



Force and the international community: Blair's Chicago speech and the criteria for intervention

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Lawrence Freedman

King's College London

Abstract

Tony Blair's April 1999 Chicago speech is widely seen as foreshadowing his later decision to support the invasion of Iraq. Two sets of context for the speech are described: other criteria for the use of force, going back to the Just War tradition and more recent contributions from Caspar Weinberger and Colin Powell, and the December 1998 strikes against Iraq and the Kosovo War, which began in March 1999. The origins of the five factors mentioned when considering force are explored and their implications assessed.

Keywords

armed force, Blair, Chicago Speech, humanitarian intervention, Iraq War, Just War, Kosovo, Lebanon War, non-interference

In her speech to the Republican Party Conference in Philadelphia on 27 January 2017, just before her first meeting with President Donald Trump, Prime Minister Theresa May distanced herself from what she described as 'the failed policies of the past'. The first item promised:

The days of Britain and America intervening in sovereign countries in an attempt to remake the world in our own image are over.

This was widely taken as a repudiation of the Blair years, but it was clearly not a repudiation of the idea of intervention. The Prime Minister immediately followed up her first sentence by insisting:

Corresponding author:

Lawrence Freedman, King's College London, London, UK.
Email: lawrence.freedman@kcl.ac.uk

But nor can we afford to stand idly by when the threat is real and when it is in our own interests to intervene. We must be strong, smart and hard-headed. And we must demonstrate the resolve necessary to stand up for our interests.¹

Elsewhere in the speech, she spoke of the United Kingdom's contribution to the effort to defeat the Islamist group Daesh in Iraq and Syria² and a reinforced 'commitment to peacekeeping operations in Kosovo, South Sudan and Somalia'.

So this was not an anti-interventionist position. The Prime Minister still favoured 'strong, smart and hard-headed' intervention. The sort it was supposedly rejecting, at least according to many media accounts of the speech, was that proposed by Tony Blair in his Chicago speech of 24 April 1999.³ Fraser Nelson of the *Spectator* declared this to have been 'buried' in Philadelphia.⁴ According to the *Daily Mail*, her:

comments effectively bring an end to what have been dubbed 'wars of choice' and the so-called 'Chicago doctrine' established by Tony Blair.⁵

The BBC described the speech as 'arguably the biggest by a British prime minister in the US since Tony Blair's in Chicago' when 'Mr Blair first advocated active military interventionism to overturn dictators and protect civilians'. Now, it continued, 'Mrs May has repudiated much of what he said then'. Henry Mance in the *Financial Times* called the speech a direct contradiction of the Chicago speech,⁶ and so on. Yet although Blair's Chicago speech is widely considered to have set the framework for what happened later in Iraq, it contained no references to 'wars of choice' (although choice was implied by setting criteria), made national interest one of the criteria, did not talk about overturning dictators and at no point suggested remaking 'the world in our image'.

Not long after the Chicago speech was delivered, I was identified as the person who provided the first draft of the relevant sections.⁷ I had met Mr Blair a couple of times (accompanying other foreign policy specialists) before the 1997 election but had no connection with the government after the election. Jonathan Powell, the Prime Minister's Chief of Staff, who I had got to know when he was in the Foreign & Commonwealth Office (FCO), contacted me on 12 April 1999 and asked me to provide a draft if possible of some ideas for a speech by the end of the week. I assumed at the time that the request was no more than Powell looking for some support at a time when government capacity was stretched because of the Kosovo crisis. I had no idea who else had been asked and no expectation that anything I wrote would find a way into the Prime Minister's speech. I submitted my ideas on 16 April. I discussed them with Powell in his office the next Monday but made no further changes.⁸ To my surprise, there was a close connection between my words and the relevant section of the speech as delivered (which involved a much wider argument about the benefits of globalisation and the inter-connectedness of the modern world).

My aim in this article is to provide some background to the speech, the factors which influenced my draft, where the suggested tests for intervention came from, the differences between my draft and the speech as delivered in Chicago, and then draw some conclusions about the costs and benefits of setting criteria for the use of armed force. What matters with such speeches in policy terms is not what the speech-writer thought it meant but what the politician who took responsibility for the words thought it meant.

Wars of choice

I start by considering the issue of wars of choice and look at criteria for the use of armed force developed prior to 1999 in the United States and which were part of the background to the Chicago speech.

The idea that tests should be set for the use of armed force lies deep in the Western tradition. The Greeks and Romans developed ideas on the conditions under which states might go to war, and these were the foundations for the approach to 'Just Wars' adopted by Christian theologians.⁹ In the Fourth Century, Augustine of Hippo emphasised the need for special justification if the commandant 'Thou Shall not Kill' was to be broken, and then in the Thirteenth Century, Thomas Aquinas set down the criteria to be followed if a war was to be deemed just. This involved an important distinction between cause and conduct, why and how. A just cause (*jus ad bello*) meant that a war must be undertaken by a lawful authority with good intent, right a serious wrong, be undertaken with a reasonable prospect of success and then only after exhausting peaceful alternatives and using proportionate means. Just conduct (*jus in bello*) required not making matters worse, using force proportionate to the wrong to be righted and sparing non-combatants. So a war needed special justification and then should be fought as humanely as possible.¹⁰

A just cause depended on the issues in dispute and the efforts that had been made to resolve them before war was declared. It focused on a single decision and the factors that should influence this decision. It looked forward to the extent that there should be hope of success, but this was as much common sense as ethics. By contrast, the question of just conduct was a promise, an expectation of how troops would behave once the fighting began. Whatever the intentions of the belligerents, there was always going to be a degree of speculation about whether the principles informing *Jus in Bello* would hold and the consequences for the length and outcome of the war should they do so. It was only with hindsight that it would be possible to see whether the promise had been kept.

Such rules work to the extent that all involved share a philosophical and ethical outlook sufficient for them to agree on the rules and how they should be interpreted and implemented. When it was a matter of bringing some order to the wars of Christendom, there could be a hope that a common faith might lessen the damage caused by struggles for power and prestige between individual sovereigns. By the same token, these rules were considered irrelevant when confronting those in thrall to more savage creeds and false gods. Even within Christendom, they became problematic as the question of the interpretation of God's will became the subject of intense theological and political dispute. The competing claims of Catholicism and Protestantism interacted with political rivalries to produce the deadly Thirty Years' War of the Seventeenth Century. The tortuously negotiated conclusion of this war – the 1648 'Peace of Westphalia' – is now one of the few historical moments mentioned on a regular basis by politicians and students of International Relations. It has become shorthand for a system that allows autonomous sovereign states to co-exist because they mind their own business. According to Henry Kissinger, this is when 'what passes for order in our time' was devised.¹¹ Without a supreme authority able to impose order, autonomous states, with a diversity of views and predispositions, provided the units of the developing system. The interests of these states

would be interpreted by whoever happened to be in charge at any particular time, but they also had a meaning and durability well beyond the personalities and whims of particular rulers. Thereafter, strategic imperatives were more likely to be followed than moral advice, and alterations in the configuration of power mattered more than legal guidance. In international law, the question of just cause took second place to the question of just conduct.

The establishment of first the League of Nations and then the United Nations pushed *jus ad bello* back to the fore, reflecting the view that aggression could never be justified. With more complex circumstances, different sorts of rationales were offered, raising the question of how they were to be assessed. The first tests suggested owed as much to a Jewish as to a Christian tradition. In August 1982, when justifying the invasion of Lebanon, Israeli Prime Minister Menachem Begin described it as a 'war of choice'. The contrast was with what he called wars of 'no alternative' for Israel, such as the 1947–1948 War of Independence and the Yom Kippur War of October 1973 when the country was attacked by Egypt and Syria and when the ultimate security of the state was at risk.¹²

Begin, in turn, appears to have taken the idea from the twelfth-century Jewish philosopher Maimonides who struggled with similar concepts. Maimonides distinguished between an 'obligatory' war, essential to a state's survival, and a 'discretionary' or 'voluntary' war undertaken to extend its borders for the purposes of 'greatness and reputation'.¹³

This does not quite capture the humanitarianism implied by contemporary usage, but he established a clear requirement that when a war was discretionary the sovereign be convinced of the case and consult carefully before acting. Such a move should only be undertaken in exceptional circumstances and with a compelling rationale. War, therefore, should never be chosen casually. Precisely because there was a choice, costs and gains had to be weighed especially carefully.

In the early 1990s, when trying to make sense of the interventions of the time, I used the distinction between wars of choice, which I linked to the problems posed by weak states, and wars of necessity, which were those caused by strong states.¹⁴ It was one way of talking about a clear shift in focus from the Cold War period, but I now think the distinction was in some respects misleading. The problem lay not in the idea of wars of choice but in the idea of wars of necessity. When committing to combat, governments tend to prefer to insist that they are following some unassailable strategic logic that permitted no alternative, as opposed to encouraging the view that they might as well not have bothered. Choices could be good or bad; necessity chose for you. Richard Haass, a senior figure in the US government when decisions were taken to attack in Iraq in both 1991 and 2003, pushed the distinction between the two to the fore by describing the first as a matter of necessity and the second as a matter of choice.¹⁵

There is, however, always a choice. Political leaders have agonised about the great decisions of war and peace even when all the evidence and arguments pointed in one direction. When a country is attacked and the choice is between resistance and surrender, there may only seem to be one honourable decision its leaders can make. This idea has come to be expressed more recently as 'existential' war, with the term being used prosaically to refer to a fight for the very existence of a state or social grouping, although often what was at stake was 'sovereignty' rather than the continuity of the state itself.

In such circumstances, ‘necessity’ refers not so much to the actual decision but to the need to make a decision, between situations when there are doubts about whether there is any reason to consider military action and situations so dire that consideration is unavoidable.¹⁶ There are clearly some wars that can be considered more on a ‘take it or leave it’ basis, in which the most vital national interests are not engaged, although these are matters of degree. In such circumstances, ‘discretionary wars’ capture the issue. The element of discretion means that inherent costs and dangers of any war are viewed against different standards to wars in which the issue is self-evident.

The Weinberger/Powell doctrines

The idea that tests might be needed to help make such choices before a major power enters into a conflict came from the same set of events that prompted Begin’s original invocation of the distinction between choice and necessity.¹⁷ In the summer of 1982, the United States had agreed to contribute to a multinational force intended to make it possible to evacuate elements of the Palestine Liberation Organisation from the Lebanese capital Beirut. After the assassination of President-elect Bashir Gemayel in September 1982, the force was increasingly drawn into a revived Lebanese civil war. In October 1983, the US marine barracks in Beirut was hit by a suicide bomber, killing 241 marines (58 French servicemen were killed in a separate incident). As the US position became increasingly difficult, the force was withdrawn in 1984.

The US Secretary of State George Shultz and the Secretary of Defense Caspar Weinberger had been opposite sides in the policy debate, and after the US withdrawal, they drew distinctive lessons. In October, the pro-interventionist Shultz spoke of the need to go ‘beyond passive defense’ to include ‘active prevention, preemption, and retaliation’ when dealing with terrorism. The United States, he warned, must not allow itself:

to become the Hamlet of nations, worrying endlessly over whether and how to respond. A great nation with global responsibilities cannot afford to be hamstrung by confusion and indecisiveness. Fighting terrorism will not be a clean or pleasant contest, but we have no choice but to play it.¹⁸

On 28 November 1984, not long after the Presidential election, with Ronald Reagan safely re-elected, Weinberger delivered his riposte to Shultz, warning of the dangers of getting too involved in what he called ‘gray area conflicts’. These were his tests:

- (1) the United States should only commit forces to combat overseas when the particular engagement or occasion is deemed vital to national interests or those of allies;
- (2) unless combat troops are to be used wholeheartedly, and with the clear intention of winning, they should not be committed at all;
- (3) forces committed to combat overseas should have clearly defined political and military objectives;
- (4) the relationship between these objectives and the forces committed – their size, composition, and disposition – must be continually reassessed and adjusted if necessary;

(5) there must be some reasonable assurance of the support of the American people and their elected representatives in Congress;

(6) the commitment of U.S. forces to combat should be a last resort.¹⁹

These tests were clearly meant to be restrictive. The first test was a national interest test and the last required the exhaustion of diplomacy. The second, third and fourth reflected military demands for clarity about objectives and latitude on methods. The armed forces should know the job they were intended to do and have the means to do it properly. The penultimate test was about public opinion, reflecting, as Weinberger made clear, the lingering impact of Vietnam on US society and politics.

In 1992, Colin Powell, who had worked with Weinberger in 1984 and was now Chairman of the Joint Chiefs of Staff, took an equally restrictive view when setting down his views on when the use of force was appropriate. He was very careful to warn that there could be no 'when-to-go-to-war' doctrine that will always work. 'There is ... no fixed set of rules for the use of military force'. It was dangerous to set one up because it was best that an enemy was left unsure about intentions. Situations must be evaluated according to their specific features. There were, however, some relevant questions:

- 1) Is the political objective we seek to achieve important, clearly defined and understood?
- 2) Have all other nonviolent policy means failed?
- 3) Will military force achieve the objective? At what cost?
- 4) Have the gains and risks been analyzed?
- 5) How might the situation that we seek to alter, once it is altered by force, develop further and what might be the consequences?²⁰

A couple of years later, after another unsatisfactory intervention, this time in Somalia, President Clinton's Presidential Decision Directive 25 of May 1994 set out basic criteria for participation under the United Nations (UN) Charter's Chapter VI peacekeeping operations; these included acceptable risks to US personnel, resources available, US participation necessary for success of mission, clear objectives and an end point identified, domestic support and acceptable command control.

According to the Clinton Directive, when peace enforcement under the Charter's Article VII was under consideration, the following additional criteria must be met:

1. We are able to commit sufficient forces to achieve our clearly defined political and military objectives.
2. We participate with the clear intention of decisively achieving these objectives.
3. The relationship among the size, composition and disposition of forces we have committed and our objectives is continually reassessed and, if necessary, adjusted.²¹

The concerns reflected in Powell's article and Clinton's Directive related not only to ensuring that the armed forces were not misused but also that once in use, they could get on with their job. This was in line with the professional military's view that when engaged in combat, what should determine the size of the force and the way it was deployed was the nature of the task and not the stakes involved. Just because the objectives were limited, it did not mean that the means should be. This was the principle followed successfully by Powell in 1991 during the course of Desert Storm (the liberation of Kuwait from Iraq). He believed that the US Army should only be used in regular warfare and not in what he described as constabulary duties. Famously, he wondered whether he would have an aneurysm when Madeline Albright asked him, 'when Bosnia [,] was under discussion, what is the point of this great army of yours if you are not prepared to use it'.²²

By 1999, largely because of Bosnia, it was evident that these criteria would be hard to follow. Intervention meant becoming part of another country's political struggles. The fighting could be cruel and manipulative. It was also complex, with more than two sides, with a potential for factionalism and links to criminality. There was little point in a half-hearted engagement for that could mean watching helplessly as witnesses to massacres, as with Srebrenica in the summer of 1995. UN resolutions, of which there were many on Bosnia, needed to be enforced, and while the introduction of airpower could make a difference, this also required what came to be described as 'boots on the ground'.²³

The big issues on intervention since Bosnia have always revolved around the role of land forces. A military presence bought political influence where the intervention was taking place, but because it meant putting forces in harm's way, it also had the potential to create political controversy back home. This is what Weinberger and Powell found off-putting. Moreover, once US forces were sustaining a beleaguered government, then it was going to be hard to extract them without a risk of destabilising the situation. This led to concern about 'exit strategies'. As Jeffrey Record observed:

If military extrication becomes the paramount aim of a prospective military intervention, then the entire enterprise becomes suspect. As in the case of what has become a fetishism over force protection, once the safety of the military instrument becomes more important than the political objective on behalf of which it is being risked, then the military instrument should not be risked in the first place. And make no bones about it, the chatter about the need for clear exit strategies is loudest among those who believe that the military should not be exposed to the risks of peace enforcement operations and other small-scale contingencies.²⁴

If once forces had been inserted the conditions for an orderly exit were to be created, then that would require successful efforts in the political and economic spheres. Otherwise, exit could just mean a quick return to the circumstances which prompted intervention in the first place.

Both Weinberger and Powell used a discussion of appropriate criteria to demonstrate the risks of military interventions in conflicts in which the most vital US interests were not at stake. They did not argue against all interventions but the tests were demanding and even when they were met, the emphasis was on limiting the risks to US forces and extracting them as soon as possible. This was still the position of the Clinton Administration, although it had played an increasingly active role in sorting out the Bosnian imbroglio and

had taken the lead in the air campaign that began in March 1999 to press the government of the rump Yugoslavia to end the oppression in Kosovo. The British (and French) experience in the Balkans during the course of the 1990s had warned of the dangers of intervening too tentatively, the importance of a substantial ground presence in order to influence political developments and the consequential difficulties of abandoning such interventions once they had begun. The sort of questions raised in the American debate remained pertinent but they also needed to be adapted in the light of experience. This was what was in my mind when I was asked to contribute some thoughts for those drafting Tony Blair's Chicago speech.

Chicago

The immediate context of the Chicago speech was the Kosovo campaign, which was not at that time obviously succeeding,²⁵ and the actual occasion was a coming North Atlantic Treaty Organization (NATO) summit in Washington to mark the 50th anniversary of signing the Atlantic Treaty. There was much common ground between Blair and Clinton over the need to avoid another Srebrenica (the July 1995 massacre of some 8000 Bosnians) and for the alliance to stay together, but there were differences on the need for a ground threat if the Serbian leader Slobodan Milosevic was to be persuaded to budge from his intransigence.²⁶ This was the issue dominating much of the pre-summit diplomacy. It was largely because of the intensity of the diplomatic activity in those 2 weeks preceding the summit that I had been asked to help out with some ideas for a speech and, as important, that the speech then failed to go through the normal inter-governmental reviews. If it had done so, it would have been rewritten to become more in line with established policy. I was told not long after that the FCO had been deeply unimpressed by the process. Whether this was an example of the Blair government's tendency to bypass the official machine or just simply the pressure of events I have no idea.

Another part of the immediate context was Operation Desert Fox, which had taken place the previous December. For 3 days US and UK strikes had sought to degrade rather than eliminate Iraqi weapons of mass destruction (WMD), following a report from the Chairman of United Nations Special Commission (UNSCOM) that the inspectors were not able to do their jobs.²⁷ We now know this raid made little difference to Iraqi capabilities, to some extent for the same reasons as the 2003 war failed to do so – because there was not actually much to be degraded. Once the inspectors left Iraq to allow the bombing to get underway, they were not allowed back in by Iraq, which meant that knowledge of what was going on in Iraq became even more scarce – a factor which encouraged the speculation that influenced the bleak intelligence assessments of 2002. It may also have encouraged Milosevic to believe that a new NATO bombing in response to events in Kosovo would also be short and survivable because there was little stomach for anything more prolonged.

The opening part of the Chicago speech (to which I did not contribute) referred to 'the unspeakable things' happening in Kosovo. Raising a theme which came to make regular appearances in his speeches, Blair insisted that 'appeasement does not work', and he went on to explain why air strikes were necessary to deal with the 'evil dictator' Slobodan Milosevic. In the part I drafted, the recent operations against Iraq and those currently in

train against Serbia led to the speech including a reference to those two ‘dangerous and ruthless men – Saddam Hussein and Slobodan Milosevic’ who had both ‘been prepared to wage vicious campaigns against sections of their own community’. These words could be seen as foreshadowing later regime change ideas but that is not why they were there; this is apparent from other language in the speech as well as Tony Blair’s comments after Desert Fox, when he had made it clear that he saw this operation as an alternative to regime change. Then, he explained that:

Just because we can’t get in the cage and strike him down, it doesn’t mean that we should leave the cage untouched. What we have done is put him firmly back in his cage.²⁸

The question in my mind was not how could the interventionist impulse that had developed during the 1990s be taken to the next stage of toppling dictators – which had not been attempted with Saddam nor in any of the interventions in the former Yugoslavia – but how to keep the impulse under the control. On one hand, it seemed that in the circumstances of the time and in the context of the West’s apparent predominance, demands to intervene would be regular and in many cases justified. Yet on the other, not all these demands could be met even when the case to act might be morally compelling. It was also important to meet the criticisms surrounding Kosovo that the West was acquiring for itself a *carte blanche*.

This is why my draft for the speech posed as the key issue:

The most pressing foreign policy problem of the 1990s has been to identify the circumstances in which we should get actively involved in other peoples’ conflicts.

It then made clear that the principle of ‘non-interference in the affairs of other countries’ had always been ‘considered a basic principle of international order’ and should not be jettisoned too readily. It explicitly stated that:

no state should feel it has the right to change the political system of another or foment subversion or seize pieces of territory to which it feels that it should have some claim.

The same words were both in my draft and the speech as delivered. So it hardly represented a call to remake the world in our image as implied by Mrs May’s recent speech. The draft – and the speech – then went on to point out how the non-interference norm had already been qualified in important respects:

Acts of genocide can never be a purely internal matter. When oppression produces massive flows of refugees which unsettle neighbouring countries then they can properly be described as ‘threats to international peace and security’. When regimes are based on minority rule they lose legitimacy – look at South Africa.

The draft – and the speech – then went on to point out that:

around the world there are many regimes that are undemocratic and engage in barbarous acts. If we wanted to right every wrong that we see in the modern world then we would be doing

little else but intervening constantly in the affairs of other countries. We soon would not be able to cope.

Hence the need for what I called *tests* and the speech described as *considerations*, a less demanding term.

This was the first test:

Are we sure of our case? Many conflicts are confused in their origins. We must not rush in on the basis of media reports of terrible events that lack any context. We must acknowledge that war, as we have seen, is an imperfect instrument for easing humanitarian distress. In the process of doing good innocents can easily get hurt. But war is sometimes the only means of dealing with the political forces ready to inflict such distress, and to ensure that they enjoy no lasting gain.

With the later Iraq War experience now in mind, the priority given to being sure of the case now looks prescient and to a degree pointed. It was included to ensure that the evidence was there to support the claims being made about the humanitarian need. This was already an issue with Kosovo, with critics of the operation claiming that the refugee crisis was a consequence of the NATO bombing rather than a cause and that claims about Serb atrocities had been exaggerated.

The actual case I had in mind, which was not referred to explicitly, was one that has been called the 'greatest intervention that never happened'. In 1996, concerns about the movement of refugees from Rwanda into what was then Zaire and is now the Democratic Republic of the Congo led to active consideration of an international force that would have included the Americans and British as well as the French. The United States had reluctantly agreed a force of up to 4000 personnel to go into Zaire to deal with a deteriorating situation, although great stress was put on the speed with which they would leave once the flow of aid had started. Britain offered force at 'battalion strength', emphasising that 'the mission would not include disarming the militias or policing the refugee camps'. It is unlikely that these caveats would have held, but in the end it did not matter. A more robust intervention by Rwanda and Uganda forces created an opportunity for a large proportion of the refugees to get back into Rwanda. The case for the mission evaporated, but the impression was left that Western governments had been prepared to act without quite being sure exactly what was going on in Zaire.²⁹

In addition, in research I had been undertaking for my book *Kennedy's Wars*, I had been struck by Dean Rusk's view about the advantages of a blockade as opposed to an air strike during the Cuban missile crisis. According to Rusk, the blockade would help build a feasible 'theory of the case', an argument that could demonstrate the legality of any action taken and so build international support.³⁰ This reflected his views of what happened to the British government during the 1956 Suez crisis and to some extent his own administration in 1961 in the failed Bay of Pigs operation. For Rusk, these examples underlined the problems democratic states faced when they were perceived to be acting illegally. The idea that confidence about the case for action would reinforce the legal as well as the political rationale was not well conveyed in my draft and was certainly lost in the actual speech. It does, however, help explain the absence of references to international law and public support in my tests.

The final version of the speech, as delivered by Tony Blair, simply said:

First, are we sure of our case? War is an imperfect instrument for righting humanitarian distress; but armed force is sometimes the only means of dealing with dictators.

The effect was to change my meaning because my version retained the link with humanitarian motives, whereas the final version to a degree broke this link, and in fact made a case, with Milosevic in mind, about the need to deal forcefully with dictators when they caused humanitarian distress.

The second test was:

Have we exhausted all diplomatic options? At times we must negotiate with evil-doers and negotiate seriously. This requires enormous clarity about our concerns and objectives. Of course a desperate desire for compromise can be exploited – but so can a refusal to compromise.

The final speech deleted everything after the first sentence and added, ‘We should always give peace every chance, as we have in the case of Kosovo’.

This was a critical test in my view and one that had also appeared on Weinberger’s list.

It was a warning against rushing into war. There was always a potential objection to this test, namely that diplomacy can allow opponents to play for time, consolidating gains and replenishing forces while claiming to negotiate. In rapidly deteriorating security situations, it may be better to act early to prevent further distress than to wait. This has been an issue in relation to intervention in the conflict in Syria since 2011, an example of when it might have been better to act early to prevent later calamities. This illuminates a core problem with humanitarian interventions. By the time it is possible to mobilise political support to act, it might be too late. This was not an issue addressed in the Chicago speech.

The third test:

On the basis of a practical assessment of the situation, are there military operations that we can sensibly and prudently undertake? At the moment the might of NATO is taking on a relatively small country in the middle of Europe and it has not been easy. We would give false hope if we pretended to be able to deal with every outrage.

This was the test that would rule out a large number of potential interventions. It was the one that most easily saw off the criticism of the time that if the UK or other governments were going to intervene in Kosovo, why not Chechnya? It also captured the military concerns reflected in the Weinberger/Powell criteria without being over prescriptive. The speech as delivered removed everything after the first sentence. In retrospect, it was somewhat naïve of me to even think that a NATO leader would utter the second sentence at that time.

The fourth test:

Are we prepared for the long-term? We have perhaps in the past talked too much of the need for ‘exit strategies’ for the good reason that we do not want our forces to be tied up indefinitely. But it is a matter of fact that once we have made a commitment to these unfortunate societies we

cannot simply walk away once the fighting is over. There will always be a job of political and economic reconstruction. Better to stay with moderate numbers of troops than to return for repeat performances with large numbers.

This was meant as a direct rebuke to the US line in Bosnia. Having taken the effort to stabilise a country, it was irresponsible to then talk only of how soon you hoped to leave, especially as that gave clues to the enemy about strategies they could adopt. Reference to the 'long haul' also indicated that events might not turn out as expected and that strategies would have to be adjusted in the light of changing circumstances. The speech simplified this without changing it substantially, with one exception in that it removed the reference to political and economic reconstruction. I suspect that was because the implication that Kosovo would require substantial assistance was not an issue that Mr Blair wished to raise at the time.

The fifth test:

Do we have national interests involved? The case for action will always be stronger when national interests are at stake. The Iraqi occupation of Kuwait was a blatant aggression that had to be reversed: there is nothing to be ashamed of in pointing out that this took place in a strategically important oil-producing part of the world. The mass expulsion of ethnic Albanians from Kosovo demanded the notice of the rest of the world: it does make a difference that this is taking place in such a combustible part of Europe.

The change in the speech as given was to remove the reference to Iraq, mainly I suspect to keep the focus on Kosovo.

I remember thinking hard about whether to include this test but I did so because I doubted whether there would be many purely humanitarian interventions. It was a nod in the direction of the 'realists' in the policy and academic communities who had always been wary about the concept of 'humanitarian intervention', for reasons of both prudence and respect for sovereignty. It was also important to demonstrate that there was more at stake than just doing good.

Elsewhere in the speech, Mr Blair sought to demonstrate that national and international interests had to be and could be closely aligned, perhaps thereby rendering this test meaningless. This was not my argument and I don't think it was his. Indeed if anything, this was the test that could trump the others, providing a reason to stay out as well as go in whatever the other tests suggested.

This was therefore the test most open to interpretation. Different governments would have different views on what constituted the national interest, a notoriously elastic concept. Official definitions of the national interest tend to lump together a number of desiderata that can be in contradiction with each other. This is why Mrs May's focus on the 'national interest' in her Philadelphia speech actually still leaves her with considerable latitude.

What was missing? There was no reference to maintaining public support. My view then was that it was up to the political leadership to make the case and if it did so strongly enough support would come. In the light of the later Iraq War, I would probably now warn more of the problems of going to war with a divided country, as Weinberger had done, perhaps by adding more to the first test. It was not only important for the government to

be sure of the case but also able to persuade the public that it was a good case. Confidence in the government's case after 2003 was undermined when WMD could not be found.

In the light of Iraq, another notable gap is perhaps a legal test. This worried Foreign Office lawyers who were already having to be innovative when explaining the legality of Kosovo with a new rationale based on humanitarianism,³¹ and for that reason, setting up a specific legal test this time would have drawn attention to a controversial topic.

Up to this point, the inherent right of self-defence under Article 51 of the Charter and Chapter VII had dealt with most issues. To some extent, this was implied in the first test, but it was also behind the references in the speech that came after the tests to the need to sort out relations among the Permanent Five in the Security Council. It was evident with both Desert Fox and Kosovo that the way things were developing on the Security Council the Chapter VII route was going to be progressively less available, and so it proved with Iraq.

In general, Iraq demonstrates why the tests (or considerations in Blair's weaker language) had validity. If applied to the developing situation in 2002–2003, they would have encouraged caution. This is particularly true with regard to the questions of whether or not diplomacy had been exhausted and whether there were adequate preparations for the long haul. These were the two matters on which the Iraq Inquiry was most critical.³² At the time the government was sure of its case (this only unravelled after the invasion) and the military feasibility of the option. From his evidence to the Inquiry, it seems likely that Mr Blair would have put preserving the 'special relationship' with the United States as the key national interest and might have allowed that to trump all other considerations. There is no evidence of the criteria being systematically applied over this period, although Mr Blair did refer to Chicago as reflecting his government's readiness to intervene where necessary. In a minute to Jonathan Powell of 17 March 2002, asking for a strategy for Iraq, he wrote:

So we have to re-order our story and message. Increasingly I think it should be about the nature of the regime. We do intervene – as per the Chicago speech. We have no inhibitions – where we reasonably can – about nationbuilding ie we must come to our conclusion on Saddam from our own position, not the US position.³³

While Chicago is often seen as a key moment of the process which led to the invasion of Iraq, there is therefore nothing in the speech itself that leads directly to the Iraq War. Between the speech and this action came the 9/11 attacks on the United States which had a major impact on the thinking of President Bush and created the conditions in which this step became possible. Perhaps Mr Blair's confidence after the Balkans and also the successful action in Sierra Leone in 2000³⁴ led him to discount the problems to be faced in Iraq. Nonetheless, while he eventually embraced the prospect when the issue was first raised in 2001, his response was cautious. Tellingly, in his memoir, Mr Blair observed that:

In retrospect, applying those tests to Iraq shows what a finely balanced case it was, and why I never thought those who disagreed were stupid or weak-minded.³⁵

It is also interesting to note that after he had set out his tests, Colin Powell, who as Secretary of State in 2003 ended up making the case for the invasion of Iraq, used a putative invasion of Iraq in his 1992 article as an example of how his tests could work to encourage caution:

As an example of this logical process, we can examine the assertions of those who have asked why President Bush did not order our forces on to Baghdad after we had driven the Iraqi army out of Kuwait. We must assume that the political objective of such an order would have been capturing Saddam Hussein. Even if Hussein had waited for us to enter Baghdad, and even if we had been able to capture him, what purpose would it have served? And would serving that purpose have been worth the many more casualties that would have occurred? Would it have been worth the inevitable follow-up: major occupation forces in Iraq for years to come and a very expensive and complex American proconsulship in Baghdad? Fortunately for America, reasonable people at the time thought not. They still do.

Both Blair and Powell therefore set tests which if applied strictly might have avoided Iraq, something Blair appreciated in retrospect and Powell in prospect.

All this raises the question as to the value of such tests. One value lies in helping structure debates on when it is appropriate to use force. It is notable that a high-level group appointed by UN Secretary-General Kofi Annan reporting in 2004 also offered five tests (which they described as ‘criteria of legitimacy’), not dissimilar from those offered at Chicago although more influenced by the Just war tradition: ‘(a) Seriousness of threat ... (b) Proper purpose ... (c) Last resort ... (d) Proportional means ... (e) Balance of consequences’.³⁶

What influence can they really have when a political dynamic is pointing to unwarranted activity – or to unwarranted passivity? There are two obvious problems, in both cases going back to the original Just War criteria. The first is that these are matters for a forward look rather than hindsight. Circumstances will determine whether or not they can be honoured as intended. Until quite late in the policy-making process, Mr Blair may well have been convinced that all his Chicago considerations would be met. By the time he realised that this might not be the case, as the inspectors failed to come up with sufficiently damning evidence on Iraqi WMD and support in the Security Council subsided, his choices became much more difficult. The second problem is whether all criteria must be met before action can be taken or whether this can be a matter of degree. If one criterion is not met, does that invalidate the whole exercise? What if standards lapse during the course of a war? What should be the response if maintaining standards mean that the war dragged on and might even be lost? Would that justify breaking the rules in favour of greater brutality in order to bring matters to a swift conclusion?

In practice, some considerations are going to be more important than others as it is unlikely that all can be met with confidence, and the consequences of passivity may be more severe than imperfect action. Without any action, the original wrong may never be righted and a bad situation may get worse. Once the issue becomes one of priorities – say preserving the relationship with the United States over using force only as a last resort – then this opens up debate on the relative merits of the individual criteria.

For these reasons, it may be best to think of these criteria – or tests or considerations – as questions to be addressed whenever the issue of force arises. They draw on strong moral presumptions, many derived from the Just War tradition, that point to any use of force having an exceptional justification and being proportionate in its conduct. The Iraq experience will reinforce the view that governments must think ahead, beyond the first military steps, to what will follow and to prepare not only for the desired intended consequences but also for the potentially harmful unintended consequences.

It is important to note that many of these questions arise in their sharpest form when it comes to a major commitment of land forces, as they raise the stakes in terms of the degree of engagement with a country's internal affairs and the likelihood of a long haul. In prevailing conditions, land forces are most vulnerable to enemy action, not least because they may well be seen as an alien presence, yet may also acquire a position in the local balance of power that means that they are difficult to extract without causing considerable upset. The pressure in the future may therefore be to confine land forces to niche roles, as with Special Forces, or acting in support of a government that has sufficient legitimacy and credibility to benefit from external support without becoming wholly dependent.

Certainly, if a government has set out a framework for thinking about these issues, it is not unreasonable for this to be used as one way to evaluate its actions. In the end, governments have to deal with events as they come on them and situations as they find them. There are always choices and they are rarely easy. As they make their decisions, it would be better for all concerned if governments confronted directly the hardest questions about their preferred course, whether it be to keep clear of engagement or to prepare to intervene. In the case of military action, a good starting point will be the questions at the heart of the Chicago speech – Are we sure of our case, is this the last resort, are there feasible military options, have we considered the long haul and is this in line with national interests?

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Notes

1. <https://www.gov.uk/government/speeches/prime-ministers-speech-to-the-republican-party-conference-2017>
2. At the time the United Kingdom had deployed eight Tornado GR4 fast jet aircraft and six Typhoon combat aircraft in operations in Iraq and Syria, along with Reaper drones, aircraft for surveillance, air-to-air refuelling and transportation. Support for air defences was being provided by the Type 45 destroyer HMS *Daring*. There were approximately 1350 personnel on the ground in the region not acting in combat roles in the region. By mid-February 2017, the United Kingdom had conducted over 1200 airstrikes against ISIS targets in Iraq and Syria. House of Commons Library, *ISIS/Daesh: The Military Response in Iraq and Syria*, 8 March 2017, available at: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06995>

3. Prime Minister Tony Blair, 'The Doctrine of International Community', speech to the Economic Club, Chicago, IL, 22 April 1999, available at: http://www.pbs.org/newshour/bb/international-jan-june99-blair_dctrine4-23/
4. Fraser Nelson, 'Tony Blair's Chicago doctrine is buried in Philadelphia', available at: <http://blogs.spectator.co.uk/2017/01/theresa-may-trump-lets-not-invade-countries/http://blogs.spectator.co.uk/2017/01/theresa-may-trump-lets-not-invade-countries/>
5. 'Theresa and Trump's New Era', *Daily Mail*, 27 January 2017, available at: <http://www.dailymail.co.uk/news/article-4161818/Theresa-rips-decades-Cameron-Blair-policies.html#ixzz4XtdOH6zr>
6. Henry Mance, 'Theresa May Draws Curtain on Era of British Foreign Intervention', *Financial Times*, 27 January 2017, available at: <https://www.ft.com/content/d6882ed4-e4b2-11e6-8405-9e5580d6e5fb>
7. John Kampfner, *Blair's Wars* (New York: Simon & Schuster, 2003); Anthony Seldon, *Blair* (London: Free Press, 2005).
8. I set out the sequence in a letter to Sir John Chilcot on 10 January 2010, prior to an evidence session with Jonathan Powell, available at: <http://www.iraqinquiry.org.uk/the-inquiry/news-archive/2010/2010-01-18-freedman/>. When I was appointed to the Iraq Inquiry, the connection between me and the speech was pointed out almost immediately. Michael Crick noted that 'Critics of the war might argue Sir Lawrence was himself one of the causes of the war!', available at: http://www.bbc.co.uk/blogs/newsnight/michaelcrick/2009/06/is_historian_the_best_judge_of.html. This inevitably led to suspicions that I had been put on the Inquiry to serve Mr Blair's interests and also being regularly described as his foreign policy adviser. I did meet with him on occasion and contribute drafts to speeches a few times thereafter, but this was the only time much remained of any suggestions of mine. I was however involved with the 1998 defence review and had known both Defence Secretary George Robertson and Foreign secretary Robin Cook since the 1970s. My only serious connection with Iraq policy-making came with a seminar I instigated at Downing Street in November 2002 as a result of my concerns about the potential aftermath of the war. The Seminar is described in the Iraq Inquiry Report.
9. For an analysis of the origins of the tradition and its development, up to the Chicago speech, see Beatrice Heuser, 'The Rise, Fall and Resurgence of 'Just War' Thinking from Cicero to Chicago', in Benedict Wilkinson and James Gow (eds), *The Art of Creating Power: Freedman on Strategy* (London: Hurst, 2007), pp. 97–116.
10. Charles Guthrie and Michael Quinlan, *Just War: The Just War Tradition: Ethics in Modern Warfare* (London: Bloomsbury, 2007). This is a guide to the tradition and its application to a number of contemporary conflicts. Guthrie was a former Chief of Defence Staff and Quinlan a former Permanent Secretary at the Ministry of Defence.
11. Henry Kissinger, *World Order: Reflections on the Character of Nations and the Course of History* (London: Allen Lane, 2014), p. 6.
12. Address by Prime Minister Begin at the National Defense College 8 August 1982, available at: <http://www.mfa.gov.il/mfa/foreignpolicy/mfadocuments/yearbook6>. Begin described the wars in 1956, when Israeli troops entered the Sinai Peninsula, and 1967, when Israel began hostilities with a successful pre-emptive attack which destroyed the Egyptian Air Force and began a Six-Day War, as the other wars of choice.
13. Josef Stern, 'Maimonides on Wars and Their Justification', *Journal of Military Ethics*, 11(3), 2012, pp. 245–63.
14. For example, Lawrence Freedman, 'Bosnia: Does Peace Support Make Sense?', *NATO Review*, 43(6), 1995, pp. 245–63.
15. Richard Haass, *War of Necessity, War of Choice: A Memoir of Two Iraq Wars* (New York: Simon & Schuster, 2009).

16. Lawrence Freedman, 'On War and Choice', *National Interest*, 107, 2010, pp. 9–16.
17. Kenneth Campbell, 'Once Burned, Twice Cautious: Explaining the Weinberger-Powell Doctrine', *Armed Forces and Society*, 24(3), 1998, pp. 357–74.
18. George Shultz, *Turmoil and Triumph: My Years as Secretary of State*, (New York: Charles Scribner's Sons, 1993), p. 648.
19. Caspar Weinberger, 'The Uses of Military Power', Speech to National Press Club, 28 November 1984, available at: www.pbs.org/wgbh/pages/frontline/shows/military/force/weinberger.html
20. Foreign Affairs Colin Powell with Joseph E. Persico, *My American Journey* (New York: Random House, 1995), p. 576.
21. <https://fas.org/irp/offdocs/pdd/pdd-25.pdf>
22. Albright believed herself to have been vindicated. John Diamond, 'In Farewell, Albright Jabs at Powell', *Chicago Tribune*, 10 January 2001, available at: http://articles.chicagotribune.com/2001-01-10/news/0101100176_1_state-madeleine-albright-colin-powell-american-peacekeeping-troops
23. The basic concept for counter-insurgency operations was captured by Sir Robert Thompson when seeking to apply the lessons of the Malayan campaign to Vietnam. He was concerned about the US reliance on helicopters which, unlike infantrymen, could not hold ground. 'It is the infantryman with his pack on his back, his rifle in his hand and his feet on the ground who is the "ultimate weapon"', Robert Thompson, 'Feet on the ground', *The Statist*, 4 February 1966, reprinted in *Survival*, 8(4), 1966, pp. 117–8. William Safire later attributed the precise term 'boots on the ground' to General Volney Warner as quoted in an article in *The Christian Science Monitor*, written during the Iranian hostage crisis. He argued that 'even light, token U.S. land forces – 'getting U.S. combat boots on the ground' – would signal to an enemy that the U.S. . . . can only be dislodged at the risk of war', William Safire, 'Let's Do This', *New York Times*, 7 November 2008, available at: <http://www.nytimes.com/2008/11/09/magazine/09wwln-safire-t.html>
24. Jeffrey Record, 'Exit Strategy Delusions', *Parameters*, 77(1), 2001–2002, pp. 21–7.
25. The speech and its context are covered in Oliver Daddow, 'Tony's War'? Blair, Kosovo and the Interventionist Impulse in British Foreign Policy', *International Affairs*, 85(3), 2009, pp. 547–60. On Kosovo as humanitarian intervention, see Adam Roberts, 'NATO's 'Humanitarian War' over Kosovo', *Survival*, 41(3), 1999, pp. 102–23.
26. Tony Blair, *My Journey* (London: Hutchinson, 2010), pp. 238–40.
27. For a guide to the issues around Desert Fox, see *Iraq: 'Desert Fox' and Policy Developments*, Research Paper 99/13 (House of Commons Library, 10 February 1999).
28. 'The 70-Hour War: War Of Words', *The Independent*, 21 December 1998, available at: <http://www.independent.co.uk/news/the-70-hour-war-war-of-words-1193685.html>
29. Simon Massey, 'Operation Assurance: The Greatest Intervention That Never Happened', *The Journal of Humanitarian Assistance*, 15 February 1998, available at: <https://sites.tufts.edu/jha/archives/123>
30. Rusk, *As I saw It* (New York: Norton, 1990), pp. 232–3; See also Lawrence Freedman, *Kennedy's Wars: Berlin, Cuba, Laos and Vietnam* (New York: Oxford University Press, 2000), p. 187
31. Christopher Greenwood, 'Humanitarian Intervention: The Case of Kosovo', in Academy Professor and Director Martti Koskeniemi and Jarna Petman (eds), *Finnish Yearbook of International Law, Volume 13* (Helsinki: Kluwer Law, 2002), pp. 141–75.
32. The full report and background materials can be found on the Inquiry's website, available at: <http://www.iraqinquiry.org.uk/>. The main criticisms were set out in the public statement by Sir John Chilcot, 6 July 2016, available at: <http://www.iraqinquiry.org.uk/media/247010/2016-09-06-sir-john-chilcots-public-statement.pdf>

33. See Iraq Report, Section 3.2, Development of UK Strategy and Options, January to April 2002—'Axis of Evil' to Crawford, para 730.
34. Andrew Dorman, *Blair's Successful War: British Military Intervention in Sierra Leone* (London: Routledge, 2009).
35. Blair, *My Journey*, p. 248
36. Report of the High-level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility* (United Nations, 2004), http://www.un.org/en/peacebuilding/pdf/historical/hlp_more_secure_world.pdf. On this see Heuser, 'The Rise, Fall and Resurgence of 'Just War'', pp. 113–4.

Author biography

Lawrence Freedman is emeritus professor of War Studies and vice-principal, King's College London. He was official historian of the Falklands Campaign and a member of the Official UK Inquiry into the Iraq War. His publications include *Kennedy's Wars* (2000), *A Choice of Enemies* (2009), *Strategy: A History* (2013) and his forthcoming *The Future of War: A History*.