influenced the development of the UK Fusion Doctrine, launched in 2018:

The Fusion Doctrine starts with strategy. We must identify the most effective and efficient combination of ways to achieve the government’s objectives over the long term, anticipating how adversaries and allies could react to avoid unwanted second and third order effects. Sometimes the best approach may be weighted towards particular capabilities or asymmetric to the threat we face.⁷⁹

The Fusion Doctrine lists three sets of capabilities: Economic (private sector, regulation, development, economic levers); *Influence* (social policy, soft power, diplomacy, communications); and *Security* (law enforcement, armed forces, covert and border controls). In other words, the Fusion Doctrine offers an evaluation and decision-making process which encapsulates the core ideas of smart power.

Summary

The UK is active within, politically committed to and highly dependent upon the rules-based international system. The RBIS is both strong and authoritative, in that it is very widely supported and respected, and at the same time weak and vulnerable, in that it is open to challenge on several levels. In this uncertain environment the fate of the RBIS should matter very deeply to the UK: ideologically, because of the liberal values which the RBIS embodies; practically, because the UK’s dependence on the RBIS is so significant; and rhetorically, because the UK has repeatedly and publicly made its position on the RBIS unequivocally clear.

Intervention on *behalf* of the international order is a large step from the post-1945 presumption that international order is, with important exceptions, largely maintained by non-intervention (in the affairs of sovereign states). Nevertheless, if the UK is as dependent upon, and politically committed to the RBIS as noted above, then it would seem reasonable to assert that the UK should be able and willing to undertake systemic intervention on behalf of the RBIS. What then should, or can the UK do when the system upon which it is so dependent, and for which it has declared its support so firmly, becomes threatened and undermined? How should the UK undertake systemic intervention? Rather than advocate a ‘call to arms’ of some sort, we argue that the UK should begin by adopting an interventionist posture and attitude in order to show that the UK is among those states that will not tolerate the fracturing and disablement of the RBIS. We suggest the UK position itself in three ways. First, the UK should maintain its firm rhetorical position in order to exclude any doubt as to the UK’s likely stance in any given situation, and in order to provide a form of ‘passive’ or ‘latent’ intervention on behalf of the RBIS. Second, conscious that a declared position that is perceived to lack substance will quickly lose credibility, the UK should make clear that it has the national means, in the form of both soft and hard power, with which to maintain, protect and promote the RBIS as and when the need arises. Third and finally, the UK should maintain a ‘smart power’ process for cross-governmental crisis evaluation and decision-making and for selecting the most appropriate

⁷⁸ Armitage & Nye, *Commission on Smart Power*, p.7.

⁷⁹ *National Security Capability Review*, p.10.

combination of hard and soft power means with which to respond. The UK already meets these three requirements and is therefore in a position, rhetorically, practically and organisationally, to undertake systemic intervention on behalf of the RBIS, should it choose to do so.

SECTION 4: THE POLICY, STRATEGIC AND OPERATIONAL DECISION-MAKING PROCESS

This section outlines the flow of decision-making that stems from the UK's policy framework. This framework is founded upon the 2015 the National Security Strategy (updated by the 2018 National Security Capability Review). To ensure the fulfilment of three National Security Objectives (often summarised as 'Protect, Project and Promote'), each element of government is expected to contribute to a 'Fusion Doctrine', a compound of collective actions which are synchronised in such a way as to deliver the maximum benefit at the lowest cost. For the execution of strategy, from 2017 the UK has looked to the Good Operation Handbook as a guide, but it is clear that there are a number of factors which complicate the neat delivery of strategy in the real world. This section highlights the most significant of these.

The Policy Context

As we observe earlier in this paper, in recent decades politicians have been eager to distance themselves from the political and strategic risks of intervention. Yet this deliberate effort ignores enduring strategic realities for Britain, not least the imperatives to encourage the global free flow of trade, to sustain deterrence, avoid isolation through its alliance networks, and prevent major war. The UK's strategic position defines how far it can shape the global strategic environment and how far it must *adapt* to it. The early 2000s illustrated the gap between the British aspiration to shape events and their ability to do so. Attempts to influence American and continental European policies and act as a strategic bridge between them over the Iraq War met with limited results. The Brexit debates have indicated that domestic matters invariably constrain external policies.⁸⁰

In the short- and medium-termed future the UK's strategic position will continue to be framed by domestic politics and by conflicting perceptions of the UK's world role: where some have favoured a proactive international posture of intervention, this has been tempered by a strong moral agenda. A new generation, however, favours diversity, multiculturalism and connectivity, with a preference for international co-operation. Yet these preferences are balanced by a desire to prevent global terrorism, humanitarian catastrophes or state threats. Ecological and environmental crises are likely to generate increasing attention and demands for action from the UK public. Perhaps a more problematic area is that many younger Britons identify less with the United States than older generations. Cultural connections are taken for granted but political and military actions are often seen as negative. What is rarely expressed, but is fundamental, is the priority of remaining close to, and hence protected by, the United States. The scale of America's forces, and its nuclear umbrella, will compensate for the UK's diminished defence capabilities in the years ahead but it also adds to the perceived pressure to join American-led coalitions in intervention for both systemic and humanitarian reasons. A second unstated, but characteristic, element of Britain's national interests is a pragmatic recognition of the need to adapt to changing geo-political and economic circumstances. This sort of gradualism does not mean the UK is not prepared to act on principle, however. The UK is dedicated to uphold the international rules-based system since the alternatives, including Russian influence in European affairs or Chinese domination of Asia or global commercial, are far more detrimental to British interests.⁸¹

⁸⁰ Paul Kennedy, *The Realities Behind Diplomacy: Background Influences on British External Policy, 1865-1980* (London: Fontana, 1981).

⁸¹ HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy* (London: Crown Copyright, Cm 7953, October 2010), p. 5.

The UK has historically had recourse to four strategic instruments.⁸² The first is to use diplomacy to negotiate in any dispute with its antagonists to avoid war. The second is to seek new alliance partnerships to share defence burdens. The third is to increase defence spending and modernisation as a form of deterrence signalling. Finally, the UK has periodically reconfigured its defence policy to meet emerging and prospective challenges. The UK's commitment to a multilateral system means that it tends to consult and then act with the consensus of its allies, not least in the UN Security Council and NATO. It has subscribed to a number of international efforts on conflict prevention, for example, such as the Responsibility to Protect initiative and the R2P Pillar II agreements.⁸³ The UK has an extensive global partnership network through the Commonwealth in shared commitments to democracy and human rights. Britain is the third largest financial contributor to UN peace-keeping operations and uses its wealth to honour its pledge to eradicate poverty.

The UK therefore acts not only with 'hard' means but also through so-called 'soft power'. It uses a networked approach to influence that it can use in advance of, and sometimes to prevent, the need for intervention. The central pillars of that approach are its commitment to build stability overseas and its defence engagement strategy.⁸⁴

The UK possesses several other means to project its soft power which are not necessarily acknowledged in the process of delivering intervention. The medium of the English language and the cultural products that are conveyed globally are significant. The British Council promotes cultural understanding of Britain, work which is closely related to another organ of soft power, that of education. Each year, thousands of foreign students study at British schools, colleges and universities, to equip them with both a set of skills and a positive view of the United Kingdom. More direct aid, for education and relief, is orchestrated by the Department of International Development (DfID), totalling £13 billion per annum (or 0.7 per cent of annual GDP) but a number of non-governmental organisations have their own education and aid programmes. These tend to be popular amongst the British public, and the tradition of charitable giving connects citizens with particular international causes, many of which coincide with the government's defined national interests. In 2016, the public donated £9.7 billion to charities⁸⁵ and in conflict prevention.⁸⁶ The sources of 'soft power' can also be found in the financial services of the City of London and in business or property investments. Insurance services, for example, provide important support to foreign governments and organisations.⁸⁷ There are criticisms of the globalised nature of financial services, primarily that they do not always serve national interests.⁸⁸ Nevertheless, a consistent theme for the UK is its 'prosperity agenda'. Successive British governments have seen the rising GDP of the country as a key policy imperative, but equally there has been an altruistic pride in the UK's willingness to support both Commonwealth and developing countries. There are evident benefits for Britain in its aid packages, in terms of influence and access, but the drivers are as much to do with a sense of moral duty or humanitarian obligation, rather than a narrow national self-

82 David French, *The British Way of Warfare, 1688-2000* (London: Unwin Hyman, 1990), p.148.

83 See Sections 1 and 2.

84 DfID, FCO and MoD, *Building Stability Overseas Strategy* (London: July 2011): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/32960/bsos-july-11.pdf

85 Charity Aid Foundation data, at: <https://www.cafonline.org/about-us/publications/2017-publications/uk-giving-report-2017>

86 Chris Morris, 'Reality Check: How much does the UK spend on overseas aid?', 20 April 2017, <https://www.bbc.co.uk/news/uk-politics-39658907>; Government data is available at: <https://www.gov.uk/government/organisations/department-for-international-development>

87 Tony Barber, 'London's place in the world', *The Financial Times*, 4 December 2014, <https://www.ft.com/content/f370ff24-51f0-11e3-8c42-00144feabdc0>

88 Janan Ganesh, 'London: the capital of globalisation', 29 September 2014, <https://www.ft.com/content/40e307c2-3aa1-11e4-bd08-00144feabdc0>

interest. Nevertheless, the UK's long-standing and broad spectrum willingness to engage with the world tends to make intervention more likely.

The Policy Framework

It is essential to acknowledge from the outset that the UK adheres to an established legal framework. This framework places military activities within a broader political context, and, by its nature specifies what the armed forces can and would be expected to do, and, conversely, what they cannot and would not be expected to do. The framework explicitly, but sometimes more implicitly, emphasises the legal parameters by which military force would be ordered and used and under what circumstances the military would be tasked with engaging in humanitarian and systemic intervention operations. In such events, it is clear that the military would lead in terms of prosecuting the mission, but it would never have control over the decision to intervene, or over the decision to cease intervention once started.

Consequently, it is critical to understand the national, governmental, policy and strategic frameworks within which intervention policy and decision-making would be located. The most recent, and important, policy architecture that is of relevance to military operations in general and intervention missions in particular is contained in the National Security Capability Review (NSCR) of 2018.⁸⁹ The NSCR was the outcome of deliberations held by the National Security Council (NSC) after the general election in 2017. The NSC reviewed the National Security Strategy (NSS) and the Strategic Defence and Security Review (SDSR) of 2015,⁹⁰ finding that the three National Security Objectives (NSOs) of (1) *protect our people* (2) *project our global influence*, and (3) *promote our prosperity* would continue to frame the government's approach to maintaining the UK's national security. The NSC then commissioned the NSCR to 'identify how we [i.e. the government] could develop, deliver and deploy our considerable national security capabilities to maximum collective effect.'⁹¹

From the outset, the NSCR was constructed as a comprehensive, cross-departmental initiative; a policy framework in which national security is viewed in a broad fashion, with serious and organized crime being considered alongside cyber threats, terrorism, and more traditionally conceived defence concerns. Recognizing this panoply of security related conditions, and driven by the exigencies brought by the findings of the 2016 (Chilcot) Report of the Iraq Inquiry,⁹² the NSCR attempted to move away from discrete pillars of threats and their countering agencies and policies, to a more integrated platform in the form of a new national security doctrine. Known as the Fusion Doctrine (see pages 29 and 32 above), the aspiration was to combine the UK's collective security, economic, and influence capabilities to maximum effect. As such, the doctrine was constructed to encourage greater accountability and transparency of decision-making, with clear ownership of the NSC's priorities resting with senior officials. If the objective of the doctrine was to satisfy the three broad NSOs, it also demanded a clear assessment and appraisal of the government's capabilities. Strategy was shown to be of fundamental importance, which included not only a clear and comprehensive assessment as to how the government's objectives could be achieved, but also understanding how

⁸⁹ HM Government, *National Security Capability Review* (London: Cabinet Office, March 2018).

⁹⁰ HM Government, *National Security Strategy and Strategic Defence and Security Review 2015* (London: Cabinet Office Cm 9161, November 2015). (NSS & SDSR 2015).

⁹¹ Ibid. p.3.

⁹² *The Report of the Iraq Inquiry*, 6 July 2016: <https://webarchive.nationalarchives.gov.uk/20171123122743/http://www.iraqinquiry.org.uk/the-report/>

both allies and adversaries would then react. With a scenario planning sequence that was by now extremely complicated, the Fusion Doctrine reasonably recognized the need for robust analysis drawing upon expertise from within government and outside.

With the development of such a highly sophisticated, blended security policy and decision-making framework, it would have been reasonable to expect that notions of humanitarian and systemic intervention, both of which are replete with second and third order consequences, would have been further marginalised. However, this did not happen. Rather, the Fusion Doctrine, albeit implicitly, recognizes the importance and relevance of intervention by its heavy reliance upon the SDSR of 2015. With the SDSR's heavy focus on deterrence (arguably a form of tacit intervention), the Fusion Doctrine presents a framework that would see the UK following a strategy to deter threats emerging across the many security sectors covered by the NSCR. In order to carry out this strategy effectively, the UK would need the option of backing its posture with action, perhaps forcefully and overseas, and at times with military deployment. To be clear, this was not explicitly written as such in the Fusion Doctrine, but it is unlikely that the far-reaching demands of the doctrine could be achieved without having embraced a capability to intervene in situations as and when required.

A second important pillar in the UK policy framework is another product of the 2016 Chilcot Report. *The Good Operation: A handbook for those involved in operational policy and its implementation* (GOH – see page 13 above) was presented in 2018 by the Ministry of Defence as a response to the Iraq Inquiry's criticisms levelled, in particular, at the MoD.⁹³ The GOH tied itself to what had become known as the 'Chilcot Checklist', building a step-by-step logical sequence to structure and guide decision-making in government in general, and with reference to defence and security policy and military operations. The GOH precedes the Fusion Doctrine but does not contradict it as both are conditioned by the same post-Iraq Inquiry transformation that gripped the UK government from 2016/2017. As such, the GOH is clearly wedded to a cross-department, collegial, and consensual approach to decision-making from the formative moments of information gathering, through to the planning process of military operations and the understanding of higher order consequences. The GOH perhaps more so than any other document emphasises the fundamental importance of the UK armed forces and presents a framework that encourages military planners to acknowledge what they can and cannot do, but does so by forcing a recognition of the complexity of scenarios into which the UK could be drawn, and the need to ensure that 'group think' is actively challenged, and linear assessments of situational developments are considered alongside more unorthodox and radical views. The GOH also rarefies the importance of legal frameworks at a range of levels – from the local (in countries subject to intervention, for example), to the national (e.g. the UK), through to the international, as exemplified by international organisations such as the UN. But the GOH also notes that circumstances will change, thus necessitating those 'on the ground' to continually reflect upon their actions and how they fit within a broader tactical and strategic picture and, importantly, to make it their duty to understand the thinking behind decisions that have led to them being where they may be. In effect, the GOH gives military personnel the agency not necessarily to engage in the decision-making process that may or may not lead to an intervention in another country, but to interrogate the reasons by which a decision has been reached.

The framework of UK security policy has therefore changed markedly over the past two to three years while retaining, nevertheless, much of the thinking that was evident from the previous

⁹³ Ministry of Defence, *The Good Operation: A handbook for those involved in operational policy and its implementation* (London: HMSO, January 2018).

decade. The traditionally conceived and understood ‘legacy tasks’ of protecting nationals and the mainland, of projecting influence and of promoting prosperity have been running themes of Britain’s security policy not only in recent years, but over recent decades and even centuries. But the very breadth and even grandeur of these ostensibly timelessness strategic themes has meant, ironically, that they have inevitably been open to interpretation and reinterpretation (and occasional misinterpretation) as the UK’s position on the world stage has changed, and as her capabilities and aspirations have changed accordingly. A national intervention policy and decision-making process, ensconced within the framework articulated by the NSCR and informed in a practical way by the GOH, might therefore be a much needed development for the UK military as it seeks to satisfy the demands of transparency, accountability and informed decision-making expected by Chilcot, while maintaining and consolidating a capability to intervene quickly, effectively, and successfully in circumstances of considerable variety, pressure and stress.

The Strategic and Operational Context

Just as the UK Policy Framework is shaped by the Policy Context from which it is born, so the UK Strategic Decision-Making Process, discussed below, must be governed by a Strategic Context which not only enables but also constrains decisions and actions. Much of that context is indeed concerned with capability – the scope, potency and deployability of Britain’s military strength. Perhaps more than at any other time in recent history, the nature of the threats posed against the UK have changed markedly, as have the capabilities the UK has to challenge these threats at source. While there remain concerns about the agenda being pursued by an increasingly muscular Russia, or Chinese commercial and security penetration, the threat posed to the UK’s interests from non-state actors or in countries that are powerful in local and regional contexts, have arguably increased and deepened. Yet while the UK’s ability to field large military formations on the ground, in the air, and on the high seas has diminished, its ability to engage with great effect and impact in a targeted, precise fashion and to engineer effects through economic means, through information operations and through the evolving realm of cyberspace suggests that interventionism, far from being a relic of the post-Cold War period, could actually be a perennial feature of the British strategic and military portfolio. The UK describes its approach to defence as ‘international by design’ but it is criticised for its lack of preparedness and capability in this regard.⁹⁴ The (Chilcot) Iraq Inquiry focused on the lack of preparedness for the reconstruction phase of the conflict. Despite attempts by the then Prime Minister Theresa May to reassure the British public in 2017 that there would be no further expeditionary operations comparable to Iraq or Libya, the UK armed forces seem postured entirely for that eventuality, including its continued development of two aircraft carriers.

Aside from questions of military capability, a further complication in the policy-making and decision-making process of intervention is the possibility of encountering a Russian (or possibly Chinese) presence. As operations in Syria proved, a hostile Russian military presence made the transmission and protection of aid more problematic. Yet in spite of the potential for Russian, Chinese or other rival powers’ opposition, there are significant opportunities for the UK in the developing world, many of which have a positive alignment to the UK. In many cases the UK might find that its non-military capabilities could prove more relevant and decisive. Alongside its close relationship with the Commonwealth countries, the UK may well be an important partner for the humanitarian relief of African and Asian states, or to protect their sovereignty against more systemic threats. The UK is

⁹⁴ NSS & SDSR 2015, p. 49.

a leading advocate of e-commerce, while the economic liberalism, which the UK has championed, could again prove to be a much more successful model of global influence than the authoritarian models which exist currently. As a constraint, the UK will need to anticipate the expectations of the developing world and the levels of support they will want the UK to deliver. In some cases these will be beyond the UK's capacity, and the UK will need to consider its allies and partners carefully in this regard.

In summary, the UK recognised the need for persistent foreign engagement long before the phrase entered the strategic lexicon. The UK's global interests mean that it cannot afford to look only to the protection of its immediate borders. Defence is therefore projected forward, often through its regional allies in the Middle East, Africa, the Caribbean, South Asia, South- East Asia and the Pacific. This means that the UK's partners can anticipate a continued forward posture for at least the next ten years, but probably far longer, as it constitutes an integral part of its strategic culture. Nevertheless, in the policy that it formulates and the strategy it seeks to execute, it will need to address several significant challenges, not least its defence capabilities, the interests of its allies and partners, the costs of intervention, the presence of rival state actors, the growing capabilities of violent non-state enemies, and the expectations of developing world partners.

The Decision-Making Process

The rationale for, and conduct of any intervention operation will be influenced by the character of modern adversarial diplomacy, by the intensity of commercial competition, by the number and variety of international confrontations and by the multiple forms that armed conflict can now take (often at such a low but persistent level that they appear not to comply with conventional understandings of 'armed conflict'). Even a benign intervention in the case of humanitarian catastrophe, to bring relief at the request of a friendly government, is likely to attract disinformation campaigns from rival states and non-state actors. In other words, to accompany the urgencies and complexities of any intervention operation, there is likely to be 'grey zone' interference in response to UK interventions. The solution is to be clear, capable, and prepared – politically, strategically, organisationally and materially – to deliver intervention when required.

This paper has described two broad categories of intervention: Humanitarian and Systemic. Given what is at stake politically, strategically and morally, the assessment and decision- making process associated with intervention is likely to begin at the high level of general policy, before examining the detail of a proposed intervention on a case by case basis. In policy terms, the starting point for a staged process of filtering, categorisation and decision-making is likely to be the 2015 National Security Strategy (NSS) and, in particular, the three **National Security Objectives**: 'protect our people'; 'project our global influence'; and 'promote our prosperity'. These objectives, described in the NSS as 'high-level, enduring and mutually supporting',⁹⁵ offer a high-level framework for decision-making and the first filter in the assessment process. As Figure 1 shows, the assessment can then turn to the **Nature** and then the **Criteria** for intervention, before selecting the broad Policy Option. Figure 1 allows for the possibility that the most appropriate option might be a **Blend** of both Humanitarian and Systemic rationales. It is also possible, of course, that the response to the final question posed in Figure 1 will be 'Neither'.

⁹⁵ NSS & SDSR 2015, pp.10-12.

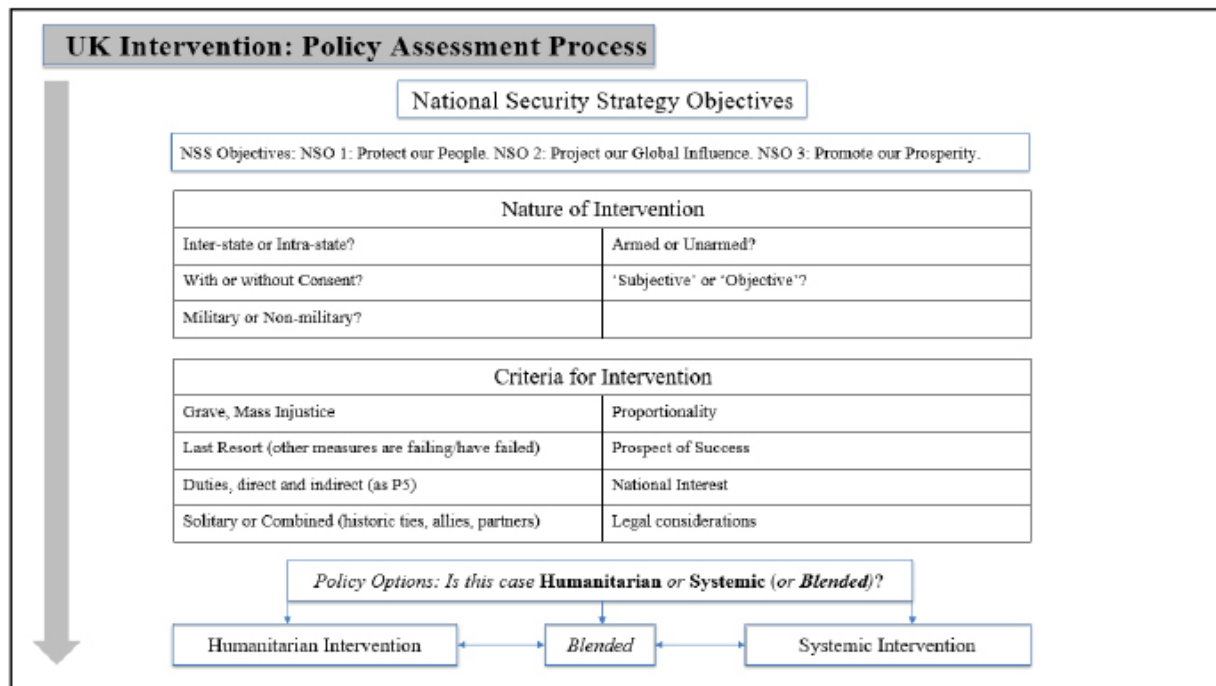


Figure 1. UK Intervention: Policy Assessment Process

The assessment and decision-making process then shifts to the **Strategic** level. Figure 2 moves from the identification of the appropriate **Strategic Authority** to a **Strategic Assessment** informed by various sets of principles, obligations and ideas. Each intervention case – Humanitarian or Systemic – is then subjected to a closer **Evaluation** according to a series of questions. These questions are almost identical in each case; commonality that, should it prove necessary, would facilitate the blended option discussed above.

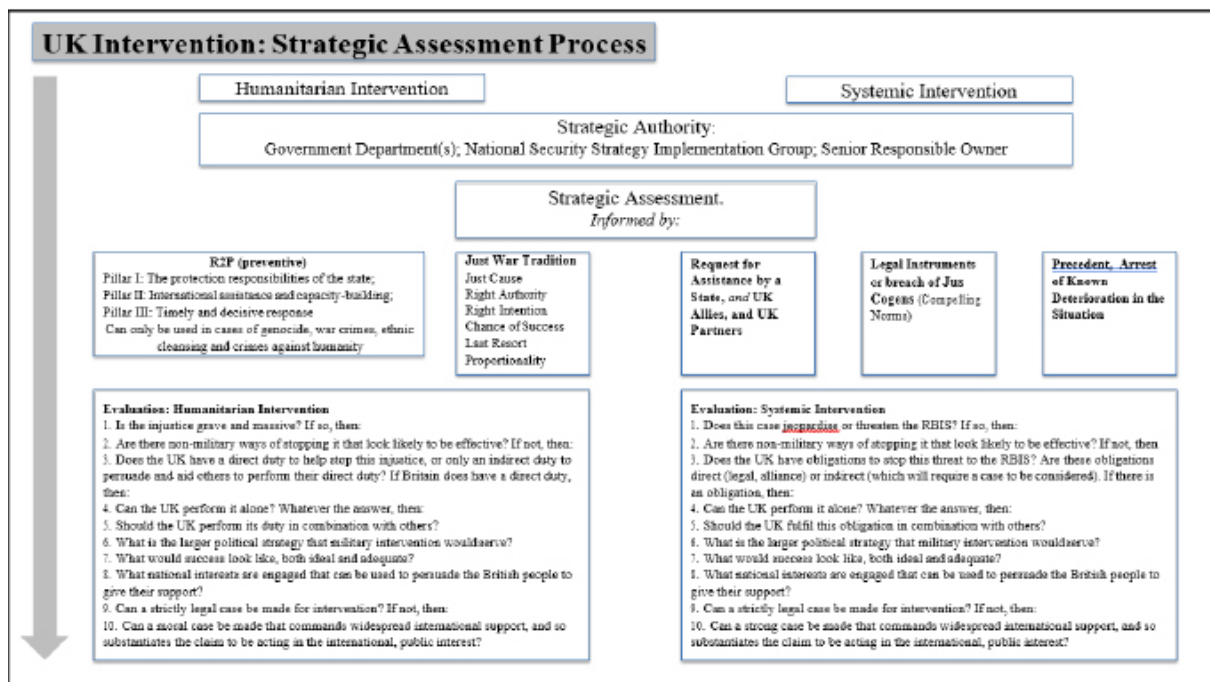


Figure 2. UK Intervention: Strategic Assessment Process

The general assessment then moves to the **Operational** level, where each intervention type is further broken down, as Figure 3 shows. **Humanitarian** intervention operations might involve either **Non-Military** or **Military** options (or both). And where military options are considered, these might be either **Unarmed** or **Armed**. Similarly, **Systemic** intervention might see both Unarmed and Armed military deployments. In most cases, any deployment of military force will have some capacity for force protection and self-defence, no matter how benign the situation is judged to be – this possibility is indicated by the used of dashed lines. Wherever armed force is to be used (or might be used) on intervention operations, full consideration will be given to **Rules of Engagement**. The operational assessment then moves to consider **Resource Assessments**. Are sufficient **Capabilities** available, at adequate **Readiness**, to meet the tasks envisaged? Which of the UK's Allies and Partners will have an interest or involvement in the intervention, and are liaison arrangements being made? Has a **Strategic Communication** plan been drawn up to accompany and explain the intervention to allies, adversaries and the UK public? Finally, are adequate **Logistics** arrangements in place?

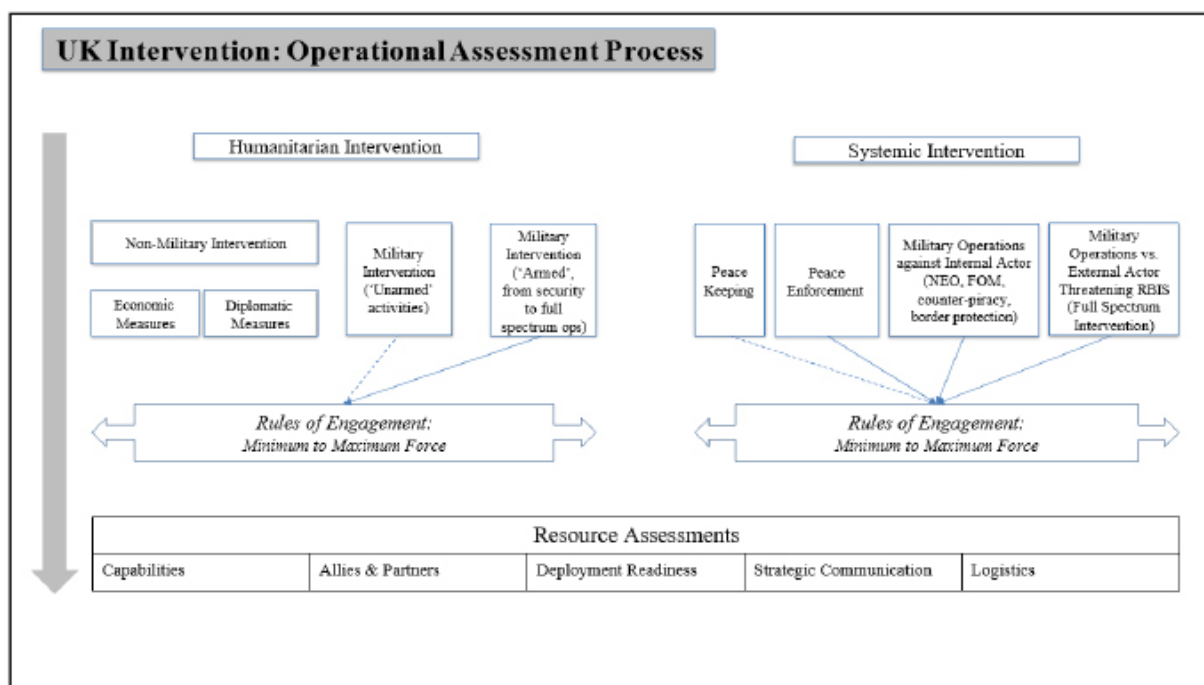


Figure 3. UK Intervention: Operational Assessment Process

In its final stages, the assessment and decision-making process would turn to the detail of a proposed intervention. As Figure 4 (Humanitarian Intervention) and Figure 5 (Systemic Intervention) indicate, the assessment of any intervention operation would be driven by the **Strategic Authority** nominated in the course of the Strategic Assessment (see Figure 2 above). The first task of the Strategic Authority might be to re-examine the **Criteria for Intervention** appropriate to each type of intervention (Humanitarian or Systemic). It is at this point that the criteria might be adapted to accommodate the possibility of a Blended intervention. This possibility is illustrated in Figure 4 by the inclusion of the systemic criterion 'Threat to RBIS' and, in Figure 5, by the inclusion of the humanitarian criterion 'Grave Humanitarian Injustice'.

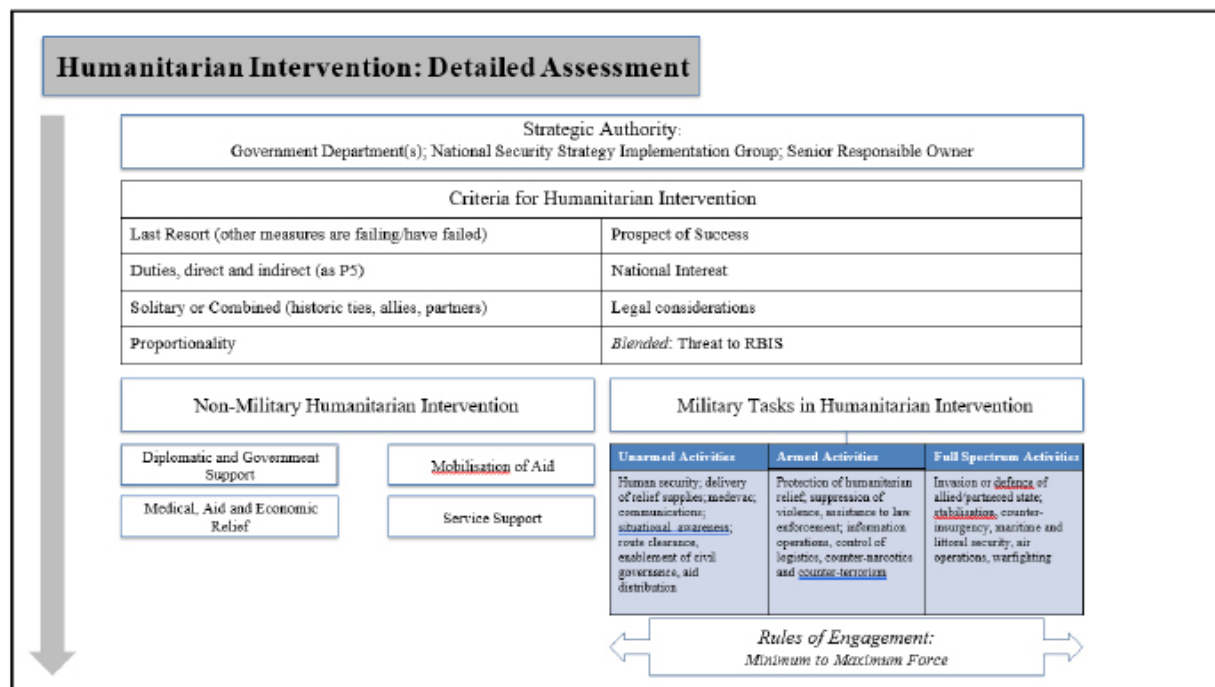


Figure 4. Humanitarian Intervention: Detailed Assessment

In both cases, Humanitarian and Systemic (and, indeed, in a Blended intervention), it is conceivable that the intervention might be entirely Non-Military, using UK soft power means or non-military coercive measures such as economic sanctions. Examples of Non-Military Humanitarian Intervention and Non-Military Systemic Intervention are provided in Figures 4 and 5 respectively. Where there might be a military role, we suggest a spectrum of possibilities including Unarmed, Armed and 'Full Spectrum' military tasks. Where there is military involvement, full consideration would be given to the resources necessary (see Figure 3) and to the need for appropriate Rules of Engagement.

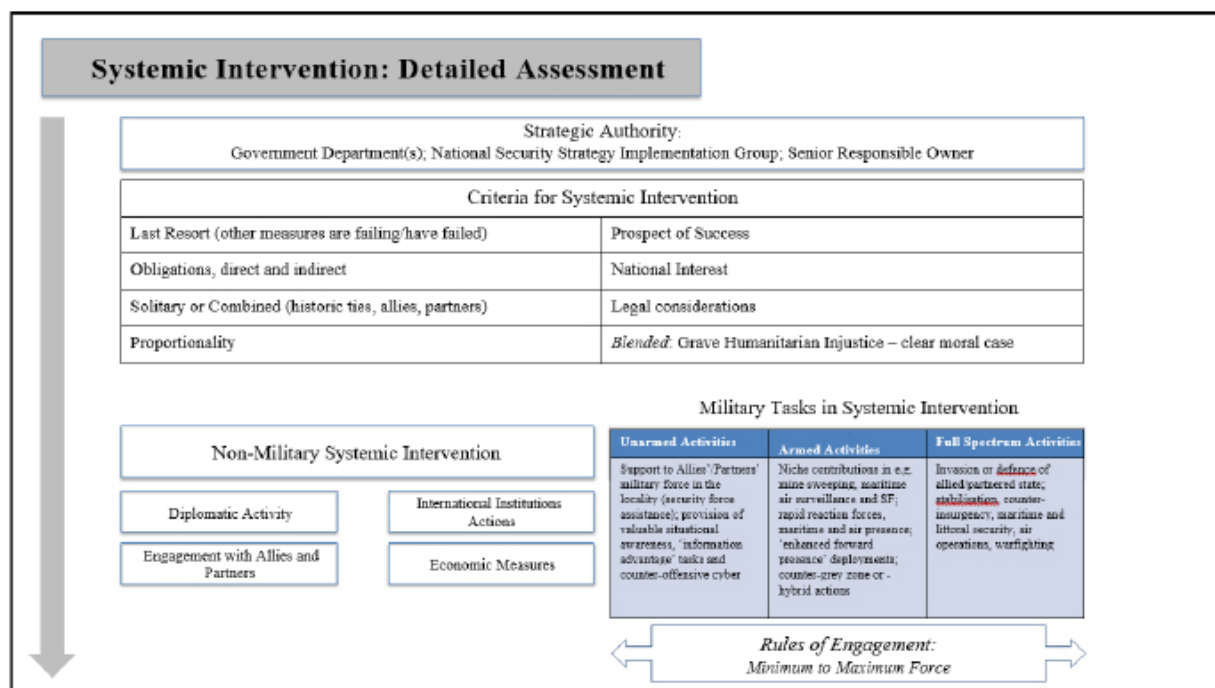


Figure 5. Systemic Intervention: Detailed Assessment

In order to illustrate the range of possibilities with which the assessment and decision-making process (Policy, Strategic, Operational and Detailed) might have to contend, in the Appendix to this section we include four brief, outline scenarios, two under the Humanitarian category and two Systemic. In each case we include a commentary pointing to the salient points for consideration in the decision-making process.

Summary

Section 4 has examined the UK's Policy, Strategic and Operational Decision-Making Process within which the prospects for intervention – both humanitarian and systemic, or, indeed, a blended combination – would be analysed, decisions made, resources co-ordinated, and plans implemented. The process illustrates the inherently theatre-specific nature of the interventions the UK military could be required to make. In the past, some UK interventions have not been successful. But others have, largely because of the country's posture, robust decision-making processes, and expeditionary capabilities. Section indicates, through flow charts, how the UK's policy framework is converted into critical questions and decisions. It illustrates that, against the two major types of intervention, humanitarian and systemic, the UK possesses both 'soft' and 'hard' power options. Its expeditionary armed forces are flexible and can be packaged and repurposed to deploy on land, from the air, or by sea, and turn their hands to a variety of tasks, some of which do not require armed force. The UK's non-military instruments can also be used to intervene: diplomacy, its network of coalitions and alliances, deterrence through defence spending and programmes as well as its capability, and other forms of indicating its commitments, such as its defence reviews.

This assessment and decision-making process described in Section 4 merges conceptualisation and practice. While this merger is necessary and valuable, it must sit alongside a clear planning process that has at its core an understanding of the concepts, capabilities, and constraints of intervention, that then informs the options available in particular theatres. This broader awareness makes it possible for intervention to be understood at the conceptual level and considered for practical purposes when diplomatically and strategically appropriate, ethically sound, practically feasible and affordable. We suggest that this focus on the interface between concept and practice in intervention operations could be taken up and owned by the MoD.

Finally, Section 4 includes (in Appendix) four outline scenarios. These scenarios are intended to achieve the following: to illustrate the breadth and variety of intervention operations; to show the complexity of the assessment, analysis and decision-making process; to demonstrate the different levels of commitment that could be expected of armed forces on intervention operations (unarmed, armed and full spectrum); and, finally, through the inclusion of 'Wild Cards' to show that no intervention operation, no matter how well planned and resources, can ever exclude unintended and unanticipated consequences or in the worst case, the possibility of failure.

APPENDIX TO SECTION 4: INTERVENTION SCENARIOS

Scenario A. Humanitarian Intervention: *Military Assistance to a Humanitarian Relief Intervention*

In the wake of a devastating category 5 hurricane in the Caribbean, it is evident that a UK humanitarian intervention is required urgently. One RFA vessel is immediately on hand, but initial air reconnaissance indicates that the scale of the destruction will require a significant effort. Since parts of the affected area includes islands that are Crown Dependencies, the UK is politically and morally obliged to intervene. The range of immediate tasks include medical evacuation, locating areas of greatest need, assessment of damage and the re-establishment of essential services. In addition, since contact is lost with High Commission staff, there is a need to re-establish government and emergency command and control. Given the incapacity of local governance, no permission is sought for intervention. The deployment of Royal Navy vessels, with stores and air evacuation capabilities, is complicated by the QE class aircraft carrier with a large-scale hospital and logistics capacity being deployed in the Persian Gulf. The deployment therefore has to rely on the rapid deployment of a less capable Albion-class assault ship with an assortment of supporting vessels operating in close proximity to the Caribbean. Royal Marines will be deployed forward in a rescue role and provide signals for incoming aid and further facilities. Military medical staff, including reservists, are also in the lead contingents. Although the deployment is military and unarmed, within the first two days it is evident that gangs of looters are becoming a significant threat to survivors, to the re-establishment of law and order, and to the aid packages being delivered. The potential deterioration of security means that, while this is a perfect example of fusion strategy, with the FCO and DfID, the MOD continue to lead through the emergency. However, cross-Whitehall support is quickly required to provide a secure holding facility for criminals apprehended by military forces. It is clear that robust security is required, and Royal Marines deploy mobile patrols with unequivocal rules of engagement authorised for the expected duration of the operation. However, the sheer scale of the crisis zone means that more forces are required and that the advance parties are relieved. The UK therefore deploys elements of 1 Division to take over security tasks, communications, reconnaissance, and logistics. The Royal Navy continue to provide medical evacuation and treatment, receiving reservists *en route*. The RAF take over air surveillance and all air delivered logistics and establish a functional air base to deliver support. On day 15, the FCO and DfID takeover the relief effort.

Commentary: In Figures 1 and 2 (of Section 4) illustrating the decision-making process, a rapid decision can be made. The case is clearly humanitarian and the fundamental issue facing the policy makers is primarily one of speed and scale of response. This therefore moves the decision swiftly to Figure 3, namely the operational process. The operation would require the deployment of aid, but the need to act quickly would indicate that military personnel in an unarmed posture, especially those already in the locality, would be the first response. However, the emergent problem in the scenario is one of security. It would suggest that planners would need to consider the implications of such a devastating and large-scale disaster and retain, perhaps as a second wave, forces that were armed and given clear rules of engagement, as a Military Aid to the Civil Authority while the local law enforcement agencies are incapacitated. This brings us to Figure 4, the detailed assessment. Here, the right blend of non-military assets and appropriately briefed military units, with rules that allow them to prioritise aid but not lose sight of the need to maintain order (in order to continue to facilitate the aid and relief effort for all those affected), would be the outcome of the process.

Wild Cards

1. There are no vessels available that have the capabilities of QE carriers or ALBION assault ships. How would the UK then move to ensure that this capability was provided for in theatre? What would the possibilities be of securing friendly-nation support, or the requisition of civilian vessels, or the hiring of private security company vessels?
2. Armed gangs kidnap two RN medics who are tending to civilians in the worst affected areas of the island. How does the UK respond?

Scenario B. Humanitarian Intervention: *UK and Allied Military in Support of Non-Military Intervention*

In the Indian Ocean, the government of an island archipelago (a member of the Commonwealth) finds itself in a significant dispute with foreign, Chinese workers leading to widespread civil unrest. Diplomatic cables indicate that negotiations by the government have not succeeded and the foreigner workers have appealed to their own government, which has stated that it intends to protect its nationals by despatching a flotilla of three vessels (one warship and two logistics ships). The case threatens UK national interests, and, if there is a foreign intervention, it could set a bad precedent. The local government, eager to show their independence, are reluctant to make a public call for UK intervention, but private communications indicate they are eager for support. There are already signs of deterioration in public order, with capital flight, rioting, and arson. There is a significant risk to life while shortages threaten the prosperity or survival of the islanders. China is orchestrating an information campaign against the local government and is evidently intimidating the population. It makes threats to the UK about withdrawing financial underwriting to several industries, which would lead to large job losses. The NSC respond with a 'fusion strategy' plan. The FCO reaffirm their commitment to peace and security on the islands and prepare allies and partners to support a benign UK intervention. A diplomat visits the island ahead of the foreign intervention force and offers mediation. The Royal Navy divert a warship to the island archipelago, a clear signal of the UK's intention to defend their sovereignty. However, there are too few assets available from the UK alone to deter or prevent a foreign action. Other measures are orchestrated. Information operations indicate that an allied maritime task group is within distance of the islands and prepared to act if required. As the foreign vessels arrive, the UK has issued a strong diplomatic communique warning against interference. The EU agrees that the withdraw of financial or commercial co-operation will result in reciprocal withdrawals of agreements with China and compensation to the UK. This is supported by statements from regional allies, and, crucially, the United States. Within 24 hours, foreign workers' agitation subsides. The local government, now more confident, deports the ring leaders of the unrest but announces a new economic package for foreign workers based on UK standards. China is able to save face and the crisis passes.

Commentary: This scenario most resembles the challenge of a foreign 'hybrid' or grey zone action, where it creates a situation detrimental to UK interests and those of its partners. It also indicates that non-military intervention, albeit with a military presence, can be sufficient. It is therefore a case of 'intervention', even though physically we may not see 'boots on the ground.' In the policy decision process (Figure 1), the national security strategy objectives are under threat, and where most criteria for intervention are met, although we have not yet crossed the threshold of last resort. The added complicating factor is the malign activity of a foreign power. However, Figure 1's criteria

show there is, first of all, a case for intervention. In Figure 2, the underpinning criteria are unpacked in more detail, and, in this case, we have a combination of mainly humanitarian considerations and some systemic ones. A complication in this case is the reluctance of the partner state to call in support directly for political reasons, a not unrealistic situation perhaps. The case is resolved by (1) rapid action which is aided by (2) the existence, in advance, of a fusion doctrine and a clear decision process. The capability to act, and the signalling of diplomats, confident in what the UK can do and is willing to do, ensures synergy of effort and unity of purpose. Figure 4 indicates that, while this is a humanitarian and non- military intervention, it works because of the preparedness of the military instrument.

Wild Cards

1. The assumption that China will back down proves to be wrong and instead they send a five ship flotilla to the archipelago. How would the UK react?
2. The crisis coincides with a massive cyber-attack against UK private and public sector organisations. While not publicly stated, the tying of the attack with events in the Indian Ocean is made clear through diplomatic channels. How would the UK react?
3. The EU and the US ultimately do not support the UK in their stand-off with China. How would the UK react?

Scenario C. Systemic Intervention: A Last Resort Action, enabled by Allies, to uphold RBIS

In the Arabian Sea, an emergency signal is received from a tanker heading towards the Gulf and its destination of the Shatt al Arab. Its South Korean crew report that armed fast boats have insisted on a new course towards the southern coast of Iran and have threatened to mine the vessel if it does not comply. Immediate diplomatic protests to Tehran meet with denials. Although the case is a clear violation of the freedom of navigation of the seas, Russia issues a comprehensive statement accusing the UK of provocation against Iran and warns all foreign vessels to keep out of the area because of the threat of Western aggression. GCHQ and the security services indicate that this is a prepared operation organized by Iran and Russia. The NSC convene an emergency session to generate a fusion strategy response. The FCO lead on briefing UK allies and partners in the region and internationally. The South Korean government are offered reassurances and brought into the planning as a mark of confidence in them. Representations are made at the UN, and a robust statement is issued jointly at the UNSC by the UK, US and France. Russia vetoes action and China abstains, so no UNSCR can be issued. Having reviewed the parameters of the case and the absence of any other effective measures, the MOD is tasked with a surprise operation, aided by US assets, and using Omani territory. In a night operation, the Royal Navy interdict the tanker, and the RAF provide continuous situational awareness. The RAF enable a Special Forces team to board the vessel and they suppress resistance. Despite small arms fire from hostile small fast boats and the detonation of a medium sized device on board, strict rules of engagement limit the retaliation and there are no UK casualties. The incident is successfully localised. Protests by Tehran are met with a quizzical reply by the British government: since Iran knew nothing of the incident at the outset, its complaints must surely be invalid. The US is able to deny any substantive involvement and Russia's information campaign is discredited by information provided to the media by the UK government thanks to GCHQ.

Commentary: The decision criteria in Figure 1 and 2 in this complex case indicate that this is, above all, a case of systemic intervention. The criterion of freedom of navigation is at stake. International law is violated. The norms of diplomacy and activity at sea have been breached. With these criteria in mind, the scenario suggests a policy decision process that examines the criteria in more detail (Figure 3). National Security Strategy objectives are threatened and some military role is required, beyond mere peacekeeping or peace enforcement. This aids in the selection of rules of engagement. Figure 5 would also indicate that the criteria for intervention are met but the operational tasks would suggest that, on its own, the UK lacks the capability. The fusion doctrine would nevertheless encourage the smooth co-operation of the FCO and MoD and calling on allies and partners to provide additional assets to fulfil the intervention to a successful conclusion.

Wild Cards

1. Not only does Russia warn the UK, but they also deploy Russian air power to enforce a no-fly and no-sail exclusion zone in airspace adjacent to Iranian territorial seas.
2. The night operation fails resulting in the killing of several UK servicemen.

Scenario D. Systemic Intervention: *Intervention to Uphold RBIS*

At the outbreak of severe unrest in Egypt, and a crackdown by its military government, the UNSC agree a Resolution on intervention. The focus of the international media is the severity of the repression, but it is evident that extremist groups, linked to Al Qaeda, are active in fostering armed resistance. It is clear that the Jihadists' objective is to turn Egypt into a failed state like Libya, Syria and Iraq had experienced in the early 2000s. The UK considers the case as a systemic intervention which it will contribute towards alongside its allies. Russia, however, is the first to act with a coup de main launched from its air and maritime bases in Syria. Russian operations are in support of the repressive Egyptian government, causing dismay in the West. The Western response is led by the United States which seeks to uphold international norms and the UK is willing to subscribe to this values-based approach, despite severe criticism from Russia and its global partners. There are references to previous British interventions as a colonial power in 1882 and 1956. There are widespread fears of 'Another Suez' or 'Another Iraq'. The UK intervention is nevertheless one that adheres to the criteria for intervention, the NSS objectives, and the Fusion Doctrine. It consists of a military effort, including the deployment of the ARRC, elements of 3 Division, 83 Expeditionary Air Group, and the Carrier Task Group, but it is accompanied by the full range of government's levers of power, including diplomatic work with the Egyptians and Russians, DfID and its emergency aid package, signals intelligence providing a steady stream of data on Egyptian government moves and its communications with Russia, and human intelligence monitoring of the security situation within Egypt. While the United States deploys two fleets, one to secure the Suez Canal zone and the other in the Mediterranean to restrict Russian operations in Egypt, all the levers of Western power are applied. The rouble goes into free fall as financial measures are implemented. Within days there are widespread protests against the Putin administration and calls for the resignation of his government. While the UK assists in the air and at sea with an integrated US-led interdiction strategy, UK land forces arrive in Alexandria to provide local security and protect the population. They assist in re-establishing the police powers of the Egyptian constabulary and there is intelligence sharing on the extremist factions allied to Al Qaeda. The UK's 3 Division, alongside US Marines, Dutch SF, Italian light infantry, and a Danish Battlegroup provides sufficient support to release the Egyptian security

forces under a new emergency administration (assisted by the FCO and US State department) to restore order in Cairo. This brings the violence to an end and compels the Russians to withdraw, but without losing face and without an armed conflict. The UK then converts to a support mission to Egyptian counter terrorism, providing intelligence, surveillance, and training, with temporary air lift support to Egyptian SF. The EU provide a police training mission. The British Army relieves 3 Division and inserts a smaller footprint of support via 1 Division.

Commentary: This case is extremely serious, representing the high end of systemic intervention with the UK playing a discreet but decisive role, within its capabilities and in conjunction with allies. In the first phase, the inclination might have been to see this as a policy of humanitarian intervention, perhaps non-military, but the evolving situation would be managed relatively easily because of the policy decision process indicated in this report (Figure 1). As always, there are some tough decisions to be made over 'proportionality' and 'last resort', but the situation indicates that the criteria for intervention have been met. The strategic assessment process (Figure 2) now becomes important. The critical questions for systemic intervention again indicate a clear case for intervention. Figure 3 (the operational process) would point towards the preparedness for a full spectrum military response. Figure 5 demonstrates that what may appear to be two distinct problems (Al Qaeda building a platform for attacks; Russia attempting to gain control of Egypt) can be dealt with simultaneously alongside allies when, crucially, the criteria for intervention have been fulfilled. The decision process and their underpinning criteria show that there is an unambiguous case; without this clarity, the policy could quickly unravel or lead to misunderstanding or lack of co-ordination. The critical questions, the strategic assessment, and the criteria for systemic intervention dispel incoherence and offer clarity of purpose, and hence, in this case, a discreet and successful effort.

Wild Cards

1. The jihadists succeed in establishing a de facto caliphate in central Cairo following the destruction of the Christian Abbassia district. Western forces are presented with an extremely dangerous urban-based counter-insurgency situation.
2. Russian attacks empower the Egyptian government which then embarks on a ruthless counter-attack against key population centres perceived to be Islamist strongholds, resulting in 1000s of deaths.
3. Russia challenges the presence of two US fleets and demands the withdrawal of the US Mediterranean fleet. A dangerous stand-off ensues.

CONCLUSION

In the pre-digital past, it was reasonable enough to define the intensity of national interest in foreign conflicts and disasters in inverse proportion to the distance to be travelled to the crisis. But the global revolution in information and communications technology has changed the way national interest is described and, more importantly, triggered. In the worst imaginable case, if another genocide took place, on the scale perhaps of that in Rwanda in 1994, it seems unlikely, if not inconceivable that militarily capable, internationally minded governments around the world would turn their backs on the atrocity even as they knew it was taking place. What would be said of these countries' diplomatic, cultural and moral standing if they were seen to be shrinking back into their so-called comfort zone and to be tacitly condoning some gross and highly visible violation of human rights? This is not to say that it would be the UK's, or any particular government's direct responsibility to find a solution to such a crisis, perhaps by deploying its armed forces to protect the innocent and prevent further atrocity and by committing resources to rebuild devastated communities. But it is to say that, at the very least, the UK could not claim to be unaware of the crisis and its consequences.

Intervention has been, and remains, a deeply contested concept, on political, diplomatic, moral, legal and strategic grounds. As this report makes clear, intervention operations can be undertaken for either humanitarian or systemic reasons, or for a blended combination of the two. Intervention can cover a wide range of possibilities, from non-military to military. And when military forces are involved in intervention operations, their posture can vary from *unarmed* (e.g. the provision of aid and logistics in a benign environment) to *armed* (e.g. for purposes of force protection and mission security in an uncertain environment) to *full spectrum* or 'war fighting' military operations against armed and violent adversaries. Whatever the cause, rationale, type and intensity of an intervention operation, it is also a highly complex undertaking. The decision to intervene should be the result of a sophisticated assessment and decision-making process and requires political, strategic, organisational and logistic support at every stage.

In spite of these caveats intervention is undoubtedly returning to the UK foreign, security and defence policy agenda. But where will intervention appear on that agenda? Just as the UK policy for intervention can no longer be summarised as '*nowhere, ever*', so the slogan '*everywhere, always*' would lack political traction and practical feasibility. The politics and ethics of intervention are in an unsatisfactorily grey area. The bland insistence that '*something must be done*' seems to be an invitation to act without proper analysis and assessment. Conversely, the dictum '*non-intervention is not an option*' might seem more engaged and decisive but is just as evasive and risks confusion by the use of the double negative. More importantly, both exclude the possibility that careful analysis might, indeed, result in a decision not to intervene. As a result of this evolving and uncertain mood, politicians and strategic leaders in the UK and elsewhere, including in international alliances and organisations, are increasingly being expected to explain both their decisions to act and their decisions *not* to act. In the latter case, a narrow understanding of national interest will appear less and less convincing as a rationale for inaction.

This report is therefore an invitation to think closely and constructively about the circumstances in which a broader, 'digitally informed' understanding of national interest might become engaged in some natural or man-made crisis around the world, and what that engagement would imply in organisational and practical terms. Although every complex policy decision is to a large extent *sui generis*, this is not the best basis for clear and consistent public policy-making. This is particularly

the case when the use of armed force is contemplated and especially so when UK armed forces might be committed to combat operations against armed adversaries. This paper has argued that it is both possible and essential for political and strategic decision-making to begin from general principle and to be conducted in a rigorous manner. This is not to suggest that intervention decision-making could or should be the product of a template or algorithm of some sort. And neither is it to suggest that the outcome of the decision-making could somehow be objectively valid and unusually resistant to failure. It is, however, to suggest that if it is right that intervention should be considered, then it is essential that it be considered carefully and methodically and from first principles, and that the necessary capabilities and resources are found.

Intervention has generally been undertaken in an *ad hoc* fashion, driven by what is expedient for political and security reasons, by tactical constraints and by unfolding developments. However, it should be possible, however difficult, to engage in the policy and practice of intervention in a more systematic and co-ordinated fashion. The UK Fusion Doctrine provides a cross-governmental framework for such an approach, but there could be further, complementary initiatives, designed to improve the quality of the assessment process, the coherence of decision-making and the effectiveness of any operation. For example, intervention would appear to be an obvious opportunity for the UK to make the fullest possible use of its experience and competence in influence and network operations and in strategic communications. For its part, the MoD might develop an understanding of intervention as a more specialised aspect of military activity, related to, but also distinct from, other modes of military action. The value of ‘persistent engagement’ (as a means to extend UK influence and to reduce the likelihood of costly, large-scale military operations) could be considered more fully. Across government, and between government and non-governmental civil society actors, closer consideration could be given to civil-military co-operation, rehearsed and tested regularly before intervention is even considered. And with Libya in mind (and the failure to follow-up with reconstruction projects – made difficult by the cost of nation-building in Iraq and Afghanistan) there could usefully be consideration of post-intervention involvement: ‘There is no point in intervention if there is no commitment to a follow-up [...] In future, there has to be a long-term plan and politicians have to be honest about what it is likely to involve. That the West hasn’t mastered this challenge since 2003 is depressing, and a reminder of the need for maturity and real statesmanship in national life.’⁹⁶

Whether or not it is reasonable to describe the UK as a ‘great’ power (whatever that expression means), what is surely beyond dispute is that the UK retains a position in the global diplomatic, economic, trading and security system; a system in which the UK is very heavily invested and upon which it is very heavily dependent. It is the *position* the UK occupies, rather than any supposed *greatness*, that confers responsibilities upon the UK, just as it does upon other governments and organisations. Those responsibilities combine both moral interest, in the case of Humanitarian Intervention, and an internationalised form of civic interest when it comes to Systemic Intervention. If subjected to a rigorous process of assessment, analysis and decision-making, as suggested in the paper, intervention can be pursued without necessarily undermining the enduring principle of non-intervention in the internal affairs of others. Instead, to the extent that intervention is framed and implemented as a normative activity, intervention could be said to reinforce the international system’s values and standards. The UK has available to it a considerable array of soft and hard power means and has also embraced the concepts and methods of smart power in the form of the Fusion Doctrine. The most visible of the UK’s hard power means are of course the country’s armed

⁹⁶ ‘Libya failures’, (Editorial), *Sunday Telegraph*, 7 April 2019.

forces. Military force could be involved in intervention in a variety of ways, and could be deployed as either an unarmed, an armed or a full spectrum, combat-ready capability. The use of armed force on combat operations will always be the last resort when considering intervention operations – but it must always be *a* resort.

In **Section 1: The Intervention Debate: Origins, Rise, Fall and Resurgence** the report shows how the concept of intervention (loosely defined) developed in the decades after the end of the Cold War, where it succeeded and where it failed. The report makes particular reference to the Kosovo intervention in 1999, out of which grew the idea that an intervention – particularly one when armed forces are committed to full spectrum combat operations – could be considered *illegal* (under international law) yet also *legitimate* on humanitarian grounds. The report shows how, in spite of this mixed experience and in spite of the fact that humanitarian intervention remains a deeply contested proposition, it has regained its place in the UK national strategic debate. Sophisticated and urgent questions are once again being asked of governments, international organisations, political and military strategists and civil society. These questions require a more considered response than one which sees recent experience of intervention to have been such a costly and tragic failure that such operations must never again be undertaken, for any reason.

In **Section 2: Humanitarian Intervention** the report makes four main points. First, as one of the five Permanent Members of the UN Security Council, the UK has a global duty to uphold international law and order by helping to address grave, massive injustice that the presiding state itself cannot or will not address. Second, while the recent experiences of intervention in Iraq, Afghanistan, and Libya do warrant a more careful proportioning of ambition to resources, they do not warrant a general policy of risk-aversion. Recent experience in Syria has taught that non-intervention, and late intervention, can carry the risk of very high, long-term costs (in humanitarian reputation, mass migration, European destabilisation, and the loss of strategic initiative to Russia). Third, as a humanitarian, liberal people the British have a national interest in their own moral integrity and international reputation, which supplies one reason to stop, or help to stop, grave injustice on a massive scale. Finally, the UK's national interest in maintaining a liberal international order and environment (described elsewhere in the report as the 'rules-based international system') supplies a second reason to stop the perpetration of such massive and grave humanitarian injustice.

The maintenance, protection and value of the rules-based international system (RBIS) is examined in **Section 3: Systemic Intervention**. The RBIS is both strong and authoritative, in that it is very widely supported and respected, but at the same time weak and vulnerable, in that it is open to challenge on several levels. In this uncertain environment the fate of the RBIS should matter very deeply to the UK: ideologically, because of the liberal values which the RBIS embodies; practically, because the UK's dependence on the RBIS is so significant; and rhetorically, because the UK has repeatedly and publicly made its position on the RBIS unequivocally clear. But what should, or can the UK do when the system upon which it is so dependent, and for which it has declared its support so firmly, becomes threatened and undermined? How should the UK undertake systemic intervention? Rather than advocate a 'call to arms' of some sort, the report argues that the UK should begin by adopting an interventionist posture and attitude to demonstrate that the UK is among those states that will not tolerate the fracturing and disablement of the RBIS. We suggest the UK position itself in three ways. First, the UK should maintain its firm rhetorical position in order to exclude any doubt as to its likely stance in any given situation, and in order to provide a form of 'passive' or 'latent' intervention on behalf of the RBIS. Second, conscious that a declared deterrent or quasi-deterrent position that is perceived to lack substance will quickly lose credibility, the UK

should make clear that it has the national means, in the form of both soft and hard power, with which to maintain, protect and promote the RBIS as and when the need arises. Third and finally, the UK should maintain a ‘smart power’ process for cross-governmental crisis evaluation and decision-making and for selecting the most appropriate combination of hard and soft power means with which to respond. The UK already meets these three requirements and is therefore in a position, rhetorically, practically and organisationally, to undertake systemic intervention on behalf of the RBIS, as and when it chooses to do so.

Finally, **Section 4** of the report examines the UK’s **Policy Framework and Strategic Decision-Making Process** within which the prospects for humanitarian and systemic intervention would be analysed, decisions made, resources co-ordinated, and plans implemented. The report notes that while the **policy framework** has been largely established, it remains, nevertheless, a *framework* and as such is in constant need of interpretation and further development as circumstances require. The UK has readily and transparently acknowledged past weaknesses in terms of intervention planning and implementation, and remedies for these deficiencies are beginning to come to the fore. But while this *corrective* work must be welcomed, there is also a need for a *constructive* (and costed) component to the policy framework, making it possible for intervention be considered when diplomatically and strategically appropriate, ethically sound, practically feasible and affordable. The decision-making process will be best served by considering how far an intervention would or would not suit *both* the national security objectives (‘Protect, Project, Promote’), as an expression of national interest, *and* intervention criteria more broadly. The nature of, and criteria for any prospective intervention would be analysed in turn, robustly and with their impact. In the final stages of the assessment process a prospective intervention would be evaluated against a set of questions before the specific role (if any) of the military instrument is decided upon, clear instructions given and rules of engagement agreed.

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From its inception working with the Bank of England on the Basel Accords; with the Reserve Bank of South Africa on the transition from apartheid; hosting and planning with the Scottish Government the Adam Smith Bicentenary; Cityforum has been active in an increasing number of areas that now include collaborations in defence and security, policing, crime and justice, emergency services, critical national infrastructure, cyber, privacy, health and social care, transport, financial services, regulation and energy.

It researches and publishes reports and develops and hosts events in the UK and, where invited, around the world. As part of its bespoke advisory and strategic guidance service the organisation also acts as a 'candid friend' to senior public-sector executives, and undertakes studies and reviews, providing sound impartial advice and specialist judgement to assist in meeting the enormous challenges faced by the public service today. Its reports are succinct and written in readable English rather than in management speak loaded with acronyms.

With over 25 years shaping strategic thinking, building understanding and adding value within and between diverse groups, the organisation has a proven track record. Its highly regarded round table discussions and smaller conclaves are well known both for bringing together an enviable mix of decision makers and practitioners and for stimulating new thinking in response to some of the most difficult contemporary public policy challenges.

Cityforum has had an interest in defence going back to the time of the George Robertson Review and it has been involved in numerous discussions in London, Washington, Abu Dhabi and elsewhere. It has welcomed support of the last Chief of Defence Staff for this particular Intelligent Defence and Smart Power work and has been particularly grateful to the current Vice Chief and the Director of DCDC for their engagement in developing the questions for assessment by panellists from defence and security and other significant vantage points. The help of the corporate sector in making this complex project happen has been particularly welcome.

Cityforum has a particular interest in working with the private sector to examine questions that companies wish to answer, as they develop their offers to government departments and agencies at home and abroad. Assignments are undertaken by a director of Cityforum and members of its group of associates and specialists are brought in, as required. We offer analysis, advice and guidance but do not offer a suite of solutions, since doing so could affect the independent advisory stance we see as essential.



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